

*Hon Speaker
Chairman
Committee for
Finance*
(S/4/165)

COUNTY GOVERNMENT OF BUNGOMA



COUNTY ASSEMBLY OF BUNGOMA OFFICE OF THE CLERK

THIRD ASSEMBLY-FOURTH SESSION

HOUSE BUSINESS COMMITTEE

REPORT OF THE AFFAIRS OF THE COUNTY ASSEMBLY FOR THE THIRD SESSION OF THE THIRD ASSEMBLY

13TH FEBRUARY, 2024 – 10TH FEBRUARY, 2025

Clerks Chambers
County Assembly Buildings
P.O BOX 1886 - 50200
BUNGOMA, KENYA

April, 2025

**COUNTY ASSEMBLY OF BUNGOMA
(LPCS)**

15 APR 2025

TABLED
By Hon. Joseph Juma

**COUNTY ASSEMBLY OF BUNGOMA
(LPCS)**

15 APR 2025

NOTICE ISSUED
By Hon. Joseph Juma

TABLE OF CONTENTS

CHAPTER ONE	4
1.1 OBJECTIVES OF THE REPORT	4
1.2 ESTABLISHMENT AND MANDATE OF THE COMMITTEE.....	4
1.3 COMMITTEE MEMBERSHIP	5
1.4 ACKNOWLEDGEMENT	5
CHAPTER TWO.....	6
2.1 RESUMPTION OF THE HOUSE, CALENDAR AND SITTINGS OF THE HOUSE.....	6
2.2 SPECIAL SITTINGS OF THE COUNTY ASSEMBLY	7
2.2.1 Comparison of House Sittings during the second and third Sessions.....	8
2.3 VISITING DELEGATIONS AND PUBLIC INTERACTIONS WITH THE COUNTY ASSEMBLY.....	9
2.3.1 Comparison of Visits to the County Assembly during the second and third Sessions	10
2.4 PRESIDING SPEAKERS DURING THE PERIOD UNDER REVIEW	11
2.4.1 Comparison during the second and third Sessions.....	12
2.5 BUSINESS UNDERTAKEN DURING THE PERIOD UNDER REVIEW	12
2.5.1 Communication from the Chair	12
2.5.1.1 Comparison of Communications from the Chair during the second and third Sessions	13
2.5.2 Messages from H.E the Governor.....	14
2.5.2.1 Comparison in the number of Messages received during the second and third Sessions	14
2.5.3 Public Petitions.....	14
2.5.3.1 Comparison of Petitions processed during the second and third Sessions	15
2.5.4 Papers laid during the Session	15
2.5.5 Policies and Guidelines.....	17
2.5.6 Regulations	17
2.5.6.1 Comparison of Policies and Regulations processed during the second and third Sessions	17
2.5.7 Questions and Statements	18
2.5.7.1 Comparison of Questions and Statements processed during the second and third Sessions	23
2.5.8 Motions.....	23
2.5.8.1 Comparison of Motions considered during the second and third Sessions	24
2.5.9 Bills	24
2.5.9.1 Comparison of Bills considered during the second and third Sessions.....	24

2.5.10 Summary of public nominations considered by the County Assembly for appointment	25
2.5.10.1 Comparison of public nominations considered during the second and third Sessions	26
CHAPTER THREE.....	27
3.1 GENERAL OBSERVATIONS AND RECOMMENDATIONS	27

CHAPTER ONE

1.1 OBJECTIVES OF THE REPORT

The report seeks to:

1. Provide a comprehensive documentation of Legislative activities undertaken during the third Session of the third Assembly.
2. Evaluate and track progress on Legislation and identify any gaps or areas for improvement by identifying strategies for improvement during the fourth Session.
3. Comment on any general matters which are considered important.

This report covers activities of the County Assembly of Bungoma from Tuesday 13th February, 2024 to Monday 10th February, 2025.

1.2 ESTABLISHMENT AND MANDATE OF THE COMMITTEE

The County Assembly House Business Committee is established under Standing Order 173 (1). Specifically Standing Order 173 (4) provides for the mandate of the Committee as follows:

- (a) Prepare and, if necessary, from time to time adjust the County Assembly Calendar with the approval of the County Assembly;
- (b) Monitor and oversee the implementation of the County Assembly Business and programmes.
- (c) Implement the Standing Orders respecting the scheduling or programming of the business of the County Assembly and the functioning of the Committees of the County Assembly;
- (d) Determine the order in which the reports of Committees shall be debated in the County Assembly;
- (e) may take decisions and issue directives and guidelines to prioritize or postpone any business of the County Assembly acting with the concurrence of the Leader of the Majority Party or the Leader of the Minority Party, as the case may be.

(f) Consider such matters as may from time to time arise in connection with the business of the County Assembly and shall have and perform such powers and functions as are conferred on and ascribed to it by these Standing Orders or from time to time by the County Assembly.

