

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY, 22ND OCTOBER, 2025

Morning Sitting

3rd County Assembly

4th Session

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

WEDNESDAY, 22ND OCTOBER, 2025

The House met at the County Assembly Chamber at 9:30 a.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

Honourable members, I have communication from Honourable Aggrey Mulongo, the Minority Chief Whip in the County Assembly of Bungoma and the reference is a discharge of Members from committees. Pursuant to the Standing Order, 178(1) (a) this to notify you of the changes in the membership of committees. Hon. Everton Nganga has been discharged from the Implementation Committee and his position has been taken by Hon. Aggrey Mulongo.

In the same regard, Hon. Aggrey Mulongo has been discharged from Justice Committee and has been replaced by Hon. Everton Nganga. Thank you in advance to your understanding and cooperation in this matter.

QUESTIONS AND STATEMENTS

STATEMENT NUMBER 27-2025

Mr. Speaker: Honourable Members this is a statement sent by Hon. Charles Nangulu, MCA for Namwela Ward from the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development. Hon. Chemion, I am told you are stepping in for Hon. Nangulu...

Hon. Anthony Luseneka: Thank you Hon. Speaker. I just wanted a direction from you. Last week we lost an important person in this Republic of Kenya and in your communication, I was expecting that you

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Revision 00

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spare a few minutes for us to eulogise him. Because he was a national leader who did much for this country and he contributed a lot in matters of devolution. Were it not for him, we would not be here.

I was thinking if we can spare a few minutes, give our comments, we eulogise. I know he is already buried but there is no harm in giving Honourable Members a few minutes to eulogise because some of us have voted for him several times. Personally I have voted for him four times. I thought you could also consider this Assembly, this House, we give a few remarks as we proceed with today's business. Thank you.

Mr. Speaker: I have taken note of that; I will be able to do so before we go to the motion. The only thing is that when you went for the funeral of the late President Moi with your two friends and you were given *Sadaka* you never made a similar request in the last Assembly. Now how do you take *Sadaka* of 5,000 and you are given back 50,000? Hon. Chemion?

Hon. Francis Chemion: Hon. Speaker, on behalf of Hon. Nangulu, we have agreed with what has come before us. If you look at the conclusion of that report, they have said they are going to work on this report as a committee. They want to do it conclusively. So owner of the statements buys that idea. Thank you.

Mr. Speaker: You are saying at the moment the statement has been done partially and you want it to be done conclusively by the committee?

Hon. Francis Chemion: From this response Hon. Speaker, they say they want to do it conclusively. If you look at the last paragraph they say; 'I hereby submit that the concerns of the statement were conclusively responded to in the department's submission and I therefore request that the matter be concluded at the committee level''. The owner of the statement has no issue and it is the mandate of the committee. If they want to work further on it that is their mandate. They will make a decision as a committee.

Mr. Speaker: Yes, Hon. Makari before I allow Hon. Waiti to respond.

Hon. George Makari: Hon. Speaker, is it in order for Hon. Francis Chemion to tell us about the conclusion of a statement which even the House doesn't know? He's telling us if you look at the conclusion of the report, which the House doesn't have?

Version 00

Revision 00

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Mr. Speaker: No, Honourable Members what they have brought to me here is basically a progress report. I think they are supposed to bring us a full report reason I was asking to hear from Honourable Waiti if he had the instructions, but he jumped the gun by indicating that they wanted more time to file a conclusive report. Hon. Waiti?

Hon. Waiti Wafula: Thank you, Honourable Speaker. Allow me, on behalf of the committee read a response. Honourable Speaker, I hereby submit a report pursuant to the provisions of Standing Order 54 (p) of the County Assembly of Bungoma Standing Orders on the statement raised by Hon. Charles Nangulu in relation to mismanagement of Sibumba, Kikai and Menu Coffee factories in Namwela Ward. Honourable Speaker, the Committee on Agricultural, Livestock, Fisheries, Irrigation and Co-operative Development requested for a response to the statement sought and invited the Department to a consultative meeting vide a letter indicated CAB/CC/Sector/2 Volume 3, 34 8th of August 2025.

The Department submitted its report with regards to mismanagement of Menu, Kikai and Sibumba coffee factories on 9th August, 2025. The Department appeared before the committee on 11th September, 2025 to respond to the issues raised in the statement and submitted additional information on 18th August, 2025 to the concerns raised during the consultative meeting.

Hon. Speaker, I hereby submit that the concerns raised in the statement were conclusively responded to in the Department's submissions and I therefore request that the matter be concluded at the Committee level. Thank you, Honourable Speaker.

Mr. Speaker: Honourable Members, allow me be able to grant this Committee a last chance because this thing has dragged on since July and it has to come to a conclusion either way. Since you have sought to go and bring now what you are saying, a conclusive response. I will grant you more time and I will grant you up to 11th November at 2.30 p.m. session. Work as a Committee and give us feedback. Hon. Chemion kindly inform the owner of the statement Hon. Nangulu that he has to appear if required because if he will be invited and he does not appear, we won't extend their time to that extent.

Honourable Members, we want to be flexible. Hon. Waiti do you have something to say again? Again as you have heard from Hon. Luseneke, I want us to observe a minute of silence in honour of the late Honourable Raila Odinga. Further, I will allow at most six Members make some brief remarks. Let's be upstanding.

(A minute of silence observed)

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Revision 00

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Thank you. Let's resume our seats. I'll be able to allow a few remarks to be made. Hon. Aggrey Mulungo.

Hon. Aggrey Mulungo: Thank you, Mr Speaker, sir for giving me this chance to speak on behalf of people of Kibingei to mourn with the people from Siaya, Bondo and nation at large. The Hon. Raila Odinga stood for presidency in 1997 the year I also started vying for councillorship.

(Laughter)

This is a man who has been fighting for democracy. This is a man who has been an arbitrator in all the four consecutive governments. This is a legend. This is a hero and the reason our President even honoured him with a state burial. Anybody complaining about Raila Odinga's work is not a democrat. Anybody who complains about Raila Odinga has not worked with him. I worked closely with Mr Odinga, the former Prime Minister, in 2007. I vied on an ODM ticket.

We won the elections but our elections were stolen. I know and I believe that up to now they are still mentioning those votes. Which information? Mr Speaker, whatever I am talking about, I was there and I witnessed when somebody wants to criticise me, I will table the evidence. I will table the evidence because in Kimilili...

Mr. Speaker: Order honourable Members, Hon. Mulungo make your submission.

Hon. Aggrey Mulungo: I am mourning and therefore I am speaking what I saw and I don't lie. In Kimilili to speak the truth, the tallying centre was in Kimilili boys *Mheshimiwa* Kibaki got 23,600. Hon. Raila Odinga got 16,700. I was there myself because I was part and parcel of that. But it was announced that Raila Odinga got 17,000 where he was added 300 votes while Mwai Kibaki got 35,000 votes. When I talk about his presidency being snatched, I know why.

Since he is now gone, I am the only one from 1997, 20 years down the line in 2017 when I was elected. I said I have now got it but he never accessed that power. That is a man we have lost. Kenya has lost, Africa has lost, Bungoma has lost, especially Mulungo the former Secretary General of ODM. The founder member of ODM in 2005 although I later left the party. Thank you Mr. Speaker for giving me the chance.

