

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, 3RD DECEMBER, 2024

Afternoon Sitting

3rd County Assembly

3rd Session

COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

TUESDAY, 3RD DECEMBER, 2024

The House met at the County Assembly Chamber at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

PETITIONS

1. REPORTS ON THE PETITION CONCERNING CONSTRUCTION OF THE OFFICE OF THE WARD ADMINISTRATOR AND ALLEGED UNFAIR ALLOCATION OF BURSARIES AND FARM INPUTS IN KAPKATENY' WARD

Mr. Speaker: Yes Chair, Member of the Committee, you give us observation, recommendations and the initial summary.

Yes, Hon. Chemion, proceed on behalf of the Committee.

Hon. Francis Chemion: Thank you Hon.Speaker. On behalf of the Chair of the Committee, I rise to give an overview of the petition.

I will not read most of these things because I am just supposed to...

Mr. Speaker: You only read the Executive Summary. Give us membership, observations and recommendations and you will be done.

Hon. Francis Chemion: The petition concerning construction of the Office of the Ward Administrator as well as alleged unfair allocation of bursaries and farm inputs in Kapkateny' Ward was tabled on the Floor of the House on September 19th, 2024. It was then referred to the Committee on Justice, Cohesion and Legal Affairs for processing in line with Standing Order No. 225 (1). The Committee invited the petitioners, Kapkateny' Ward Bursary Committee, the Chief Officer Education and the Chief Officer Public Administration.

The Committee made its observations and recommendations based on the evidence provided by both the petitioners and respondents.

Committee membership

Hon. Jacob Psero - Chairman

Hon. Everlyne Mutiembu Member

Hon. George Makari Member

Hon. Francis Chemion	Member
Hon. Jeremiah Kuloba	Member
Hon. Timothy Chikati	Member
Hon. Edwin Opwora	Member
Hon. Idd Owong'o	Member
Hon. Dorcas Ndasaba	Member
Hon. Sheila Sifuma	Member
Hon. Linda Kharakha	Member

The mandate is known

Acknowledgement

I would like to take this opportunity to extend my gratitude to the offices of the Speaker and the Clerk of the Assembly for their invaluable logistical support which greatly contributed to the successful completion of the report. Further, I want to thank the petitioners and respondents who furnished the Committee with the required information.

It is now my privilege and duty on behalf of the Committee on Justice, Cohesion and Legal Affairs to present this report to the County Assembly for noting dated 29th of November, 2024.

Signed by the Chair of the Committee, Hon. Jacob Psero Maruga; MCA Chesikaki.

I won't read the legal framework.

Mr. Speaker: Give us chapter four.

Hon. Francis Chemion: I now move to Chapter four. Hon. Speaker, these are the Committee's observations and recommendations.

Observations

1. That the current ward office is located at Kapkateny' Ward.
2. That there were lapses in inviting public views prior to undertaking of the decision of moving ward offices from the current location as provided by Section 5 of the Fair Administrative Action Act.
3. That the initial tender advertisement showed proposed construction of an office block at Kapkateny' Ward office, Kapkateny' market.
- 4 That there were no bursaries records comprising of lists of applicants, minutes and final list of award for the year 2023 from the Ward Administrator or from the Chief Officer for Education.

5. That the petitioner did not provide or lead any evidence to show that other wards received 500 bags or fertilizer while Kapkateny' Ward received 345 bags.

Recommendations

Prayer one: The prayer from the petitioner read like this; that the County Assembly orders offices of the Ward Administrator, Kapkateny' Ward be retained at Kapkateny' Market.

Recommendation: That the County Assembly cannot order construction of offices at a particular place but rather ensure that the ward offices are constructed on land belonging to the County Government with the proper documentation; and in line with the public participation views.

Prayer two: That there should be fair allocation of bursaries regardless of ethnic background.

Recommendation: The petitioners did not satisfy the Committee on the allegation that there was unfair allocation of bursaries in Kapkateny' Ward. There was no evidence adduced to that effect.

Prayer three: That there should be fair distribution of farm inputs regardless of ethnic background.

Recommendation: That the petitioners did not satisfy the Committee on the allegation that there was unfair distribution of farm inputs in Kapkateny' Ward. There was no evidence adduced to that effect.

