

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

THURSDAY, 25TH JUNE, 2026

Afternoon Sitting

3rd County Assembly

5th Session

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

THURSDAY, 25TH JUNE, 2026

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

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] in the Chair)

PRAYER

QUESTIONS AND STATEMENTS

**HOUSE BUSINESS FOR THE WEEK COMMENCING TUESDAY 30TH JUNE TO
THURSDAY, 2ND JULY, 2026**

Mr. Speaker: Hon. Johnstone Ipara

Hon. Johnstone Ipara: Thank you, Honourable Speaker, Honourable Speaker. This is a tentative weekly programme of the business of the County Assembly for the week commencing Tuesday 30th June to Thursday 2nd July, 2026.

Tuesday, 30th June, 2026 at 2:30 p.m.

Papers

- 1) Report of the sectoral Committee on Public Administration & ICT on the KDSP to half year financial statements as at December 2025.
- 2) Report of the Committee on Implementation on status of the Bungoma County Agricultural Sector Policy 2023.

Notices of motion

- 1) House adopts the report of the sectoral Committee on Public Administration & ICT on the KDSP to half year financial statements as at December 2025.
- 2) House adopts the report of the Committee on Implementation on status of Bungoma County Agriculture Sector Policy 2023.

Questions and Statements

1. Response in relation to the status of the Regional Blood Bank construction and the provision of City Scan and MRI machines

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2. Response regarding the status of pending bills relating to Makutano Health Centre and Misanga dispensary.

Motion

1. Addendum report of the sectoral Committee on Health Services on departmental pending bills in relation to the consolidated financial statements for the year ended 30th June, 2025.

Wednesday, 1st July, 2026 at 9:30 a.m.

Papers

1. Report of the sectoral Committee on Education and Vocational Training on the status of tools and equipment of Vocational Training Centers for the financial year 2024/2025.
2. Report of the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the inquiry into the status of one acre piece land Parcel No. N-Malakisi/E-Sasuri/482, purchased for Kapchepkui ECDE centre in Chesikaki Ward.

Notices of motion

1. Report by the Sectoral Committee on Education and Vocational Training on the status of tools and equipment to Vocational Training Centres for the financial year 2024/2025.
2. Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the enquiry into the status of one acre piece land Parcel No, N-Malakisi/E-Sasuri/482- purchased for Kapchepkui ECDE centre in Chesikaki Ward.

Questions and Statements

1. Response on the status of procurement and acquisition of land for the establishment of Bungoma ECDE centre within Khalaba Ward.

Motion

1. A report of the Sectoral Committee on Public Administration and ICT on the KDSP II half year financial statements as at December 2025.

Wednesday, 1st July, 2026 at 2:30 p.m.

Papers

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1. Report of the Sectoral Committee on Health Services on status of equipment in Bungoma County Referral Hospital (BCRH)

Notices of motion

1. Report of the Sectoral Committee on Health Services on status of equipment in Bungoma County Referral Hospital.

Questions and Statement

1. Response on the utilization of Climate Change funds within Bungoma County.
2. Response on status of infrastructure projects initiated ahead of the 2024 Madaraka day Celebrations and the current state of the Dual Carriage Way.

Motions

- 1, Report of the Committee on Implementation on the implementation status of the Bungoma County Agriculture Sector Policy 2023.

Thursday, 2nd July, 2026 at 2:30 p.m.

Questions and Statements

1. Statement informing the County Assembly of the weekly business coming before the House as from Tuesday 7th to Thursday 9th July, 2026
2. Report of the Sectoral Committee on Education and Vocational Training on the status of tools and equipment to vocational training centres (VTC) for the financial year 2024/2025.

This is a tentative weekly program for next week and I submit.

Mr. Speaker: Thank you, Hon. Ipara.

Next item,

RESPONSE REGARDING THE IMPLEMENTATION OF COMMUNITY EMPOWERMENT FUND ROAD MAINTENANCE PROJECTS IN KHALABA WARD FOR THE FINANCIAL YEAR 2024/2025

Mr. Speaker: Hon. Franklin Simotwo.

Hon. Franklin Simotwo: Thank you, Mr. Speaker. I'm here to have a report on the statement raised by Hon. Cornelius Makhanu regarding the implementation of the Community

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Empowerment Fund (CEF), Roads Maintenance Projects in Khalaba Ward for the financial year 2024/2025, and the Salmond – Namuyemba - River Khalaba Road Projects.

Honourable Speaker, on Wednesday, 10th June 2026 at 2:30 p.m. the Hon. Member for Khalaba Ward sought a Statement from the Chairperson of the Committee on Roads, Transport, Infrastructure and Public Works regarding the implementation of Community Empowerment Fund (CEF) roads maintenance projects in Khalaba Ward for the Financial Year 2024/2025 and the Salmond - Namuyemba – River Khalaba Road project in Khalaba Ward pursuant to Standing Order No. 54.