Mr. Speaker: Yes Hon. Chemion I said six Members and I am seeing the entire wall.

Version 00

Revision 00

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Hon. Francis Chemion: Mr Speaker, it shouldn't go on record that the Secretary General was Hon. Mulongo. Maybe you should be specific. You were Secretary may be in your constituency because if you say you were a Secretary General, it means you are the National ODM Secretary General and it should not go on record.

Mr. Speaker: Honourable Members, if I got him right and where he was saying from, he was in his village. You all know the National Secretary General...

(Loud consultations)

To my understanding without mentioning, it means he's in the village. Therefore, you don't have to worry about him. Hon. Cornelius

(Applause)

(Loud consultation)

(Laughter)

Hon. Cornelius Makhanu: Thank you, Hon. Speaker for this opportunity. Hon. Speaker, I also stand here with a heavy heart. I did not imagine one day I will stand here to eulogize the great son of Kenya, the Right Hon. Raila Odinga. I remember in 1994 when I was a Ford Kenya Youth wing member and we had a leadership dispute in Ford Kenya and the Hon. Raila felt that justice had not been done to him when the late Vice President Wamalwa Kijana was elected as the chair of Ford Kenya. He defected and formed another party and he came back to Parliament. That is a record. He still remains the only elected Member of Parliament in this Republic who defected because of a misunderstanding with his party and he came back in a by-election.

Today we are enjoying devolution. This is one leader whom I remember at the BOMAS when we were trying to come up with a new constitution, he was again the only elected member who remained at BOMAS of Kenya when the government of the day tried to water down the constitution and they came up with the Kilifi draft. He was the only elected member who remained with the people.

The Kilifi draft when it was brought for referendum, Hon. Raila led the NO campaign. That is when we came up with the orange and banana and we defeated the Kilifi draft courtesy of Hon. Raila Odinga. Today, when we passed the 2010 constitution which brought in devolution, he has remained the

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defender of devolution. Even recently, three months ago, he was still defending devolution. He wanted even more resources to come to the counties. He was even proposing that we should be getting the national share of revenue at 40%.

He defended the counties. He even proposed to scrap KURA and KeRRA so that these monies can come to the counties because he felt the roads were for counties. He wanted the national government to remain only with KeNHA, to do the highways. In the same breath, he wanted even the RMLF funds to come to the counties. This is a man who has fought for this country until his last breath. Today, on behalf of the people of Khalaba Ward, people of Bungoma and the country at large, I want to pass my condolences to the family of Jaramongi, the family led by Ida Odinga and the children and everyone.

We shall miss him. I cannot imagine politics in Kenya without the name of Hon. Raila Odinga and that is why the government of the day has even rewarded him posthumously the CGH Honour. I thank the government of Kenya for honouring him with a state funeral. Thank you, we shall miss the Right Hon. Raila Odinga.

Mr. Speaker: Thank you. Yes Hon. Chikati. I will have Kikechi then I will come close on this side.

Hon. Timothy Chikati: Thank you Speaker for a chance to eulogise the Right Hon. Raila Amolo Odinga. Honourable Speaker, I wouldn't have missed because I remember well during our campaigns in 2022 around February, the Hon. Raila Amollo Odinga with his entourage came to Ndalui. I remember our then MP Dr. Eseli Simiyu, I was in his camp and Raila Odinga gave out two million to be shared among candidates on Azimio ticket. I remember receiving almost 800,000 from him that assisted me in my campaigns. That's why I stand here to eulogize him. I've been wearing his hat from the time he died till right now it's in my office and I'll continue wearing it. As we are sitting here today, the constitution that we are using right now it's because of him. The devolution that we're enjoying it's because of him and so many things.

I remember well in 2007 this country could have been completely torn apart if Hon. Raila Odinga could not have come together with the then President Mwai Kibaki for peace. He's also a man of good heart because we've seen the previous governments. He's a man who goes back even to his competitor to say let us work together, something that we cannot see even from our competitors, even from the MCA's, even the Members of Parliament. The competitors don't work together after the elections but he is the only man in the country that can go back to his competitor and say let us work together for the best, for the togetherness and for the unison and for the development of the country. So, we'll miss him and we pray that may the good Lord rest his soul in peace and be with his family. Thank you.

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Revision 00

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Mr. Speaker: Hon. Kikechi, then I will come to Hon. Edwin and close with Hon. Makari.

Hon. Benard Kikechi: Thank you, Honourable Speaker. I also stand here, to eulogize a man who has really fought for the welfare and democracy of Kenya as a country. I knew the late former Prime Minister Raila Odinga in the year 2005 during the famous campaigns for the change of the constitution whereby he was fronting the orange (NO) side and the late former President Hon. Mwai Kibaki was fronting the banana, the yellow side.

I was firmly in the orange team that time. Even when the Orange Democratic Party was formally formed after the triumph in the referendum, I was among the supporters of ODM. Even in 2007, we campaigned for Raila Odinga and it went the way it went. All in all, Raila Odinga will always be remembered by every Kenyan who lived during his lifetime.

On behalf of the people of Mbakalo, I send my condolences to the family, friends and relatives of our departed former Prime Minister.

Mr. Speaker: Thank you, Hon. Opwora.

Hon. Edwin Opwora: Thank you, Mr. Speaker

Mr. Speaker: You know what is coming out, maybe it's only I, Hon. Zeddy and Hon. Jerusa Aleu that knew Raila in those years of the 1970's. The rest are young people.

Hon. Edwin Opwora: Thank you, Mr. Speaker. I acknowledge and on behalf of the people of Luuya/Bwake Ward and on behalf of my family, I also want to extend my deepest condolences to the family of the late Hon. Raila Odinga. Hon. Raila Odinga was a great man and it is a big loss to this Republic of Kenya by virtue that he is deemed like the father of democracy, having fought to ensure that there is pluralism and democracy in the Republic of Kenya.

Hon. Odinga is a big lesson to the leaders in Kenya and one thing as you say some of us might have not had a one-on-one interaction with him. But there are many lessons that we learn. In fact, I want to remind Hon. Mulongo when he was talking about some election theft and you know, politics is like soccer. What matters is the score at the end of the game. You might play so well, but you fail to score. Another team will time and score the last minute and they carry the day.

Version 00

Revision 00

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I just want to assure Hon. Mulongo that right now we're in the right government and we still appreciate the contribution of the late Right Hon. Raila Odinga. There's something that I learned about Hon. Odinga. In as much as he was in the opposition, he never wanted to be in the opposition. That's why in all the four elections, all the four previous presidents we've had in Kenya, Hon. Odinga found a way of working with them. He found a way of being in government and this is a lesson to even our colleagues who are here.

Let us learn to work with the government of the day because in all the governments, Hon. Odinga made sure that he also took a piece of cake from the national government. Much of the development in Nyanza right now is a contribution of Hon. Odinga. Because all the Nyanza people have always backed him, regardless of the outcome of the elections. They have always stood behind him. This is also a lesson that I wish our leaders in western, in the Luhya nation learn from it. That it is our time to also rally behind the Right Hon. Moses Wetangula, who is in government so that we can also have a voice in this government.