Conclusion

All prayers were therefore declined.

Mr. Speaker: You haven't said whether the report is adopted or not.

Hon. Francis Chemion: Yes, the report was adopted by all the members of this..

Mr. Speaker: Don't say that. Just say it is adopted and that is sufficient.

Hon. Francis Chemion: It was adopted by the Members of the Committee.

Mr. Speaker: Yes. Then Honourable Members, as per Standing Order No. 226, the Clerk of the County Assembly will transmit this report arising from the Committee's sittings to the petitioners for their consumption. It ends that way.

Thank you to the Committee for being able to work overtime to bring us this report because we didn't want to go for recess with such a report pending before the House. Next item!

2. REPORT ON THE PETITION CONCERNING THE CONSTRUCTION OF THE WARD ADMINISTRATOR'S OFFICE IN MILIMA WARD

Mr. Speaker: Yes Hon. Chemion, the microphone is on!

Hon. Francis Chemion: Thank you Hon. Speaker. On behalf of the Committee, I have risen to move a report on the petition concerning the construction of the Ward Administrator's office, Milima Ward.

The executive summary is here.

The petition concerning the construction of the Ward Administrator's office, Milima Ward was tabled on the Floor of the house on September 19th, 2024. It was then referred to the Committee on Justice, Cohesion and Legal Affairs for processing in line with the Standing Order 225 No. (1). The Committee invited the petitioners for oral submissions however; the petitioners did not show up even after phone calls were made to them. The Chief Officer for Public Administration gave submissions on November 21st, 2024. Based on the submitted petition and the submissions by the Chief Officer of Public Administration, the committee made its observations and recommendations.

Committee Membership

Hon. Jacob Psero	Chairman
Hon. George Makari	Member
Hon. Francis Chemion	Member
Hon. Everlyne Mutiembu	Member
Hon. Jeremiah Kuloba	Member
Hon. Timothy Chikati	Member
Hon. Edwin Opwora	Member
Hon. Idd Owongo	Member
Hon. Dorcas Ndasaba	Member
Hon. Sheila Sifuma	Member
Hon. Linda Kharakha	Member

The mandate is there. I now move to the Chapter Four.

Mr. Speaker: You have to give us 1.4 first; you can't to go to chapter four. You must give us 1.4.

Hon. Francis Chemion: Yes, Mr. Speaker.

Acknowledgement

I would like to take this opportunity to extend my gratitude to the offices of the Speaker and the Clerk of the County Assembly for their invaluable logistical support which greatly contributed to the successful completion of the report. It is now my privilege and duty on behalf of the Committee on Justice, Cohesion and Legal Affairs to present this report to the Assembly for noting dated 29th of November, 2024, signed by Hon. Jacob Psero, Maruga; MCA Chesikaki, and Chairperson of the Committee.

Chapter Four

Observations

1. That the petitioner has failed, neglected, and/ or refused to appear before the Committee to offer any evidence, despite being invited formally.
2. That the petitioner has never made any formal communication to the Committee as to why they did not appear on the prescribed dates and times.
3. That on numerous occasions, the petitioners were called via their mobile phone numbers, which went unanswered.
4. That the Committee, however, decided to consider the petition on its merits.

Committee's Recommendations

The County Assembly cannot order construction of offices at a particular place but rather ensure that the ward offices are constructed on land belonging to the County Government with the proper documentation and in line to public participation views.

Conclusion

The prayers were therefore declined.

It was adopted by a majority of the members.

Mr. Speaker: Thank you Hon. Chemion and the Committee for giving us a feedback after seeking for extension of time.

Honourable Members, I think that will be the end of the report and according to Standing Order No. 228, the same will be forwarded by the Clerk to the petitioners; but we take note of their conduct. In future, if the same people bring a similar petition before this House, we will not give them audience because you can't file a petition and when invited you refuse to come; then again come back to the same people who want to assist you in the seeking for further orders.

We will be very keen and if we have such a petition again or whichever petition to the Assembly; they won't be given audience.

Let's go to the next item.

