

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – THIRD SESSION

Wednesday, 27th February, 2019

House met in the Main Chamber at 02:30 p.m.

(The Speaker (Hon. Onyango Oloo) in the Chair)

PRAYERS

The Speaker (Hon. Oloo): Clerk, Order for the day.

The Speaker (Hon. Oloo): Clerk, where is the Order Paper?

The Speaker (Hon. Oloo): Next order!

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oloo): Thank you Hon. Members. In the morning I did hint to the Hon. Members and the House at large that, there is need to provide direction on the Statement Hour under Standing Orders No. 41 and that I would give directions to designate the Statement Hours so that for orderly conduct of business in the Assembly moving forward.

After carefully considering the Business of the day as from time to time required of us and having looked at Standing Orders No. 41 and the requirements therein, I have found it necessary to direct that every sitting day commencing 02:30 p.m. up to 03:00 p.m. will be designated Statement Hour subject of course to enlargement of time as provided for in the Standing Orders and I do urge Hon. Members to acquaint themselves to the provisions of the Standing Orders No.

41 which seems to be very popular with on. Members and seem to address more pertinent issues that concern us. Consequently, going forward, commencing today, I said that I will grant Members the indulgence on the so called Statement Hour. So, from tomorrow moving forward we will have between 02:30 p.m. up to 03:00 p.m. designated Statement Hour that does not oust the other provisions of the Standing Orders that may call for enlargement or reduction of time limits. Thank you.

The Speaker (Hon. Oloo): Next order!

The Speaker (Hon. Oloo): Yes Hon. Guya.

Hon. Guya: Thank you Mr. Speaker for your wise ruling over the same on Statement. The Standing Orders is very clear on some points. It states, the Statements will be there every sitting day commencing not later than 03:00 p.m.

Mr. Speaker, in my understanding of this, which implies that every day will be Statement Hour and this means it is an Hour and it must commence not later than 03:00 p.m. This means that if it commences at 03:00 p.m. it should last for one hour so that it goes up to around 04:00 p.m. Mr. Speaker, in the Order Paper, we also have other items to deal with because before we reach Statement, we will have Communication from the Chair, Messages, Petition, Papers and Notices of Motion. Mr. Speaker, afternoon session commence at 02:30 p.m. so, if you want to imply that Statements will run from 02:30 p.m. to 03:00 p.m. that means we will not have time for Statements.

Finally, the Standing Orders reads the Statement Hour will be there in every sitting day commencing not later than 03:00 p.m. A sitting day is not only there in the afternoon, the Orders also provides for Sitting Days and it states that we shall sit on Tuesdays, Wednesdays and Thursdays between 02:30 p.m. and 06:30 p.m. We shall equally meet on Wednesday between 09:00 a.m. and 12:30 p.m. which is also a sitting day. If a Statement comes then, it will be not later than 03:00 p.m. Thank you.

The Speaker (Hon. Oloo): Thank you Hon. Member, so what are you seeking?

Hon. Guya: Mr. Speaker, I am seeking that if you could allow that Statement be heard between 03:00 p.m. on Thursday and Statement be sought on Wednesday in the morning and afternoon before 03:00 p.m.

The Speaker (Hon. Oloo): Hon. Member, with tremendous respect and proceeding on your guidance could you please look at Orders No. 41 (1)?

The Speaker (Hon. Oloo): Please can you read it aloud?

Hon. Guya: Mr. Speaker, 41 (1)?

The Speaker (Hon. Oloo): Yes.

Hon. Guya: Mr. Speaker it states that;

Members general Statements

41.(1) Notwithstanding Standing Order 38 (Sequence of Proceeding), there shall be time to be designated Statement Hour every sitting day commencing not later than 03:00 p.m.

The Speaker (Hon. Oloo): Hon. Member thank you. So, I am designating the Statement Hour. I do agree with you that Statement Hour has to be there every day, but I find it difficult to accept that Statement Hour can be at any given time in the morning, afternoon when at the same time the House has to designate it.

I equally do agree with you and I am inclined to review my directive that we need one hour and not thirty minutes, but, I find it difficult to accept that it happens at all times as the Assembly is sitting in the morning, afternoon and so, I am inclined to review the directive and to make a subsequent directive to override the previous one that it will commence between 03:00 p.m. and 04:00 p.m. every afternoon of the sitting of the Assembly, thank you.

The Speaker (Hon. Oloo): Next order!

NOTICE OF MOTION

The Speaker (Hon. Oloo): Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Please allow me to Give Notice of Motion pursuant to Standing Orders No. 31 which is the Adjournment Motion to enable Members attend the 6th Devolution Conference that will be held in Kirinyaga County as from Monday, 04th March, 2019 to Friday, 09th March, 2019, thank you.

The Speaker (Hon. Oloo): Next order!

STATEMENTS

The Speaker (Hon. Oloo): Yes Hon. Guya.

Hon. Guya: Thank you Mr. Speaker for giving me this chance. I wish to raise further Statement from the Chair in-charge of Co-operative, Trade and Finance concerning the donor funds that have been coming to Kisumu County. In doing this, I want this to help the House so that when we are doing out next Budget Cycle we know how the funds are distributed within the County.

Mr. Speaker, I wish to know;

1. How much was brought to Kisumu County with regards to the Kisumu Urban Project (KUP) and whether it was a Grant or Loan?

2. Projects that were supposed/earmarked for funding?
3. Status of those Projects, whether finished or on-going?
4. How much of that money has been spent to date?

Thank you Mr. Speaker.

The Speaker (Hon. Oloo): Yes Hon. Guya, is it another Statement?

Hon. Guya: Thank you Mr. Speaker, I have another Statement to the Chair, Agriculture, Livestock and Fisheries. In this County we have an organization that is called Agricultural Mechanization Services that is located somewhere within Rabour under the Department of Agriculture.

Mr. Speaker, I wish to know the following;

1. How many machinery are located at Rabour and their Status?
2. How many County employees and in what positions?
3. How much revenue is generated from Mechanization Annual?
4. Are there any plans by the Department of Agriculture to improve on the Mechanization Services that are available there?

Mr. Speaker, I would wish that when the report is being brought, they should bring it complete accompanied with a Work-plan/Schedule on how the Machineries have been operating from October, 2018 to date. Per Sub-county, per Ward?

Mr. Speaker, I would wish to know the status of the Tractors that were taken to the Rice Farms by the county and if not what plans exist? Currently, who manages those Tractors?