Our colleagues in the opposition, if we can follow what our colleagues in Nyanza are doing, they always speak in one voice, they always listen and they listened to Right Hon. Odinga. That is why you see when he used to go in government, he had a bigger bargaining power. Let the soul of Hon. Odinga rest in peace but let us continue learning from history. Let us continue learning his good deeds and I believe Kenya is still a better place to be and we still shall have another leader in years to come who will still be great and also remember Right Hon. Odinga's good trends.

Lastly, in our schools, in history classes, we still learn about the old heroes. I think it is high time the education sector considers incorporating in their curriculum or in their academic history lessons some of the works of the current heroes that we have like Hon. Raila Odinga. Thank you. May his soul continue resting in peace.

Mr. Speaker: Thank you. Hon. Makari. I've seen my friend Hon. Zeddy wants to speak. You know, like him, they grew together. So, proceed, Hon. Makari.

Hon. George Makari: Honourable Speaker, thank you for giving me the opportunity. I want to appreciate this as was raised by Hon. Lusenaka and you saw it fit that we eulogize Hon. Raila Odinga.

Raila is the father of democracy in Kenya. The space that we have today, the democratic space and the devolution that we are having today is courtesy of one Hon. Raila Amollo Odinga. In Bungoma County, the last time we encountered Raila was during the burial of Hon. Sifuna at Siritanyi Primary School and

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Revision 00

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I know you were there. Almost everything went out of hand because of one Wajakoya but then it was contained. Raila has been consistent.

Even when we have funerals in Bungoma, he came for the funeral of Wamalwa Kijana and every other funeral that he associated with he could come. As Hon. Mulongo eulogizing, I was also one of the village officials of ODM and I can't say I was Secretary General. You cannot say you are a Secretary General when you are in the village.

We only recognize Secretary Generals at the national level. I was the organizing secretary of the outfit, but I can't say it here. Most of us in this House have in one way or another associated with Raila Odinga, either in the Liberal Democratic Party, ODM Kenya or Ford Kenya. If you have ever been in Ford Kenya or Ford, Raila also is a founder member of Ford. As Hon. Cornelius said, he was a youth wing of Ford, which means we were all in the same party at that particular time. Most of our colleagues, here, we are in one way or another in the institutional framework of Raila Odinga.

When I was growing up and I was in high school; I know you are still young... when I was in high school I know you were in standard 8...

Mr. Speaker: Hon. Makari, I sat K.C.S.E ahead of you! Make no mistake ...

Hon. George Makari: Honourable Speaker, while we were growing up, I could emulate Raila Amollo Odinga.

There was a reference that he was being involved in violence; Raila Odinga is second to none. At that particular time, I could tell people, colleagues and those ones that were in our playgroup that in violence, I'm only second to Raila Odinga because the reference was, in violence, Raila Odinga was second to none. When I was playing and telling our young people, I was telling them in violence, I'm only second to Raila Odinga because he was number one, so I was number two.

That is how Raila shaped our life at that particular time. As we all eulogize, we pay homage to a man that shaped our lives, that has opened up the democratic space. One time, in the near past, there's a time he said it's better to have bad leadership than have no country at all. What was the meaning? The Gen Z's were on the streets. Everybody was up in arms because of the taxes and he said it's better even to have bad leadership than have no country at all. You remember 2007? I know you were maybe still in secondary school.

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Revision 00

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Mr. Speaker: Hon. Makari I was having a law firm at Bungoma Teachers Sacco, I was practicing law in this town, I was in this town as a Lawyer.

(Laughter)

Hon. George Makari: Thank you, Honourable Speaker, for the correction. In 2007, if you can remember well what went up in the two days, whatever happened in 2007, those people that were in Bungoma. Just two days, airtime that we were buying at 20 shillings went at 200 shillings. The shops were there but they were closed; you could not buy anything in just two days.

I remember in this town here, we lost close friends. There's a guy I know who was going to the gym in the morning. He was passing through Chepkube. A stray bullet went through his stomach. He was not even armed. He was not fighting. He died and he was my next door neighbor.

That's why Raila came and said recently, it's better to have even bad leadership. We should not even have bad leadership, but it's better to have bad leadership than have no country at all. As we all agree as and Assembly, we pay homage to the contribution of Raila Odinga in devolution and the democratic space. Thank you.

Mr. Speaker: Thank you. Hon. Godfrey?

Hon. Godfrey Mukhwana: Thank you, Honourable Speaker, for giving me this chance. I am one of the Members who has been elected as an independent Member but once elected, I have never joined the opposition. I'm one of Raila's allies because once elected, I'm always on the government side. That was the politics of the right Hon. Raila Odinga.

Today we eulogize Raila Odinga because of the work he did for this country. All the County Assemblies, all 47 the County Governments across the country are because of the brave man that has left us.

I want to appreciate my colleague, Hon. Lusenaka, for bringing this issue across. In fact, we thought when Raila passed on, we were going to adjourn the House. But all in all, it has come to pass and we've given other Members to eulogize the late Raila Amollo Odinga.

Version 00

Revision 00

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As Hon. Makari said, when I came in 2017, I was in ODM. What made me to move out of ODM is because of the engagement by the time they were supposed to give out the certificate, I was denied because of the politics of the leadership that was there at that time.

You remember in Bungoma town, we had the leadership of Majimbo Okumu, the leadership of the likes of Khangati. They made sure that I was not given the ticket for ODM but when I was elected as an independent candidate, I decided to join the government side because if you want to get development you must work with the government.

That was the spirit of the late Raila Odinga. I eulogize Raila as one of the persons who valued the country, who valued his people because after election, he doesn't run away for himself. After election, the right Hon. Raila Odinga decided to join the government, decided to come down and look for the winner for the purpose and the peace of the country.

I take this chance to say, let him rest in peace as we keep on eulogizing. Thank you.

Mr. Speaker: Thank you. Hon. Jack then I will have Hon. Lusenaka closing then we move on members. I'm seeing Hon. Simotwo trying to...he has never given me his ATM to keep for him. We will see what happens.

Hon. Jackson Wambulwa: Thank you, Honourable Speaker. I'm humbled also to stand here and eulogize the late Amollo Odinga. I'm one of those who fought for multiparty during those days of the late Masinde Muliro, Jaramogi Odinga, Wamalwa Kijana, and Paul Muite. You name all the heroes those days of early 90's.

Mr. Speaker: When you say such names, say it in low tones, because Allan Nyongesa is here...
(Laughter)

Hon. Jackson Wambulwa: Thank you. Honourable Speaker. I remember those days, few of us here were able to go to the street and fight. I was in Kamkunji throwing stones and I was encouraged with Raila because of his bravery. Whenever the old man thought the Moi government was coming for them, he would always say let me lead, you follow. This is one man who actually exposed some of us to politics. By then, I was an official in A.F.C Leopards.

I remember in the 90's when Raila wanted to take over Ford Kenya, we went to Thika. It was between him and Wamalwa Kijana. That is the time I realized that Luhyas are brave. Wamalwa had brought us

Version 00

Revision 00

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to a level that we could not feel anything. We fought and even Raila went under the table for Wamalwa to take up the leadership.

Thereafter, Hon. Raila was my party leader while serving in the Busia county government by then. I remember standing on ODM and as you are aware, Busia was an ODM zone. I made it through ODM. Raila was my party leader. He is one man wherever you booked an appointment with him, you could access him as agreed without fear or favor and he will listen to you, give you the encouragement to go and work for the people.