In the Statement, the Chairperson was to inquire into and report on the following:

A: Implementation of Community Empowerment Fund (CEF) roads maintenance projects in Khalaba Ward for the Financial Year 2024/2025.

1. The status of the roads maintenance projects undertaken under the Community Empowerment Fund (CEF) in Khalaba Ward for the Financial Year 2024/2025, including the implementation schedule and current progress of each project.
2. The percentage of works completed for each project and, where works remain incomplete, the reasons for the delay or non-completion, including measures being undertaken by the Department to ensure timely completion in accordance with approved work plans and contractual obligations.
3. The list of projects that have so far been paid for, the amounts disbursed for each project, and confirmation on whether the respective works were fully completed in compliance with the provisions of the Public Finance Management Act, 2012 and applicable County Treasury Regulations.
4. The list of companies awarded contracts for the projects, including copies of the letters of award, acknowledgement letters and confirmation on whether the procurement process complied with the provisions of the Public Procurement and Asset Disposal Act, 2015 and the Public Procurement and Asset Disposal Regulations, 2020.

B: The Salmond- Namuyemba – River Khalaba Road project

1. The contract agreement and the letter of award issued for the project; including details as to whether the procurement process complied with the provisions of the Public Procurement and Asset Disposal Act, 2015 and attendant Regulations.
2. The total project cost and the distance of the road covered under the project as approved in the County Integrated Development Plan (CIDP), Annual Development Plan (ADP) and the approved County Budget.

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3. The amount of money that has been paid to the contractor and the outstanding balance, if any.
4. The Bills of Quantities (BQ) for the project and whether the works undertaken correspond with the approved specifications and scope of work.
5. The performance bond issued for the project pursuant to the requirements of the Public Procurement and Asset Disposal Act, 2015 and the Public Procurement and Asset Disposal Regulations, 2020.
6. The percentage of work completed to date, the expected completion timeline and measures put in place by the Department to ensure timely completion and value for public money.

Pursuant to Standing Order No. 52(a), the committee was directed to liaise with the relevant department and provide a response to the Honorable Member through the House. Accordingly, the Committee deliberated on the Statement in the presence of the owner and resolved to invite the CECM for Roads, Transport, Infrastructure and Public Works to appear before the Committee and provide written and oral responses.

The CECM for Roads, Transport, Infrastructure and Public Works appeared before the Committee on Tuesday 22nd June, 2026 and responded as follows;

A. Implementation of Community Empowerment Fund (CEF) roads maintenance projects in Khalaba Ward for the Financial Year 2024/2025.

Five roads were implemented under CEF in Khalaba Ward. The table below provides a summary of the details.

No	Road Name	Length in Kms	Contractor	Amount	Scope of works	Status	Payment status
	Periodic Maintenance of IGC - Marel Road - Lusaka Road - Kanduyi DEB	2.0	Jehry Co.Ltd	2,201,180.00	Grading, Gravelling and installation of culverts	The road was 70% complete , with the remaining works involving the installation of culverts. The contractor requested a part payment for the works already	Not paid

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	Road					executed to facilitate completion of the outstanding culvert installation works. Consequently, an Interim Payment Certificate (IPC) was prepared and submitted for payment. However, no funds have been disbursed to date, thereby delaying the completion of the project.	
	Periodic Maintenance of King Jesus Faith Church Road - Orwenyi Road, Green Hardwar - R.Khala ba Road.	1.5	Madini Springs Ltd	2,277,763.00	Grading, Gravelling and installation of culverts	100% Complete.	Paid
	Periodic Maintenance of Marel Road - Clement	1.2	Xerox Ventures Ltd	2,594,149.00	Dozing, Grading and Gravelling	The road was 40% complete before the contract was terminated. The contractor executed dozing and grading	Not paid

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	- Friends Church - Sarasa Road					works but subsequently abandoned the site. The Employer issued a notice on slow progress and later a notice of termination; however, the contractor failed to resume the works. Consequently, the contract was terminated. No loss of public funds was incurred, as no payments had been made to the contractor at the time of termination.	
	Periodic Maintenance of Mukhaweli, Brebman-Mushrom - Harvest Church - Otugi, Cereals - Deliverance Church - R.Khala	1.7	Vivarose Merchants Ltd	2,254,136.00	Grading, Gravelling and installation of culverts	The road was 80% complete. The contractor executed the works as instructed and subsequently requested a part payment for the completed works to facilitate completion of the remaining section. An Interim Payment Certificate (IPC) was prepared and submitted for payment; however,	Not paid

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	ba Road					no funds have been disbursed to date. The completion of the remaining section was further affected by a court order issued following a dispute in which a landowner alleged that there was no provision of a road passing through his land. Consequently, the contractor was unable to proceed with works on the affected section pending resolution of the matter. The case remains before the court and is yet to be determined.	
5	Periodic Maintenance of Royal Resort - Macle Resort - Wandia ka Road, Galana	2.5	Mosal Enterprises	4,291,383.06		100% Complete	Paid

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Petrol Station - R.Khala ba Road							
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Following the department's response, the owner of the statement maintained that the works on King Jesus Faith Church Road and Royal Resort–Macle Resort–Wandiaka Road were not completed to the expected standard, citing the non-installation of gabion boxes.

