

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**TUESDAY, 22<sup>ND</sup> JULY, 2025**

**Afternoon Sitting**

**3<sup>rd</sup> County Assembly**

**4<sup>th</sup> Session**

**1**

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**COUNTY ASSEMBLY OF BUNGOMA**

**THE DAILY HANSARD**

**TUESDAY, 22<sup>ND</sup> JULY, 2025**

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**

Honorable members, I have three communications to make;

**INVITATION FOR JUDITH SIDI DIMA AND MIKE WECHULI WANYONYI  
WEDDING**

The first one is an invite by one of the County Assembly Staff inviting the Honorable members for his wedding.

The families of Mr. Dennis Efukho Wanyonyi and Mrs. Taphrose Nafula Wanyonyi and Mr. Dima Kadzundu Kai and Mrs. Constance Nazi with great pleasure cordially invite Honorable members to the County Assembly of Bungoma to the wedding ceremony of their children Judith Sidi Dima and Mike Wechuli Wanyonyi to be held on Saturday 9<sup>th</sup> August 2025 from 9.00 a. m at Grace Ministries International Church, Malindi.

Reception party to follow thereafter at Sea View Hotel, Malindi. Your presence will be highly appreciated.

*(Applause)*

Honorable members, Judy says I have found the one whom my soul loves; Songs of Solomon and equally Mike says; He who finds a wife finds a good thing and receives favour from the Lord. So, if you are not aware who Mike is, he is one of the officers sitting right ahead of me here.

*(Applause)*

Kindly, Honorable members take up your positions!

*(Honorable members standing at the bar take their seats)*

### **WARNING ON NON-ATTENDANCE OF PLENARY SITTINGS**

The second communication is to the Honorable members of this House and I will urge that you listen to this communication very keenly. Honorable members, I wish to bring to your attention an important development. The Independent Electoral and Boundaries Commission (IEBC) is now fully constituted and operational. With this in mind, I would like to remind all Members of your constitutional duty to attend plenary sittings as expected.

As you are aware, Article 194(1) (b) of the Constitution of Kenya clearly states:

*“The office of a member of a County Assembly becomes vacant— (b) if the member is absent from eight sittings of the Assembly without permission, in writing, of the speaker, and is unable to offer satisfactory explanation for the absence.”*

This is not just a formality; it speaks to the heart of our responsibility as representatives of the people. Article 1(2) of the Constitution emphasizes that:

*“The people may exercise their sovereign power either directly or through their democratically elected representatives.”*

Honorable Members, when we fail to attend to our legislative duties without permission or valid reason, we are not just skipping a sitting we are neglecting the trust and mandate that our constituents have placed in us.

Despite several reminders and opportunities to seek permission from my office where necessary, a review of the plenary attendance register shows that some Members have been consistently absent without proper cause. This trend is worrying and undermines the integrity of this House.

I want to be clear that this communication serves as a final reminder. Going forward, my office will not hesitate to escalate cases of persistent absenteeism to the IEBC for appropriate action, including possible de-gazettement as provided for in the Constitution.

Such de-gazettement may trigger a by-election for elected Members or replacement by the nominating political party in the case of nominated Members. This is not a punitive measure, it is about accountability, responsibility, and respect for the office we hold. Let us reflect on the trust placed in us and recommit to serving our people with diligence.

We may close our eyes to the previous sitting that we have been missing but now the IEBC is in place for you to know that a new broom sweeps well, you give it some work so that you test

whether it can work or not. For me how to test the IEBC is sending names of members who are absent so as to see whether it can de-gazette them accordingly.

### **PETITION HALTING IMPLEMENTATION OF BUDGET ESTIMATES 2025/2026**

The last communication members, I wish to bring to your attention a matter of legal significance affecting the operations of the County Assembly and the County Government at large.

Honorable Members, Constitutional Petition No. E010 of 2025 has been filed before the High Court sitting in Bungoma by Mr. Mohammed Ali, a member of the public. The petition cites the following parties as respondents:

1. The County Assembly of Bungoma;
2. The Speaker of the County Assembly of Bungoma;
3. The Governor of Bungoma County;
4. The County Executive Committee Member for Finance; and
5. The Controller of Budget.

Honorable Members, the petition seeks several reliefs, including but not limited to an order of certiorari to quash the Bungoma County Appropriation Bill, 2025, on the grounds that the Bill was enacted based on allegedly altered budget estimates.

Concurrently, the petitioner filed an interim application, pursuant to which the Honorable Court issued the following conservatory orders pending the hearing and determination of the application:

1. A conservatory order restraining the Governor of Bungoma County from assenting to the Bungoma County Appropriation Bill, 2025. Further, in the event that the Governor has already assented to the Bill, a conservatory order was issued restraining the County Executive Committee Member for Finance from implementing and/or disbursing any funds pursuant to the said Appropriation Act, until the matter is heard inter parties.
2. A conservatory order restraining the Controller of Budget from approving any withdrawals from the Bungoma County Revenue Fund, similarly until the application is heard and determined inter parties.

Honorable Members, this matter is now pending inter parties hearing before the court. As a House, we shall observe due process and remain respectful of the judicial process. I urge all Members to refrain from public commentary or speculation on the matter so as not to prejudice the proceedings or compromise the integrity of the County Assembly.

Further to the above, it is important to note that as a result of the legal conservatory orders and the consequent non-implementation of the approved and assented budget and lack of vote on account, several critical functions will be affected. Notably, there will be no salary disbursements at the end of the month, until orders are vacated,

Members, I am doing communication; can we have some order.

*(Loud Consultation)*

Can we be patient! Hon. Kawa, either I make the communication or I send you out. You cannot interject my communication every time!

There will be no salary disbursements at the end of the month until these orders are vacated. Ward operations will be halted and County Government operations across departments will be significantly disrupted. Consequently, service delivery to the people of Bungoma County will be severely hampered.

In light of these developments, I shall be convening a meeting with the leadership of the County Assembly to deliberate on the possibility of halting and closing the Assembly's operations for a period of up to two months, or until such a time as the matter is fully heard and determined by the Court. This measure is under consideration as a means of safeguarding the institutional integrity of the Assembly and ensuring prudent use of resources during this period of legal uncertainty.

Further updates and guidance will be provided to this House accordingly.

**Hon. Johnston Ipara:** Hon. Speaker!

**Mr. Speaker:** Yes, Hon. Ipara, but as you have heard from my communication, if you want to say anything about what I have communicated avoid entering in the arena of being a victim of being in contempt of court or discussing a matter which is active in court. Kindly proceed!

**Hon. Johnston Ipara:** Thank you, Hon. Speaker for that guidance. After listening to you on the communication you have made, and detecting the gravity of the matter in question, I want to point out that salary will not be there for three months. Two, the budget will be halted, it means that we shall not be having a budget for the next three months and maybe the earliest we can implement the budget is during the 5<sup>th</sup> month. Even though it is a simple communication, I wanted to plead with you in your own wisdom to apply Standing Order No.1 in compliance with Standing Order 6 so that we can discuss your communication as a serious matter of County importance and I plead with you Hon. Speaker without saying much, if you do allow that I will move a motion which will be seconded on the grounds that you have already convinced Honorable members that actually this is a grave matter before us. I plead!

**Mr. Speaker:** Hon. Ipara, to my understanding... before even you stand up here ...Resume your seat Hon. Waiti and Kikechi!

*(Loud Consultation)*

Even if I was to use Standing Order 1, the motion must come to me in writing. I haven't seen any even if I use my discretion then again also what are the parameters that you want to discuss. This matter is very active in court; it is coming up tomorrow in court. So if you agree that you are not going to touch on the matter before the court and dwell on other issues, I will allow you but anything else, I will not. Can you clarify that issue first!

**Hon. Johnston Ipara:** Hon. Speaker, we shall restrain and tie ourselves within the perimeters of the salary effect and closure of Ward operations. We shall make sure that we do not touch on a matter active in court and the active matter as you have clearly stated is between the County Assembly, The Speaker, The Governor, The CEC Finance and the Controller of Budget. We shall not touch on those areas; we shall restrain and speak on the effects that would result from the matter before court.

*(Applause)*

And don't forget we are talking a lot on a matter that has been taken to court by the two Honorable members from this County Assembly.

**Mr. Speaker:** Hon. Ipara, you are out of order! In this matter, the petitioner is Ali Mohammed.

**Hon. Johnston Ipara:** Thank you, Hon. Speaker

**Mr. Speaker:** Very clear!

**Hon. Johnston Ipara:** The one that has taken the matter to court is Mohammed Ali a citizen who lives within Bungoma County who is allowed under the Constitution to put any matter before any court within the Republic. We shall not mention anything about Mohammed who is not here. We shall talk about the consequences of this matter before court and we shall not touch any aspects that you presented before court and maybe you are the one who had the privilege to see the memorandum of the matter before court. It is you who understands, we do not know even what it is and the privilege that is given to us. Being the Honorable members for this Assembly does not restrain us from discussing this matter within the precincts of the County Assembly unless we go out. I want to assure you, we shall not betray.