Thank you Mr. Speaker.

The Speaker (Hon. Oloo): Thank you. Consequently, I do direct the Statement on KUP Funding to Trade and Finance Committee and a response to give to this House not later than fourteen days to be precise. The second Statement on the AMS Center at Rabour, I do direct that the same be committed to the Committee of Agriculture, Livestock and Fisheries and a response be given to this House not later than fourteen days from today.

The Speaker (Hon. Oloo): Next order!

MOTION

CONTINUATION ON A REPORT FROM THE HOUSE KEEPING COMMITTEE ON SELECTION ON THE RE-ALIGNMENT/RE-CONSTITUTION OF HOUSE COMMITTEES

BY HON. CHAIRPERON, COMMITTEE ON SELECTION

The Speaker (Hon. Oloo): Yes Hon. Okiri, which Point of Order are you rising on?

Hon. Okiri: Thank you Mr. Speaker. I am rising while citing Orders No. 50 (i).

The Speaker (Hon. Oloo): To what extent, please proceed.

Hon. Okiri: Mr. Speaker, there are many ways to kill a rat. With reference to your ruling today about the Statement Hour, I would like to introduce this motion, these are Motions that can be given without Notice so that we are aware of Procedures on matters of your ruling which may carry the day or give advice over the same.

Mr. Speaker, the reason as to why I am talking about that is that Statements are guided by the rules which I am totally in agreement with. Mr. Speaker, if we go that way that Statement can only be sought not later than 03:00 p.m. of any sitting day, and we are in a County that one day will compel this Hon. House to sought for Statement that can salvage the image of this County and at that time we will not be able to attain the 03:00 p.m. hour. Mr. Speaker, on that premise, I was of the opinion that if you can open this debate further, so that Members see the importance that Statement be brought at any time because it is something that will affect the whole of us and Kisumu County Government. Mr. Speaker, it is a matter of request going by the provisions of the Standing Orders, that you permit Hon. Members to agree so that one day they will say that the Speaker had made a decision that there is nothing like Statements being sought before 03:00 p.m.

The Speaker (Hon. Oloo): Hon. Member, I rule you to be Out of Order for two reasons. One, we are passed the time for Statements. Two, it seems you did not pay attention to my directive, I did make it clear that it does not oust any provisions of the Standing Orders and more importantly, the provisions of Standing Orders No. 1 which gives the Speaker a lot of latitude to analyze situations and allow statements, papers and oathing at any given time when the exigencies of the moment dictates, but we must have an orderly appearance within the Assembly. So, the Statement Hour remains as directed but when the exigencies of the moments dictates, we will deal with it and you can bring it eve earlier than 09:00 in the morning. Thank you.

The Speaker (Hon. Oloo): Leader of Majority, please proceed.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. In the morning we did adjourn so that we can consult over this matter of House Committees. After consultations, in which you are a party to, we made an agreement that we put this in abeyance as we study the document that we have and as we strive to build consensus over this matter.

So, Mr. Speaker, I indulge that immediately after the Devolution Conference we shall sit down as a House and then build consensus over this matter moving forward. Thank you.

The Speaker (Hon. Oloo): Chairperson, Liaison is on his feet.

Hon. Samo: Thank you Mr. Speaker, so that I am not seen interfere with the proposal made by the Leader of Majority, but I just wanted to bring him to speed because he seem to have forgotten after the heavy lunch.

Mr. Speaker, before the break we did talk in this House and he did propose and the Chief Whip did second. So, at that point, the motion had been proposed and seconded and you had given us time to debate as to whether to have it for one week or a day or whichever way. I did make a proposal as at then that, we settle this matter this afternoon. So, it should come to your attention, that if I get a seconder then we can be able to deliberate on the report, so that we are done with it this afternoon because of the reasons that I had fronted before you. So, I wish to put before you that there is a Majority Report by the Majority Members of this House...

The Speaker (Hon. Oloo): Hon. Oraro, you cannot be on your feet please. Declined.

Hon. Samo: Mr. Speaker, if I get a seconder from the Committee of Selection because the Leader of Majority made a proposal and was seconded by the Chief Whip. Mr. Speaker, I also requesting if permitted that I get a seconder from the Committee of Selection that we deal with this matter because we have a Majority Report, then the House can decide whether to adopt it or reject it. So, it is upon the House, thank you.

The Speaker (Hon. Oloo): Yes Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. First of all the document before us is a strange document because it had not been formally presented to the House and therefore I fail to understand how we can discuss a document that has not been formally presented to this House.

Mr. Speaker, furthermore, I believe that you are the last person I talked to before I entered this Chambers and the agreement was that let us build consensus. So, I don't know why you want to renege on that agreement because this is a very emotive issue and I don't see the need to rush over it. One week is not a long time and it is not a lot of time, and in any case we have waited and this has been quite sometimes. Mr. Speaker, with the hindsight of wisdom that I know you possess, please allow us build consensus over this list, give us one week, but again we cannot discuss a report that is strange to the House, thank you.

The Speaker (Hon. Oloo): Leader of Majority, perhaps just to give you guidance. If I may give you directions, the moment we left in the morning, the Leader of the Majority in the House had moved a motion to suspend the discussion of the Report of the Selection Committee. It had been seconded and debate was on-going, and there were disputes as to certain facts which the Chair of Liaison had averred and which I sort to establish. Under our rules, the House can only proceed

with the motion that the Leader of Majority had presented not on the Substantive Report but to seek the enlargement of time to allow the report to be tabled later.

Hon. Members, I have since established that indeed meeting did take place and I have seen the signatures, but that does not abrogate the authority of this House to proceed and discuss it today or a later date. So, with tremendous respect to both sides let us confine ourselves as to the motion as to whether we are post-poning the discussion of that report or we are discussing it today so that the House pronounces it itself and we find a way out. I hope I am clear?

The Speaker (Hon. Oloo): Hon. Oraro, your point of order?

Hon. Oraro: On a Point of Order. Thank you Mr. Speaker. I was wondering because I was on a Point of Order and you were already denying it when and I don't know if you understood which Standing Orders I was citing. Anyway thank you for recognizing me.

Mr. Speaker, I am rising while citing Standing Orders No. 45 (5) (b). It is about motions. If we look at the Order Paper of today, this Standing Orders states that we confine ourselves to what the Leader of Majority proposed in the morning on extension of time. Mr. Speaker, if you read that Standing Order, it is clear that procedures have to be followed in the House and any motion that is brought to into this House requires that a Notice be given and the Standing Orders provides for at least forty-eight hours.

