

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, 4TH JUNE, 2024

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA

THE HANSARD - OFFICIAL REPORT

TUESDAY, 4TH JUNE, 2024

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

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

PRAYER

COMMUNICATION FROM THE CHAIR

1. RE-ORGANIZATION OF THE ORDER PAPER

Honourable Members, I wish to rearrange one item on our Order Paper; Order No. 7 on Statements where we are expecting a response from the concerned department to a statement that was sought by Hon. Johnston Ipara. We did agree that it be taken back to HBC for a proper reschedule once we resume sittings and after we have handled item No. 8 on the Order Paper.

2. CAR LOAN AND MORTGAGE SECURITY

Honourable Members, this is a humble request...sometimes it is not good to embarrass Honourable MCAs but this is for your consumption. In the period between the 16th November, 2022 and 17th May, 2023, Honourable Members were issued with car loans and all have given back their securities except seven members. I won't be reading your names here but I am asking if you know you are among the seven Honourable Members; kindly give the security by the end of this week. When we are preparing the audit report, audit queries come up. Last time we intervened not to have your names in that report. This time round, we won't intervene; you will be appearing amongst the defaulters and your political and future career will be ruined.

Secondly, between the 24th of January, 2023 and the 23rd of June, 2023, every member of this House was extended a mortgage facility and to date 27 members have refused to give back their title deeds as security. I will equally urge you to do so. On Monday next week; because there is a platform for all Honourable Members, I will share a list so that you identify yourselves and to avoid embarrassment. The 27 members know themselves; I don't want to mention your names here, but I am urging that you have between now and Monday to bring your security.

Lastly, at the end of the sitting I will ask that I have a brief meeting with Hon. Iddi and Hon. Psero if they are within; if they are not within, I will look for them physically so that they are able to clarify on some issues about their reimbursement. We still have some members who are yet to seek for reimbursement and as you are all aware, we only have one month; this month.

The Committee on Budget won't be allocating funds for Honourable MCAs reimbursement in the next financial year. There is only one person remaining; the other two I think at the end of the day you will be smiling all the way to the bank. I beseech the remaining one to come and see me so that we figure a way out.

PAPERS

1. REPORT BY THE HOUSE BUSINESS COMMITTEE ON AFFAIRS OF THE COUNTY ASSEMBLY DURING THE 1ST QUARTER OF THE THIRD SESSION

(Paper laid by Hon. Metrine Nangalama)

Mr. Speaker: Honourable Members, a report by the HBC on the affairs of the County Assembly during the 1st Quarter of the 3rd Session is hereby tabled and formally becomes the property of the House.

2. THE BUNGOMA COUNTY EXECUTIVE CONSOLIDATED REPORT ON FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH, 2024

(Paper laid by Hon. Joseph Nyongesa)

Mr. Speaker: Honourable Members, this is the Bungoma County Executive consolidated report and financial statements for the period ending 31st of March, 2024 that has been tabled before this House. Subsequently, I commit the same to the Committee on Finance and Economic Planning for processing and reporting.

(Loud consultation)

Members, out of excitement of having resumed from home, could you please consult in low tones, proceed

3. REPORT OF THE AUDITOR GENERAL ON FINANCIAL STATEMENTS OF KIMILILI MUNICIPALITY

(Paper laid by Hon. Joseph Nyongesa)

Mr. Speaker: Honourable Members, the report of the Auditor General of the financial statements for Kimilili Municipality for the year ending 30th June, 2023 is hereby tabled; I commit the same to the Public Accounts and Investments Committee for processing and reporting to the House.

NOTICE OF MOTION

1. REPORT BY THE HOUSE BUSINESS COMMITTEE

Hon. Metrine Nangalama: Thank you Mr. Speaker Sir. I am on my feet again to give a notice of motion that this House adopts the report by the House Business Committee on the affairs of the County Assembly during the first quarter of the third Session.