**Mr. Speaker:** Honorable members, he has sought some clarification. I can confirm to you that basically that petition has very interesting annexures or attachments;

1. The Budget that was approved by this House is in the hands of Ali Mohammed
2. A memorandum from the Governor's Office to the Speaker is in the hands on one Ali Mohammed
3. A letter from the Governor's Office withdrawing the memorandum from us here. So what I am trying to say is basically this petition is owned by members here...

*(Loud consultation)*

...because my challenge is this; it's like asking me that a member of the public will be having minutes of the board, where I am a member with Hon. Ali Machani and Joseph Nyongesa and two other members. Such a document must have come from the members of the Board. So members as you do the discussions be aware. I will allow you if you have membership to support the discussion.

*(More than 20 members stood at their places)*

You will be allowed to make some contribution. I see you are more than 20, a third of the House, resume your seats! You can move your motion, it has to come under Standing Order No. 64; moving a motion without notice and bring your seconder accordingly.

**Hon. Johnston Ipara:** Thank you, Hon. Speaker. As I stand here, I'm shedding tears. My heart is bleeding internally, because we have lost trust that we are supposed to have for our County. Some of us have been used in this Honorable House to sneak out confidential documents to an outsider who has no privilege to access them, although they are public documents and if they are public documents, they are supposed to be obtained in the rightful way. They are supposed to apply for them and should be signed for. For this case, these documents did not follow that procedure.

Based on the communication that you have made, in less than a week, sadly none of us seated here will receive salary including even the innocent workers who wake up at 5:00 a.m. to come and serve the residents of Bungoma County.

Sad of all, all our Ward operations will be closed because those officers that are in those offices will not have facilitation money just because of greed, forgetting that any member who serves in any committee placed by selection committee, its brought in the House Business for allocation of time so that they are approved by the County Assembly and the appointing authority for this case is the County Assembly. Where on earth do you undermine the decision of your father that today I had indicated earlier that I will give you a piece of land on this side but I have decided that you should go on the lower side. The discretion lies with the father.

You have indicated that the House will be closed for not less than three months due to lack of finances. What does that mean, all of us 63 in number including even the staff shall be rendered irrelevant because we shall have nothing to do around here. We shall be sitting away from here and will you have anything to give out to your voters? Will you be able to manoeuvre across the Ward? The answer is no. The reason is, there are some self-appointed people who have pretended that without them, the County cannot move. I want to say this with a lot of pain, one time when you were invited together with the leadership of this House to go and see the Governor in regard to the matter in question...

**Mr. Speaker:** Hon. Member, you cannot speak on what you were not party to. If there was a member who was there, he can speak about the meeting but you cannot speak of what you never took part in. Avoid that line of argument!

**Hon. Johnston Ipara:** Thank you, Honorable Speaker for that guidance. Generally, the outcome of this particular matter before court will have serious consequences to the people and the elected Members of this Honourable House. The simple question that we should be asking is who is going to suffer? All of us and the innocent people of Bungoma County will suffer. We have forgotten that we have the privilege of sitting in this Honourable House through the donated powers given to us as stated in the Constitution of this Country.

I want to draw your attention to what happened during the time when Jesus was there and He did say; "Among you there is one of you who will betray me".

**Mr. Speaker:** Which verse is that in the Bible please, so that I make a follow up? From which verse?

**Hon. Johnston Ipara:** Hon. Speaker, be patient I am reading out, am very systematically. The gospel of Matthew 27:3-5. Let me read out.

*(Applause)*

*"When Judas, who had betrayed Him, saw that Jesus was condemned, he was seized with remorse, and returned the 30 silver coins to the chief priests and the elders. I have sinned, he said, for I have betrayed innocent blood. So Judas threw the money into the temple and left. Then he went away and hanged himself."*

Actually what is happening right now, those Honourable Members who have gone out there to look for that innocent Kenyan, a resident of Bungoma to present a matter before court; they are not better than Judas Iscariot.

*(Applause)*



We are told with the payment that Judas received for his wickedness, Judas bought a field. There he fell head long his body bust open and all his intestines split out. What we are doing, is equivalent to what others were saying that when you enrich yourself with the money that you do not know even where it came from, how you got it then you start vomiting to others.

What is happening is, for the privilege that we based on, on this Honourable Members, for the last not less than 3 years, as Members of the Budget Committee, today, they don't trust anyone. They recognize no leadership of this County Assembly. They treat themselves like Jesus but they are Judas....

**Mr. Speaker:** Hon. Ipara, I think that is now going to membership. You stick to the issue that you gave the parameters so that we don't have to engage into individual issues.

**Hon. Johnston Ipara:** Thank you, Hon. Speaker.

**Mr. Speaker:** And I think...

**Hon. Johnston Ipara:** Hon. Speaker, I want as you have allowed that we handle this matter of County importance. And I want to request my younger brother from Bumula, Hon. Benjamin Otsiula to second this motion.

**Mr. Speaker:** Hon. Otsiula, you have been called upon to second this motion.

*(Applause)*

**Hon. Benjamin Otsiula:** Thank you, Honorable Speaker. First of all, I want to laud Hon. Ipara for moving the motion of County importance. Your communication this afternoon has generated heat in the House and also caused uncertainty as far as operations of the County Assembly and the entire County are concerned.

As I second this particular motion, I believe whoever presented the petition before court is also not bearing in mind Constitutional principles. Because if you look at Article 41 of the Constitution about fair labour practices, amongst them, that there must be fair or rather equal pay for equal work done. If we work for an entire month and no salary, we will not be forth coming then at the end of the day we shall be mutilating the Constitution of Kenya.

Section 5 of the Employment Act, says equal pay for equal work done and if the people of Bungoma are going to suffer because of that petition and Honorable Speaker you have said you have guided very well that we don't go to the merits of the petition.

To confirm that this is a matter of County importance, the petition affects all public officers and civil servants salary from the budget passed by this Honourable House. Therefore if you look at Article 41 of the Constitution, it means all individuals will be affected.

I don't want to go to the merits of that petition but how I wish that if a member sitting here and knows that the document which is going to impact the lives of thousands of Bungoma County and he goes further on to foster a personal interest then that is very uncalled for and should be condemned.

**Mr. Speaker:** Hon. Otsiula, I think you have been very keen whenever somebody is moving a motion or seconding, you never allow such a stuff to be done unless you are inviting me to act accordingly. I am in the mood, make no mistake about it.

**Hon. Benjamin Otsiula:** Hon. Speaker, that would be uncalled for and that is behaviour that should not be condoned. Imagine these members sited here having provided for Ward Based Projects, did the County Fiscal Strategy Paper, conducted public participation, want to do dispensaries, drill water and do all those projects.

Some Honorable Members have proposed to construct ECD classrooms. Children are learning under the shade of trees, and if we continue condoning this kind of practice, then it is going to be water under the bridge because we are coming to the end of July and nothing has kicked off. So if we don't declare this a matter of County importance then it means we are not having the interest of the County at heart.

Finally, you pointed out clearly that we should not touch on matters that are in court but the history, we have a petition which is now having a memorandum; if you remember the Governor wrote a memorandum, he wanted to withdraw. There was a process already in court at that particular point, so according to me this petition is just a build-up of an earlier litigation process. It is very important that parties concerned in those matters that are in court know that the interest of the people of Bungoma County supersedes personal interest.

I am not accusing anybody but I want to make a lot of sense. If the budget is not going to be implemented as we are today, I have seen members who went to court attending committee meetings and signing. Who is going to pay them? Where is the money to pay those Honourable members going to come from? If the budget was bad then don't attend the committees, it is as simple as that.

*(Applause)*

Otherwise, it would be double standards. That is why we are saying we are all going to suffer. All of us are going to suffer at the end of the day and we are going to kill innocent people who entrusted us with the responsibility of providing leadership in this House.

I don't want to go further than that but I want the House and Honourable members to see the bigger picture and come to a very, very important conclusion so that we can save this County. I wish to second.

**Mr. Speaker:** Thank you, Honourable members. Looking at the Standing Orders specifically, number 36 (3), (4) and 5, I don't require to propose a motion for debate but I can be able to allow members to ventilate because of the membership that stood up to support the same, who are more than a third of the same.

Allow me allow some members to make ventilation on the same.

**Hon. Anthony Luseneka:** Thank you, Honourable Speaker for giving me this chance. I also want to add my voice on the matter before this House and what is going on in this Assembly and in the County. I will not touch on the matter that is in court because it's live, but I can briefly touch on the matter that was concluded since I was one of the petitioners.

After your communication on disbandment of the two committees, some members felt that they wanted some interpretation on the same and they went to court, whatever happened, that was it, because the ruling is there. We had a meeting on Friday last week and today our Majority leader posted something on the wall quoting what the former Vice President said, that there comes a time when the country is more important than an individual.

On Friday, we had a meeting, which included Deputy Speaker, Leader of Majority, Deputy Majority plus the petitioners and those who were affected. I think we agreed on what was supposed to be done. Once the matter is in court and the ruling has been done, even if we make noise, it won't help. We only have two ways of solving that issue. We called the County Attorney this afternoon with the Honourable Leader of the Majority; he was supposed to do something this morning that was not done because of miscommunication.

I just want to request members; we are all affected in one way or another.