Mr. Speaker, yesterday I was here and I have with me the Orders Paper that was circulated to us and the House Business Calendar and there was no Notice even in the Calendar that the House will deliberate on these two motions that I am seeing in the Order Paper.

Hon. Samo: On a Point of Order...

The Speaker (Hon. Oloo): Please proceed Hon. Oraro.

Hon. Oraro: I don't know what is wrong with the Chair of Chairs. Mr. Speaker, I am proceeding but remind him that when a Member has risen on a Point of Order, you let him complete before you rise, whether you are the Leader of Majority or the Chair of Chairs, that is the rule. So, I would seek your indulgence that Notices for such Motions be given before we discuss them, thank you.

The Speaker (Hon. Oloo): Yes Chair Liaison, you wanted to respond to that?

Hon. Samo: Mr. Speaker, I wanted to notify my dear friend that unless he was absent in this House yesterday. In case he was there, the Notice was given by the Leader of Majority, prior to that, these was tabling of that report and Mr. Speaker I believe the Clerks will be able to guide you. So, a Notice was procedurally given yesterday and maybe he was not there.

The Speaker (Hon. Oloo): Hon. Member, I am guided that a Notice was given. So, could we proceed with the debate on the extension of time or not? Leader of the Majority party, I have been lenient to you because you are not allowing your Members to debate. You have made your case and you have been seconded don't you think that you allow your Members to also contribute. I will give you the final chance.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I just want that as we move forward that certain clarity be made. We have two documents, one has been formally presented and there is one that has not been presented formally before this House. So, there is confusion and could you please rule because I have seen this list being given to Hon. Members is creating a lot of confusion. As the Leader of Majority, I did table a draft, then there is another document going round which has not formally been brought to this House and that is what I am contesting and I believe that you need to make clarification on that. Mr. Speaker, it is on that basis that I believe that we should be given time to build consensus over this matter. This is because we have two lists, I don't know one brought by who, but as the Leader of Majority, I did table one, thank you.

The Speaker (Hon. Oloo): I will allow Hon Agolla to make a presentation.

Hon. Agolla: Thank you Mr. Speaker. I want to concur with the Chair of Chairs. Now, that the Leader of Majority moved a Motion of extension of time on debate on this or not and this has been seconded. Mr. Speaker, procedurally, we need to debate on the same and vote after which we will get the direction. So, what we are insinuating should be pointers to our debates. I wish to second the motion by Hon. Samo so that we debate this issue. Thank you.

The Speaker (Hon. Oloo): Hon. Members, I believe what we have before us here is to deliberate on whether to prolong time or to proceed on the debate of the paper today.

The Speaker (Hon. Oloo): Please Hon. Guya but reminds me of which Orders you are citing?

Hon. Guya: On a Point of Order. Thank you Mr. Speaker. I just wanted to bring to your attention that the document that has been circulated to this House I believe is with your consent...

The Speaker (Hon. Oloo): You are out of order; the Clerks at the Table will handle that. Could we please proceed with the debate to prolong time or not?

The Speaker (Hon. Oloo): I can see Hon. Beatrice Pamela representing Gender Parity.

Hon. Beatrice Pamela: Thank you Mr. Speaker. I rise to support the motion given by the Leader of Majority that we extend time for debate on this motion to move it actually so that we debate on it later because... One, as Members I believe that it is a bit confusing to be going through, because I have received three documents concerning the same today. Now, I don't know which

one I am supposed to be studying and responding to. Two, there is a document that has just been circulated just a few minutes ago which I personally feel is discriminative and it seems that some people are out to score personal issues with me. I believe that as Members of this House we are all equal and we are supposed to be treated with dignity and we are supposed to have equal opportunities. So, if somebody is going out just because their interest was not taken care of, I believe this is very unfair... I withdraw that....

The Speaker (Hon. Oloo):Hon. Member, what did you say I did not get you? People are interested in you?

Hon. Beatrice Pamela: Mr. Speaker, personally as a woman I refuse now they are intending to punish me because of that. Mr. Speaker, they keep moving me, instead of moving me from one Committee to another; my House Committees is being deducted.

The Speaker (Hon. Oloo):Is the Hon. Member insinuating some kind of Sexual Abuse or something?

Hon. Beatrice Pamela: Mr. Speaker, yes and I am being penalized for that and I need protection and I believe that it is not right.

Hon. Okumu: Thank you Mr. Speaker. I believe that by the behaviors of these microphone I believe that we need to extend time on this Report by the Selection Committee so that we get time to purchase batteries so that we use microphones that are audible and recorded in our Hansard.

Mr. Speaker, I would like to support the motion moved by the Leader of Majority on the Report by the Committee on Selection that this Committee be given more time. It is so embarrassing for this House, and embarrassing for Kisumu County that the Selection Committee that we as a House bestowed our powers to go and bring a Report can come here and start exchanging. It is so shameful that they cannot agree on powers that we delegated on them as to which list because personally as an MCA for East Seme I have got three lists all from the Committee on Selection and I don't know which one to debate on today.

Mr. Speaker, it is being alleged that they sat and we all respect that. As I have just said, a list was tabled yesterday and this was circulated, come today, another list is brought with a report, a list was tabled yesterday, today it is a list with a report. Mr. Speaker, this afternoon I was furnished with another list and all claiming to have been brought by the Committee on Selection. Mr. Speaker, I have said I will repeat it in this House that, the resolutions of this House are much more powerful than the resolutions of a Committee. As a House and if this Members are really interested in the development of Kisumu County, they need to send back the Selection Committee so that they can do their job and if they cannot we have a right as a House to reconstitute even the Selection Committee. We need to tell the party that the people that they took to that Committee cannot do their work and we should not encourage them to come here

with reports that some look half-baked, they did not agree on them, we don't know which is which and we are here clapping at them. It is not that any report that comes from the Committee is the final thing and it is not that we come here to rubber stamp what they came with because they can bring a report here and we send it back, right now even the report they brought is confusing. If Hon. Members of this House are really honest with the development of Kisumu County, they need to join me in sending the Selection Committee back so that they reconstitute a better Committee and if they cannot, we need to inform the Party to reconstitute for us a new Selection Committee that is more focused and interested in the development of Kisumu County, thank you.