In response, the department submitted that gabion boxes were not included in the (BQs) and that payments were made only for works that had been duly certified. However, in the absence of the BQs, the Committee was unable to verify the department's assertion and therefore resolved to request the Bills of Quantities for further scrutiny.

The department further submitted supporting documents indicating that the procurement process complied with the provisions of the Public Procurement and Asset Disposal Act, 2015. Copies of the professional opinion for the projects were submitted as well as the letters of award and acceptance for the contractors were submitted and verified by the Committee.

B: The Salmond- Namuyemba – River Khalaba Road project

The department submitted as follows;

1. That the procurement process for the Upgrading of A1 (Salmond) – R.Khalaba Road complied with the provisions of the Public Procurement and Asset Disposal Act, 2015. All supporting documents were submitted and verified by the Committee and the owner of the statement.
2. The total approved project cost was Kenya Shillings One Hundred and Seventy-Four Million, Six Hundred and Six Thousand, Eight Hundred and Ten Shillings and Fifty Cents Only, (Kshs. 174,606,810.50), which was spread across three financial years; 2023/2024, 2024/2025 and 2025/2026. The project scope, as approved in the planning documents, targeted the upgrading of approximately 2.5 Kms but so far a total length of 2.35Kms has been upgraded and completed. The remaining section of approximately 0.15 Kms has not been done as it forms part of the bridge approaches associated with a new bridge project being implemented by the Kenya Rural Roads Authority (KeRRA). The alignment and design requirements of the new bridge

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necessitated preservation of the affected section to facilitate the construction of the bridge approaches.

3. The Contractor has so far been paid a total of Kshs.155, 681,767.81 (One Hundred and Fifty Five Million, Six Hundred and Eight One Thousand, Seven Hundred and Sixty Seven Shillings and Eighty One Cents Only). The remaining balance is Kshs.18, 925,043.00
4. A copy of the Bills of Quantities (BoQs) for the project was submitted to the Committee for reference and formed part of the contract documentation. The Department confirmed that the works undertaken under the project corresponds with the approved specifications and scope of work as contained in the contract documents and the Bills of Quantities.

The owner of the statement was satisfied with the written and oral submissions provided by the department on this project.

In conclusion, the Committee resolved to request the Bills of Quantities for King Jesus Faith Church Road and Royal Resort - Macle Resort - Wandiaaka Road and thereafter undertake a site visit for the two projects before finalizing its report. The Committee further urged the department to strengthen oversight mechanisms to prevent payment for incomplete or substandard works. Specifically, project inspections should be conducted by officers who were not directly involved in the supervision of the projects. This would promote accountability in the inspection process, reduce the likelihood of inaccurate reporting, and safeguard public funds by ensuring that payments are made only for works that have been satisfactorily completed.

The Committee, therefore requests this Honorable House to grant it an additional two weeks to conclude its consideration of the matter and submit a report thereon. I submit

(Applause)

Mr. Speaker: Thank you, Hon. Simotwo. I would wish to have the Hon. Cornelius confirm the status of the response given by Chair Roads

Hon. Cornelius Makhanu: Thank you, Honorable Speaker. I agree with the progressive report. However, I just want to draw the attention of the chair of Roads, at the end he has mixed that road, the name of the real road has changed. On this table number two, page four; that road has been mixed when they were typing. It's King Jesus Faith Church Road- Orwenyu and Green Hardware but when you check on page six and seven, you are quoting it as King Jesus Faith Church and Royal Resort Macle. Maybe they will have to correct there.

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Finally, one road did not supply the BQ, I agree... those two weeks I think they will have to supply it and maybe the committee resolved to visit that road to ascertain. Then there is a road they claim that there was court order.

In this report, they have not said when the court order will be supplied because it was verbal. They said that road somebody went to court. They never provided the court order so maybe chair will make a follow up, so that they can provide the court order because for me, it was the first time I was hearing about it.

Mr. Speaker: Thank you, Hon. Cornelius. I think feedback has been given. so Honourable Majority Leader you are online...

Hon Joseph Juma: Thank you, Honorable Speaker. You know what is surprising me is that the owner is in agreement with the committee. I don't know why they are seeking more time and the owner is in agreement with the findings. I think it would be a waste of time. If the owner is in agreement, it's a progressive report but you are in agreement.