The second petitioner is Hon. Jacob Wambulwa who was also present in that meeting and we agreed on the way forward and what is supposed to be done. So Honourable Members, not that those who went to court are stupid or don't know what they are doing and we are also looking for a solution on the way forward, because before this matter was concluded in court, by that time, I was in Selection Committee. I tried reaching out to my colleagues that let's sort out this thing before the case is concluded, but I was ignored. They said let the case be concluded then we can talk about it and that is where we are now.

I just want to request you Honourable Speaker and the leadership of this House, that let's handle this matter soberly. Once we handle the concluded case in a sober way, I think the second case will also be solved in maybe a different way. I don't know the petitioner and I don't want to talk about that. I am just talking on the matter that I am privy to because I was one of the petitioners.

Honourable Leader has talked and tomorrow, I think with our lawyers, we are going to see what we can do so that we can sort out the first case. The second case, I don't know.

Once we sort out the first case, as Hon. Otsiula has said, maybe the other one will also die naturally, I don't know. For now, let us just discuss this issue soberly so that we look for a way forward and we allow our County Assembly and the County to move forward without name calling.

The way Hon. Okasida was saying, even if you are aggrieved, you will go to court at some point. So going to court doesn't mean that you are disrespecting the leadership of this House or the leadership of the County. Every person has a right. If you are aggrieved, you can seek redress elsewhere. So let's not demonize those maybe who were aggrieved and sought some legal redress elsewhere.

**Mr. Speaker:** Yes Hon. Henry Nyongesa.

**Hon. Hentry Nyongesa:** Honourable Speaker, I was rising on a point of information, but the speaker has concluded his submission, therefore, I will not go back to the point of information.

I want to support the mover of this motion that this is a weighty matter which we have to discuss and want to confirm that it is also on record for the consumption of the public. One day or some time as we move, somebody will want to know what we discussed under County importance.

First, although we are restrained but as you have said of government documents from offices to the public have procedures and hopefully as we discuss, we shall look into it and ascertain if the documents were obtained in a proper way. These things have happened in this government before where the members of the public have access to documents that are supposed to be under our custody and that has put this this county in a quagmire.

I have listened to Hon. Luseneka, that the genesis of all these was with the Budget Committee. When the Budget Committee and the PAIC Committee were disbanded, that's where we found ourselves in the courts. Hon. Luseneka could have come out clearly, because communication from the meetings that they had and the resolutions were communicated then to us through your communication. I wish that you could guide us on the conclusion that was arrived at in that discussion. Why we are interested is a child who is in ECDE is going to depend on this budget that was approved by this House and assented by His Excellency the Governor. You remember some of the touchy issues are for this child to have porridge in school.

Honorable Speaker, as you have indicated, the court operates with timelines and so if we handle this thing in a way that it's not put in as urgent and weighty, the courts might go into recess, as you have mentioned and the budget will not be implemented. Salary will not be paid to employees totalling to almost 7,000 including me leading to their families being affected. We

are on a month that most of the parents will want to take students from school, parents who depend on salary to put food on the table.

How I wish that this first matter that is being mentioned is put in black and white. I wish that the Honourable members who are in the first petition come out very clearly, as we are discussing this matter.

Otherwise, I support the motion.

**Hon. Jack Kawa:** Thank you, Honourable Speaker. I am disturbed as a member representing Bokoli people. This is my third Assembly and we have never reached here. I have never sat on a Budget committee as a member and I am satisfied with the committees that I was taken to. You want to tell me that if I'm taken from Gender as a member...

**Mr. Speaker:** Hon. Kawa, the brackets I gave.

**Hon. Jack Kawa:** Honourable Speaker, just listen to me. We are allocated committees by the Selection Committee.

Honourable Speaker, you are the chair for Powers and Privileges Committee and this is a House of rules and procedure. If there is a member who took the document meant for this Assembly to the public...we will not just sit and listen to members taking us left and right, and we keep quiet.

The innocent employees of this County cannot just miss salaries because of my own interests as a member of Bokoli Ward. And you don't want us to say? When you are on BCA our group, you can see how members are contributing and throwing some harsh words to others. As a member of Powers and Privileges, I wish to know the member(s) who took the document to the said petitioner.

I want to urge the Selection Committee, the time has come that members like Hon. Kawa, if I am not going to toe the line, I am to be given one committee. We start right away with the de-whipping of members, without listening to anybody.

*(Applause)*

We are all equal.

What is so important on Budget Committee? Even nominated can serve as members of the Budget committee. This tells me what always goes on in Budget Committee, year out-year in. You can find a member doing some projects in their Wards which he didn't budget in Ward Based Projects. And because I am not on Budget committee, I just sit and listen and watch. Others exchange cars; today they are using Prado...

**Mr. Speaker:** Hon. Kawa, I will not allow you to say anything personal.

**Hon. Jack Kawa:** Honourable Speaker, I have not mentioned anybody. Finally, this is smoke and whenever there is smoke, there is fire and the fire cannot just come up by itself. There is somebody behind it. In our Bukusu language they say that whatever they say in your mother-in-law's place, you will hear it. That the same members are demanding Kshs. 2 Million to be reimbursed. Who sent them to go to court? I wish to know that. On whose behalf did they go to court so that they demand KShs. 2 Million?

Secondly, they are demanding that they must be taken back to Budget Committee; where on earth? I am waiting for the report by Selection Committee, if any former member of Budget Committee...

**Mr. Speaker:** Honourable members, where I am not going to agree with you is very simple, the motion that was moved and seconded was very clear. If you are going to go out of the motion then I will cut you short.

**Hon. Kennedy Wanyama:** Thank you, Honourable Speaker. It's indeed unfortunate that we are where we are. I think Hon. Kawa has actually pre-empted what I wanted to say, but I will still say it anyway.

When the specially elected members went to court to seek for what is lawfully theirs, they were demonized. Unfortunately, the Honourable Member for Bukembe West was on the forefront to demonize us, yet he can stand here and say people should not be demonized for going to court.

What I want to say is that do good to others and it shall be done to you. The shoe is now on the other foot. Now to the leadership, I'm so surprised that this has been going on for over a month now yet you have not taken any step. When we went to court, all of you elected members sat down and decided to de-whip us. Now, I want to ask the Selection committee, please do the needful. Give each one of us four committees, we are ready to work.

**Hon. Francis Chemion:** Thank you, Honourable Speaker. As a member of this House and having been a member of the Liaison Committee that worked on the Budget, if we look at the HANSARD report, it is very clear that the majority, if not almost all of us said that the Liaison Committee had prepared one of the well-spread budget since devolution. Even some of those guys that may have gone to court, it's recorded in the HANSARD; them saying it is one of the best budgets.

I was elected by the people of Kaptama to ensure that I do legislation, and we did legislation to ensure that the resources are taken to the people. My sick people will not have an opportunity of getting drugs in hospitals because people have taken the budget to the court. How many

people will die? We may not tell the number, but it will be very big. Whose heads will carry the blood of these people who will die because of lack of drugs?

Some things you must calculate for posterity. Before you take an action, think about the bigger picture. Think about other people that are not in this Honourable House, they are not crying for committees, they are outside there. The people who gave us mandate to come to this Honourable House are the ones now we are denying the services that they dearly need. Even in the Bible, such people were excommunicated from the society.

*(Loud consultation)*

That was what was happening, if you went against the laws of the land at that time, you could be excommunicated. Now that we have members here who want our people to die, who use proxy to take this Honourable House to court, it is simple, let them have one committee as per our Standing Orders.

Let all members who are doing this be given one committee. We should not put much pressure on the leadership. Let them have one committee because they are not interested with these monies. They are not interested because if they have taken us to court, where do they expect us to get the money?

Honourable Speaker, in your communication, you have said you are going to summon the leadership of this Honorable House so that you make a decision over suspending the County Assembly for more than a month or two. If this County Assembly is suspended, what will be the effects? We will have issues with even our welfare and nobody will get anything.

I want to quote Hon. Luseneka, my good friend. He has said, if the other issues are settled, even the one that is active in court will be settled. What does that mean? You can feel the gaps members. He has said, maybe if it is sorted, it may sort also the other one. That is what I have heard from him.

Let us not put our House in disrepute. If this information goes to public, and I am very sure it is outside there, it will impact negatively to all of us, but especially those ones who have gone to court. I was suggesting that the Leader of the Majority invites the elected leaders, those ones who are for the budget and also the nominated MCAs because they are with us then we make a media statement to all media houses. We can say in the statement that we want this to be done but so and so and so have said it will not be done. We will not keep quiet when people are suffering. We were elected to speak on behalf of our people and that is why we are here members. If we don't know that we are here to speak on behalf of those people, then we are in a wrong place.

If time will allow and if the Speaker and the leadership will allow, we must take this information to the people who elected us. Let them know why they are going to miss salaries, why people will die in hospital minus drugs, why development will not take place in time.

Honourable Speaker, this is a budget that we have increased CEF allocation because we want development in our Wards. We now purposefully want to delay the implementation of CEF projects in our Wards and very many people will go home. So we must take over and speak as a team now, because if the Honourable Leader speaks, they think he is the only one speaking.

*(Applause)*

This is affecting all of us, and so we must all speak out. We must say that; this one is not good, let us leave this one and let us go to this direction.