The Speaker (Hon. Oloo): Hon. Steve Owiti, you are on Point of Order remember.

Hon. Steve Owiti: On a Point of order. Thank you Mr. Speaker. I wish to inform that House that as a Member of the Selection Committee, yesterday in the afternoon if my memory serves me well a document was tabled before this House and it was committed to the Committee on Selection and they were given time to go look at it, to verify and come up with a report.

Mr. Speaker, the multitude of the task give to the Committee on Selection, could have not been done within the stipulated time when we departed from the Assembly last evening. I believe that we will only be honest that this House be told that at what point the Committee on Selection met as the document was committee yesterday so that they be able to present a report here today. I can recall us meeting here this morning up to now so that the report be tabled which states that I am not present. Mr. Speaker, it would only be prudent that some of these obvious issues are looked at and say where the truth is so that we are able to save this Assembly and the face of this County. It is not in order to purport that the Committee on Selection has met from last evening when a document was committed. The document in question, we have not been able to look at it and today another document was re-introduced in the morning which was retrieved and now a third document is also here. Mr. Speaker based on the information that I have given, I would urge your office that....

The Speaker (Hon. Oloo): Point of Order allowed.

Hon. Samo: On a Point of Order. Thank you Mr. Speaker, please read with me Order No. 182. Hon. Members I am only requesting you to abide by the provisions of the Standing Orders that we all respect in this House.

Mr. Speaker, the provisions of Standing Orders No. 182 (4) which states that;

(4) A select Committee shall adopt its report in a meeting attended by a majority of its Members.

Mr. Speaker, we have adopted this report, this is well reflected by the signatures of the majority appended on this report. Order No. 182 (5) stipulates:

(5) A report having been adopted by a majority of Members, a minority or dissenting report may be appended to the report by any Member(s) of the Committee.

Mr. Speaker, even if I don't go further on that, or, maybe I would go further to 182 (6), we are not discussing a list here; we are discussing a Report of a Select Committee which is the Committee on Selection. Yesterday I did make it clear when the Leader of Majority did present a Dissenting Report and I did rise and say that part of the report was still missing because it had no signatures appended to it. Mer. Speaker, now that the report has been brought before that House, it is no longer called a list, it is a Report from the Committee on Selection. So, we are moving forward so that we discuss this and terminate this matter, thank you.

The Speaker (Hon. Oloo): Hon. Members, I want to rule the Chair, Liaison out of order and give direction. As you rise to discuss I want you to contribute to the motion as to whether there is need to increase time for the Committee of Selection Report to be tabled later or there is no need that we proceed with the report as tabled.

The Speaker (Hon. Oloo): Hon. Member for Kaloleni/Shauri-moyo and that will be my direction now.

Hon. Misachi: Thank you Mr. Speaker. My personal feeling is that it is as a result of this list that deepens that rift in this House. I once said that if you can control this House, and we dispense with this thorny issue of Re-alignment of House Committees because it is the one bringing issues of division in this House and I plead that in whichever House Committee that I will be placed because although I am not a Member of the Committee on Selection, I will honour if it is properly constituted.

Mr. Speaker, let us stop deepening the separation, groupings by a mere list of Selection but let us put our heads together as an Assembly and dispense off with this matter, thank you.

The Speaker (Hon. Oloo): Hon. Genga.

Hon. Genga: Thank you Mr. Speaker, as I contribute to this motion, if you allow me?

(Hon. Speaker consults with the Leader of Majority)

The Speaker (Hon. Oloo): Please proceed.

Hon. Genga: Mr. Speaker, because I require your indulgence and guidance please inform the Leader of Majority to give you time.

The Speaker (Hon. Oloo): Please proceed.

Hon. Genga: Mr. Speaker, as a member of this House, I want to contribute to this motion, but I seek your indulgence as to what is it that is before the House that we are debating on. Mr. Speaker, could you kindly give guidance because I am lost. What I want to say is that the Leader of Majority confirmed that he gave a Notice of Motion and at the same time he is disputing a report that is before the House. So, kindly, with a lot of impartiality I seek your indulgence as to what are we discussing because the mover of the motion has already distance himself or is it procedural that House Committees do their work but any other person can present a Report before the House.

The Speaker (Hon. Oloo): Hon. Members, it seems that you are a bit confused. A report has been tabled and is before this House from the Committee on Selection to Re-align Committees. The Leader of Majority is of the view that due to the polarizing nature of such a report, there is need for more time for consensus building. Towards that end, he brought a motion within a motion to seek extension of time so that he be allowed to build more consensus with other Members as to the final outcome of the report.

The other Hon. Members are of the opinion that they want the report discussed now so that the House can reject it or adopt it. Before that therefore, I want the House to debate, do we require more time, do we debate that report as presented? Perhaps to guide you, if you refer to the provisions of Standing Orders No. 182 to which the Chair Liaison was making reference to, I ruled him Out of Order because at this time what we were all discussing is the enlargement of time and not the substantive report. Hon. Members, if you look at Standing Orders No. 182, then you will find that the report belongs to the House Committee on Selection, and the Chairman may present it, in his absence or inability his Vice-chairperson may present it, or any other Member of the Committee. We have not reached that point and we are at the point where we are saying, do we need more time or not? I want the guidance of this House so that we move forward.

The Speaker (Hon. Oloo): Hon. Omoro.

Hon. Omoro: Thank you Mr. Speaker. I am in full support of the Chair of Chairs that we dispense with this report today because we don't have time and we don't require more time, thank you.

The Speaker (Hon. Oloo): Hon. Members, I am looking at who has been up much, you will all contribute don't worry. Please try to be as brief as Hon. Omoro.

Hon. Ogutu: Thank you Mr. Speaker. I believe that we are debating as to whether to extend time or not. Mr. Speaker, I will go with the second option of not to extend time and let us dispense off this matter. The senior member has said it clearly that this matter is bringing a lot of anxiety in this House and I believe that we need to dispense off it as quickly as yesterday. Mr. Speaker that is my take, thank you.

The Speaker (Hon. Oloo): Hon. Arao.

Hon. Arao: Thank you Mr. Speaker for the time you have accorded me. I also want to state that, the more time we take with this report, than that means that our people will not get the much needed services. Mr. Speaker, as per the list that was tabled before this House, please allow me and don't gag me because I need to say something. In as much as I am being told to support this report and dispense off with the list right now because the Holy Bible says today and now is the time.