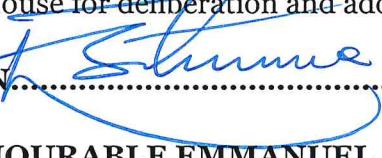
1.3 COMMITTEE MEMBERSHIP

The Committee as currently constituted comprises of the following Members:

1. Hon. Emmanuel Situma	Speaker (Chairperson)
2. Hon. Stephen Wamalwa	Deputy Speaker
3. Hon. Joseph Juma	Member
4. Hon. Anthony Lusenaka	Member
5. Hon. Meshack Wekesa	Member
6. Hon. Miliah Masungo	Member
7. Hon. James Mukhongo	Member
8. Hon. Violet Makhanu	Member
9. Hon. Jack Wambulwa	Member
10. Hon. Hentry Nyongesa	Member
11. Hon. Johnston Ipara	Member
12. Hon. Cornelius Makhanu	Member
13. Hon. Jacob Psero	Member
14. Hon. Metrine Nangalama	Member
15. Hon. Mildred Barasa	Member

1.4 ACKNOWLEDGEMENT

The Committee extends its appreciation to the Offices of the Speaker and the Clerk of the County Assembly for the support accorded to it in the execution of its mandate. On behalf of the House Business Committee, I now have the honour to present the report to the House for deliberation and adoption.

SIGN.....  DATE 8/04/2025

HONOURABLE EMMANUEL SITUMA

SPEAKER OF THE COUNTY ASSEMBLY/CHAIRPERSON

CHAPTER TWO

2.1 RESUMPTION OF THE HOUSE, CALENDAR AND SITTINGS OF THE HOUSE

The County Assembly resumed its sittings on Tuesday 13th February, 2024 after the December, 2023 recess. The first business undertaken by the House at the commencement of the Session was to approve the membership of the House Business Committee and the Calendar of regular Sittings.

On Tuesday, 13th February, 2024 the County Assembly by resolution, approved the House Business Committee. The House also considered and approved its Calendar of Regular Sessions 2024 while introducing periods of short and long recess to give Members of County Assembly sometime to visit their electorates, perform Committee functions and to take well deserved breaks with their families. During the period under consideration, the County Assembly had anticipated one hundred and thirty one (131) Sittings from 13th February, 2024 to 10th February, 2025.

The House adjourned from Wednesday 5th June, 2024 at 9.30 a.m. to Thursday 13th June, 2024 at 2:30 p.m. to pave way for the Sector Committees' interrogations of the Annual Budget Estimates FY 2024/2025 hence targeted Sittings for the month of June, 2024 were not achieved.

The House also altered its Calendar on Tuesday 30th July, 2024 by adjourning its Sittings from Wednesday 31st July, 2024 at 9.30 a.m. to Thursday 30th August, 2024 at 2.30 p.m. for a long recess. Further, the long recess that had been scheduled in the month of September, 2024 was altered hence the House resumed its sittings on Tuesday 3rd September, 2024 at 2.30 p.m.

The House further adjourned on Wednesday 16th to Tuesday 29th October, 2024 at 2:30 p.m. to allow various teams prepare for the County Assembly Sports Association games that were held in Bungoma County from 18th to 27th October, 2024.

At the end of the Session, the House managed one hundred and one (101) Sittings including five (5) Special Sittings translating to 77.1% achievement as shown in the table below:

S/No.	MONTH	REGULAR SITTINGS	SPECIAL SITTINGS	Total
1.	February, 2024	12	-	12
2.	March, 2024	11	-	11
3.	April, 2024	12	-	12
4.	May, 2024	01	03	4
5.	June, 2024	07	-	07
6.	July, 2024	13	-	13
7.	August, 2024	-	-	-
8.	September, 2024	16	-	16
9.	October, 2024	08	-	08
10.	November, 2024	12	-	12
11.	December, 2024	04	-	04
12.	February, 2025	-	02	02
	Total			101 (77.1%)

Attendance of Sittings of the County Assembly offers pertinent and invaluable contributions to the legislative processes. House Sittings are a forum for debate, decision-making, and policymaking. They provide a platform for Members to deliberate on issues of public interest, enact various legislations, approve County budgets, and hold the County Executive accountable.

2.2 SPECIAL SITTINGS OF THE COUNTY ASSEMBLY

The House held five special Sittings during the period under consideration. On Wednesday 15th May, 2024, the House held three Special Sittings for consideration of the following businesses:

1. Tabling of the report by the Budget and Appropriations Committee on the Bungoma County 2nd Supplementary Budget for the FY 2023/2024
2. Issuance of Notice of Motion on the report by the Budget and Appropriations Committee on the Bungoma County 2nd Supplementary Budget for the FY 2023/2024
3. Motion on the report by the Budget and Appropriations Committee on the Bungoma County 2nd Supplementary Budget for the FY 2023/2024

4. Second reading of the 2nd Supplementary Appropriation Bill, 2024
5. Committee on Supply
6. 3rd Reading of the 2nd Supplementary Appropriation Bill, 2024
7. 1st Reading of the Bungoma County Public Participation and Civic Education Bill, 2024
8. 1st Reading of the Bungoma County Valuation and Rating Bill, 2024
9. 1st reading of the Bungoma County Access to Information Bill, 2024

During the two Special Sitting of 4th February, 2025, the businesses considered by the House were:

1. Tabling the name of a nominee for appointment to the position of Chair of the Bungoma County Rural and Urban affordable Housing Committee (CRUAHC).
2. Consideration of the report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of the Members to Bungoma and Kimilili Municipalities.