One message I remember Raila telling us, that when you are in leadership, please use your leadership to benefit other people. Use your leadership to help your community. That gives us a lesson that as the people of *Mulembe*, it is our time now irrespective of our differences, we should front one of our own who should lead us so that we can also fight for Western.

The only problem with the *Mulembe* people is that, you know when I say *Mulembe*, I don't leave out Mt. Elgon and Teso. Iteso and Mt. Elgon are our immediate brothers. The biggest problem, the undoing that is different from Raila. Imagine, Raila has been a Luo, but you look at his surrounding, he is surrounded by the Subas. What do I mean by the Subas? Look at Governor Wanga, look at Mbadi, and look at Opiyo Wandai. In fact today, you find the Luo communities are complaining, saying he has not rewarded any of them. Raila once he believes in you, like he believes in Joho, he believed in Oparanya. You can see he has given them leadership. Those are the kind of leaders that we need in Western. Those are the kind of leaders we need to front.

This can only happen if we forget about our ethnicity, going to a level of saying I'm Iteso, I'm Masai, and I'm a Munyore or what. Let's all be *Mulembe* Nation and fight for our own people. Make sure that we are in the government. All the time when you are fighting for your position, you fight to be in the government, you don't fight to be in the opposition. It's time that we realize that we have the broad based government. Let us work as one government and make sure that we deliver on behalf of the people. May Raila's soul rest in peace.

Mr. Speaker: Hon. Luseneka, then I will have Hon. Simotwo closing. We have two motions ahead of us. Yes, proceed Hon. Luseneka!

Hon. Anthony Luseneka: Thank you Hon. Luseneka for also giving me this chance to at least say something about our former Prime Minister. The freedom and devolution we are enjoying today is because of that great man. I know he had his own challenges but when you look at the challenges he had

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Revision 00

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and what he contributed in this country, the positive outweigh the negative. We saw the National Assembly last week eulogize him. I felt it's important for this House to also at least say something about our former Prime Minister.

He was one man that was very straight. He could speak his mind. In fact the problem we are having as counties is the 15 % allocated to Counties is not enough so, he was trying to help these counties by pushing the allocations to 35 % and going by what was happening, he was almost succeeding. I just want to urge those in leadership nationally that in honoring this man, they should at least adhere to what his wishes were. So, as much as he is gone, I think his legacy will live forever.

Mr. Speaker: Thank you. Hon. Simotwo!

Hon. Franklin Simotwo: Thank you Mr. Speaker for giving me this opportunity. First of all, I want to appreciate Hon. Lusenaka for introducing that we spare time to eulogize our great leader Hon. Raila Odinga. I want to say this, as we eulogize our great leader Hon. Raila Odinga who stood with every Kenyan... If it could not be Raila Odinga, the marginalized and minorities would still be suffering because before the removal of section 2 (a), Ogiek and Ndorobo in Mt. Elgon were suffering.

Most of the old men were barred in cells that is why today I want to stand here to appreciate the effort of one Honorable Raila Amolo Odinga. That he has made Kenyans to enjoy the freedom today. We lost over 8 people in cells on framed... because they were minorities in Mt Elgon. I want to take this time to appreciate the efforts made by one Honorable Raila Amolo Odinga. He is a man who has stood with Kenyans to make sure that we have the freedom that we have today.

Were it not for Raila, some other people could not have been heard in terms of leadership, recognition and many other things. I want to say, let his soul rest in peace but we want other leaders to emulate one Raila Amolo Odinga. He has fought for democracy, he has been fighting corruption until his death.

I want to say that on behalf of the people of Chepyuk, the Ogiek and marginalized groups, we say rest in peace Raila Amolo Odinga.

Mr. Speaker: Thank you Honorable Members. I think we are done with those contributions. Allow us go to the next item on our Order Paper. Let us proceed.

MOTION

1. REPORT OF THE SECTORAL COMMITTEE ON LABOR RELATIONS, MEMBER SERVICES AND FACILITIES ON IMPLEMENTATION STATUS OF HOUSE RESOLUTIONS FOR THE FINANCIAL YEARS 2022/2023

Mr. Speaker: Yes, Honorable Member proceed!

Version 00

Revision 00

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Hon. Catherine Kituyi: Thank you Mr. Speaker Sir. I rise to move a motion on the Committee on Labor Relations, Member Services and Facilities on the Implementation Status of House resolutions for the FY 2022/2023.

Pursuant to the provisions of Standing Order 205 ...

Mr. Speaker: Hon. Catherine as the Vice Chair of the committee, you are hearing Members asking that you establish whether you have the requisite number to proceed. Let me just rush quickly.

Hon. Hentry, Catherine, Nangulu, Lusenaka, Kiron'g, Millia Masungu, Aleu,

(Loud Consultation)

Honourable Members, when they are doing the quorum they do not count people in the corridors!

Hon. Jerusa Aleu, Caleb Wanjala, Linda, Polycarp, Kaiser, Jeremiah Kuloba, Everlyne Anyango

(Laughter)

Hon. Allan Nyongesa

In your own thinking, do you have a quorum? You do not.

It is 7 plus 1. You do not have

We will not be able to wait for you because Hon. Ndasaba, membership is per this report at the time of producing the report. If there are no members here, you know what happens. If we are not having membership here we take it out and we do not have time for you. Go and plan...

(Applause)

...because Hon. Hentry was part of the liaison team that agreed on the committee membership during the moving of the report. So, next report!

2. REPORT OF THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK FISHERIES, IRRIGATION AND CO-OPERATIVE DEVELOPMENT ON THE BUNGOMA COUNTY SALE YARD BILL 2025

Mr. Speaker: Hon. Waiti!

Hon. Bernard Kikechi: Thank you, Honorable Speaker...

Mr. Speaker: To cut the story short, can I have Members of this committee upstanding! I think from the attendance we have here, it is more than 7 plus one, proceed!

(Applause)

Version 00

Revision 00

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It does not mean that when they start then you move out. You must be in until the end because what I have discovered, you only give the quorum then by the time they second there is no membership. Proceed!

Hon. Benard Kikechi: (Mover) thank you Hon. Speaker for the good guidance that members should always attend the full session of the motion. I am standing here to move a report on the Bungoma County Livestock Sale Yard Bill 2025.

PREFACE

Hon. Speaker,

Pursuant to the provisions of Standing Order 139 of the County Assembly of Bungoma Standing Orders, the Livestock Sale Yard Bill, 2025 was read a first time on Tuesday 29th April, 2025. After the First Reading, the Bill was committed to the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development for consideration and reporting to the House pursuant to the provision of Standing Order 141(1) of the County Assembly of Bungoma Standing Orders.

The Bungoma County Livestock Sale Yard Bill, 2025 seeks to provide for the development and management of livestock sale yard, promote livestock marketing and a framework for the effective and efficient operation of livestock sale yard in the County. It further seeks to give effect to Clause 1(b) of Part 2 of the Fourth Schedule to the Constitution; to provide for the development and management of livestock sale yards and for connected purposes.