Mr. Speaker, the criterion that has been used in the current Re-alignment is above board. Mr. Speaker, I know that you want to tell me to sit down, please allow us deliberate on this matter when allowed to do so because there is some impunity that I need to put across. Mr. Speaker, the reasons that I support that we pass this report now because even the report that was tabled by the Leader of Majority we are not sure if he went through it, because the date on the report he presented is March, 2018. This means that the Leader of Majority tabled the previous list which had some Members with more House Committees than others. Mr. Speaker, some Members have meat in their mouth while other Hon. Members were casualties, rules and procedures need to be followed. When you want to remove that meat from their mouths and want to share it equally, to all the Members, procedure and rules are not followed.

Mr. Speaker, I support that we pass this report from the Committee on Selection today as it is, thank you.

The Speaker (Hon. Oloo): Hon. Ooko.

Hon. Ooko: Thank you Mr. Speaker. I rise in support by what has been said by Hon. Seth Okumu that this House has the final say, whether the report has come from which House Committee but it is this House that has the final say. Mr. Speaker, at the same time I want to support the sentiments of Member from Kaloleni that this issue of Re-alignment/Re-constitution of House Committees is bringing more chaos and it has made me lose friends from both sides. Mr. Speaker, I have looked at the two reports, this is a political House and Members have political interests. So, let us debate the two reports and I will support where my interest is, but let us not prolong time because we need to make friends again because I lost a friend somewhere and I need to bring him back. So, I support that we debate this report and we dispense with it, thank you.

The Speaker (Hon. Oloo): Hon. Carren Muga. Finds time to bond so that they can sort out issues amongst themselves.

Hon. Muga: Thank you very much Mr. Speaker Sir, I am for the extension of time to discuss this report am saying this because am somehow confused. I have the three documents in front of me and doesn't know which document to be discussed, but if in any case the one which is brought before the house this afternoon is to be discussed therefore I need time to peruse so that I

know because the one which was brought before the house in the morning when I was trying to peruse it I found that some members were having only four committees while others were having nine therefore I request the extension of time to peruse this thing so that we can discuss it once and for all because we don't have wrangles in this house so that we remain friends .Thank you.

Mr. Speaker (Hon Oloo): Thank you .Other leader of Minority on his feet therefore we will indulge him please.

Hon. Ojuok: Thank you very much Mr. Speaker, I want to support, I want to say one thing however much, in fact I want to comment about the people who have doing this list to a greater extent sometime you could bash, even if you do this list twenty times, the twentieth time you will still have wronged the person you did the first one who accepted the first one that is a fact I known and because at a certain time we will always do it so long as seventy five percent is covered. What I know is that as long as this list is having those histories of twenty something and is not having four I think I would support we dispense with this matter right now. Thank you.

The Speaker (Hon Oloo): Honourable members am inclined to receive., Hon Careen Muga you have contributed, Hon Genga you have contributed, you know the rules of the House I will allow honorable Oiko Pete unless you are standing on a point of order. I will allow Hon. Oiko Pete to proceed please.

Hon. Oiko: Thank you Mr. Speaker, yesterday in this house the Majority Leader tabled a paper and it was distributed .The speaker of chair that was Hon. Agola and he committed it in the Committee of Selection that is what happened. Today In the morning and in the afternoon, two list have surfaced and they have not been laid therefore it is upon you to give the house direction and if you give as you are doing then it means you have vested interest and you have alluded that the chair of chair is superior to the majority leader. When it comes to matters of parties the House should listen to Majority leader not the chair of chairs so it is you to make directions to guard the House not drag us. And the way people are arguing here it means people had been schooled therefore give majority leader his due respect in the House since the decision lies with you not what this people are altering about the twentieth time all those re nonsense, give direction since you are the one bring confusion in this House. The two papers today have not been properly tabled put them aside and let us rely on the ones of yesterday.

The Speaker (Hon. Oloo): Thank you Honourable Member. I will now indulge Hon. Aslam Khan.

Hon. Khan: Thank you very much Mr. Speaker. Mr. Speaker sir, I have been longing to talk in this august house and I believe Mr. Speaker sir that because the committee is here, it is give and take not necessarily you pin down yourself into twenty committees and you cannot commit

yourself to serve in those committees when required. Mr. Speaker it will be of no use for your capability to be used when you cannot be there to attend those meetings. Mr. Speaker, I have personally looked at the list but that does not mean that I should stand up and say that I am not accepting it. The issue before us is a burning issue and once it is sorted out today Mr. Speaker we will get it rested so that even if I don't get but my other colleague Honourable Member gets it, let them work for the entire County of Kisumu. Thank you Mr. Speaker

The Speaker (Hon. Oloo): Thank you. I will take two. Hon. Mr. Okiri. This will be the order through which we will bring this debate to a conclusion. Hon. Okiri will be the next then we will allow Hon. Ngeta, Hon. Judy Ogaga and finally Honourable Deputy Majority and then we can conclude.

Hon. Okiri: Thank you Mr. Speaker. Mr. Speaker I do agree with the senior Member of Shauri Moyo Prisca Misachi but I do disagree with her. We are not looking for preventive measures. What we are looking for in this house are curative measures. Mr. Speaker opening this debate, this is where we are losing the point because the ball is in your court. A list that was properly tabled in before you and a list that has not been tabled Mr. Speaker. With those two items, if I zero in to one item, a list that was tabled before you and a list that has not been tabled, then it is wise to make a ruling without asking members to contribute. Thank you

Hon. Ngeta: Thank you Mr. Speaker for giving me this opportunity even though it is very late. Mr. Speaker, I want to support the Chair of Chairs. Mr. Speaker we want to do away with this list so that we can focus ahead as an assembly Mr. Speaker. Mr. Speaker, for example you can see that last time we were in Mombasa doing the budget. Mr. Speaker after Mombasa we went to Eldoret. We again went to Shalom Hotel. We opened a Pandora's Box for other cartels and finally we saw something that we have never seen in this County Mr. Speaker. Today we are discussing a report on the selection committee Mr. Speaker. Mr. Speaker, we want to dispense with this report today. This House is losing its direction led by the Majority Leader Mr. Speaker. The other day, last week, Mr. Speaker, we saw... Mr. Speaker protect me from the Majority leader. Mr. Speaker...