Mr. Speaker: Hon. Simotwo, before I give it to Hon. George Makari.

Hon. Franklin Simotwo: Mr. Speaker, Sir...

Mr. Speaker: Hon. Simotwo, you have heard what the owner has said, that he is in agreement with this report. So do you want more time for what?

Hon. Franklin Simotwo: Mr. Speaker, what I know is that the owner of the statement was in the meeting that we sat. I think what he is asking is, the documents for his own consumption because what we agreed in the committee and he had no issue. The department agreed that he would get the remaining documents.

Mr. Speaker: Now that he is in agreement with you, the issue of the documentations, why can't he give them to him behind the tent without us coming back here?

Hon. Franklin Simotwo: Exactly. That's what I wanted to beseech my colleague.

(Laughter)

Mr. Speaker: Because he is already in agreement. Hon. Makari,

(Applause)

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Hon. George Makari: Honourable Speaker, you see I get worried, as the Honourable Majority has put it, when my good friend Hon. Cornelius agrees with the findings, even when the Chair of the Roads has said he needs two more weeks to tie up the report. You know this report does not only touch on Khalaba, when he has raised that issue, it now becomes a County matter.

What the Chair Roads has answered is a reflection across the County. If you can ask every elected Member to raise a statement, we could have 45 statements and the burden will be on the Chair of Roads to begin answering all of them. I get worried when Hon. Cornelius, I was expecting him to say I was not satisfied, let's now get the two weeks that the Chair has asked to clarify completely.

What has also surprised me is that the Chair is now saying he will not now bring the response because the mover of the question agreed and yet here he had said that he would be given two weeks. Look at the ambiguity.

My issue, just on the roads which is away from what Hon. Cornelius has said. There is an issue on own machinery. I know it's not part of the question. We allocated Kshs 200,000 per ward for fuel, for the machinery to work in our wards. So far, only 11 Wards have been handled, the 34 have not. Yesterday, when I was asking the department of Roads, they said the allocation of the fuel of Kshs 200,000 is there but the department did not allocate money for maintenance of the machines, so they have the fuel, but the machines are broken down. That's where the problem is. So those members of Roads led by the chair, should up their game. And we are closing the financial year. I don't know how we will move from there.

Mr. Speaker: Thank you, Hon. Makari.

Let me have Hon. Tony.

Hon. Tony Barasa: Honourable Speaker, I want to agree with Hon. Makhanu that this is a progressive report and him being part of that meeting because it was a progressive report, that's why he agreed that the findings of the Royal to Macle, the BQs had not been submitted, and the committee by then said, we need to get more of these BQs from the department, allow us to take the progressive report to the House, so that when they will furnish us with the BQs then we will have a substantive report in the House. So where I sit, we will not subject Hon. Makhanu as to why he agreed with the report and yet it's a progressive report.

So let's allow the chair, the two weeks so that he can bring the BQs of the remaining part of it, so that that report is no longer Hon. Makhanu's report, it's for the whole consumption of this House.

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Mr. Speaker: Hon. Tony, if the owner is saying he is satisfied, why are you forcing him to come back here? Hon. Ipara.

Hon. Johnstone Ipara: Thank you, Honourable Speaker. I happen to be a member of that committee and during the deliberations we had with Hon. Makhanu, he was in agreement with all the facts except the one he has raised right now. He said that there is a typing error of a name of one road, which I believe that it can be corrected immediately as per his own words. Where that particular word that we require two weeks, if you looked into that report, it's a very detailed report, with all the requirements that is required. I don't see why we should go back and yet we have completed what we were required to do.

I want to believe that it was a typing error, or a copy and paste, where somebody decided to come up and copy what was there previously, as you were worried one time. Maybe the only error with the chair is he did not maybe proofread the last part of that statement. That is the only error but the owner of the statement is in total agreement and he was saying it is only a typing error thus maybe I have misquoted him.

Mr. Speaker: Hon. George Makari, what is the issue of the Standing Order 92?

Hon. George Makari: *(On a point of information)* Honourable Speaker. I want to inform the House. Is it in order for the member of the Committee of Roads to disagree with the chair who has requested for two weeks? Is this Committee working in tandem with each other? Or the chair is only working alone and other members are working alone? I don't expect a member to contradict what the chair has read. The chair has requested for two weeks. The owner of the statement has said he has no problem. Another member now is saying, the chairman did not read very well the last part.

(Laughter)

Mr. Speaker: Honourable Members, I think for guidance purposes, once the report of the Committee is filed before this House, if there is no dissenting report, you are bound by it. So I think if Hon. Ipara is a member of the Roads Committee, he cannot go around and start saying the chairman is not reading what we agreed in the meeting.

So let's give them the benefit of the doubt. Hon. Simotwo, I will happily grant you two weeks. What you are going to bring to this House, I don't know, but I'll give you two weeks.