2.2.1 Comparison of House Sittings during the second and third Sessions

In comparing the Sittings and targets for 2023 and 2024 County Assembly Sessions, there was noticeable growth in the number of sittings held in 2024 but a decline in terms of the achievement rate relative to the targets.

For the 2023 Session, the County Assembly set a target of 112 sittings, and the Assembly achieved 95 sittings, including 1 special Sitting. This resulted in an achievement rate of 84.8%, indicating that the Assembly was able to hold a significant number of the planned Sittings despite adjustments to the Calendar. However, seventeen (17) Sittings were lost due to adjournments and changes in the Calendar, which impacted the total number of Sittings held.

In 2024, the Assembly increased its target to 131 Sittings, expecting a higher number of Sittings than in 2023. The Assembly managed to hold one hundred and one (101) Sittings including five (5) special Sittings. There was noticeable increase in the actual number of Sittings compared to the previous year. However, despite holding more Sittings, the achievement rate dropped to 77.1% in 2024, lower than the previous year's 84.8%. This decline in the achievement rate suggests that although the Assembly aimed

for more sittings, changes to the Calendar and adjournments had a larger impact on the final number of Sittings than in 2023.

2.3 VISITING DELEGATIONS AND PUBLIC INTERACTIONS WITH THE COUNTY ASSEMBLY

As part of citizen participation in its proceedings in accordance with the principles of citizen participation under Article 196 of the Constitution, the County Assembly has been welcoming citizens in both its Chamber and Committee proceedings. There were various schools that visited the County Assembly on learning tour and followed proceedings from the Public Gallery. These included the following:

1. Nang'eni Girls Secondary School from West Bukusu Ward; 14th February, 2024
2. St Francis of Assisi Myanga Secondary School from Kimaeti Ward; 22nd February, 2024
3. Little Marafiki Academy from Musikoma Ward; 12th March, 2024
4. Baptist Girls High School from Township Ward; 13th March, 2024
5. St Mary's High School Webuye from Maraka Ward; 26th March, 2024
6. Toroso S.A Primary and Junior School from Chesikaki Ward; 28th March, 2024
7. Friends Secondary Kibisi from Mbakalo Ward; 2nd April, 2024
8. Dreamland Education Center from Kibingei Ward; 23rd June, 2024
9. St. Mary Magdalene Namamuka R.C from Musikoma Ward; 24th July, 2024
10. Chesiro Secondary School from Mt. Elgon, Cheptais Ward; 25th July, 2024
11. Kimilili Friends Girls High School from Kibingei Ward; 30th July, 2024
12. Masaek SA comprehensive Primary School from Kapkateny Ward, 30th July, 2024
13. Marell Junior Academy from Musikoma Ward, 30th July, 2024
14. Friends School Makuselwa from Ndivisi Ward; 12th September, 2024
15. Marobo Secondary School from Luuya Bwake Ward, 17th September, 2024
16. Milo Boys Secondary School from Sitikho Ward; 19th September, 2024
17. Chemweisus S.A. Secondary School from Elgon Ward; 24th September, 2024
18. Bridge International from Musikoma Ward; 25th September, 2024
19. Lugusi Comprehensive School from Mihuu Ward; 1st October, 2024

School visit program enabled students to visit the Assembly and acquire knowledge of Legislative processes. During the period under review, over 1,200 students from primary and secondary schools accompanied by their teachers participated in these visits. The program focused on guided tours, attendance of Plenary sessions and lectures on:

- Functions of the County Government and the County Assembly
- Roles of the Governor
- Impeachment procedures for the Governor and the Speaker
- Law-making processes
- Revenue sources for County Governments
- Relationship between National and County Governments

During the Session, a delegation from Turkana County Assembly visited the County Assembly during the period under review on 28th February, 2024. They followed the proceedings of the House from the public gallery.

Further, a student of Philosophy and History from Jaramogi Oginga Odinga University of Science and Technology conducted a study in the County Assembly. This in essence broadened the scope of public interactions with the Assembly. Notably, on 25th June, 2024, His Highness Owelukoosi Umukuuka (The Third) III, Jude Mike Mudomo in the company of key leaders from Inzu ya Masaaba paid a visit to the County Assembly and followed its proceedings from the Speaker's Gallery.

Visiting delegations to the County Assembly promote openness and collaboration. They play a critical role in strengthening democratic governance and providing exposure to Legislative process.

2.3.1 Comparison of Visits to the County Assembly during the second and third Sessions

The 2023 and 2024 reports highlight the County Assembly's efforts towards encouraging citizen participation and promoting transparency by welcoming visitors especially schools to understand the legislative process.