The Speaker (Hon. Oloo): Leader of Majority, you are rising on a point of order

Leader of Majority (Hon. Kenneth Onyango): Mr. Speaker, Hon. Ngeta is saying I am misleading this House. Mr. Ngeta is also saying that that there are cartels in this House. I think those are very serious allegations. He should not be allowed to go that direction Mr. Speaker. Can you compel him to withdraw because we do not have cartels in this House?

The Speaker (Hon. Oloo): Majority leader I will ask him to withdraw but remind you that so many times you have used worst on the Speaker himself.

Hon. Ngeta: Thank you Mr. Speaker. Mr. Speaker you saw what happened last week led by the Majority leader. Today, we have a report here; the same leader of Majority is the one who tabled

the report yesterday. Again now, he is denying what he did Mr. Speaker. Mr. Speaker, we want to dispense with this report as soon as possible so that we can forge ahead as one community, one County, one Assembly to give direction to this County. Mr. Speaker we cannot go ahead and do activities for this County without having this report passed Mr. Speaker. Thank you Mr. Speaker. Mr. Speaker. I support.

The Speaker (Hon. Oloo): Thank you. Hon. Judy Ogaga then I'll take the final one from Honourable the Deputy Majority leader so that we could conclude and move on.

Hon. Ogaga: Thank you Mr. Speaker sir. I'd like to support the motion that we dispense off with this matter because we have very important resources like time and even finances. The more we keep wasting time arguing on the same matter then we are not moving on. We need to move on with our work, the financial year is coming to an end. As members, we have legislation and oversight roles. We need to know in which committees we belong so that we pick it up very fast. As former Chair of Education, I keep talking of induction.

The Speaker (Hon. Oloo): I am not aware that you have resigned Honourable Member. Have you? But you may proceed.

Hon. Ogaga: Sorry. I currently Chair two committees and allow me to say that as the Chair of Education and as *Mama* Education, I keep singing of induction and today during the morning session, one of the members was misleading this House that the County ADP should have been tabled in this house in this month of February and that confirms to you that we need induction. An ADP is brought to the Assembly on 1st of September. That confirms that we need an induction and therefore we need to dispense with this and move on immediately. I support. Thank you Mr. Speaker.

The Speaker (Hon. Oloo): The Deputy Majority. Hon. Arao, I thought I had given you time

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I stand to support the list with amendments. I have noticed...

The Speaker (Hon. Oloo): Honourable Member, we are not yet there. Where we are is whether we suspend the debate on this list or we don't. If you say Yes, it means we dispense; we don't discuss the list today. If you say No then we will discuss it today. Are the members with me? Yes will mean the discussion is stopped for a week or two as required by the majority. No will mean we discuss the list today. At that point you will be allowed to introduce any amendments if the standing orders allow.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I support that we discuss the list because I know when we will be discussing there will be some amendments. I have seen some parts and I don't know whether the person who was doing it was just writing. I support that we discuss so that we can amend it.

The Speaker (Hon. Oloo): Thank you. Yes Hon. Arao

Hon. Arao: Mr. Speaker, as you can see the mood of the House, I just wanted to call the mover to reply and my friend here Olwal...

The Speaker (Hon. Oloo): Okay. I have been guided by the table clerks. The person to call on the mover to reply is someone who has not spoken. But Honourable Members you don't have to be on your feet to approach whoever. Hon. Olwal

Hon. Olwal: Thank you Mr. Speaker for granting me this opportunity. Mr. Speaker, I want to support that we discuss this report and dispense with it today and I am quite baffled by the actions of my friends and my Majority leader. I find it quite contradictory to table a report and again to move a motion to seek more time. What was tabled here was not a progress report. What was tabled was a report and I think we need to discuss and dispense with it. The Standing Orders and the House rules are very clear on cases when there is division. And I think the selection committee needed to have done what the Standing Orders says in case of division. Thank you

The Speaker (Hon. Oloo): Hon. Ojwang Ogendo you have not spoken. Could you then ask the mover to reply? (*Referring to another Honourable Member*) You had spoken and I think you cannot do that. Sorry I have given you direction. You will speak next time.

Hon. Ojwang Ogendo: Thank you Mr. Speaker, reading the mood of the House I will request to call the mover of the motion to reply. Thank you

The Speaker (Hon. Oloo): Leader of Majority party

Leader of Majority (Hon. Kenneth Onyango): Mr. Speaker, I have a lot of reservations about the direction in which this debate is going and Mr. Speaker sometimes it is good to put the record straight because some members are alluding to the fact that indeed I gave a notice of motion but in between, a lot of things have happened Mr. Speaker that I totally do not know if indeed what we are witnessing here is taking us anywhere. I did table a list and when I tabled it I said that's a draft that ideally I ought to have given members time first to peruse it, we build consensus on it and then we agree.

Mr. Speaker even if we were to hold this debate, Mr. Speaker just a casual look of what I am seeing here, there is a committee Mr. Speaker where a Sub County has four representatives while another Sub County does not have any representation at all; and those are the things I thought we would cure. I have also looked at some names here Mr. Speaker where committees have got fourteen members while others five. Those are the issues that I felt we need to get time as an Assembly; we discuss this soberly so that we finalize on this matter once and for all. Even if we were to assume that we go ahead like this, I believe it would just be preventive but not curative. That is why I want to plead with you that sometimes the good of the society, sometimes the good of the County is far much important than the good of an individual and that is the time that great

leaders emerge. This afternoon Mr. Speaker, I want to appeal to you to, be such a great leader because in the first place Mr. Speaker we have a draft report that was tabled by the Majority leader, today that report is not there.

There is another report that was tabled in the morning and yet there is a report that has also now been given this afternoon. Mr. Speaker, we needed time to reconcile these reports so that we cure these problems once and for all. But Mr. Speaker at the end of the day, members will have to make that critical decision; but the critical decision that we shall make will be that which does not satisfy an individual but that which satisfies the House. It will be one that satisfies the diverse interest of this House. If we do not do that then today we may go over it but I can assure you it will not be the panacea of the problems that we have had. Mr. Speaker I want to say that the direction to which we have taken may not be a very good direction. That's why I want to indulge you that even if we were to look at these reports, all of them, please let us look at all of them and reconcile them so that we move this House forward. Thank you

The Speaker (Hon. Oloo): Thank you. Honourable Members I think we have come to the end of that procedural motion. Repeatedly the Leader of Majority has asked me to give guidance to this House; to save this House from plunging into the abyss. I do not know Honourable Members what powers the Speaker has above those that are possessed by Members to determine the way forward with the matters before the House. The Speaker is a neutral and independent arbiter. He guides the debates, he allows Members to contribute, he puts the question and the Members decide. Towards that end Honourable Members, the procedural motion before us is whether we should extend the time or debate now. If you say Yes or Aye you would have said extend the time, if you say Nay or No you would have said debate now. As many as are of the opinion that the debate on the select committee of selection on the realignment of committees be postponed to a future date say aye. As many as are of the contrary opinion say nay. The nays have it. Could we proceed with the debate on the committee of selection report? And I think the first person on his feet is Hon. Guya.