(Applause)

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Thank you. Let's move on, please.

MOTION

REPORT OF THE PROCEDURE AND HOUSE RULES COMMITTEE ON AMENDMENT OF STANDING ORDERS

Hon. Stephen Wamalwa (Deputy Speaker): Thank you, Honourable Speaker.

I'm on my feet to present to the House, a report, Committee on Procedure and House Rules, Report on Amendment of the Standing Orders.

CHAPTER ONE

On behalf of the members of the Committee on Procedure and House Rules and pursuant to provisions of Standing Order 267, I wish to present the report of the Committee on the Reviewing of the Standing Orders.

Establishment and Mandate of the Committee

Mr. Speaker: Honourable Deputy Speaker, quorum is basically part of us here. Can you lay the basis of your quorum!

Hon. Stephen Wamalwa: We are okay

(Loud Consultation)

Mr. Speaker: Honorable members, if we have to go 50%, we are 50% of the committee.

Hon. Stephen Wamalwa: We are very okay. We are over 50%

Mr. Speaker: Honorable members, even if you remove me, remain with the other members the other side, the quorum is 50%. Proceed!

(Laughter)

It appears some members here have debts and they are looking for excuses to run away from this House. Proceed!

Hon. Stephen Wamalwa: Thank you Hon. Speaker. I was referring Honorable members to Standing Order on the establishment and mandate of the committee which is 1.2**Committee Membership**

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The Committee as currently constituted comprises the following members:

1. Hon. Emmanuel Situma Speaker (Chairperson)
2. Hon. Stephen Wafula Deputy Speaker (Vice chairperson)
3. Hon. Christine Mukhongo
4. Hon. Benjamin Otsiula
5. Hon. Cornelius Makhanu

Acknowledgement

On behalf of the Committee, I wish to convey our sincere appreciation to the Office of the Speaker and the Office of the Clerk for their unwavering support and commitment in facilitating the Committee throughout the entire exercise. I also extend my gratitude to the Honorable Members of the Committee and the Secretariat for their dedication, cooperation, and tireless efforts towards the successful completion of this report.

The Committee further acknowledges the valuable contributions and insightful input received from Members of the County Assembly and staff, which greatly enriched the deliberations and final outcome of the Report.

It is therefore with great honor and privilege that I now table this Report before the House and respectfully recommend it for consideration and adoption.

Report Signed by Hon. Emmanuel Situma, Chairperson - Committee on Rules and Procedure.

CHAPTER TWO

Introduction

Standing Order 267 requires that committee on Procedure and House Rules to at least once in every term of the County Assembly, not later than six months to the end of the term, review the standing Orders and make a report to the County Assembly recommending the Standing Orders, if any, to be amended.

Process of amendment of the Standing order

Standing Orders 265 and 266 highlight the procedure for processing amendments to Standing Orders as follows;

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265. The County Assembly Procedure and House Rules Committee may at any time propose amendments to these Standing Orders.

266. (1) A Member may, with the support of at least two other Members, request the Procedure and House Rules Committee to consider an amendment to the Standing Orders.

(2) A request under paragraph (1) shall be in writing and shall—

(a) Contain the text of the proposed amendment and the justification for the proposal;

(b) Contain the names and signatures of the Members supporting the request;

(c) Be lodged with Speaker.

(3) The Speaker shall, if satisfied that the requirements of paragraphs (1) and (2) have been met, forward the request to the County Assembly procedure and House Rules Committee.

(4) The County Assembly Procedures and House Rules Committee shall, within twenty one days of the receipt of a request under paragraph (3), consider the request and table a report in the County Assembly containing the amendments proposed in the request and the recommendations of the Committee on each such proposal.

(5) The County Assembly shall consider the proposed amendments to the Standing Orders as reported from the County Assembly procedure and House Rules Committee on a Motion that "The report of the County Assembly Procedure and House Rules Committee be approved".

(6) Standing Order 148 (Procedure on Bills reported from Committee of the Whole County Assembly) shall apply to a Motion to approve the report of the County Assembly Procedure and House Rules Committee on the amendments proposed to the Standing Orders.

As its core mandate, the Committee undertook a comprehensive review of the Standing Orders. In the course of this review, the Committee identified key areas that require amendment to enhance clarity, promote procedural efficiency, and ensure compliance with the Constitution.

Public Participation

Honorable Members and staff were similarly urged to submit their views on the proposed amendments to the Standing Orders to the Office of the Clerk for onward transmission to the Procedure and House Rules Committee, vide letter Ref. CAB/ADM/32 Vol. I (20) dated 21st

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November, 2025 (Annexed). The Committee considered the views submitted and subsequently compiled a report, which was tabled before the House on 5th March, 2026. Thereafter, the report was circulated to Honorable Members and staff for further input.