Mr. Speaker: Honourable Members, the House Business Committee report having been tabled and the notice of motion duly issued on the affairs of the County Assembly during the first quarter of the third Session; I hereby direct the Clerks- at- the-Table to share this report at the appropriate time when the House is in session and it will appear on the Order Paper as a motion.

MOTION

1. ALTERATION OF THE HOUSE CALENDAR

Leader of Majority (Hon. Joseph Nyongesa): Thank you Mr. Speaker. Allow me move the procedural motion on alteration of the House Calendar. That pursuant to the provisions of Standing Order No. 31 (4) and taking cognizance of the Bungoma County Annual Budget Estimates for FY 2024/2025 laid in this House; noting that the interrogations of the annual budget estimates by the sectoral committees and to pave way for the renovation of the Chambers; this House alters its calendar of the third Session for regular sessions and therefore resolves that the sittings from Wednesday 5th June, 2024 at 9:30 a.m. to Thursday, 5th June, 2024 at 2:30 p.m. be altered and that the House resumes its sittings from Tuesday, 18th June, 2024 at 2:30 p.m. Allow me call upon the Leader of Minority Hon. Anthony Namunyu Lusenaka to second.

Mr. Speaker: Thank you the Hon. Leader of Majority. Hon. Lusenaka, proceed

Hon. Anthony Lusenaka: Thank you Hon. Speaker. I rise to second the motion as moved by the Leader of Majority on the alteration of the House calendar. Looking at this House that we are in today; from the outside you can actually see that it is not habitable. When you look at it from the inside and when you look at the ceiling board, it is almost falling off. So we thought that it was better for us to allow the contractors to at least make it better for us because we spend most of our working hours here. So if we can allow the contractor the two weeks, they could be done with these repairs then we can come back and continue with our Business.

I wish to request the members here in this House that we allow the alteration of the calendar to allow the contractor the two weeks so that they finish up the job then we resume our normal sittings.

Hon. Speaker: Thank you Hon. Lusenaka. Honorable Members, the procedural motion has been moved and seconded that the sittings from Wednesday, 5th June, 2024 at 9:30 a.m. be altered and the House resumes its sittings as from Tuesday, 18th June, 2024 at 2:30 p.m.

(Question proposed)

Thank you very much for your contributions for that purpose.

(Applause)

Honorable Members keep on reminding me the mood of the House; I have never known the colour of the mood of the House. Let us proceed.

(Question put and agreed to)

The House calendar has been altered and we will be resuming our sittings from Tuesday 18th June, 2024 at 2:30 p.m. But in the meantime, our regular schedule of internal committee meetings remains unchanged. If you are not part of the Budget Committee that is doing interrogations and report writing; be available for your usual committee sittings within the premises of the Assembly.

BILLS

1. THE BUNGOMA COUNTY PUBLIC PARTICIPATION AND CIVIC EDUCATION BILL, 2024

Hon. Tony Barasa: Thank you Hon. Speaker

County Assembly of Bungoma

To the Speaker,

County Assembly of Bungoma,

Box 1886, 50200

Bungoma

Thro' the Officer-Clerk,

County Assembly of Bungoma,

Box 1886, 5200

Bungoma

RE: Progress Report on the Bungoma County Public Participation and Civic Education Bill, 2024 and the Bungoma County Access to Information Bill, 2024

Hon. Speaker, the Bungoma County Public Participation and Civic Education Bill, 2024 and the Bungoma County Access to Information Bill, 2024 were tabled in the House and read for the first time on 15th May, 2024. The Bills were committed to the Committee on Public Administration and ICT for processing pursuant to Standing Order No. 141 of the County Assembly of Bungoma Standing Orders.

The Bills were subjected to public participation pursuant to Article 186 (1) (b) of the Constitution of Kenya, Standing Order No. 142 of the County Assembly of Bungoma Standing Orders. Members of the public were invited to submit memoranda on the Bills to the Office of the Clerk on or before Monday, which was yesterday, 3rd of June, 2024.