Otherwise, we can serve in all these committees, we will not die. I have never served in the Budget Committee and yet I have never died. I have never served in PAIC Committee, but I'm here going on. I have served in those committees that some people are thinking are bad, and I did not find anything wrong in Implementation. I was in Implementation and Justice, but I enjoyed being there.

**Mr. Speaker:** Honourable Members, if you want to speak seek my permission.

**Hon. Francis Chemion:** Hon. Speaker, we normally apportion monies to these committees, and those monies are meant to serve the people of this County, so we should be ready to serve in any committee and give our best.

**Mr. Speaker:** Hon. Charles Nangulu,

**Hon. Charles Nangulu:** Thank you, Hon. Speaker. I pressed the button when Hon. Kawa was on stage. I just wanted to inform but it has been overtaken by events.

**Mr. Speaker:** Thank you, Hon. Violet.

**Hon. Violet Makhanu:** Thank you, Hon. Speaker for allowing me to also say something on this matter that is disturbing our hearts as leaders of this County. It is so discouraging for members to go through such hard times just because of a few members in this Assembly. I sometimes ask myself, who are these members behind this confusion, and how do they feel when we go through such because of them? Are they bigger than Bungoma? I ask myself whether they are Honourable Members in this House and whether they are allocated money on CEF projects. Why do they want our CEF projects to stop because of what I will call their nonsense thinking? I think with immediate effect, the Honourable Members behind this story should keep off this House because why should they come and sign to committees and attendance to this House, and yet they want it to fail?



(Applause)

We are setting a very bad precedence. I listened to Hon. Luseneka say that when aggrieved, you have the right to go to court. We are setting a very bad precedence. What is the meaning of leadership in this House? Must I go to court when I am not happy? Must I seek support from court to show people that I am the one, who knows everything, and that I am supposed to be in court? This issue of going to court every now and then, according to me, is not making sense to Honourable Members.

It is high time that we as an Assembly should go out there and address the press, and let Bungoma County know that we have members. If it is Hon. Jack Wambulwa from Kimaeti or Hon. Luseneka from Bukembe West, and others who are behind this nonsense, so that we let the County know that these are the ones behind this. In case of anything going on in Bungoma County, this is the member causing it. Otherwise in keeping quiet, we will carry blames that are not ours. So we just need to wash our hands, and let the County know whoever is doing all these and causing us to go through all this.

I look at what we go through as Honourable Members back in our respective Wards, without money, you cannot do anything including even mourning with your people.

We get visitors very early in the morning and all of them come with stories of maybe school fees, sickness, and what have you. So when you have something small in the house, you divide and give them a few. So we are talking of maybe missing salary for more than three months. What will happen to us? Are we going to move away from our respective Wards or what's going to happen? And the cause is because of a few Members who are fighting for their individual interests; this is the madness of the highest order. I think it's high time we stopped it as a House and I want to urge Honorable members let us avoid this issue of going to Court. Let's think about the repercussions of going to Court, what will happen after you've gone to Court, what will happen? I'm sure, we will not reach where we are as a House.

**Mr. Speaker:** Hon. Caleb,

**Hon. Caleb Wanjala:** Thank you, Honourable Speaker for giving me an opportunity also to add my voice on the matter at hand. I'm a Member of the former disbanded Budget Committee, Honorable Speaker, and as we speak today, even in social media, just one month ago somebody wrote that almost seven members, that they are the most corruptible Members of this County Assembly. You know sometimes when you have one sack of sweet potato and majority of them are rotten, then there's a possibility of demonizing the whole sack.

Personally, as a Christian on a holistic background, I wouldn't wish to cause agony, dismay, despair, and confusion to this great County of Bungoma. I know we are here as elected leaders and nominated leaders as legislators. I strongly believe that the channel which the leadership

had taken of sitting down with their great Members who feel that the Budget Committee was disbanded before its time, I believe this issue can be solved amicably, because as we speak, even before we began this Assembly, we had a very heated exchange here. And people feel that all of us, those who were on the Budget Committee, we are the ones who are causing this agony. I want to be on record, for the interest of this great County of Bungoma, for the interest of my people that I'm leading the people of Bukembe East. I don't want my name to be soiled or to be among the people who are working against this County. When you read the book of Proverbs 22:1 the Bible says that *a good name is better than gold, is better than riches*.

**Mr. Speaker:** Just come again, because I have seen, Hon. Jeremiah Kuloba recording,

**Hon. Caleb Wanjala:** Proverbs 22: 1. The Bible says that...

**Mr. Speaker:** You know it looks good, when you see Hon. Jeremiah Kuloba recording a verse. It's important for him.

**Hon. Caleb Wanjala:** Thank you, Honourable Speaker. The Bible says *that a good name is better than gold*. Today, I'm serving here as a Honourable Member, but I don't want to go in history as a Honourable Member who served this County with gluttony heart, for me, I want my name to be off anything that can destroy my integrity and I'm saying this with a clear mind. So if we have my colleagues or anybody who feels aggravated, let them continue with the Court case, but personally, as a Christian, I distance myself, and not only me, we have other Members, because you see what is happening everywhere you walk as a Budget Committee, there are fingers being pointed on everybody. Why can't you just face them? I served on the Budget Committee; I have to remain with one committee. So be it, because of name, I'm standing here because of my integrity and the people who elected me.

Otherwise, I want just to caution all Honourable Members that are here. One time, Jesus met a woman who was found in the very act. And it was in the law, and then people were carrying stones according to the Law of Moses, anybody that is found in the sexually immorality act is supposed to be stoned. And Jesus looked at them and he asked her a simple question, I have no problem, this woman was found in the very act. Among you, if there is no one who has not sinned, let him be the first one to cast the stone.

As I finish, Honourable Speaker,

**Mr. Speaker:** Hon. Caleb Wanjala, you only missed one thing. I saw Hon. Aggrey Mulongo and the Hon. Allan Wanyama consulting loudly, they want to know the verses,

**Hon. Caleb Wanjala:** But Honourable Speaker, we read it, they read it in C.R.E. I remember standing on this floor, sounding my clarion call on the unity of this House. The worst thing that can happen for us is being divided. If we can begin fighting amongst ourselves, it will be the

joy of the Executive, Members of Parliament who have made a trend of working in funerals, demonizing this House. So as we sit here, we need to make our issues soberly, because when you point one finger at one person, there are three fingers that are pointing at you. So if you have no sin, be the first one to cast the stone.

**Mr. Speaker:** Thank you, Caleb Wanjala, Yes Hon. Bernard Kikechi

**Hon. Bernard Kikechi:** Thank you, Honourable Speaker for giving me this chance to also contribute on his issue. I support the motion currently on the floor of the House. Having listened carefully to my colleagues, I just feel that if you are part of this team that moved to Court to stop County operations due to the selfish interests, and you have sat here listening to the sentiments of the House, from here, if you cannot have a change of your heart then I don't know how I can describe you. I don't want to use unparliamentary language.

**Mr. Speaker:** You know the consequences,

**Hon. Bernard Kikechi:** Finally Hon. Caleb Wanjala has been very open. He has declared that he is not part of the team that is bringing anguish and suffering to the people of the County Government of Bungoma. How I wish that now the remaining ten members, we want now to see who is with us and who is not. Hon. Caleb Wanjala has said that he's no longer part of the team, so the remaining ten, we want to know are they still pursuing the issue that is in court or they are with the people.

Otherwise, I support the Committee on Selection, kindly this is not an issue that should be spoken and repeated. Precedence was set in this Assembly by the case whereby the Nominated Members had gone to Court, and we saw the consequences. Let the same processes follow.

**Mr. Speaker:** Hon. Meshack Simiyu, proceed.

**Hon. Meshack Simiyu:** Asante sana Mweshimiwa Spika kwa kunipa nafasi pia nichangie kwa hii mambo ya Bajeti. Tumeanza msimu wa mwaka wa nne vibaya. Yale yote tunafanya watu wetu nyumbani wanaangalia hawana maji, barabara, hospitali na mambo mengi sana. Sahii nikifika kwangu Mukuyuni, watu wakija nyumbani ni mambo ya matanga, magonjwa, na hapa tumesimamisha mambo ya Bajeti. Mimi naomba kabla mkubwa wangu Mweshimiwa Joseph Nyongesa ukiwa *Leader of Majority* wangu, ya kwamba mimi nimeongoja neno moja tu kutoka kwa *Majority*, kwa sababu hawa watu wetu wa *leadership* ya *Assembly*, mtu akiona kama ni Bajeti ndio Yesu kwake, mimi hata tukikaa leo na kesho waniambie nilete mambo ya ku-*whip* watu, Mweshimiwa Spika, hata sahii wakiniambia tukae na *Leadership*, kesho unaeza pata mtu ako na *Committee* moja tu...

(Laughter)

...kwa sababu walinipa hii uwezo, na tangu wanipe uwezo saa zingine kesho wanaeza nitoa. Hata wakinitoa kesho, mimi nitakuwa nimeitumia kwa nafasi yangu kama kiranja wa hii Jumba. Mtu akiona kama Bajeti ndio alikuwa anaifanyia kama nyumbani kwake nasema hasahau Mweshimiwa Jack Kawa ninataka nikwambie kwamba kuanzia *day one*, Mimi sikuenda Kortini. Uliza wenzangu kina Mweshimiwa Charles Nangulu, Isaiah Sudi, na sikutoa pesa ya kwenda Kortini, kwa sababu mimi niko *Leadership*. Kama kuna issue mimi nauliza *direct* kwa wale wanaohusika kwa sababu niko *leadership*. Lakini Mweshimiwa Benard Kikechi, usitumbie eti ooh sijui wamebaki tisa, watu wanajulikana wale wenye walienda Kortini.