In 2023, the Assembly hosted a variety of educational institutions and other groups. These included several secondary schools such as St. Joseph's Nalondo Girls' Secondary

School (March 30, 2023), Kimilili Friends Girls' Secondary School (April 11, 2023), and Mbakalo Friends Girls' Secondary School (September 12, 2023), alongside primary schools like Moi DEB Primary School (April 20, 2023) and Sio RC Primary School (September 7, 2023). Additionally, the Assembly welcomed other groups including officers from the Senate, a delegation from the Turkana County Assembly on a benchmarking activity and participants in a joint Committee meeting between Trans-Nzoia and Bungoma County Assemblies. The third Session saw a similar commitment to public engagement with a notable increase in frequency of visits.

The 2024 report lists several schools visiting the Assembly with the first visit occurring in February 14, 2024, by Nang'eni Girls Secondary School. Other notable visits included Baptist Girls High School (March 13, 2024) and St. Mary's High School Webuye (March 26, 2024), and a range of primary and secondary schools from various wards. The number of visitors grew substantially in 2024 with over 1,200 students from primary and secondary schools visiting the Assembly as compared to a smaller though still significant number in 2023.

In conclusion, while the 2023 report shows a significant level of engagement, the 2024 report illustrates a clear increase in the number of visits and a broader educational outreach that reflects an overall growth in public interaction with the County Assembly.

2.4 PRESIDING SPEAKERS DURING THE PERIOD UNDER REVIEW

A Presiding Speaker plays a critical role during House Sittings. They are responsible for maintaining order during debates and presiding over the Legislative proceedings. As a result, the Speaker acts with impartiality in upholding the rules of the House and facilitating fair discussions.

During the third Session, Speakers presided over one hundred and one (101) Sittings as follows:

Hon. Emmanuel Situma (Speaker); 77 Sittings

Hon. Stephen Wamalwa (Deputy Speaker); 17 Sittings

Hon. Benjamin Otsiula (Member of the Speaker's Panel); 07 Sittings

The Hon. Speaker presided over most of the House Sittings followed by the Deputy Speaker and a Member of the Speaker's Panel.

By maintaining order, interpreting rules and facilitating debates the Speaker plays a vital role in supporting the legislative process. Their impartiality, leadership and ability to manage complex procedures are important for seamless flow of debates.

2.4.1 Comparison during the second and third Sessions

In 2024, the County Assembly saw an increase in number of Plenary Sittings, with a total of 101 Sittings as compared to 95 Sittings in 2023. The presiding Speakers in 2024 included Hon. Emmanuel Situma, Hon. Stephen Wafula Wamalwa and Hon. Benjamin Otsiula. In addition, Hon. Christine Mukhongo, a member of the Speaker's Panel was observed chairing the Committee of the Whole House in both years. This reflected her involvement in facilitating legislative processes.

This increase in the number of Sittings compared to 2023, where Hon. Emmanuel Situma presided over 68 Sittings, Hon. Stephen Wamalwa over 23 Sittings and Hon. Benjamin Otsiula over 3 Sittings indicates a more active legislative process. The Speaker, Deputy Speaker and Members of the Speaker's Panel played an enhanced role in maintaining order, interpreting rules and facilitating debates.

2.5 BUSINESS UNDERTAKEN DURING THE PERIOD UNDER REVIEW

2.5.1 Communication from the Chair

Communication from the Chair is crucial for maintaining order and ensuring debates are conducted as per the procedures of the House. The Speaker addresses the House on various issues arising from debates or requests for rulings by any Member of the County Assembly. The Presiding Speaker issues formal communication to the House while responding to emerging issues or to address issues relating to the conduct of legislative business.

The Presiding Speaker may also issue a communication when he has information to pass to the County Assembly from his Office or any other Office. The Committee underscored the importance of the same and noted that there is need to track the action points for reference.

During the period under review, a total of fifty three (53) communications were delivered. They were summarized alongside the following subject lines:

- i. Alteration of the Order Paper;
- ii. Plenary and Committee sittings;
- iii. General legislative administration;
- iv. Coalitions issues and political events;
- v. Visiting delegations;
- vi. Events by the County Government;
- vii. Honourable Members' welfare;
- viii. Amendment of the Standing Orders;
- ix. Adjournments; and
- x. Public holidays among others.

The distribution of Communication per month was as follows:

Year	Feb 2024	March 2024	April 2024	May 2024	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024	Feb 2025	Total
2024	11	05	05	03	05	08	-	11	01	02	01	01	53

In conclusion, the Speaker serves as a contact point between the County Assembly, the media and the public. The Speaker's Communication during House proceedings is central to the smooth and orderly conduct of business.

2.5.1.1 Comparison of Communications from the Chair during the second and third Sessions

In both 2023 and 2024, the Speaker of the County Assembly issued communications to guide the House on various issues. This ensured smooth operations and clarity in legislative proceedings. In 2023, a total of forty six (46) communications were delivered. They covered an array of topics including procedural rulings, guidance on legislative matters, convocation of special sittings and recognition of visiting delegations. The Speaker's role was crucial in maintaining order in the House and ensuring Members were informed about political affairs, Committee business and the status of ongoing Legislative matters. These Communications helped provide direction and structure during the proceedings of the House hence fostering efficient decision-making.