PAPERS

1. REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY BUDGET REVIEW OUTLOOK PAPER 2024

(Report tabled by Hon. Jack Wambulwa)

Mr. Speaker: The report by the Budget and Appropriations Committee on the Bungoma County Budget Review Outlook paper 2024 is hereby tabled by the Committee. It formally becomes the property of the House.

2. REPORT BY THE COMMITTEE ON TOURISM, WATER AND NATURAL RESOURCES ON THE BUNGOMA COUNTY WATER POLICY, 2024

(Report tabled by Hon. Martin Chemorion)

Mr. Speaker: Honourable Members, the report by the Committee on Tourism, Water and Natural Resources on the Bungoma County Water Policy, 2024 is hereby tabled. It formally becomes the property of the House.

3. REPORT BY THE SECTORAL COMMITTEE ON HEALTH SERVICES

(Report tabled by Hon. Jerusa Aleu)

Mr. Speaker: Honourable Members, the report by the Committee on Health Services on the completion of maternal and child health units at the BCRH, Bumula and Naitiri Hospitals; and administration block at the Mt. Elgon KMTC by Kenya Devolution Support programme is hereby tabled. It formally becomes the property of the House.

NOTICES OF MOTIONS

1. REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY BUDGET REVIEW OUTLOOK PAPER, 2024

Hon. Jack Wambulwa: Thank you Hon. Speaker. I hereby give a notice of motion that the House adopts the report by the Budget and Appropriations Committee on the Bungoma County Budget Review Outlook Paper, 2024.

Mr. Speaker: Thank you Honourable Chairperson to the Budget Committee. Honourable Members, a notice of motion has been dully issued by the Committee for Budget and Appropriations. I urge the Clerks- at- the- Table to circulate this report. The same will come up as a motion on the Order Paper in the course of the week

2. REPORT BY THE SECTORAL COMMITTEE ON TOURISM, WATER AND NATURAL RESOURCES ON BUNGOMA COUNTY WATER POLICY, 2024

Hon. Martin Chemorion: Thank you Mr. Speaker Sir. I rise to issue a notice of motion that this House adopts the report by the Committee on Tourism, Water and Natural Resources on the Bungoma County Water Policy, 2024

Mr. Speaker: Honourable Members, a notice of motion has been dully issued by the Committee on Tourism, Water and Natural Resources on the Bungoma County Water Policy, 2024. I do urge the Clerks- at- the- Table to share this report as the same will come up as a motion on the Order Paper in the course of the week.

3. REPORT BY THE COMMITTEE ON HEALTH SERVICES

Hon. Jerusa Aleu: Hon. Speaker, I rise to issue a notice of motion that this House adopts a report by the Committee on Health Services on completion of maternal and child health units at BCRH, Bumula and Naitiri Hospitals; and administration block at Mt. Elgon KMTC by the Kenya Devolution Support programme

Mr. Speaker: Honourable Members, a notice of motion has been dully issued by the Sector Committee on Health Services. I urge the Clerks- at- the- Table to share the report with the honourable MCAs as the same will come up as a motion on our Order Paper.

MOTION

1. REPORT BY COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON THE THE BUNGOMA COUNTY FINANCE BILL, 2024

Hon. Francis Chemion: Thank you Hon. Speaker, I rise to move a report on the Bungoma County Finance Bill by the Committee on Finance and Economic Planning.

Preface

Mr. Speaker Sir, on behalf of the Committee on Finance and Economic Planning, it is my pleasure to present the Bungoma County Finance Bill, 2024 that was introduced to the House through a First Reading on Tuesday 1st October, 2024 at 2:30 p.m.

Establishment and functions of the committee

The Sectoral Committee on Finance and Economic Planning is established pursuant to the provisions of Standing Order No. 217 of the County Assembly of Bungoma and executes its mandate in accordance with Standing Order No. 217(5).