Further, a public participation forum was conducted from 23rd March to 26th March, 2026, to provide Honorable Members with an opportunity to present their views on the proposed amendments. A report containing the views collected during the forum is annexed to this Report.

Scope of the proposed amendments

The Committee comprehensively considered the proposed amendments to Standing Orders 1 to 268 to strengthen the procedural, legislative, and administrative framework governing the County Assembly's operations.

Following extensive deliberations, the Committee proposed various amendments across the Standing Orders, including revisions, deletions, introductions of new provisions, and substantial restructuring of existing provisions. Certain Standing Orders were revised to enhance clarity, improve consistency in interpretation, eliminate ambiguities, and align the procedures of the Assembly with current constitutional and statutory requirements. Some provisions were deleted where they were found to be obsolete, repetitive, or no longer responsive to the operational needs of the Assembly.

Further, the Committee introduced new Standing Orders and sub-orders aimed at addressing procedural gaps, strengthening accountability mechanisms, enhancing public participation, improving committee operations, and promoting efficiency in the conduct of Assembly business. In addition, several Standing Orders were comprehensively overhauled to modernize parliamentary procedures, strengthen governance structures, and ensure effective management of legislative and oversight processes within the Assembly.

Summarized justifications for the amendments

Justification for the Standing Orders is as follows:

1. Clarity and Consistency in Parliamentary Procedures

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The proposed amendments are important in strengthening the institutional and procedural framework of the County Assembly by promoting clarity, consistency, and efficiency in the conduct of Assembly business. They enhance the interpretation and application of the Standing Orders, thereby reducing ambiguity and improving the orderly management of parliamentary proceedings.

2. Transparency, Accountability, and Compliance with the Law

The amendments further promote transparency, accountability, fairness, and adherence to constitutional and statutory requirements in the operations of the Assembly. By streamlining procedures and establishing clear timelines and reporting mechanisms, the amendments are intended to improve responsiveness, efficiency, and effective service delivery in legislative and oversight functions.

3. Strengthening Governance and Oversight

The amendments strengthen governance and oversight by enhancing due process, safeguarding Members' rights, promoting integrity in decision-making, and reinforcing accountability mechanisms within the Assembly. They also support effective leadership coordination, institutional continuity, and proper management of committee operations.

4. Enhancing Public Participation and Representation

Further, the amendments are intended to enhance public participation and citizen engagement in Assembly processes, while ensuring that legislative, financial, and administrative procedures are conducted in a transparent and accountable manner.

5. Modernization and Institutional Efficiency

Overall, the amendments are significant in modernizing parliamentary practice, strengthening democratic governance, promoting institutional efficiency, and ensuring that the County Assembly effectively discharges its legislative, representative, and oversight mandates in accordance with the law.

CHAPTER THREE

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This chapter represents a comprehensive summary of the committee consideration of the standing Orders ranging from Standing Order number one to standing Order number two hundred and sixty eight as a next to this report, and

Honourable Speaker at this level I want to urge Honourable members to check the same Standing Orders on their gadgets as circulated from Standing Order number one all the way to Standing Order number 268 which includes introduction of new Orders and sub-Orders. It includes deleted Orders, amended Orders, not amended Orders and overhauled Orders. And it also includes merged and rearranged Orders that is from page 9 all the way to page 15.

I request now to move to chapter four.

CHAPTER FOUR

Committee Observations

1. **THAT**, the Third Edition of the Standing Orders as annexed to this Report provides an updated and comprehensive procedural framework for the conduct and regulation of the business and proceedings of the County Assembly.

Committee Recommendation

1. **THAT**, this House adopts the Third Edition of the Standing Orders as annexed to this Report, to serve as the procedural framework for the conduct and regulation of the business and proceedings of the County Assembly to enhance efficiency, accountability, transparency, and orderly conduct of House business.

ADOPTION SCHEDULE

We the undersigned Members of Procedure and House Rules Committee affix our signatures adopting this report with the contents therein.

ANNEXURES

Honourable members, we have annexures to this report, one of them being Report of Public Participation. These are issues raised by Honorable Members during the consolidative meeting of

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the review of Standing Orders in Kisumu and actions taken by the Rules and Procedure Committee. Also, we have amendments which is part of annexure which is here.

I submit and ask the House to adopt this report so that it guides this House in the next Assembly.

I now call upon Hon. Cornelius Makhanu to second.

Mr. Speaker: Hon. Cornelius Makhanu, proceed.

Hon. Cornelius Makhanu: Thank you, Honourable Speaker. I take this opportunity to thank the mover who has moved this report ably. I also want to thank the members of Rules and Procedure Committee ably chaired by you Honourable Speaker. I second.

Mr. Speaker: Thank you, Honourable members. Allow me be able to propose a motion for debate.

(Question proposed)

Hon. Nganga.