Pursuant to the Provisions of article 196(1) (b) of the Constitution of Kenya, 2010 and Standing Order 140(2) of the County Assembly of Bungoma Standing Orders, the Committee through an advertisement in the Standard Newspaper of Monday 21st July 2025, invited the public to submit memoranda on the Bill. Further, the public was invited for public hearings on the Bill at the County Assembly.

In response the committee received views from the public in form of memoranda and verbal submissions which were considered by the committee.

MANDATE OF THE COMMITTEE

The mandate of the committee is outlined

COMMITTEE MEMBERSHIP

Hon. Speaker,

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Revision 00

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The Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development as currently constituted comprises the following Members:

1. Hon. Wafula Waiti	Chairperson
2. Hon. Idd Owongo	V. Chairperson
3. Hon. Busolo Sudi	Member
4. Hon. Everlyne Mutiembu	Member
5. Hon. Meshack Simiyu	Member
6. Hon. Simotwo Franklin	Member
7. Hon. Jerusa Aleu	Member
8. Hon. Alfred Mukhanya	Member
9. Hon. Caleb Wanjala	Member
10. Hon. Edwin Opwora	Member
11. Hon. George Tendet	Member
12. Hon. Benard Kikechi	Member
13. Hon. Martin Chemorion	Member
14. Hon. Allan Nyongesa	Member
15. Hon. Alice Kibaba	Member

ACKNOWLEDGEMENT

Hon. Speaker,

The Committee is grateful to the Offices of the Speaker and the Clerk of the County Assembly for the logistical and technical support accorded to it during its sitting.

The Committee further wishes to thank all stakeholders who submitted memoranda on the Bill.

Finally, I wish to express my appreciation to the Honorable Members of the committee and the secretariat who made useful contributions towards the consideration of the Bill and production of this report.

It is signed by Hon. Wafula Waiti, MCA- NAITIRI KABUYEFWE

Chairperson, Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development

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CHAPTER TWO

OVERVIEW OF THE BILL

The Bill seeks to provide for the development and management of livestock sale yard, promote livestock marketing and a framework for the effective and efficient operation of livestock sale yard in the County.

The Bill has Forty one Clauses divided into Five Parts and Seven Schedules.

Objects and Purpose of the Act

The object of this Act is to:

- (a) Provide for the development and management of livestock sale yard in the county;
- (b) Promote livestock marketing in the County;
- (c) Provide for a framework for the effective and efficient operation of livestock sale yard;
- (d) Integrate livestock sale yard with other supportive business enterprises and services;
- (e) Provide a framework for effective disease surveillance and control in the County;
- (f) Enhance revenue collection at the livestock sale yard; and
- (g) Provide a framework for control of theft of livestock in the County.

BACKGROUND ON LIVESTOCK SALE YARD BILL, 2025

Bungoma County is heavily agricultural; livestock rearing is integral to many households alongside crop farming. Common animals include cattle, goats, sheep, poultry, pigs, donkeys and rabbits. Most households keep livestock on a small scale, often integrated with crop farming. Productivity tends to be low: due to local breeds, disease challenges, limited access to quality feed and limited extension services.

The County has livestock sale yards, which are dilapidated, poorly designed and lack the required facilities and amenities such as value-addition facilities, storage facilities, water supply, electricity and ICT facilities. Their layouts and designs do not provide the required market facilities and designated areas for wholesale, retail, and even specific commodities. This has resulted in produce deterioration,

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wastage, congestion, inaccessibility of produce by customers and difficulties in produce loading and offloading. Sanitation in these markets is wanting and in certain situations, the facilities are not conducive for use by persons with special needs.

The Fourth Schedule of the Constitution of Kenya, provides for County Government functions and provides; “The functions and powers of the county are— 1. Agriculture, including— ... (b) *livestock sale yards*...; The County Government of Bungoma recognizes the importance of promotion of livestock marketing hence initiated the process of formulation of this legislation through the Kenya Livestock Commercialization Project (KeLCoP).

Disease control has been a recurring concern. For instance, during outbreaks of Foot and Mouth Disease (FMD), county veterinary authorities have on multiple occasions closed down market rings or livestock sale yards to prevent spread.

CHALLENGES FACING LIVESTOCK SALE YARDS IN THE COUNTY

Inadequate Infrastructure

- Many sale yards lack standardized facilities such as proper fencing, loading ramps, weighing scales, and shelter for animals.
- Poor drainage and sanitation contribute to unhygienic conditions, increasing the risk of disease spread.

Inadequate Veterinary Services

- There is often a shortage of qualified livestock health inspectors at sale yards, making it difficult to enforce animal health standards.
- This increases the risk of trading sick or unfit animals, which can spread diseases across regions.

Weak Market Access and Price Volatility

- Farmers and traders face limited access to reliable market information, leading to price manipulation by brokers or middlemen.
- Lack of digital platforms or auction systems reduces transparency and bargaining power for sellers.
- Sale yards are often managed without clear oversight, leading to inefficiencies and conflicts among stakeholders.

Transport and Logistics Issues

- Poor road networks and lack of organized livestock transport systems make it difficult to move animals safely and cost-effectively.
- This affects the condition of animals upon arrival and reduces their market value.

Climate and Environmental Pressures

- Droughts and erratic weather patterns affect livestock health and availability, reducing the number of animals brought to market.

Low Farmer Awareness and Training

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- Many small-scale farmers lack knowledge on animal husbandry, disease control, and market dynamics, limiting their ability to benefit from sale yard systems.

SUMMARY OF CLAUSES

Part I of the Bill (Clause 1-5) provides for the preliminary provisions which include a short title and commencement, interpretation of terms, objects and purpose of the Act, application and guiding principles. In essence county officers shall be led by the principles of article 10 of the constitution while discharging their mandate.

Part II of the Bill (Clause 6-24) empowers the County Executive Committee Member to designate a standard livestock sale yard. This part further puts in place mechanisms to develop and manage the livestock sale yard by providing for a management committee, livestock marketing groups, marketing data managers and livestock inspectors. This part speaks still to the subject of sale of livestock to include electronic trading among other methods and transportation of livestock for sale.

Part III of the Bill (Clause 25-29) provides for licensing and prohibits operating private sale yards without a valid license issued under the Act. Provisions for application for the license are contained therein with the mandate to grant or refuse the license given to the CECM. It further provides for application for review or appeal in case of dissatisfaction in the licensing process.

PART IV of the Bill (Clause 30-37) establishes the Bungoma County Livestock Sale Yard Development and Management Fund in accordance with Section 116 of the Public Finance Management Act, 2012.

PART V of the Bill (Clause 38-42) provides for offenses and penalties; power to make Guidelines and empowers the County Executive Committee Member to make regulations for effective implementation of this Act.

SCHEDULES

The First Schedule provides for conduct of the business and affairs of the Committee; Second schedule provides for conduct of the business and affairs of the livestock marketing groups; Third schedule provides for livestock sales records; Fourth schedule provides for application for livestock sale yard license; Fifth schedule provides for livestock sale yard license; Sixth schedule provides for application for replacement of livestock sale yard license; Seventh Schedule provides for Livestock Sale Yard License review.