Committee Membership

The Committee on Finance and Economic Planning as currently constituted comprises of the following members:-

1. Hon. James Mukhongo	Chairperson
2. Hon. Orize Kundu	Vice chairperson
3. Hon. Stephen Wamalwa	Member
4. Hon. Everlyne Mutiembu	Member
5. Hon. Violet Makhanu	Member
6. Hon. Jack Kawa	Member
7. Hon. Vitalis Wangila	Member
8. Hon. Francis Chemion	Member
9. Hon. Tony Barasa	Member
10. Hon. George Makari	Member

11. Hon. Aggrey Mulongo	Member
12. Hon. Godfrey Wanyama	Member
13. Hon. Everton Nganga	Member
14. Hon. Christine Mukhongo	Member
15. Hon. Jerusa Aleu	Member

Legal Framework

Hon. Speaker, we have Article 185 of the Constitution of Kenya 2010, section 8 of the County Government Act, 2012, Article 174 of the Constitution of Kenya, Section 132(2) of the PFM Act, 2012, Section 132 (4) of the Public Finance Management Act, 2012 and Article 114 of the Constitution as read together with Section 21 of the County Governments Act, 2012.

Acknowledgment

I take this opportunity to express my gratitude and sincere thanks to the Members of the Committee for dedicating their limited time to sit and examine the Finance Bill, 2024.

The Committee would also like to register appreciation to the members of secretariat who worked with us for their unwavering commitment. Further the Committee notes with great appreciation the mobilization at village level by the Ward Managers to converge members of the public to give their views to the Committee.

Lastly, the Committee is grateful to the Hon. Speaker, and the Office of the Clerk of the County Assembly of Bungoma for the support received as it discharged its mandate.

It is therefore my duty, on behalf of the committee members of Finance and Economic Planning to table this report and recommend it to the County Assembly for consideration and adoption.

The report is signed by Hon. James Barasa Mukhongo, MCA Chwele Kabuchai Ward and Chairperson Committee on Finance and Economic Planning.

CHAPTER TWO

Public Hearings

Pursuant to Article 196(b) of the Constitution of Kenya, 2010 and the County Assembly of Bungoma Standing Order No. 140(2) which requires that public participation and involvement of the public in the legislative and other Business of the County Assembly and its Committees, a notification was placed in the Daily Nation Tuesday 5th November, 2024 informing the public to submit written representations on the Finance Bill, 2024 to the Clerk of the County Assembly via post office, email or hand delivery on or before 15th November, 2024 (**Annex 1**)

The Committee received the memorandum from the following groups;

1. Redo Kenya budget champions
2. Emonyo Yefwe international

3. Development Education Services for Community Empowerment.
4. Voice of Bungoma CSOs

The views of these groups are attached to this report as (annexure II)

Public Views on the Finance Bill, 2024

The Committee on Finance and Economic Planning held public participation forum that was attended by stakeholders drawn from organized groups such as, Auction Rings, Motorcycle operators commonly known as '*bodaboda*', Tuk tuk/ Lorries/ Pickup/Canter operators, Public Service Vehicles or '*matatu*' operators, Civil Society, open air market traders, Chamber of Commerce, exhaustor service providers as well as representatives from each of the forty five (45) wards across the County.

A summary of views of the public and all other stakeholders are as follows:

Summary of public views

1. Agriculture and Livestock Development

- Reduce fertilizer prices to Kshs2, 000 per 50kg for planting and top dressing to support farmers.
- Maintain soil testing fees at Kshs500 to encourage farm productivity.
- Reduce tractor hire services to Kshs2, 500 per day to boost mechanized farming.
- Introduce efficient cess collection points for farm produce at entry/exit points to maximize revenue.

2. Public Health and Sanitation

- Lower inspection fees for learning institutions and medical facilities, particularly in rural areas.
- Reduce vaccination fees for food handlers from Kshs1, 500 to Kshs500 to improve compliance.
- Make burial clearance fees affordable or free for low-income groups.
- Enforce penalties for litter bin vandalism and illegal dumping.

3. Trade, Energy, and Industrialization

- Classify and reduce business permit fees for small-scale traders (e.g., mama mboga and small shop operators).
- Segregate alcoholic drink licenses for rural and urban establishments with more favourable rates for rural areas.
- Introduce charges for open-air retail displays along major streets (e.g., Kshs200/day).