Hon. Everton Nganga: Thank you, Honourable Speaker for giving me a chance to make my submissions on the report. First, this is a nice report because it is an amendment of the current Standing Orders which we expect that this report will be enforced in the next House after election.

I'm happy that the work of the Committee on Public Accounts, it has been divided by creating a new committee that's a Committee on Special Funds. This one will enable the committee...

Mr. Speaker: Hon. Catherine, you know I have been looking at you, thought you could be able to see what I have been trying to say. If your consultation is too important, you can go and do it from outside.

Hon. Everton Nganga: This will enable the oversight committee, the current one which is Public Accounts and Investment Committee and the one that has been created that is Committee on Special Funds to provide proper oversight.

As the chair of the current PAIC committee, I have been facing challenges to handle 39 to 40 audit certificates that normally come from the Office of the Auditor General. By creating another Committee on Special Funds, this will enable the County Assembly to oversight the Executive properly. I remember last week I was called to appear before the Senate on reports dealing with funds. They were six reports and the committee which I chair had not actually handled those six funds for those six certificates or reports.

A concern that I rose during my submission in Kisumu; I want to make before it is published and printed, it is my thinking that if we can make this small corrections, I don't know if there's the

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mover who will respond to this and they are not major amendments. You can just make some corrections.

When you look at our Standing Order from the report that has been moved 209; that is the Public Accounts Committee. They are saying that the function of the Public Accounts Committee shall be to examine the reports of the Auditor General.

Let us move to specifically (F), when these reports come from the Office of the Auditor General; they always mention the way they have indicated here, hospital. They always mention level 4 and 5 health facilities. They are not funds. Look at the current from the report that has been moved. They have used the words funds. It is level 4 and 5 health facilities. They do not have funds, so if you can remove the word funds then change to health facilities, it will sound very well because when these reports come from the Office of the Auditor General, they always mention Health facilities, not funds.

Again, I am also looking at function number (e), still under Public Accounts Committee. They have mentioned the Annual accounts of County Emergency Fund. County Emergency Fund is a report from the Office of the Auditor General in the Senate; it is always handed by Public Investments Committee. This is a fund and to my understanding with the experience because we have been going through this just to transfer it to be under the special funds. Let us not mix; we do not want the Public Accounts Committee to appear before the Senate PIC committee. Let the Special Funds committee appear before the Senate PIC Committee.

Mr. Speaker: Yes, Hon. Tony, what is the information all about?

Hon. Tony Barasa: Honorable Speaker, I think you took us to Kisumu for our input on amendments. I don't know if the member is supporting with amendments or what is he giving, because I am aware you took us to Kisumu and if you had any amendments...

Mr. Speaker: No, Hon. Tony. Being a motion, he will be allowed to bring his amendments.

Hon. Tony Barasa: So he is supporting with amendments.

Mr. Speaker: He will come out clearly whether he is opposing or not. just listen to him because this being a motion and the Standing Orders are very emotive, even I have done consultations with the mover that if Hon. Tony has anything he wants to consider, we won't be voting on this thing today. We may even take it to next Thursday to allow members to bring amendments if they have any and they will be able to vote on every proposal amendments on the floor of the House.

If they accept it, it will be carried on, if they reject, it ends there, so that members can have time to look at these Standing Orders because after incorporating your views and looking at how it's

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supposed to be, we cannot just lock out everybody. These are Standing Orders that are supposed to run the House.

Hon. Nganga, come out clearly. Are you supporting with amendments, opposing or just reading it that way. We don't know where you are.

Hon. Everton Nganga: Thank you, Honorable Speaker. When you gave me chance to give my deliberations, I first said that it's a very nice motion that has been moved and I said that there are just minor amendments which means I am supporting with amendments.

Mr. Speaker: You be on HANSARD that you are supporting with amendments.

Hon. Everton Nganga: I am supporting with amendments. Thank you, Hon. Tony, you know this is a report.

Mr. Speaker: Hon. Nganga, I have given you chance, proceed!

Hon. Everton Nganga: Thank you, Hon. Speaker. Recently when we were moving our Budget in this House, we discovered that we had allocated money for bursaries. Now, when we were deliberating on the issue of the Standing Orders while we were in Kisumu, we left out the bursary fund, yet in our Budget we had appropriated money for bursaries. This means that we must have a committee in our Standing Orders to handle this, and the committee best placed to handle it is the Special Funds Committee.

Therefore, they should also include bursaries under the Special Funds Committee instead of leaving them out. If we leave it as it is, and in the next Financial Year we are going to issue bursaries, then it means we will not have identified bursaries under the correct committee.

I am supporting the report with amendments. I do not know whether I should call the seconder or just leave it at that.