CHAPTER THREE

LEGAL FRAMEWORK

- Article 185 of the Constitution of Kenya, 2010 states that;

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1. The Legislative Authority of a County is vested in and executed by its County Assembly
 2. A County Assembly may make any laws that are necessary for or incidental to, the effective performance of the functions and exercise of the powers of the County Government under the Fourth Schedule.
- Clause 1(b) of Part 2 of the Fourth Schedule to the Constitution states that;

The functions and powers of the County include: Agriculture, which covers the following areas:

- (a) Crop and animal husbandry
- (b) Livestock sale yards
- (c) County abattoirs
- (d) Plant and animal disease control
- (e) Fisheries

Article 196(1) (b) of the Constitution of Kenya, 2010 provides that a County Assembly shall facilitate public participation and involvement of the public in the legislative and other business of the assembly and its committees.

Standing Order 140(2) of the County Assembly of Bungoma Standing Orders provides that the Committee to which a Bill is committed to shall facilitate public participation on the Bill through inviting submission of Memoranda, holding public hearings, consulting relevant stakeholders in the sector and consulting experts on technical subjects.

Standing Order 140(3) of the County Assembly of Bungoma Standing Orders further provided that the committee shall take into account the views and recommendations from the public in its report to the House.

Pursuant to the provisions of article 196(1) (b) of the Constitution of Kenya, 2010 and standing order 140(2) the committee through an advertisement in the Standard newspaper of Monday 21st July, 2025 invited the public to submit memoranda on the Bungoma County Livestock Sale Yard Bill, 2025 and invited the Public for a stakeholders forum in the County Assembly Precincts on 28th July, 2025. (Annexed advert)

SUBMISSIONS BY STAKEHOLDERS

The Committee received Submissions from the following stakeholders;

- The Institute of Certified Public Accountants of Kenya(ICPAK)
- Bungoma Civil Society Forum(REDO KENYA, BUNGOMA CSO FORUM,AGEFA,MWALIE

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HEALTH CBO)

- Members of Chepkitala Herders Welfare Group
- Bumula Sub-County Kibuke
- Sirisia Sub-County
- Bumula Sub-County
- Bungoma County Livestock Traders Chairperson
- Kimilili Sub-County Livestock Traders Memoranda

The Committee Considered the stakeholder's submissions on the Bungoma County Livestock Sale Yard Bill, 2025 as outlined below;

Organization	Clause	Submission/ Proposed Amendment	Justification	Committees Observation/ Resolution
BUNGOMA CIVIL SOCIETY KENYA, R EDO KENYA	7(2)	Composition of the county livestock sale yard committee; the bill designates the director livestock as the chairperson of the committee Replace director of Livestock with Chief Officer Livestock	The Chief Officer is directly accountable to the County Assembly	The Committee resolved that the proposal would be accommodated under an amendment on clause 7(2) of the Bill and introduce the Chief Officer responsible for Livestock production to be the Chairperson.
	7(2)	Inadequate farmer representation; the bill proposes two livestock farmer representatives without providing a method of selection or considering the geographical diversity across 45 wards.		The Committee adopted the proposal with an amendment on clause 7(j) by deleting the entire sub clause and substituting with the words "three livestock farmers representing,

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		Increase to 3-5; add selection criteria/formula.		Youth, Women, and people living with disabilities”
	7(1)	Name of committee; the term ‘Livestock Sale Yard Committee’ may not reflect its technical role.		The Committee noted that the submission supported the Bill and resolved to leave clause 7(1) as it appears in the bill.
	20(1)	Composition of livestock marketing groups; the Bill proposes a livestock marketing group Rename to ‘County livestock sale Yard Technical Committee’ Replace Livestock Officer with Livestock Data manager.		Rejected the proposal and resolved that it is well stated and provided for in the Bill.
BUNGOMA CIVIL SOCIETY KENYA, R EDO KENYA	32(1)	Lack of clarity on fund utilization; the bill does not specify how revenue from sale yards will be utilized among the committee, marketing groups and county treasury. Provide breakdown of usage among stakeholders and treasury.	The fund has been deleted from Bill.	The Committee considered the proposal and upon careful consideration resolved to propose an amendment by deleting clause 30,31, and amending clause 32 of the Bill by deleting the site notes entirely and replacing with words “sources of financing”

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	6(2)	Standard livestock sale yard; section 6 lacks operational clarity and parameters to define what constitutes a standard livestock sale yard. Require regulations from CECM Agriculture; include location and safety parameters.		The Committee rejected the proposal on grounds that it is clearly provided for in clause 2 of the Bill.
	6(4)	Allows the County Executive Committee Member to designate sale yards in areas without public participation requirements. Amend clause 6(4) to require public participation under section 87 of the County Governments Act.	Reduces disputes and enhances ownership	The committee adopted the proposal by amending clause 6(4) to include public participation
	10	The Bill gives significant decision making powers to the livestock sale yard committee but does not provide adequate mechanisms for accountability to stakeholders, such as	Transparency builds trust and ensures effective oversight	The committee noted that the proposal is clearly provided for in the Bill

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		livestock traders, farmers associations, or the public. Include requirement for the committee to publish quarterly performance reports and host annual stakeholder forums for feedback transparency.		
	20(1),11 (1) & 12 a,b,c,d	Overlap and role ambiguity; the bill has multiple oversight bodies (committee, Livestock marketing groups, inspectors but with no clear coordination framework Insert a new clause requiring the County Executive Committee Member to develop operational protocols that clarify reporting lines, collaboration procedures and conflict resolution mechanisms between the entities.	Enhances efficiency, reduce conflicts and ensure consistent enforcement of standards, especially in rural markets with limited resource	The County Executive Committee Member shall develop regulations pursuant to clause 41 of the Bill for the better implementation.
	Second schedules sec 18(6) 2 1,2,3 &4	Conflict of interest and ethics provisions Include a new clause under part II to establish penalties or removal procedures for ethical violations.	This aligns with chapter six of the constitution on leadership and integrity.	The committee noted that the proposal is well stated in the Bill

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	29	Provides for internal appeals but the timelines are tight and the process lacks provisions for independent arbitrations or fair administrative procedures Amend clause 29 to; expand appeal timelines from 14 to 30 days, include an independent appeals tribunal.	Ensures alignment with article 47 of the constitution on fair administrative action.	The committee resolved to adopt the review mechanism set in the Bill and noted that there is an avenue to appeal to the magistrates court
KIMILILI SUB-COUNTY LIVESTOCK TRADERS	7(1)	Composition of the committee The chairman elected by the sale yard committees to chair the livestock sale yard management committee.		The Committee noted that there was no justification accompanying the proposal
	11(1)	Functions of the inspector The inspector should work in conjunction with sale leadership.		
	14(1)	Sale outside the sale yard The provision		Rejected. The committee adopted clause 14(1) that a

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		incriminating sale outside of the sale yards should be deleted as the traders have permit to trade and can sale livestock in transit.		person shall not sell livestock outside precincts of the designated livestock sale yards.
CHWELE AUCTION RING TRADERS	7(1)	The constitution of the livestock sale yard committee Election of livestock sale yard committee should be made from auction, sub county and finally at the county level.		Rejected. The proposal had no justification.
	11(1)	The appointment of an health inspector More health officers to be deployed.		Rejected. The proposal had no justification
	11(1)(d)	Marking of livestock No need of marking livestock because they have movement permits guaranteeing their movement.		The committee noted that marking of livestock is the current practice in all sale yards in the County and adopted clause 11(1)(d) as it is.
	26	Issuance of license under section 26 The amount charged of license should be sustainable for all farmers and should be done in consultation with the auction ring		The Committee considered the proposal and amended by introducing the 3 days timeline.