4. Revenue Collection and Administration

- Fully automate revenue collection and integrate it with GIS for transparency.
- Establish a single pay bill system for all county revenue streams.
- Conduct a forensic audit of the automated revenue management system to enhance credibility.
- Train revenue officers in governance, integrity, and public relations to improve service delivery.

- Implement quarterly reviews of revenue targets to assess and adjust strategies.
-

5. Urban and Physical Planning

- Reduce fees for land subdivision, amalgamation, and boundary surveys to encourage compliance.
- Encourage the use of county surveyors by making their charges more competitive.
- Introduce penalties for non-compliance with urban planning regulations, such as unauthorized land use.

6. Public Participation and Governance

- Enhance civic education on revenue obligations and rights to encourage compliance.
- Increase stakeholder engagement, including market committees and civil society, in decision-making.
- Promote transparency by publishing detailed revenue performance reports.

7. Infrastructure and Environmental Management

- Introduce charges for waste disposal based on business scale, e.g., factories (Kshs20,000/year) and supermarkets (Kshs8,000/year).
- Develop a policy for sand harvesting and timber royalties to regulate environmental degradation.
- Establish clear procedures for charging fees on pets in urban areas to formalize this revenue stream.

8. Support for Small and Medium Enterprises (SMEs)

- Lower license fees for mobile money agents and small-scale agro-vets to stimulate entrepreneurship.
- Provide flexible payment schedules for taxes and licenses in 2-3 instalments yearly.

9. Education, Culture, and Social Services

- Reduce charges for hiring parks and stadia for schools and community activities to encourage usage.
- Lower registration fees for community-based organizations from Kshs5, 000 to Kshs2, 500 to promote social initiatives.

10. Anti-Corruption and Efficiency

- Increase penalties for corrupt practices among revenue officers to deter misconduct.
- Rotate and redeploy revenue officers annually to minimize collusion and favouritism.

CHAPTER THREE

The Committee Proposed Amendments to the Finance Bill, 2024

The Committee proposes a number of amendments to the Finance Bill, 2024 as follows;

First Schedule: Finance and Economic Planning

1. Amendment on Item code number 1- 10011

Description of fee or Charge	Unit of measure	Proposed Charges	Committee recommended Charges 2024
Penalty for scanning, Forging and photocopying Trade license	per instance	70,000	150,000

2. Amendment on item code 1-1003

Description of fee or Charge	Unit of measure	Proposed Charges 2024	Committee recommended Charges
Penalty on cash transaction by officers without issuance of official receipt	per instance	+100% of the amount transacted	+200% of the amount transacted

Second Schedule: Agriculture, Livestock, Veterinary and Fisheries

3. Amendment on Item code number 1- 2110 and 1-2111 respectively

Description of fee or Charge	Unit of measure	Proposed Charges 2024	Committee recommended Charges
Planting fertilizer	per 50kg bag	2,200	2,000
Topdressing fertilizer	per 50kg bag	2,200	2,000

4. Amendment on item code 1-2120 crop development Services

Description of fee or Charge	Unit of measure	Proposed Charges 2024	Committee recommended Charges
Soil testing	per sample	1,000	500

Third Schedule: Environment, Water and Tourism

5. Amendment on item code 1-290

Description of fee or Charge	Unit of measure	Proposed Charges 2024	Committee recommended Charges
Illegal dumping of	per instance	10,000	30,000

wastes, Construction material, construction Demolition debris			
---	--	--	--

Fourth Schedule: Health and Sanitation

6. An amendment on item code 1-3508

Description of fee or Charge	Unit of measure	Proposed 2024 Charges	Committee recommended Charges
Blockage removal within Premises per blockage Covered	per premise	1,000	0

7. An amendment by inserting new code 1-6824 penalty for using wrong lane

Description of fee or Charge	Unit of measure	Proposed 2024 Charges	Committee recommended Charges
Penalty for Motor vehicles using a wrong Lane along the Dual carriage way	Per instance	New	1000

CHAPTER FOUR

Observation, Recommendations and Conclusions

Committee's observations

The Committee made the following observation from the Finance Bill, 2024.