Mr. Speaker: Hon. Nganga, with your experience in this House, when you support a motion with amendments, you are given a chance to bring the amendments in writing. When you come with them, you will then be allowed to call the seconder of what you are proposing in writing. You cannot amend a motion orally; it must be in writing so that it becomes a motion within a motion. If Members support it, it will be carried; if they reject it, it will fail. For now, you have made yourself clear that you want to have some amendments.

We will not be voting on this document today. We will ask you to bring your amendments in writing. It will appear on next week's Order Paper. Then you can give me a copy, give the mover a copy and then convince Members to support your amendments. If they are rejected, that will be their natural death.

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Hon. Everton Nganga: Thank you, Hon. Speaker. Most obliged.

Mr. Speaker: So, next week. These Standing Orders are not for me; they are for this House. Therefore, Members should be given time to deliberate on them so that next week, perhaps on Thursday, you can vote on them. I will also have a chance to look at what you want to propose. Hon. Makari, you may proceed.

Hon. George Makari: Thank you, Mr. Speaker for giving me an opportunity to also comment on what we actually agreed upon. If there is one best, precise and self-explanatory committee reports, it is this one. I was thinking aloud, who are the secretariat to this Committee? Even the grammar is good, and the arrangement is good. I wanted to look at the Committee membership, and then I realized that two senior people are in that Committee. Maybe that is why the report is good and precise.

I want to support the motion. Maybe there are Members, like my good friend Hon. Nganga, who have reservations. Yes, you have said that we still have time to make amendments, which we must be able to look at critically.

I am worried when he said that it will apply to the next Assembly. I thought it was supposed to begin immediately, because I have seen somewhere, under the amendment to Standing Order No. 75, after the report and below the signatures, it states "Amended Standing Order No. 75."

Hon. Speaker, on this particular aspect, I thought Hon. Ipara was supposed to be in this House. Removal of Governor; there are suggestions that public participation be virtual. We do not need to go physically to people to ask them their opinion if we can remove the Governor or not. You do it digitally and if you look at the resolution, all the Members agreed that we do not need to walk around with papers and asking people to sign here and there.

You put it on the social media or whichever forum that the Assembly will have decided and Honorable Speaker, if we can say we can do it digitally to remove the Governor, you know every person will say we remove him.

(Laughter)

I am very happy with that clause. So if all the Members agreed and public participation agreed, I do not know why we should wait until the next session of the Assembly and you know we do not know... I am worried Speaker in the next Assembly, you can find five Members that returned. You will be presiding over a totally new Assembly. I am not threatening anyone but I can see Hon. Mulongo is very worried. He is looking at me.

(Laughter)

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He is looking at me with a lot of worry in his eyes. I just pray that Hon. Mulongo comes back but the way I look at things, he might not come back. So is it possible that we can...

Mr. Speaker: Hon. George, with due respect, I will urge you that you avoid that language of our former Member who used to say that Makari at 8:00 a.m. you will be at home. It is not a good wish and...

Hon. George Makari: Honorable Speaker, he went home before us. He had picked out Hon. Majimbo, Hon. Joseph Nyongesa, Hon. Tony and several of us were marked for extinction but whoever marked us was home by 8:00 a.m. but we survived. So I do not know if in your wisdom that it is a must that the Standing Orders should take effect in the next Assembly or they can take effect even after we have passed them. I support.

Mr. Speaker: Thank you. Yes Hon. Tony.

Hon. Tony Barasa: Thank you, Honorable Speaker. I like my good friend George but trust him at your own peril.

(Laughter)

Honorable Speaker, first, I want to thank you and your team. You took us through this report in Kisumu and indeed I stand to support without amendments, if we have had any grammatical issues, it will be done when they are going to print but I just to put one input that if we are going to do after adoption, Honorable Speaker, with the guidance of your Office, let us have a strong cover. The cover you are using *ile ya...*, sorry.

The one we are using it really... within a month *ilikuwa imeraruka*, so if we are going to adopt this report, let it have the face and value and quality that a Honourable Member can carry it; use it all the time. I support.

Mr. Speaker: Honourable members, I will want to urge you that we do not take a vote now, take it to next week Thursday. Allow Members like Hon. Waiti who reads slowly at their own pace, to go through it and comprehend but on the issue of what Hon. Tony is saying, this Standing Order is not done by us after approval.

It is taken to the Government printers for presetting and editing. We expect to have hard covers like the one we had. I think there was a small problem and that is why you end up having what we are having but the ones that I was given, it is supposed to be this way for every Honourable Member. So fight to have one with a good cover.

ADJOURNMENT

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So, Members, I will ask that we adjourn. We will have it next week on the Order Paper. Hon. Nganga, you can go and get the Legal team so that you come back and convince members to support your amendments then once it is done, we will want to have the Final Copy. At least one year before being ready. So, we adjourn now and resume next week on Tuesday 30th June, 2026.

The House rose at 3:55 p.m.

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