In 2024, the Speaker issued fifty three (53) Communications reflecting a slight increase from the previous year. The subject of Communications included alterations to the Order Paper, Plenary and Committee Sittings and visiting delegations. However, there was an increase in the focus on issues such as members' welfare and public holidays. This increase in the number of communications suggested a growth in the level of communication activity. It further mirrored an expanded effort by the Speaker to address the administrative and procedural needs of the House.

2.5.2 Messages from H.E the Governor

During the period under review and pursuant to Standing Order 45, the House received and processed ten (10) Messages from H.E the Governor. The Messages ranged from invitation of Honourable Members to consultative meetings to submission of nominees for approval by the County Assembly.

2.5.2.1 Comparison in the number of Messages received during the second and third Sessions

In 2024, the County Assembly received and processed ten messages from the Governor. This reflected a noticeable increase compared to the six messages received in 2023. Messages in both years primarily focused on nominations to key positions such as County Executive Committee Members, Chief Officers and other significant roles within the County Government. The increase in messages in 2024 suggests a higher volume of gubernatorial appointments and a more frequent need for the Assembly's confirmation. Thus an expansion of governance activity within the County compared to the previous year.

2.5.3 Public Petitions

The provisions of Article 37 of the Constitution and Section 15 of the County Governments Act, 2012 state that a person has a right to petition a County Assembly to consider any matter within its authority including enacting, amending or repealing any of its legislation. Every Petition presented pursuant to Section 15 of the County Government's Act, 2012 stands committed to the Committee on Justice and Legal Affairs. The Committee is expected to respond to the petitioner by way of a report addressed to the petitioner or petitioners in not more than sixty calendar days from the time of reading the prayer.

During the period under consideration, four Petitions were considered by the Committee on Justice, Cohesion and Legal Affairs. They were:

1. Petition by the integrated and Chebui cave dwellers community on the need to assist the IDPs and evacuate the 11 families from Chebui Cave – *Prayers granted*.
2. Petition by Martin Musungu Kichamba, Martin Mulumeti, Ben Matabili and Leonard Watima concerning poor management of the new Chesikaki farmers' Co-operative Society and illegality of the current office bearers – *Prayers not granted*.
3. Petition by residents of Milima Ward on the relocation of Milima Ward Administrator's Office and alleged violation of established processes and public participation procedures – *Prayers not granted*
4. Petition by residents of Kapkateny Ward concerning construction of the office of the Ward administrator as well as alleged unfair allocation of bursaries and farm inputs in Kapkateny Ward- *Prayers not granted*

It is imperative to note that public Petitions are an essential part of the democratic process. They allow the public to engage directly with the Legislature in the Legislative decision-making. They serve as a formal way for the public to raise concerns, propose changes or request action on specific issues that affect their communities.

2.5.3.1 Comparison of Petitions processed during the second and third Sessions

In 2024, the County Assembly processed four public Petitions, two were concluded within the stipulated time frame while the other two sought for extension of time. The third Session 2024 saw a slight increase in the number of Petitions processed. This underscored the County Assembly's commitment towards addressing public concerns.

2.5.4 Papers laid during the Session

During the period under review, a total of one hundred and sixty seven (167) Papers were laid before the House. Out of these, one hundred and one (101) emanated from various Committees as outlined in the table below:

S/NO	COMMITTEE	REPORTS TABLED
1.	House Business Committee	03
2.	Liaison Committee	03

3.	Finance and Economic Planning	09
4.	Public Administration and ICT	06
5.	Labour Relations, Members' Services and Facilities	04
6.	Health Services	06
7.	Lands, Urban, Physical Planning and Housing	07
8.	Roads, Transport, Infrastructure and Public Works	03
9.	Education and Vocational Training	07
10.	Youth Affairs and Sports	05
11.	Gender, Culture and Social Welfare	03
12.	Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development	05
13.	Tourism, Environment, Water and Natural Resources	10
14.	Trade, Energy and Industrialization	04
15.	Budget and Appropriations	05
16.	Public Accounts and Investments	08
17.	Delegated County Legislation	03
18.	Justice, Cohesion and Legal Affairs	03
19.	Committee on Implementation	01
20.	Selection	02
21.	Committee of Powers and Privileges	03
22.	Procedure and House Rules	00
23.	Speaker's Panel	00
24.	Committee on Appointments	00
25.	Joint-Public Administration and ICT and Labour	01
26.	Total	101

Other Papers laid were:

1. Nomination list of Members to serve in the House Business Committee for the third Session of the Third County Assembly
2. Legislative Calendar for the third Session of the third County Assembly, 2024 (Regular Sittings) 13th February, 2024 –11th February 2025.
3. Four (4) reports from the County Assembly Service Board
4. Twenty one (21) Policies/Guidelines from the County Executive
5. Thirty two (32) other reports from the County Executive
6. Thirteen (13) reports of the Auditor General

Reports table in the House are a critical tool in reviewing, analyzing and making recommendations on various matters of public or County importance.