1. That there are several key legislations that have been passed by the County Assembly of Bungoma, however, most of the legislation lacks a schedule for fees and charges.
2. That Finance Bill 2024 was submitted to the County Assembly of Bungoma on 30th September, 2024; which was the dateline to approve the Finance Bill. This late submission hindered the processing of the Bill by the County Assembly within the statutory timelines.
3. That the Bill was not properly drafted and was not in order as to the style and format of a Finance Bill.
4. Members of the public raised concern of the revenue collectors receiving cash and sometimes failing to receipt the same. It was further noted that BARMS is not verifiable and accurate and is not connected to GIS.
5. That there is no seamless coordination between the Sector departments and the Department of Finance and Economic planning in prioritization of programs that support the maximization of revenue collection hence existence of a big variance between the target and the actual revenue collected affecting implementation of projects and programs.

6. There is need to fully establish a County Court to enable easy enforcement of the County revenue raising legislation.
7. The County has not established a valuation roll which will increase the land rates and plot rent and immensely improve revenue collection.
8. The County Department of Gender Culture, Youth & Sports does not have appropriate regulations to operationalize the Bungoma County Alcoholic Drinks Control Act, 2015
9. There are some departments that lack revenue raising legislation to enhance revenue for instance; Agriculture, livestock Fisheries and Cooperative development lacks; Livestock sale yard Act, Animal Control and welfare Act, Mabanga ATC, AMC, Chwele fish farm and farm input support programme (free and subsidized fertilizer and maize seeds.)
10. There are some revenue streams, despite having been passed in previous Finance Act; the County has not operationalized them. These includes fees and charges related to animals roaming in towns and penalty on loading and offloading of trucks along Moi avenue and dual carriage way.
11. The County Government of Bungoma has not fully operationalized the Bungoma County Agricultural produces Cess Act, 2017.
12. That most of markets lack Market infrastructure such Auction rings, Sanitation facilities, sheds and such other facilities
13. It was noted that some vehicle and motorbikes are using wrong lane along dual carriage way as result causing unnecessary accidents.
14. Concerns were raised on feedback/validation after public participation on various Bills and statutory document including Finance Bill.
 15. There is rapid increasing in catering services in public and private function without paying any fees or charges of the County Government.
 16. There is harassment of business community by the County enforcement officers during revenue collection and in some instances they collect money without receipting.

Committee's Recommendations

The Committee made the following recommendations:

1. **THAT** the respective department upon adoption of this Finance Bill, 2024 should amend the existing revenue raising legislation by inserting schedules on fees and charges and submit them to County Assembly for approval.
2. **THAT** the County Executive Committee Member of Finance and Economic Planning should submit a policy statement alongside Finance Bill by 30th April each year in compliance with Section 132 (2) of the Public Finance Management Act, 2012; to ensure that the Finance Bill is processed within the statutory timelines.
3. **THAT** henceforth the department should use the enacted County Revenue raising legislations to conform to the style and format of a Finance Bill while preparing the Bungoma County Finance Bill.
4. **THAT** the Revenue Directorate should fully automate revenue collection to embrace fully a cashless revenue collection system, except in rare circumstances and should connect BARMS

with GIS. This will reduce leakages and improve domestic revenue generation and revenue administration and management.