Mr. Speaker, Sir, the Committee on Public Administration and ICT is yet to consider views from the public so as to enable it to complete its report on the Bills. Therefore, pursuant to Provisions of Standing Order No. 145 of the Bungoma County Assembly Standing Orders, I hereby seek the indulgence of this House for an extension of 30 days for the Committee to consider the public views and report back to this House.

From Tony Khaoya Barasa,
Chairperson, Sectorial Committee on Public Administration and ICT
Thank you.

Mr. Speaker: Thank you Hon. Tony, for your progress report. You have sought for 30 days and you will be given up to the 4th of July, 2024 when the Bill will be read for a second time. That is after having the input of members of the public on the said Bill accordingly.

2. THE BUNGOMA COUNTY VALUATION AND RATING BILL, 2024

Mr. Speaker: Hon. Francis Chemion, you proceed, please.

Hon. Francis Chemion: Thank you, Hon. Speaker. On behalf of the Committee, I rise to give a progress report on the Bungoma County Valuation and Rating Bill, 2024. The Committee on Lands, Urban, Physical Planning, Housing and Municipalities is in possession of the Bungoma County Valuation and Rating Bill, 2024 pursuant to Standing Order No. 140 (1) of the County Assembly of Bungoma Standing Orders.

The Bill was tabled in the House for First Reading on 15th of May, 2024 in respect to Article 196 (1) (b) of the Constitution of Kenya and Standing Orders No. 140 (2) of the County Assembly of Bungoma Standing Orders on engaging the public on Bills.

I would like to report to this House that the Committee, through the Office of the Clerk, invited members of the public to submit memoranda on the Bill to the Office of the Clerk on or before Monday 3rd of June, 2024. Since the deadline for submission of memoranda lapsed yesterday; and by fact that the House has been on recess, the Committee has not analysed the public views on the Bill.

Consequently, I hereby and Pursuant to the provisions of Standing Order No. 140 (5) of Bungoma County Assembly Standing Orders seek leave of this House for an extension of time by 30 days; to allow the Committee consider the public views and write a report on the Bill for consideration by this House. This is signed by the Chairperson of the Committee Hon. Francis Chemion, MCA- Kaptama.

Mr. Speaker: The only challenge I have is that your request is out there. You are dating it 3rd of June... yesterday, but you are signing it today.

As we proceed, as we keep on learning, there are no sections in the Constitution. There are Articles and Sub-Articles...Let us proceed to the next item, please.

3. THE BUNGOMA COUNTY ACCESS TO INFORMATION BILL, 2024

Mr. Speaker: Honourable Members, I think we have ... is it not the Committee on Public Administration and ICT that is working on this Bill? To my understanding, if you look at the Order Paper, No. 9 is basically Public Participation and the Civic Education Bill, 2024.

The other Bill is the Bungoma County Access to Information Bill, 2024, under Article 35 of the Constitution of Kenya. Let me give the microphone first. Proceed.

Hon. Tony Barasa: Hon. Speaker I stand guided and what I have done is I combined the two in the same script. Yes, I combined the two, and it is captured on the HANSARD.

Mr. Speaker: I think you are very much in order. You did two in one, and I think you are granted.

Hon. Tony Barasa: Thank you.

Mr. Speaker: I think the same will come up on the 4th of July, 2024.

Honourable Members, lastly, this is meant for the Whole House; that we will be carrying out our sectoral committee interrogations on Thursday and Friday. So, we have agreed that tomorrow at 9:00 a.m., all the Honourable Members will be available at the Kamukunji Hall where we will be having a briefing on all the sectors for interrogation.

We will be having the Fiscal Analysts, the Committee Clerks and we shall be looking at everything so that as you go for interrogation the following day, you know what you are supposed to ask and seek.

So, I will ask that we all be present. We will look at the analysis department by department so that when you go for interrogations you take the shortest time possible.

ADJOURNMENT

Honourable Members, having approved the motion No. 8, we will adjourn our sitting and resume on the 18th of June, 2024 at 2:30 p.m.

(The House rose at 3:03 p.m.)