(Laughter)

Naomba wenzangu wachangie, nataka niombe wenzangu MCA haswa wale mlipigiwa Kura, ya kwamba mnagonjewa nyumbani. Watu wanataka maendeleo kwa hiyo Wadi yako. Mimi naomba hata hao wenye walienda Kortini wakae inje, watu wengine waingie kwa Bajeti tuendeleo na kazi. Mimi ile yenye mtanipa, nitajuwa, hata mkinipa moja, nitachukuwa niende nayo Mukuyuni. Bora pesa itoke Nairobi na ifike Mukuyuni nipelekee watu wangu maendeleo. Mweshimiwa ninaomba ukijua ulipeleka Kesi Kortini toa bila masharti, kwani milioni Mbili, kwani nani alikuambia upeleke, ndio unataka milioni mbili, hiyo mtu kupuwa.

Nikimalizia Mweshimiwa *Majority* uko hapa, ninaomba tuweke watu kwa kamati; kama tutachukuwa Mweshimiwa Jack Kawa, Francis Chemion na Kennedy Wanyama wakuwe kwa Bajeti na wafanye kazi...

Bajeti ambayo tulipitisha ilikuwa mzuri, yaani ukitaka vizuri kaa inje kidogo, wengine waende wacheze kidogo halafu wale wenye walicheza vizuri, hapana walicheza tu vizuri na wakaleta kwa meza tukashinda. Sasa vile tulishinda hiyo mambo ya Kortini wawache, na kama iko mwenye anataka aendeleo hata kuanzia kesho. Na Mimi *Leader* ninataka leo niambiwe kabla sijatoka, uniambie tukimaliza hapa twende tukae tutengeneze mambo yetu na tulete kwa *Assembly* tumalize hayo mambo. Asante sana Mweshimiwa Spika kunipa nafasi.

**Mr. Speaker:** Thank you, Hon. Meshack Simiyu. Hon. Jeremiah Kuloba,

**Hon. Jeremiah Kuloba:** Asante sana Bwana Spika. Mimi nashukuru kupewa nafasi hii nichangie kwenye lugha ambayo itaeleweka zaidi, ambapo pengine waheshimiwa wenzangu

**Mr. Speaker:** Hon. Jeremiah Kuloba, what are you insinuating! That some Members don't understand...

**Hon. Jeremiah Kuloba:** Kingereza saa zingine kinaweza kutupita Mweshimiwa, kwa hiyo nataka nitumie lugha yenye...

**Mr. Speaker:** What are you trying to say that I am having Members who don't understand English here?

**Hon. Jeremiah Kuloba:** No...

**Mr. Speaker:** No that is wrong, you must withdraw it!

**Hon. Jeremiah Kuloba:** *I withdraw and apologize.* Kiswahili ni lugha tu. Leo kama kuna siku ambayo imeniudhi, masikio yangu hayajaamini yale ambayo nimesikia hapa kwenye huu ukumbi wa *Assembly*. Nimegonjeka nikiwa hapa chini, hata itabidi kuwe na Ambulensi nikitoka hapa inipeleke Hospitali.

Cha mbele mimi nalilia hawa wanainchi ambao wako inje, ambao hawataki kusikia kelele zile tunapigiana hapa kupelekana Kortini. Hawa watu wa inje wanataka utenda kazi, wanata watengenezewe barabara na stima ili wasitembee kwenye giza.

Yangu ninaomba kwamba wale ambao wamehusika katika mambo haya kuanzia mwanzoni wameturutusha nyuma sana.

Kuna njia panda tumefika mahali tulikuwa tunatembea Pamoja. Hawa wengine waliotoka wakaenda Kortini, warudi hapa tuongee kama wanainchi wa mbunge moja. Tulikuwa na wakati ambapo wale waheshimiwa ambao walikuwa wamechaguliwa kwa maswala binafsi walichapwa kiboko katika mbunge hili, na kikuu kilichofanya wachapwe kiboko, wakinyang'anywa kamati wakiwachiwa kamati moja, ilikuwa ni kwamba walienda Kortini bila idhini ya Mbunge hili. Je, hawa ambao walichapwa kiboko na hawa ambao walikimbia wakaenda mahakamani kuna tofauti? Ikiwa tutakuwa hivyo sheria tutakuwa tumeiweka mara mbili. Tukakuwa tuna kondoo mweusi na kondoo mweupe. Kondoo mweusi anachinjwa lakini mwingine ni mweupe anaachwa lakini pia ni mboga, akichinjwa pia atakuwa tu mboga kwa hivyo ninaomba kwamba sheria itumike.

Nashukuru Bwana Spika na najua kwamba hata zile kamati ambazo mnasema wale waliokuwa chini wapandishwe pia wawe juu. Hio ni katika usimamizi wa mirengo tofauti. Nendeni mfanye kazi ile ambayo sisi tunataka. Mtoe kibogo mchape watu na wataogopa siku nyingine kufanya upuzi.

*(Applause)*

**Mr. Speaker:** Hon. Sudi,

**Hon. Isaiah Sudi:** Thank you, Hon. Speaker for allowing me also to add my voice on a very important motion that is before us today. The issue at hand is very weighty, because as we are

here all of us, our families are at home and most of them depend on our Health Insurance Scheme that supports them. I think the Members, those petitioners, should look at it because our insurance will end maybe in August and we need to be insured. It's very dangerous and let us look at it in a bigger picture.

Like Hon. Meshack has said, I think I'm the first person who said that I cannot go to court because of a committee.

I never took part and from there, I took over labour. I became the Chair of Labour. Yes.

*(Laughter)*

*(Applause)*

The Members of labour can agree with me. I chaired Labour and I forgot about budget. It's now that I'm hearing of budget.

*(Laughter)*

To me, I left budget long time ago and it is the prerogative of our Coalitions that will again choose who's to be on Budget and PAIC and any other committee. I don't think, I can just go to court. In fact, if I sleep and I realize that I'm going to court because of a committee, not necessarily even budget, I surely find myself very useless. I will rate myself very low. I cannot go to court because of a committee. I served with Hon. Chemion here, he was my Minority Leader and I was the Minority Chief Whip and I was never on budget. The Budget Committee vacancies were coming and the two of us never even bothered to be on budget, but we were giving out and we managed to come back. I'm here again. I will still come back because I'm reorganizing my house. I'm doing my things.

Let us stop it as a House. Let's find people who can go and work on budget. All of us are equal to the task. When you are elected here, who said that when you come here, you must be on PAIC, Budget or Finance? All of us are equal here. So let us not stand here and propagate lies. I know even when my Deputy Majority Leader is here, it is when she was called to go and pay money to file a case, and we were in a car park next to the offices. I told her Leader, are you imagining that you go to court and you are a leader? Then she said, yeah. I told her, don't go. Don't pay. Because why are you paying money? Who are you taking to court? You are taking to court yourself because you are on leadership. I told her let us solve this issue at home but how it escalated and went to court, I also don't know. So I don't want to be mentioned that members of Budget Committee, I left the budget long ago.

*(Applause)*

I left budget long ago.

**Mr. Speaker:** Honorable members, I think you're inviting me to act, and I am in that mood today, so make no mistake about it. Wind up Hon. Sudi!

**Hon. Isaiah Sudi:** I wish to say that under your guidance, let us look for a solution so that the budget that was well done by the Liaison Committee is operationalized. It's a budget that is very friendly, well-balanced and I have 35 million in my ward. How can I go against that 35 million?

*(Applause)*

35 million in South Bukusu, I can do a lot. I have already arranged a program for 35 Million. So you remember last week on Friday, and we were at the Governor's home in Kamukuywa. Mr. Speaker and the leadership, you were there and we agreed on a way forward but when we were just about to leave, someone said, what about the money that we invested? Then I asked, you said that I was part of this case, how much are you going to give me because you have been insisting that we were together they said no Sudi, you didn't contribute anything.

You see, when we had made an agreement, we have said you do consent so that this issue is settled. We agreed for the two petitioners. The Honorable member of Bukembe West is here, he can agree with me they were to do consent so that the stay orders are created and the budget process continues and they were told to be guided by the County Attorney and our Legal team here. I was expecting that you are going to communicate that now we are almost there, I'm shocked that the journey has not started and yet we agreed. So I want to request that let's take that route because you know when an issue is in court, you have no control. There's a way that is laid down that we must follow so that we come out of it and that we were advised very well.

My colleague members let us not make the 2.53 Million people of Bungoma County to suffer just because of 62 of us. You should count yourself lucky; you distribute and see how much that ratio is. Those who did Mathematics can understand then you can rate yourself. You're highly rated among that population, so don't misuse delegated power. It's like now your mother or parent has brought you up and you again demean them. Let us not demean those who elected us. Let us do the needful, and move forward. I want to hear that the case has stopped and things are working. We are preparing to get money at the end of the month so that we assist those needful cases in our various areas of representation.