2.5.5 Policies and Guidelines

During the period under review, the County Assembly considered twenty-one (21) Policies and/or guidelines.

2.5.6 Regulations

Section 12 of the Statutory Instruments Act, No. 23 of 2013 (revised 2015) requires that the relevant Committee of the County Assembly considers any Statutory Instrument made under any law, before it could have a full force of the law. The relevant Committee is the Committee on Delegated County Legislation, which may, in exercise of the delegated power give a “no-objection” verdict to a Statutory Instrument on behalf of the County Assembly or recommend that the House annuls all or part of a particular Statutory Instrument.

During the Session, one (1) Regulation; The Public Finance Management (Bungoma County Executive Employees’ Car loan and Mortgage Scheme Fund) Regulations, 2023 which was introduced on 7th December, 2023 was *annulled*.

2.5.6.1 Comparison of Policies and Regulations processed during the second and third Sessions

During the third Session, the County Assembly saw growth in Legislative activity. The House considered twenty-one Policies/Guidelines. Out of these, eight had been committed to various Sectoral Committees during the second Session. The Assembly also processed one Regulation that was annulled as compared to the second Session

during which one regulation was approved. This indicates significant growth in the number of Policies and Guidelines processed in 2024; and although the Regulation activity remained consistent during the two Sessions, the outcomes differed.

2.5.7 Questions and Statements

Members have an opportunity to raise matters of concern to the people. Standing Orders 46, 47 and 48 allow Members to make or request general statements or raise personal statements in the House, and also allow the Party Leaders and Chairpersons of Committees to issue Statements on matters under the mandate of Committees' purview. This allows Members to play their oversight and representative roles on behalf of the people therefore resolve matters of concern. During the period under consideration, twenty four (24) Statements issued were pursuant to the provision of SO 47 (2) (C) informing the House of the business coming before it during the following week.

Thirteen (13) Questions were directed to County Executive Committee Members and Chairpersons of respective Committees. The table below indicates the status of all Questions before the House whether responded to and satisfactory, unsatisfactory or not responded to.

NO.	REQUESTED BY	STATEMENT DIRECTED TO	SUBJECT	DATE REQUESTED	DATE TO BE RESPONDED TO	STATUS
1.	Hon. Johnston Ipara	CECM; Tourism, Water, Environment and Natural Resources	Unclear operation of the County Water rig	30/04/2024	The Statement was to be responded to on 04/06/2024 and 24/07/2024 Response was availed	Response was satisfactory
2.	Hon.	CECM; Health	Lack of clear	30/04/2024	It was to be	Response

	Johnston Ipara	and Sanitation	information on the current position of Director of Medical Services in the County		responded to on 05/06/2024 Response was not availed	was not availed
3.	Hon. Johnston Ipara	CECM; Education and Vocational Training	Lack of financial support for Vocational Training Centres	02/05/2024	The Statement was to be responded to on 25/07/2024 Response was availed	Response was satisfactory
4.	Hon. Johnston Ipara	CECM; Finance and Economic Planning	Low revenue collection in the County	02/05/2024	It was to be responded to on 30/07/2024 and 12/09/2024 Response was availed	Response was satisfactory
5.	Hon. Anthony Lusenaka	CECM and Chief Officer, Department of Finance and Economic Planning	Response by the CECM and Chief Officer Finance and the CECM and Chief Officer Education on	23/07/2024	The Statement was to be responded to on 25/07/2024	Response was satisfactory

		CECM and Chief Officer, Department of Education and Vocational Training	Matters County importance in relation to County Scholarships, bursaries and VTCs		Response was availed	
6.	Hon. Kennedy Wanyama	Chairperson, Sectoral Committee on Roads, Transport Infrastructure and public works; and Chairperson, Sectoral Committee on Lands, Urban Physical Planning and Housing	Response in relation to lorries and trucks along Kanduyi Sang'alo junction dual carriage road and its current status.	09/07/2024	It was to be responded to on 12/09/2024 Response was availed	Response was satisfactory
7.	Hon. Kennedy Wanyama	Chairperson, Sectoral Committee on Health Services	Three hundred (300) bed capacity medical facility at the County headquarters	04/09/2024	The Statement was to be responded to on 25/09/2024 Response was not availed	Response was not availed

8.	Hon. Francis Chemion	Chairperson, Sectoral Committee on Public Administration and ICT	Status of construction of Mt. Elgon Medical Training College	02/10/2024	The Statement was to be responded to on 21/11/2024 and 28/11/2024 Conclusive response was not availed	Progress report was issued on 21/11/2024 but conclusive response was not availed
9.	Hon. Miliah Masungo	Chairperson, Sectoral Committee on Education and Vocational Training	Bursary disbursed to Vocational Training Centres in Bungoma County since 2013	30/10/2024	It was to be responded to on 4/12/2024 Response was not availed	Response was not availed
10	Hon. Hentry Nyongesa	Chairperson, Sectoral Committee on Health Services	Payment of Stipend to Community Health Volunteers by the County Government of Bungoma.	6/11/2024	It was to be responded to on 26/11/2024 and 3/12/2024 Conclusive response was not availed	Progress report was issued on 26/11/2024 but conclusive response was not availed
11	Hon. Hentry	Chairperson,	Cess money	20/11/2024	It was to be	Response