Hon. Guya: Thank you Mr. Speaker for giving me the very first opportunity to debate on this. Mr. Speaker, I have three different lists and Mr. Speaker because all of them were presented before this House I want to debate on all of them if you allow me.

The Speaker (Hon. Oloo): That seems to be a line that is flowing throughout all the discussions. Could I ask Hon. Guya- he seems to represent that view; could I ask the Chair Liaison to also approach the table? Approach the table with the three lists that you have. You have said you have the three. Approach the Chair with the three.

(Loud Consultations)

The Speaker (Hon. Oloo): Hon. Judith Ogaga, approach the Chair followed by Hon. Sally Achieng Okudo. I want Hon. Jane Manuche, Hon. Roy Samo, Hon. Victor Rodgers

(Consultations)

The Speaker (Hon. Oloo): I want Hon. Erick Agolla and Hon. Caren Joyce Oguok

(Consultations)

The Speaker (Hon. Oloo): Honourable Members, I was trying to establish if the members purported to have signed the documents indeed signed them. The first document before me is a list that is unsigned and is dated...it has got no date. I am told there was a date. It is dated 6th of March 2018. It is unsigned; you can't establish to whom it belongs. The second document I have is the one supposedly committed to members in the morning and one committed to members this afternoon and signed at the end: chaired by the Honourable Erick Otieno Agolla. I have asked the members of the selection committee who signed and individually they have confirmed to have appended their signatures.

That is Hon. Judith Atieno Ogaga, Hon. Sally Achieng Okudo. Hon. Jane Juma Manuche, Hon. Roy Samo, Hon. Victor Rodgers, Hon. Maurice Otieno Ngeta, Hon. Erick Otieno Agolla and Hon. Caren Joyce Oguok. Hon. Steven Ouma Owiti did not append his signature so there was no need to ask him. Hon. Kennedy Ouma. Hon. Gard Olima and Hon. Kenneth Onyango, I did not see their signatures on the document. Consequently Honourable Members, the document that is properly before us for debate is the document and presented to you this afternoon and signed at the end chaired by Hon. Erick Otieno Agolla- to distinguish it. That will be the basic document on which we are going to debate.

Hon. Okiri: On a point of information. Thank you Mr. Speaker. This is a day that will go into the history of this great County of Kisumu Mr. Speaker. Mr. Speaker the document signed by Erick Agolla on Thursday the 21st of February and also a document signed by Erick Otieno Agolla. Mr. Speaker give direction in the proposed list of Kisumu County reconstituted various committees. I refer you to page six Mr. Speaker- on the two signed by the same Erick Otieno Agolla. Mr. Speaker, administration of law justice and constitutional affairs and governance. Mr. Speaker the list is from no. 1-15. Mr. Speaker if you come to number eight is Hon. George Olwal – put aside. Mr. Speaker on the same document signed by Erick Otieno Agolla on page six Mr. Speaker is ...

The Speaker (Hon. Oloo): Are you making your contributions substantively or you are on a point of order.

Hon. Okiri: Mr. Speaker I want to tell you that...

The Speaker (Hon. Oloo): You are out of order. You will get time to contribute. Hon. Guya proceed

Hon. Okiri: Mr. Speaker I want to rule that these things are different and signed by one person
Mr. Speaker

The Speaker (Hon. Oloo): Can we have Hon. Guya proceed

Hon. Guya: Thank you Mr. Speaker for the opportunity once more. Mr. Speaker from now I do not want any more information because I want to believe that I am properly informed.

The Speaker (Hon. Oloo): Declined

Hon. Guya: Thank you Mr. Speaker. Kindly I want to request the Members to give me time to make my points. Mr. Speaker you have ruled that we use the document that was brought before this House this afternoon. Mr. Speaker the document that has been brought to this House this afternoon has been signed by eight members and nine including the sergeant-at-arm. Mr. Speaker the committee on selection went to Nairobi on Thursday last week and Mr. Speaker Thursday on 21st January was their travelling date. Mr. Speaker on the same day that they were supposed to travel they had signed for this report at 9 a.m. and Mr. Speaker had I said I am properly informed. Allow me to put across my point.

The Speaker (Hon. Oloo): Let Hon. Guya submit

Hon. Guya: Mr. Speaker everybody else will get time to put across his or her point. Mr. Speaker the last page of the document is an attendance register signed by eight of the members including the sergeant-at-arm, the meeting was chaired by Hon. Erick Otieno Agolla. The meeting took place at 9 a.m. on Thursday. Mr. Speaker Thursday was their travelling date. Mr. Speaker if they were supposed to travel on Thursday, I am talking about what I have

The Speaker (Hon. Oloo): Okay Chair Liaison, you may proceed on a point of information. Clarify

Hon. Samo: There is something I just want to bring him to speed on what happened. On Thursday, the 21st day of 2019 at 9 a.m. the committee on selection did in the County Assembly precincts at the Committee hall. This is for a committee sitting on the same day. He should also know that the same day the

Hon. Guya: Thank you. I am informed. Thank you. Mr. Speaker, we have been told that the committee went to Nairobi to go and write the report. If this report was written here by Thursday last week then what was the need of the committee traveling to Nairobi? Mr. Speaker the committee on selection went to write the report in Nairobi and if that is not true then we need to get the facts right- what the committee went to do in Nairobi. If they went to write the report then Mr. Speaker this report should have not been ready by Thursday 21st at 9 a.m. in the committee room. If the report was written here already then it was a waste of tax payer's money for a whole committee and the defense force to walk to Nairobi. Mr. Speaker I have gone through this

document and I want all members to go through the document one by one. And Mr. Speaker at the end of it I will make my final submission. Mr. Speaker on page sixteen of the document we have the House Powers and Privileges committee

The Speaker (Hon. Oloo): Yes Hon. Agolla

Hon. Guya: Mr. Speaker In had requested that you allow me present my case then they can interrupt later Mr. Speaker.