Kindly, members, we don't want to profile anybody, but I request that that case is withdrawn. Like, how do you sneak papers to this man called Ali? How did he get those papers and Mr. Speaker, can you also find out and let us see how he got those papers? We had a PCA here called Tome who used to do that and I thought that there are no more Tomes in this Parliament. I'm so shocked that again official documents are going out to people who are not supposed to know what is happening. This is our bedroom, and you know what happens in the bedroom. Mostly, it doesn't come out. I am shocked that now we are opening our bedroom to outsiders...

*(Laughter)*

My brothers and sisters who are here...

**Mr. Speaker:** Hon. Sudi signs in the bedroom, come out.

*(Laughter)*

**Hon. Isaiah Sudi:** You don't speak of what happens in the bedroom. Sometimes you are beaten by your wife. Do you go on announcing? You leave it in the bedroom and you come out a happy person. Kindly my colleagues let us get a solution to this issue and put it to rest so that we move forward as we have been before.

The budget is just like any other committee. I was there; I don't know how people think. I don't know how those few were benefiting. Chairs you have been on budget, can you tell me what you got on budget? Liaison Committee members were there, any benefit? So kindly let us not see budget as supreme committee. It's not supreme; it's just like any other committee.

**Mr. Speaker:** Hon. Simotwo Frankline.

*(Loud consultations)*

I will allow you Hon. Orize to speak after Hon. Simotwo.

**Hon. Frankline Simotwo:** Thank you, Mr. Speaker. First, allow me to appreciate the mover of the motion. The issue at hand is a bit weighty and as I was seated, I was thinking about the people of Bungoma and most importantly the people of Chepyuk where I represent as their elected leader.

I was to pose a question that why do petitioners go to court without including my Ward? I have a right to have my budget to implement projects for the people of Chepyuk. Consequently, I am not even a member of budget but now the people of Chepyuk will suffer because the budget has been taken to court.

The people of Chepyuk have not been given the reasons why the petitioners have gone to court. They are waiting for development in that ward. So the question is, should we suffer all of us because of the interest of one person? Remember even uploading the budget in Bungoma here when we want to execute, when it goes past September, long rains would have started in Chepyuk Ward that means we will not implement the budget in full.

This one makes me to remember the two women who are having dispute over their child...



**Mr. Speaker:** Hon. Members, now since you are so good in quoting the bible begin with the verse so that we will go and revise...

**Hon. Frankline Simotwo:** This one is a verse which is automatic. They have to place it separately in the churches.

*(Laughter)*

That the woman...

**Mr. Speaker:** Hon. Simotwo, there is no automatic in this House; you ought to know. Thank you, proceed.

*(Laughter)*

**Hon. Frankline Simotwo:** Thank you, Mr. Speaker.

**Mr. Speaker:** I will ask Hon. Caleb, Kirong or Catherine to assist you with the verse accordingly. Proceed.

**Hon. Frankline Simotwo:** Now the child belongs to the real mother, who said I won't allow this child to be cut into two pieces. Let the other woman take the child, because she feels the pain. The members who went to court are elected members, how I wish they could have behaved like that woman whose child was hers because the 35 million, the other developments is specifically for everyone.

These are the people that I have not seen because the elected leaders have never behaved this way, because as a representative you always focus on the importance of your electorate but this one is a reverse. This one will be in the archives and will be quoted.

As elected leaders, some of them go to court to stop the budget for their people. I want to echo what Hon. Violet said, that these people who went to court as petitioners should be in the record, in the public domain so that in the future, they will be written on the walls so that their elected people should know the kind of leaders that represent them because this is where you will know the kind of a leader whom people have elected.

As we speak, our people are in the ICU beds and someone goes to court to stop. It's like the person who goes to the hospital and removes oxygen from the patient who is seriously sick, there is no difference. These are the people that they can murder a person because they have said don't purchase oxygen, don't go and get blood for patients. They have said don't go for

drugs, let people die. There is no difference with a person who goes with a bullet and shoots a person.

So as we speak we want to tell the people of Bungoma that we have murderers who have kept quiet and they are not...

*(Laughter)*

*(Applause)*

**Mr. Speaker:** Hon. Simotwo, I hope none of my members is a murderer here. If that's the language, you must withdraw it.

**Hon. Frankline Simotwo:** I withdraw but...

**Mr. Speaker:** There is nothing called but here.

**Hon. Frankline Simotwo:** I Withdraw

**Mr. Speaker:** Proceed

**Hon. Frankline Simotwo:** Thank you, because if someone would have that heart of the people of Bungoma, should not have gone to that extent. They should not have gone to that extent of stopping the operation of the whole county. It is sad. I rest my case.

**Mr. Speaker:** Thank you, Hon. Simotwo. I will have Hon. Orize,

**Hon. Orize Kundu:** Asante sana Mheshimiwa Spika, kwa kunipa nafasi nichangie huu mswada. Kwanza kabisa, nina *support* Mheshimiwa Ipara kuleta mswada . Mimi nilipoingia katika nyumba hili ya *Assembly* ya Bungoma nimeshuhudia bajeti tatu. Kwa maoni yangu bajeti iliyopangwa vizuri na mipango mizuri ya kusaidia watu wa Bungoma ni hi *budget* ambayo nazungumzia sasa. Wakati bajeti ilisomwa hapa kila mtu alifurahia mpangilio wake. Lakini sasa, bajeti hiyo ilikuwa imepangwa vizuri watu waka *support* ndio imekuwa kizungu mkuti sasa kwa wachache ambao wana ubinfasi ambayo sisi hatuelewi. Sisi tulipotoka katika Wadi zetu tukija hapa katika *Assembly*, kila mtu alikuja kuwakilisha watu wake. Yale yanapatikana hapa, yale yanagawiwa hapa katika Bungoma tupelekee watu wetu.

Lakini ya maajabu ni kwamba kuna watu wanachukulia hii Kaunti, wanaona hii Kaunti haiwezi ikafanya kazi bila wao. Sisi tulipochanguliwa tukuje hapa wote tulikuwa sawa kama wanaume kila mtu alikua na makende yake mbili..

*(Loud Consultations)*

**Mr. Speaker:** Hon. Orize, the way you are talking, it appears that we only have male members here.

**Hon. Orize Kundu:** Mheshimiwa Spika naelekea huko.

**Mr. Speaker:** It is okay. Proceed

**Hon. Orize Kundu:** Waheshimiwa wamama pia wana matiti yao.

*(Applause)*

*(Laughter)*

Lakini ya kushangaza kwamba wengine waseme Kaunti ya Bungoma ni yao. Hio inaonyesha kwamba watu wengine hawana na wengine wanayo. Lakini sisi wote tuko sawa. Kwa hivyo mambo ya Bungoma haiwezi shikiliwa na watu wawili au watatu.

Mimi naomba Mheshimiwa wa Bukembe West na niliongea na yeye. Mimi nakuheshimu sana kabla tuingie hapa tulikuwa tumeongea hapo nje ukasema haya mambo ulikuwa umezungumzia. Lakini kwa ujaziri wako wenzako wote wametoroka hawako sao lakini wewe umekaa hapo, umeskiza yote, kwa hekima na heshimwa ongea wenzako tumalizie haya mambo hapa

Nakuomba kwa heshima tafadhali tuomeongea mengine kwa *public* sai nitakuwa *accepted* na wewe pia na watu wote katika Bungoma Assembly. Kwangu mimi naomba *leadership* kwa sababu nimeongea na wahusika wengine uwapatie siku moja, kesho. Kulingana na vile rafiki yangu Mheshimiwa Luseneka alisema tuwaskize wanasema nini, kesho labda wanaeza kuja na jambo la kusaidia tuwaskize, tuwapatie siku moja alafu kama imeshindikana ndio tuchukue hatua ingine ile *members* wote watashukuru.

**Mr. Speaker:** Hon. Majority Leader.

**Hon. Joseph Nyongesa:** Thank you, Mr. Speaker. First allow me appreciate the mover of this special motion which is a key concern to our members and the public. I want also to appreciate members for their concern about the issue that we are handling.

As we speak, allow me I also appreciate Hon. Luseneka for the courage he has at least to listen and hear though he said that actually they were really aggrieved. That's why maybe they moved to court.

Personally, as a Leader in this House, we have been here to at least ensure that actually we settle. Today, as we appreciate Hon. Luseneka we also appreciate Hon. Nangulu who was also part of the petitioners and is here also listening and hearing what members are saying and you know by so doing at least, we shall have a good way forward that at least our people... you know we are not here externally but we are here to act and represent our people. So anything we do here may impact negatively or positively to us and our people and that's why we are here.

Just to put things clear, the former budget members were eleven. The key participants are only seven and in fact, I want to appreciate the four members who pulled off and saw the bigger picture of this County than their own interests. Those are Hon. Sudi, Meshack Museveni, My Deputy Hon. Kirong and Hon. Caleb and also I want to appreciate others, the remaining seven who saw it clear that actually they should push and see so that at least maybe they could continue serving on the Budget Committee.

As we speak today, people have been quoting the verses and you know the Bible runs hand in hand with the Constitution and when you see people quote the Bible, they are also quoting the Constitution. The same Bible says that when Jesus was walking around, he found some other people who have converted the church into a business, let's say maybe a business shop but the same Jesus never hesitated. He took a stroke and ensured that the House was clean. So Mr. Speaker...