	Nyongesa	Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development			responded to on 4/12/2024 Response was not availed	was not availed because the owner of the Statement was not present at the time. It was thus dropped.
12	Hon. Job Mukoyandali	CECM and Chief Officer, Department of Education and Vocational Training	Expenditure of the allocation of funds for bursary and scholarship in the FY2023/24	20/11/2024	It was to be responded to on 27/11/2024 Response was availed	Response was satisfactory
13	Hon. Jack Wambulwa	Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works	Painting and marking of lanes on the Musikoma – Kanduyi dual carriage road	28/11/2024	It was to be responded to on 5/12/2024 Response was availed but not satisfactory	Response was not satisfactory

Inquiries provide a platform for Committees to single out areas or subjects within their mandate, embark on detailed investigations and report to the House. Recommendations made by Committees are crucial in terms of influencing policy directions and public discourse on such subjects where inquiries have been undertaken.

2.5.7.1 Comparison of Questions and Statements processed during the second and third Sessions

During the third Session, twenty four (24) Statements were issued regarding business coming before the House and thirteen Questions were raised to the County Executive Committee Members and Committee Chairpersons. This contrasts with 2023, where a total of 70 Statements and Questions were recorded, with 47 directed to Executive Members and Committee Chairpersons, and 22 informing the House of upcoming business alongside one personal statement. This reduction in activity in 2024 reflects a decrease in the frequency of these procedures compared to the previous year.

2.5.8 Motions

During the period under review, the House considered one hundred and thirteen (113) Motions; this included one Motion on the report by Joint Committees of Public Accounts and Investments of Bungoma and Trans Nzoia County Assemblies on the interrogation of the Nzoia Water Services Company Limited, Auditor General's report on the Financial Statements for the period ended 30th June, 2022; four procedural Motions on alteration of the House Calendar pursuant to Standing Order 31(4); a Motion on the extension of sitting time pursuant to Standing Order 33(3) and one Motion on a matter of County importance.

During the Session one hundred and ten (110) Motions were passed and three not adopted. The reports were referred back to the respective Committees. These were:

1. Motion on the report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Government 4th Quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.
2. Motion on the report by the Sectoral Committee on Youth Affairs and Sports on the Bungoma County Government 4th Quarter Financial Statements for the period ended 30th June, 2023 with respect to the Department of Youth and Sports.

3. Motion on the report by the Committee on Roads, Transport, Infrastructure and Public Works on the status of Road Projects (box culverts) implemented under Disaster Management Emergency Fund FY 2020/2021.
4. A motion on the extension of sitting time pursuant to Standing Order 33(3)

2.5.8.1 Comparison of Motions considered during the second and third Sessions

In 2024, the County Assembly considered 113 Motions, slightly fewer than the 120 Motions considered in 2023 indicating a decline in the total number of Motions. Of the 113 Motions in 2024, 110 were passed while 3 were referred back to respective Committees. In comparison, 2023 saw all 120 Motions being adopted. This indicates a slight decrease in both the total number of Motions and the number of matters discussed in 2024 compared to 2023.

2.5.9 Bills

Article 185 of the Constitution mandates the County Assembly to enact legislation. Committees assist the House in the in detailed consideration of Bills and Legislative Proposals by incorporating public participation in the legislative process.

Apart from the Statutory Bills; the Bungoma County 2nd Supplementary Appropriation Bill, 2024; the Bungoma County Government Annual Appropriation Bill, 2024 and the Bungoma County Finance Bill, 2024, two Bills were passed:

- i. The Bungoma County Public Participation and Civic Education Bill, 2024
- ii. The Bungoma County Access to Information Bill, 2024

The Bungoma County Valuation and Rating Bill, 2024 did not proceed to second reading.

2.5.9.1 Comparison of Bills considered during the second and third Sessions

In 2023, the County Assembly introduced eleven legislative proposals with nine new Bills and 2 carried over from the first Session. The Bills were passed by the House. Apart from the Statutory Bills, the Assembly introduced three new Bills, a decline from the previous year. Two Bills were successfully passed while one was pending second reading. Despite the reduction in the number of Bills introduced, the Assembly

continued to pass key Legislations. This was a clear reflection of a decrease in Legislative proposals but consistent Legislative productivity in terms of successful Bills.

2.5.10 Summary of public nominations considered by the County Assembly for appointment

The County Assembly exercised its oversight role as mandated by law in undertaking vetting of nominees for appointment to public office forwarded to the House by H.E the Governor.

During the period under review, the nominee for appointment to the position of Bungoma County Attorney was vetted by the Committee on Appointments in April, 2024. However, H.E the Governor wrote to the Clerk of the County Assembly withdrawing the name of the appointee before the Committee's report was tabled in the House. In November, 2024; the Appointing authority for a second time forwarded a name of a nominee for appointment to the same position. Equally, the name was withdrawn before consideration of the report by the House.