Version 00

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		committee. Movement permits should last for three days		
CHEPKIT ALE HERDER S WELFAR E GROUP	7	The establishment of the livestock sale yard committee The management committee should be devolved to the lowest level possible. At the county level, 2 members from the pastoral community should be included. Proposed also is the establishment of two other committees, one at the sub county and another for the ward.		Rejected. The proposal had no justification accompanying it.
CHEPKIT ALE HERDER S WELFAR E GROUP	20(1)	Livestock Marketing Groups Review the constitution of the marketing groups to comprise the following: eight livestock farmers who are members of community groups under the Registration act and drawn from the catchment area of the public livestock sale yard; three persons representing livestock traders, transporters and		On the Constitution of the marketing groups the committee amended clause 20(1) (a) by increasing the membership of traders to 8 and reducing the membership of farmers to three.

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		input suppliers within the livestock sale yard, the area chief, the ward livestock production officer and the ward administrator who shall be ex officio members of the group. In making appointments under subsection (a) and (b) consideration to be made to the two third gender rule, pwd, youth and the provisions of article 27 of the constitution. Include three members from the pastoral communities.		
BUMULA SUB-COUNTY AUCTION RING	6	Standard livestock sale yards The sale yards should have the following facilities; shade, enough water and resting benches		The Committee noted that the proposal is well provided for in clause 2 of the bill.
	39	Offences The provision criminalizing sale of livestock outside a sale yard with a penalty of Kshs. 20,000 fine to be reconsidered. Let traders carry out		The Committee Rejected the proposal. There was no justification for the proposal.

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		business as long as they have a movement permit		

COMMITTEE OBSERVATIONS

The committee made the following observations;

1. The Bill proposes 40% of the revenue collected in the sale yards to be utilized in the management of the Sale Yards. This initiative will improve service delivery by the County Government to livestock traders and general public.
2. The Bill provides a mechanism for control of theft of livestock in the County.
3. The Bill integrates livestock sale yard with other supportive business enterprises and services.
4. The Bill provide a framework for effective disease surveillance and control in the County.
5. The Bill promotes livestock marketing in the County;
6. The Bill provides for a framework for effective and efficient operations of livestock sale yards.

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COMMITTEE RECOMMENDATIONS

The Committee having considered the Livestock Sale yard Bill, 2025 recommends that the House Approves the Bill with amendments as proposed below;

1. That clause 2 of the Bill be amended:-
 - a) “**Committee**”; delete the phrase “**section 6(1)**” appearing immediately after the word “**pursuant**” and therefor replace with the phrase “**section 7(1)**”
Justification; to correct wrong citation.
 - b) “**Inspector**”; delete the phrase “**section 9**” appearing immediately after the word “**Pursuant**” and substitute therefor the phrase “**section 11**”
Justification; to correct wrong citation.
 - c) “**Livestock Sale yard**”; delete the phrase “**section 5**” appearing immediately after the word “**pursuant**” and therefor replace with the phrase “**section 6**”
Justification; to correct wrong citation.
2. That clause 5(d) of the Bill be amended by deleting the word “**to**” appearing immediately after the word “**returns**” and replacing with the word “**on**”
Justification; correct grammatical error
3. That clause 6(3) of the Bill be amended by inserting the following words immediately after the word “**Committee**”; “**and after carrying out public participation**”
Justification: a requirement of the law.
4. That clause 6(6) of the Bill be amended by deleting phrase “**part II**” appearing immediately after the words “**operationalize of**” and substituting therefor with the phrase “**section 6(5)**”
Justification: cite specific sub clause affected.
5. That clause 7(1) of the Bill be amended by deleting phrase “**section 5**” appearing immediately after the words “**pursuant to**” and replacing with the phrase “**section 6**”
Justification; to correct wrong citation.
6. That clause 7(2) of the Bill be amended by:
 - a. 7(2)(a), Deleting the word “**County Director**” appearing immediately before the word “**responsible**” and replacing therefor with word “**Chief officer**”
Justification: the committee should be chaired by an officer that is directly accountable to the county Assembly
 - b. 7(2)(b), Delete the words “**Veterinary Services**” appearing immediately after the words “**responsible for**” and replacing therefor the words “**“Livestock production”**”

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Justification: secretary should be the officer that is directly responsible with livestock production.

- c. 7(2)(c),Insert the words ‘ **the County Director of Veterinary services**’ and renumber clause 7(c) as 7(d) onwards.

Justification: incorporate the officer to the membership of the committee after deletion.

- d. 7(2)(j), delete the entire sub clause and substitute with the words “**three livestock farmers representing, Youth, Women, and people living with disabilities**”

Justification; to take care of the three categories of marginalized groups

- e. 7(2)(k), insert the word “ **County commissioner or his/her representative**”

Justification: to take care of security issues in management of the Livestock sale yards

- f. 7(3), delete the entire sub clause.

Justification: the marginalized groups have already been captured in 7(j).

- g. 7(8), delete the phrase “**6(2)(i) and (j)**” appearing immediately after the word “**under**” and replace with the words “**section 7(2)(i) and (j)**”

Justification: correct the wrong citation

7. That clause 8 of the Bill be amended by deleting the phrase “**6(2)(i) and (j)**” appearing immediately after the word “**under**” and replace with the words “**section 7(2)(i) and (j)**”

Justification: correct the wrong citation

8. That clause 17(2) of the Bill be amended by deleting the phrase “**15(1)**’appearing immediately after the word “**operationalize**” and replace with phrase 15(a)

Justification: correct typographical errors

9. That clause 18(1) of the Bill be amended by inserting the words “**valid for three days**” immediately after the word “**department**”

Justification: to indicate the timelines for the movement permit being valid after the issuance.

10. That clause 19(1) of the Bill be amended by deleting the word “**Association**” appearing immediately after the word “**marketing**”

Justification: correct sentence syntax

11. That clause 20 of the Bill be amended by:

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- i. 20(2)(a) deleting the word “**farmers**” appearing immediately after the word “**livestock**” substituting therefor the word “**traders**”

Justification: increase the number traders because marketing groups deals with traders more than farmers

- ii. **20(2)(b)** deleting the word “traders” appearing before the word “**livestock**” substituting therefor the word “**farmers**”

Justification: atleast farmers should be represented.

12. That clause 22 of the Bill be amended by:

- i. 22(c) delete the words “**fraud or dishonest**” appearing immediately after the word “**involving**” and substituting with words “ **chapter six of the constitution**”

Justification: to cover all offences under chapter six of the constitution.

- ii. 22(g) delete the entire sub clause

Justification: the offence is covered under chapter six of the constitution.

13. That clause 24(1)(c) of the Bill be amended by deleting the entire sub clause

Justification; already covered in 22(1) (b).

14. That clause 27 (1) (b) of the Bill be amended by inserting word “**her**” immediately after the word “**his**”

Justification: to cover both genders.