**Mr. Speaker:** Now that you are a bishop, you ought to quote these verses because Hon. Jeremiah and Allan are wondering which verses.

**Hon. Joseph Nyongesa:** Those ones are in the New Testament and we should not make people maybe to look lazy. They can also read the Bible. They are just grown-ups and they are Christians. So it's found in the New Testament and you know we have only four gospels. That's Matthew, John, Luke and Mark.

So you can read any. You will find it there and I have seen a strong wave that actually as leaders we should give direction and we shall give and we shall act. Actually our county is bigger than us. As we speak here, you say that we should not maybe talk about the court issue. You are aware that there is an order of the court accusing you of not acting, reinstating the members to the Budget Committee.

So as we sit, there is that court contempt. So I just want to urge our colleagues now you have seen what other members are saying and their feelings, let us have a big U-turn so that at least we settle things as leaders and friends of our people. We see the bigger picture and ensure that our interest comes after the people's interest and we shall succeed.

Maybe members are buying time because of the conditions because you and I was in that meeting. Kindly put the conditions aside, let us settle first before the courts may be go into recess so that at least we can unlock the issue. You know we may talk but the thing that is in our hands is so critical which needs a great pronouncement.

Now that we are having Hon. Luseneke here, let him also assure us so that we shall not be caught in what we may be caught into because whether we shall go public, the negative impact could be bigger to us than the positive impact that we are seeing for the only seven people.

As we see the same people in this Assembly, the Executive is also part of it, because how can documents that were signed by the Governor... The custodian of these documents should be the office of the Governor, the Treasury and the County Attorney. We should also be questioning ourselves. How did these documents find their way to the so-called Ali Mohammed? So as we question our members here, let us also see what's in the Executive, what's the intention and that's why I said when you are still in the forest you should not unleash all that you have. So, let's stay steady and ensure that we save this county. Otherwise, I humbly request Hon. Luseneke and Nangulu to talk to the five members because others in the forum where they are writing they won't help us.

So kindly let's behave as leaders and ensure that what we are doing today should help this County. Let's not just waste time with this talk and then things remain the way they are. Otherwise, I want to appreciate Hon. Ipara and other members who are keenly for the people of this County. As I sit, we need to have a Kamkunji and do some issues so that at least, moving forward we move as a united House, a focused House that we are here to ensure that our people are better than us.

**Mr. Speaker:** Thank you Leader of Majority, Hon. Joseph Nyongesa. Honorable Members looking at our Standing Orders, I am not obligated to put a question we will go back now to

the business on our Order Paper because that was under my communication. So let's move down first.

## PAPERS

### REPORT OF THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION, AND COOPERATIVE DEVELOPMENT ON THE BUNGOMA COUNTY AGRICULTURAL TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING (ATVET) PROMOTION POLICY 2024

**Mr. Speaker:** Yes, Honourable members, I think tabling papers can be done quickly. Hon. Chemion you have come from.... Yes,

**Hon. Francis Chemion:** Hon. Speaker, I look at the Standing Order 64 (B) Honorable Speaker...

**Mr. Speaker:** Yes.

**Hon. Francis Chemion:** And the Honourable members of this County Assembly have really concentrated on the motion that has just ended. They have put all their energy, all their focus was on that motion and the Standing Order 64(B) allows us to adjourn this House so that whatever had been planned for this afternoon can be taken back to HBC for rescheduling so that we handle these issues when we are very fresh, energetic and ready for it. So I move.

**Mr. Speaker:** Before you move me, I will cut you short. Why can't you come with the application when we are handling item number eight?

**Hon. Francis Chemion:** Thank you, we could still move...

**Mr. Speaker:** Yes, because even reading the order for the weekly Order Paper, Lets be able to know what's coming up tomorrow. Then you can come back at item eight.

**Hon. Francis Chemion:** Thank you, I will come back then.

**Mr. Speaker:** Yes. Hon. Tendet, I have your report. You will see me after. Proceed.

*(Laughter)*

**Hon. George Tendet:** Thank you, Mr. Speaker, Sir. I am on my feet to table a report on the Bungoma County Agricultural Technical and Vocational Education (ATVET) Promotion Policy 2024. I table.

*(Paper laid by Hon. George Tendet)*

**Mr. Speaker:** Honourable members, the Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation, and Cooperative Development on the Bungoma County Agricultural Technical and Vocational Education and Training (ATVET) Promotion Policy 2024 is hereby tabled and formally becomes the property of the House accordingly...

## **NOTICE OF MOTION**

### **REPORT OF THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION, AND COOPERATIVE DEVELOPMENT ON THE BUNGOMA COUNTY AGRICULTURAL TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING (ATVET) PROMOTION POLICY 2024**

**Mr. Speaker:** Hon. Tendet, proceed

**Hon. George Tendet:** Thank you, Mr. Speaker Sir. Again I'm on my feet to issue a notice of motion that this house adopts the report of the Sectoral committee on Agriculture, Livestock, Fisheries, Irrigation and Co-operative development on the Bungoma County Agricultural Technical and Vocational Education and Training (ATVET) promotion policy 2024.

**Mr. Speaker:** Thank you, Hon. Tendet. Honourable members a notice of motion has been issued by the Sectoral Committee on Agriculture, Livestock on its report that has been tabled. I do ask the table clerks to share the same with the Honourable MCA's on their gadgets. The same is going to form a business in our Order Paper in the course of the week or once it is scheduled by the HBC accordingly.

## **QUESTION AND STATEMENTS**

**HOUSE BUSINESS FOR THE WEEK COMMENCING TUESDAY 22<sup>ND</sup> TO THURSDAY 24<sup>TH</sup> JULY, 2025**

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**Revision 00**

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**Mr. Speaker:** Hon. Ipara, proceed.

**Hon. Johnston Ipara:** Honourable Speaker, this is a tentative weekly programme of business of the week commencing Tuesday 22<sup>nd</sup> to Thursday 24<sup>th</sup> July, 2025.

**Mr. Speaker:** Share the one from tomorrow morning at 9:30 a.m. please.

**Hon. Johnston Ipara:** Thank you, Honourable Speaker for that guidance.

**Wednesday, 23<sup>rd</sup> July, 2025 at 9:30 a.m.**

**Papers**

Report of the Sectoral Committee on Education and Vocational Training on Status of ECDE Centres in Bungoma County

**Notices of motion**

That this House adopts the Report of the Sectoral Committee on Education and Vocational Training on Status of ECD Centres In Bungoma County. .

**Question and statements**

A question by nominated member Hon. Bridgit Lusike Katasi to seek a response from the CECM, Department of Tourism, Environment, Water and Natural Resources in respect to waste management in the county. Other details are attached.

**Wednesday, 25<sup>th</sup> July, 2025 at 2:30 p.m.**

**Papers**

Report of the Sectoral Committee on Gender, Culture and Social Welfare on the Implementation Status of Bungoma County Alcoholic Drinks Control Act 2015

**Notices of motion**

That this House adopts the report of the Sectoral Committee on Gender, Culture and Social Welfare on the Implementation Status of Bungoma County Alcoholic Drinks Control Act 2015

**Questions and statements**

Member for Township Ward, Hon. Jeremiah Kuloba to get a response from the chairperson, sectoral Committee on Lands, Urban, Physical Planning and Housing in relation to illegal construction of buildings along Kitinda Road opposite Huduma Centre within Township Ward.

**Thursday, 24<sup>th</sup> July, 2025 at 2 30 p.m.**

**Papers**



Report of the sectoral Committee on Health Services on the Status of Functionality and the Management of Health Management Information System (HMRIS) in the Bungoma County

**Notice of motion**

That this house adopts the Report of the sectoral Committee on Health Services on the status of functionality and the Management of Health Management Information System (HMRIS) in the Bungoma County.

**Questions and statements**

1. A member of the House Business Committee will inform the house of the tentative programme for the week to follow.
2. Hon. John Kennedy Wanyama to get a response from the Chairperson Sectoral Committee on Labour Relations, Member Services and Facilities in relation to the state of casual workers in the county of Bungoma after the court ruling in the dispute between them and the county government.
3. Hon. John Kennedy Wanyama to get a response from the Chairperson Sectoral Committee on Lands, Urban, Physical Planning and Housing in relation to the upcoming administration block that will house officers for the executive.

That is the tentative programme for the week.

**Mr. Speaker:** Thank you, Hon. Ipara. On behalf of the House Business Committee, on our tentative programme of the weekly Order Paper starting from today to Thursday at 2: 30 p. m. session.

Next,

**STATEMENT IN RELATION TO THE MTEREMKO VOCATIONAL TRAINING  
CENTRE PERIMETER FENCE**

**Mr. Speaker:** Hon. Otsiula, do you have the response.

**Hon. Benjamin Otsiula:** Thank you, Mr. Speaker. Pursuant to the provisions of Standing Order No. 54 of the County Assembly of Bungoma Standing Orders, the Committee on Education and Vocational Training hereby submits its report on the statement sought by Hon. Cornelius Makhanu concerning the information on the construction of the perimeter wall fence at Muteremko Vocational Training Centre in Khalaba Ward.