Notably, Sectoral Committees vetted nominees for appointment to various offices as follows:

1. Vetting of the nominee for appointment to the Position of Chief Officer; Gender and Culture.
2. Vetting of the nominee for appointment to the Position of Chief Officer; Finance and Economic Planning.
3. Vetting of the nominee for appointment to the Position of Chief Officer; Education and Vocational Training.
4. Vetting of the nominee for appointment to the Position of Chief Officer; Livestock, Veterinary and Fisheries.
5. Vetting of the nominee for appointment to the Position of Chief Officer; Housing, Municipalities and Urban Areas.
6. Vetting of the nominee for appointment to the Position of Chief Officer; Youth and Sports.
7. Vetting of nominees for appointment to the position of members of the Municipality Boards of Bungoma and Kimilili.

As at the close of the period under consideration, the name of a nominee for appointment to the position of Chair of the Bungoma County Rural and Urban affordable Housing Committee (CRUAHC) had been committed to the Sectoral Committee on Lands, Urban, Physical Planning and Housing for processing.

2.5.10.1 Comparison of public nominations considered during the second and third Sessions

The reduction in appointments reflects that the government has successfully placed individuals in key positions to drive service delivery. During the period under review, various nominees were vetted with several appointments made. This decline in new appointments highlights that most of the essential offices have already been filled and remaining appointments are necessary to ensure full functionality and optimal performance of the government. As such, this is a positive indicator of progress and the government's commitment to effective governance with the expectation that the remaining offices will be filled to ensure effective service delivery and operational efficiency.

CHAPTER THREE

3.1 GENERAL OBSERVATIONS AND RECOMMENDATIONS

The Committee having considered the analysis of the affairs of the House makes the following:

OBSERVATIONS

1. **THAT**, there was a significant decline in the number of Questions (13 in 2024 compared to 47 in 2023) and Statements (24 in 2024 compared to 70 in 2023). This decrease reflects a drop in the frequency of Members holding the Executive accountable through questions and statements.
2. **THAT**, some of the Questions, directed to the CECMs were not adequately responded to.
3. **THAT**, despite the adoption of 113 Motions in 2024, there was no report tabled or considered by the House regarding the implementation status of the resolutions passed. According to Article 183 (3) of the Constitution, the relevant County Executive Committee Member (CECM) should provide a report to the relevant Committee of the County Assembly within sixty days of a resolution being adopted.

RECOMMENDATIONS

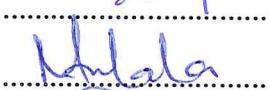
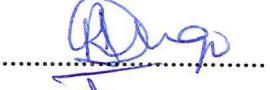
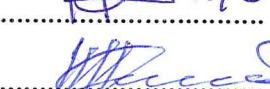
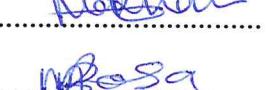
1. In compliance with Standing Orders 49-54, when a Question is raised, the County Executive Committee Member (CECM) will respond within 14 days for general matters and 7 days for urgent ones. If the response is received, it will be forwarded to the relevant Committee, with the Member invited to participate. If no response is received, the Committee will follow up. The Committee Chairperson will submit a progress report on all Questions, including answered ones and pending matters. If unresolved, the Committee will propose the matter to the House for further consideration.
2. Committees should actively oversee the implementation of adopted resolutions; ensuring reports are submitted within the required period. If there are delays or non-compliance, the matter should be escalated to the House. As per Standing Order 193 and Article 183 (3) of the Constitution of Kenya, Committees must review actions taken by the County Executive and ensure a report is provided

within sixty days of a resolution's adoption. Non-compliance should be flagged out and addressed.

3. Assembly Committees should conduct quarterly reviews of all adopted Motions and resolutions to assess their implementation status, identify gaps, and address challenges. This review will help evaluate the long-term impact of decisions and ensure intended outcomes are achieved. As per Standing Order 212(5), Committees must submit reports on their findings. If the County Executive is non-compliant, the issue should be raised in the House and referred to the Implementation Committee for final consideration.

ADOPTION SCHEDULE

We, Members of the House Business Committee, have pursuant to Standing Order 202(5) adopted the report. We append our signatures to affirm our approval of the contents therein.

Name	Designation	Signature
1. Hon. Emmanuel Situma	Speaker (Chairperson)	
2. Hon. Stephen Wamalwa	Deputy Speaker	
3. Hon. Joseph Nyongesa	Member	
4. Hon. Anthony Lusenaka	Member	
5. Hon. Meshack Wekesa	Member	
6. Hon. Miliah Masungo	Member	
7. Hon. James Mukhongo	Member	
8. Hon. Jack Wambulwa	Member	
9. Hon. Johnston Ipara	Member	
10. Hon. Hentry Nyongesa	Member	
11. Hon. Jacob Psero	Member	
12. Hon. Cornelius Makhanu	Member	
13. Hon. Violet Makhanu	Member	
14. Hon. Mildred Barasa	Member	
15. Hon. Metrine Nangalama	Member	