5. **THAT** the Department of Finance and Economic Planning should liaise with other departments in setting realistic targets and developing programs that will enhance local revenue in the County.
6. **THAT** office of the County attorney in liaison with County Secretary should approach the Judiciary through office of Chief Registrar with a view of establishing County Court/revenue related tribunals for effective enforcement of County revenue raising legislations.
7. **THAT** the sector Committee on Lands, Urban and physical planning and Housing should fast-track the consideration and submission to the House for approval the valuation role. This will increase the land rates and plot rent and immensely improve revenue collection.
8. **THAT** the County Executive Committee of Finance and Economic Planning is hereby directed to urgently develop regulations for revenue raising legislation passed by the County Assembly to operationalize them in order to enhance local revenue collection and management.
9. **THAT** the following Bills should be fast-tracked by respective sector committees to enhance revenue collection in the County:
 - a) The Construction and Development Bill
 - b) The Bungoma County Public Health and Sanitation Bill
 - c) The Bungoma County Animal Welfare Control Bill
 - d) The Bungoma County Rating Bill
 - e) Bungoma County Agricultural Institutional Bill, 2024
 - f) Bungoma County Livestock Sale Yard Bill, 2024
 - g) The Bungoma County Food Safety Coordination Bill, 2024
10. **THAT**, respective departments should implement all revenue stream items as approved by the County Assembly.
11. **THAT** the County Government should operationalize the Bungoma County Agricultural Produce Cess Act, 2017; including establishing County exit cess collection points in line section 11 of the Act to maximize revenue collection and plough back 90 per cent of cess collected in the agricultural cess producing areas as stipulated in section 12 of the Act.
12. **THAT** the County Government should establish key market infrastructure in order to create, nurture and sustain an enabling environment for business growth.
13. **THAT** the County should impose a penalty on vehicle and motorbikes using a wrong lane, a penalty of Kshs1000 and Kshs500 respectively. The departments of Finance and Economic Planning and Public Administration and ICT should liaise and deploy enforcement officers to make sure strict compliance.
14. **THAT** the Department should carryout sensitization of business community and validation upon adoption of the Finance Bill, 2024.
15. **THAT** the County should consider charging outside catering services being offered by hotels and individuals in public and private functions.
16. **THAT** the respective departments should train enforcement officers on customer service and carry out strict supervision during revenue collection and any officers found taking money

without receipting, should face full force of the law so as deter other officers from engaging in such fraudulent activities.

Conclusion

Mr. Speaker Sir, the enactment of this Bill into law by this House will serve to provide the much needed legislative framework at the county level for raising local revenue.

ANNEXTURES

Annex I Adoption Minutes

Annex I Public Participation Advert

Annex III Public participation report

Annex IV Bungoma County Finance Bill, 2024

Adoption Schedule

The Members of Finance and Economic Planning Committee appended our signatures confirming the contents herein the Bungoma County Finance Bill, 2024. I wish to end to there. This report was adopted by all the Members of the Committee. I want to call upon Hon. Kawa to second the report.

Hon. Jack Kawa: Thank you Hon. Speaker for according me this opportunity to second the report. First allow me applaud the mover of the motion and also appreciate the Members of the Committee for the good work done.

Hon. Speaker, looking at the observations; when we received public views, the last observation was that the members of the public mentioned about the need for revenue enhancement specifically on the mechanisms put in place to make sure that we enhance our local revenue. They cited some of the issues that have been captured in this report. Also as Members of the Committee asked ourselves why outside catering within our county collect some revenue but catering providers from outside the county; citing one hotel from Busia. That why is it that they don't pay revenue yet they have come to offer services? Those are some of the concerns that we thought about as a Committee and I want to request the House to pass this Finance Bill, 2024 and put the Executive on toes to make sure they enhance local revenue collection.

We also want to thank the CECM, Finance because he said that they have mandated all the departments as mentioned in the report to collect their own local revenue. We task all the CECM in their departments to make sure that they collect optimal revenue in their respective departments.

Lastly, Hon. Speaker so that I can allow Members to make their contributions; we observed that avenues for money going into people's pockets exist. That some people pay in cash with a receipt. Those are some of the issues that we want to ask the Executive to put in place mechanisms to ensure revenue is not

lost but is instead collected to assist the people of this county. When our local revenue collection goes up, I am sure we will move our County to another level. I second the motion.

Mr. Speaker: Thank you Hon. Chemion for moving the report on behalf of the Committee and equally Hon. Kawa for seconding the report. Members as I propose a motion for debate. You should beware that this report is not for approval by this House; it is for noting purposes. You need to have a Committee of the Whole House to move amendments on the proposed items in the Finance Bill. After proposing this motion for debate and at the end of debate, I will not put a question because those figures may change during the Committee of the Whole House. We just note the proposals and the rest will be done during the Committee of the whole House. When you adopt this now, it means that what has been proposed in this report is final as per the House decision.

(Question proposed)

Thank you Honourable Members, the House notes and the Finance Bill will now move to the next stage of the Committee of the Whole House during tomorrow's sitting.

ADJOURNMENT

On the Order Paper that was the only motion. We will adjourn and resume tomorrow at 9:30 a.m.

The House rose at 3:24 p.m.