15. That clause 29 of the Bill be amended by deleting phrase “ **section 22(1)(b) or(24)**” appearing immediately after the word “**under**” and substitute with the phrase “**section 28**”

16. That clause 30 of the Bill be amended by deleting the clause entirely.

17. That Clause 31 of the Bill be amended by deleting the clause entirely.

18. That clause 32 of the Bill be amended by:

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Revision 00

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- i. Deleting the site notes entirely and replacing with words “ **“sources of financing”**”
- ii. **32(1)** delete the word “**Fund**” appearing immediately with word “**shall**” and replace with word “**sources of financing**” and renumber clause 32 as 30 onwards.
- iii. **32(1) (a)** delete the word “**Fund**” appearing immediately after the words “**purposes of the**” and replace with words “**management of the livestock sale yard.**”

Justification: the fund has be deleted from Bill.

- iv. 32(1)(b) insert the phrase “**40% of the**” immediately before the word “**monies**”
- v. 32(2), delete the sub clause entirely
- vi. 32(3) delete the sub clause entirely

19. That clause 33 of the Bill be amended by deleting the Clause entirely.

Justification: the Fund has be removed from the Bill

20. That Clause 34 of the Bill be amended by deleting the Clause entirely.

21. That clause 35 of the Bill be amended by renumber clause 35 as 31 onwards.

22. That Clause 36 of the Bill be amended by deleting the entire clause and therefor replacing with a new clause 32 so as to read “ **the committee shall within a period of three months after the end of each financial year submit to county Executive Committee member annual report in respect of that year containing**

- i. **Statement of the expenditure of the committee during that year**
- ii. **Committee performance indicators and any other related information**
- iii. **Report on the operations of the committee during that year; and**
- iv. **Such any other information as the County Executive Committee Member may request.**

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23. That clause 37 of the Bill be amended by deleting the Clause entirely.

24. That clause 38(2) of the Bill be amended by deleting the word “**ten**” appearing immediately before the word “**thousand**” and replacing with word “ **twenty**” and renumber clause 38 as 33 onwards.

Justification: as a deterrence measure

25. That clause 41(3) of the Bill be amended by deleting the sub clause entirely.

Justification: the legislative authority is provided of the county assembly is provided for under article 185 of the constitution and is obvious there is no reason to capture it in the Bill.

26. That clause 41(4) of the Bill be amended by deleting the sub clause entirely.

Justification: it’s obvious and known that delegation of powers is provided for in the statutory instruments Act, no need to capture it in the Bill.

27. That clause 42 of the Bill be amended by inserting sub clause 42(2) to read “ “the livestock sale yard in operation before the Bill comes into force shall continue to operate until such time that the County Government complies with the standard sales yard set out in the Bill”

28. That insert schedule eight to provide for the fee and charges of livestock sale `yard as follows:

EIGHTH SCHEDULE

FEES AND CHARGES

Description of fee or Charge on Service	Unit of Measure	Charges
Stock Livestock Yard (County)		
Cattle in (No sale)	per head	50
Cattle Out (Sold)	per head	100
Pigs/Sheep/Goat in	per head	30
Pigs/Sheep/Goat out (sold)	per head	50
Donkey/horse in	Per head	50

Version 00

Revision 00

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Description of fee or Charge on Service	Unit of Measure	Charges
Donkey/horse out	Per head	100
Poultry	Per head	10

Honourable Speaker, despite having read the whole of this report, no one has given me a bottle of water here. We have the adoption schedule that is signed by the members of this committee, led by the chairperson. There is annexures: adoption minutes, a copy of newspaper advertisement on public participation and a copy of the Bungoma County Livestock Sale Yard Bill 2025.

Honourable Speaker, having reached there, I want to take this opportunity to request Hon. Martin Chemorion Cheseto who is a member of this committee to stand and second this very good report. Thank you Honourable Speaker.

Mr. Speaker: Honourable Members, this report is unique; at the end of the discussion, we are not voting on it, it is a report that is supposed to be for noting. When you are going to go to the committee of the Whole House, you may be able to bring in your amendments. So, Honourable Chemorion proceed and be able to second the report for noting, please.

Hon. Martin Cheseto: Thank you, Honourable Speaker, for giving me this chance.

First and foremost, I want to thank the mover of the motion, Hon. Kikechi, for moving the motion very well. As I stand here, I want to second the motion on Bungoma Animal Sales Yard Bill. This Bill is going to bring order, lead to development of infrastructure and it is also going to control the movement and theft of animals within the County and of course it is going to improve the marketing and revenue generation in the County.

The motion being for noting, I think I just stand here to second the motion. Thank you.

Mr. Speaker: Honourable Members, allow me be able to propose a motion for debate.

(Motion proposed)

If there are no contributions, the House notes the same. It will be taken into account by the whole House, once scheduled by the HBC. We proceed.

3. ALTERATION OF THE COUNTY ASSEMBLY CALENDAR

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Mr. Speaker: Yes, Hon. Kirong.

Hon. Joan Kirong (Deputy Leader of Majority): Thank you Mr. Speaker, for giving me this chance to move a motion on alteration of the County Assembly Calendar.

Aware that the County Assembly of Bungoma is scheduled to participate in the 6th edition of the County Assembly Sports Association (CASA) games set to take place in Meru County from 25th October to 1st November 2025. Cognizant that the theme of this year's games is celebrating and strengthening the evolution in Kenya through sports and culture, which undergoes the vital role of sports and cultural exchange in promoting unity, teamwork and collaboration among County Assemblies across the Country.

Appreciating that participation in these games provides an opportunity to enhance physical wellness, foster institutional pride and strengthen bonds among County Assemblies in Kenya, while extending best wishes to all participating teams and members, encouraging them to uphold the spirit of sportsmanship, unity and excellence and to bring victory. Now, therefore, notwithstanding the resolution of the House of 11th February 2025 and pursuant to the provision of Standing Order 1(4) Calendar of the Assemblies, this House resolves to further alter its calendar by:

1. Adjourning its regular sittings with effect from Wednesday 22nd October, 2025 to facilitate adequate preparation and full participation in the CASA Games and
2. To resume its regular sittings on Tuesday 4th November 2025 at 2.30 p.m.

Allow me to call upon the Leader of Minority to second the motion.

Hon. Vitalis Wangila (Leader of Minority): Thank you, Mr. Speaker. Mr. Speaker, I'm on my feet to second the motion that this particular House alters the Assembly sittings until we come back from these particular important games in Meru.

Mr. Speaker, it is for our good and this has come at the right time. Our participation in these games mean that we shall not be around and we must participate as defending champions. We are going to spend there more than 10 days and we are hoping that honourable Members will be well in their pockets to enhance their participation...

Mr. Speaker: Hon. Vitalis you know you are part of the House leadership; you should not mislead the House. Proceed.

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Hon. Vitalis Wangila: Thank you, Mr. Speaker. Mr. Speaker, just to say that we are working on it, to make sure that these honourable Members are comfortable while away and also to ensure that we win all the games that we are going to participate in and defend our position.

I second. Thank you, Mr. Speaker.

Mr. Speaker: Thank you, honourable Members, a motion has been moved and it has been seconded, allow me propose a motion for debate.

(Motion proposed)

Honourable Members, if there are no contributions, I will proceed and be able to put a question;

(Question put and agreed to)

Ayes have it!

ADJOURNMENT

We formally adjourn the sitting of today and resume our sittings on 4th November, 2025, at 2.30 p.m. session.

The House rose 11.31 a.m.

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