Following the directive of the committee, the County Executive Committee Member of Education and Vocational Training was formally requested to respond to issues raised in the statement by a letter reference CAB/CC/CECT/4, volume 4(15), dated 25<sup>th</sup> June, 2025.

The CECM Education and Vocational Training submitted the response by a letter reference CG/BGM/EDU/CECM/CA-Vol.3 (93). The committee convened a consultative meeting with the statement owner Hon. Cornelius Makhanu on 7<sup>th</sup> July 2025. During the committee's session, it was established that certain issues raised in the statement were inadequately responded to in as per their written response.

Consequently, the committee resolved to hold an interrogation with the Department of Education and Vocational Training, together with the Director of Department of Public Works, on Monday 14<sup>th</sup> July 2025, to seek more clarification on issues raised.

After deliberations, the committee made the following observations.

1. THAT the contractor had been paid 99% of the total contract sum from the payment certificates raised by the Department of Public Works after the Inspection and Acceptance Committee verified the works done.
2. THAT the surface area that was to be fenced was not specified in the Bills of Quantities provided to the committee for verification.
3. THAT there is a conflict between the Vocational Training Centre and its neighbour, who has encroached on the riparian land that is on Riverside Way, was left out during fencing.
4. THAT by not fencing the surface area of the riparian land, the ceiling amount of the project was never reconciled, yet the contractor was paid the initial contract sum.

The committee noted that the contractor had been paid a total of Kshs15,440,088.13, representing 99% of the total payment for the perimeter wall fence at Muteremko VTC, with a balance of Kshs 118,281.87, still outstanding up to date.

Further, the contractor has not completed the final finishes and drainage works which necessitated the concerns raised in the statement before this house.

As a result, the committee in agreement with the owner of the statement, Hon. Cornelius Makhanu, resolved to conduct a site visit to Muteremko Vocational Training Centre in Khalaba Ward, and thereafter present a complete report to this Honourable House upon completion of the site visit findings.

The Committee on Education and Vocational Training reaffirms its commitment to protecting the interest of Vocational Training Centres and promoting integrity and accountability in the vocational training sector. We urge the County Assembly to support the committee's efforts aimed at reforming and revitalizing the Vocational Training Centres in the County.

**Mr. Speaker:** Yes, Hon. Cornelius.

**Hon. Cornelius Makhanu:** Thank you, Honourable Speaker. I take this opportunity to thank the Committee of Education for the response that has been given.

I thank the Committee for the work they did, however, those responses, I am not satisfied. First, you remember, the last time I was given the progressive report, the works done were 95%, but when you look at observation number one, the payment is 99%. Already that is a red flag. As I had enquired earlier on, when the contractor was paid the first certificate, he never came back. So how he was paid up to 99% is a red flag. I would have wished that those payment certificates were also presented, so that I know exactly what was paid.

As you know the payment certificates is the measure at work that has been done...

**Mr. Speaker:** Let him give the response first. Yes, Hon. Chemion.

**Hon. Francis Chemion:** *(On a point of information)* Honourable Speaker, if you read the response that has come from the Executive, there was an agreement between the owner of the Statement and the Committee that they will do further site visit so that we now come and interrogate it. Why don't we allow the site visit to take place so that we have enough information? That is the information.

**Mr. Speaker:** Hon. Cornelius Makhanu, on page number three of the response, paragraph number two, the Committee in agreement with the owner of the Statement, Hon. Cornelius Makhanu, resolved to conduct a site visit to Muteremko Vocational Training Centre in Khalaba Ward and thereafter present the Committee's report to this Honourable House upon completion of the site visit. Did you have that agreement?

**Hon. Cornelius Makhanu:** Honourable Speaker, I agree. We haven't visited, but I hope we are going to.

**Mr. Speaker:** Did you have that agreement?

**Hon. Cornelius Makhanu:** Yes.

**Mr. Speaker:** It ends there. You go to the site visit. Come back and give us the report from the Committee.

Next,

#### **STATEMENT IN RESPECT TO THE BUDGETARY IMPLEMENTATION ON THE PROGRAMME OF THE TEACHING AND LEARNING MATERIALS FOR EARLY CHILDHOOD DEVELOPMENT EDUCATION (ECDE) AND THE EQUIPPING OF VOCATIONAL TRAINING CENTRES IN THE DEPARTMENT**

**Hon. Benjamin Otsiula:** Thank you, Honourable Speaker. On behalf of the Committee on Education and Vocational Training, I wish to respond on the statement raised by Hon. Bernard Kikechi on the Procurement and Distribution of Teaching and Learning Materials for ECD and Equipment of Vocational Training Centres.

I hereby submit a progress report pursuant to the provision of Standing Order No.54 of the County Assembly of Bungoma Standing Orders on the statement sought by Hon. Bernard Kikechi in relation to budgetary implementation on the programme of Teaching and Learning Materials for Early Childhood Development, Education and Equipping of Vocational Training Centres in the Department.

The Committee on Education and Vocational Training considered the statement and directed the County Executive Committee member to provide a response on issues raised in the statement via a letter CAB/CC/CECT/4, Volume 4(14).

The Committee has comprehensively analysed the response and invited the owner of the statement via Committee notices of 14<sup>th</sup> and 21<sup>st</sup> July, 2025 for consideration of the issues raised, but he has not been able to honour the Committee invitation.

Therefore, I hereby request for further seven days for the Committee to issue a fresh invite to the owner of the statement to conclude on the matter. The statement covers the entire County therefore, it will not be appropriate for us to furnish a report to the House before listening to the owner of the statement.

**Mr. Speaker:** Hon. Kikechi, you were invited twice and I think you were busy in your Ward, and you didn't show up.

**Hon. Bernard Kikechi:** Thank you, Honourable Speaker. Indeed, I received the invite, although it was a bit late. I arrived to the meeting when the Chair had already finished, so we agreed that in the next meeting, I will be very punctual.

**Mr. Speaker:** Yes Majority Leader,

**Hon. Joseph Nyongesa:** Thank you, Mr. Speaker. Maybe just to chip in, that if you see the nature of the statement it's cutting across our Wards and in fact, it would be prudent enough for the Chief Officer and the CECM just to be here so that at least I see what my VTCs and ECDEs got what. It would be better than maybe straining Hon. Kikechi to cover all the 45 Wards, if you could allow.

**Mr. Speaker:** Hon. Otsiula, now that the response is cutting across all the 45 Wards, I want to be flexible enough not to give you seven days but 14 days so that you prepare a comprehensive report covering all the areas that are sought because I'm very sure that every elected member will be asking about a VTC or ECDE in His/her Ward. So on my own volition, without you seeking for more days, I grant you 14 days.

**Hon. Benjamin Otsiula:** Honourable Speaker, I agree with that direction. The only predicament we are having is that if you look at our progressive report, is that the Department has already responded as per the earlier statement.

**Mr. Speaker:** If the statement was specifically about Mbakalo Ward, we allow it to go that way. But if it's open that it's to cover all the 45 wards, we can be able to share the response with the House so that the members can look at it...

**Hon. Benjamin Otsiula:** Honourable Speaker, I think that will be the best direction so that we share the response to the whole House.

**Mr. Speaker:** We will go through the Deputy Clerk here, we will share the response to the Honourable Member's gadgets, so that they are able to look at the respective wards, and the day you will be inviting the Statement owner, nobody bars you from allowing other members to come and also seek clarification in their respective Wards. So Honourable Members, the response will be shared on the plenary walls so that you are able to pick up your respective items.

## **MOTION**

### **REPORT ON THE SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON THE IMPLEMENTATION OF HOUSE RESOLUTIONS FOR THE YEAR 2022/2023**

**Mr. Speaker:** Hon. Chemion, now you can be able to move your motion

**Hon. Francis Chemion:** Thank you, Honorable Speaker. Pursuant to Standing orders 64(b) I move that we adjourn this House and all the matters that have been planned for today are taken back to HBC for rescheduling, so that Honourable Speaker had already given all the reasons, and I want to call upon Hon. Stephen Wafula, the Deputy Speaker of this County Assembly to second this motion of adjournment. Welcome.

**Mr. Speaker:** Yes, Honourable Deputy Speaker.

**Hon. Stephen Wamalwa:** Thank you, Honourable Speaker. First of all, let me echo and congratulate the Hon. Masai for looking at the House and realizing that the motion that was on

the floor was actually critical and I'm very sure that most of the members are digesting it so that as the deliberation was going on, you realize that members were trying to seek for much more time for ventilating on the same. So it requires a lot of thinking and the energy that was used, actually drains the levels of attention going forward.

So I want to second that we adjourn and then resume after the items has been taken back for rescheduling. I second the motion.

**Mr. Speaker:** Thank you, Hon. Francis Chemion for moving your motion and being seconded by our Deputy Speaker, Hon. Stephen Wafula.

*(Question proposed)*

I didn't hear what Hon. Otsiula was saying, but I will now proceed and put a question on this motion.

*(Question put and agreed to)*

### **ADJOURNMENT**

The House will adjourn its sitting for now and resume tomorrow at 9:30 a.m., but the motion that was to come up today, since it was not their own making, the same will come up tomorrow morning at 9:30 a.m. so it will be the first on the Order Paper.

***The House rose at 5:04 p.m.***