The Speaker (Hon. Oloo): It is their right to stand on a point of order.

Hon. Guya: I had requested for that and you had allowed

The Speaker (Hon. Oloo): They have the right also so just bear with them

Hon. Agolla: On a point of order. Honourable Speaker, I want to refer the Hon. Guya who is my friend to page 20 (twenty) where you have the selection committee consensus report. He was citing the report or the signatures of the attendance of the meeting that we had on 21st at the Assembly and there is a report that we have attached at page 26. You can look at page 20 (twenty). That is what I wanted to inform you. I believe you are informed.

The Speaker (Hon. Oloo): Thank you. Hon. Guya, bear in mind that we want as many contributions as possible. I will give directions that nobody should speak for more three minutes so that you either oppose or support.

Hon. Guya: Mr. Speaker that is the reason why I request that they should stop interruptions so that I take the shortest time and present my case. Mr. Speaker if you look at Powers and Privileges committee in our Standing Orders No. 207, the committee provides for the Chairperson whom is the Speaker, the Leader of Minority, the Leader of Majority; not less than five (5) and not more than seven (7) Members.

That brings the maximum at 10 (ten) Members. Mr. Speaker, in those reports, the numbers that have been indicated is more than ten. Mr. Speaker if you move to the committee of Water and Environment and committee on Planning, I am reliably informed that even as this was done, we had Members from Nyakach Sub- County- the two committees do not have even a single representative from Nyakach Sub- County. Mr. Speaker, there is no Member in Water and in Planning. Mr. Speaker if you move to the committee on Rules, Standing Order No. 190 provides for the Speaker; the Leader of Majority; the Whips; the Speaker's Panel and not more than three other Members. Mr. Speaker what is provided for here is 15 (fifteen) Members. (Referring to another Member) No, I am properly informed. Just allow me to submit. I'll give you time my friend

The Speaker (Hon. Oloo): Let him finish, you have about a minute to conclude

Hon. Guya: Thank you, if you go the committee of PIC and PAC Standing Order no. 188 part 3 says the committee shall exist and shall consist of the Chairperson and not more than 8 (eight) other Members. That is according to our County Assembly Standing Orders. The committee on Selection is provide for 15 (fifteen) Members. Mr. Speaker if you move to the committee on Implementation Standing Order No. 191, it talks of the Chairperson; not less than eight and not more than ten Members. That brings the total to eleven.

What the committee has provided for here is 15 (fifteen) Members. Mr. Speaker if you move to the committee on Delegated Legislation Standing Order No. 192, it provides for the Chairperson, not less than 8 (eight) and not more than (10) Members. What we have here is a total of 15 (fifteen) Members. Mr. Speaker, they are so many and I do not want to read all of them. In my final submission Mr. Speaker, I wanted to say that if this is the report that Members of this House left Kisumu to go and work on in Nairobi, then I want to say that the Members who worked on this report should be ashamed of what they have done.

Mr. Speaker I want to believe that in all these things, we should always refer to Standing Orders that guide our operations. We have said that we want to follow the laws; we want to do things the right way and I have seen Members consulting loudly in this House that we need to approve this thing now. How do we approve something that is illegal in the first place? If we have to follow the law- as my friend Hon. Arao has said- then we must do things the legal way. We cannot approve a list that is inconsistent with our Standing Orders and the national laws of this country. Mr. Speaker for that reason, I want to urge the Members who worked on this report, that if this is what a whole committee can leave this place and go to work on in Nairobi, then this is below average. Thank you

The Speaker (Hon. Oloo): Thank you. Hon. Arao

Hon. Arao: Thank you Mr. Speaker for the chance to contribute on the list that is before us. First Mr. Speaker, I want to tell you that I support this list. As I support it, I am not satisfied. Even my personal interest and that of the people of Railways Ward is not well taken care of in this list. I know at the back of my mind that if my colleague is in another committee, and also, our Standing Orders allows us to join any committee that is ongoing on matters touching on the lives of the people of the County government of Kisumu without discrimination. Mr. Speaker, every Member in this House will have a chance if he wants to discharge his/her duties that touch on the lives of the people.

We cannot say that if my name is not in one committee then I object. And that's why I told you Mr. Speaker some of these Honourable Members- when the meat was in their mouth, their mouths were full. They were not saying that procedures and rules were not followed but when we want to make sure that that there is fairness and equity, then they say that the rules and procedures have not been followed. So, when they are considered...like a case to note, some of

us, and I want this to go on record. Some of us did not even have 6 (six) committees. Some of us had 23 (twenty three) committees.

That time, the law was followed; the rules and procedures were followed. If it is a replica of what happened, the person who had 23 (twenty three) committees now has 5 (five), let it be so. I know Mr. Speaker and I is not for an eye and you cannot say two wrongs don't make a right but when two wrongs favour you, it doesn't count.

When it does not favour you, it counts. Mr. Speaker even God was very fair when he created male and female gender. He made sure that as female gender enjoys, the male gender also enjoys. Mr. Speaker I want to tell you that we have to pass this list because people of the County of Kisumu are waiting upon us to discharge our duties and therefore I want to tell you Mr. Speaker whether I am in the budget or not the people are looking upon us to work. And Mr. Speaker, I want to tell you that because I am supporting this list some people have decided to earmark some Members because they feel that if their interest is not well taken care of then people are disobeying the party. I want to tell Members sometimes those in leadership have emotions, feelings and personal interests but they must not go deep into their feelings and forget about the feelings of the majority and those of Members of the House. All Members must be treated equally and fairly.

I am a bonafide ODM member and Mr. Speaker as I sit, nobody should count himself superior to others. Finally Mr. Speaker, I represent a cosmopolitan Ward and these people sat in a corner and denied me even the position of Vice Chair in the first list. Mr. Speaker whether I am in the list of budget or not, whether I am a Chair, Vice or nothing, we have to continue working and you should not tell us that if you are not in such and such a committee you are going to object. I rest my case. I support.

The Speaker (Hon. Oloo): Thank you. In the interest of gender I will allow Deputy Majority. Let us limit ourselves to about three minutes so that we are able to conclude in time.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I stand to support the list though I said some parts must be amended. One, we have committees. We have women in this House and it should always be two thirds (2/3) Gender Rule. In the committee of Public Works and Roads, I am seeing only 14 (fourteen) men and a lady. I therefore cannot allow that to go unchallenged because you cannot deny women their chances of sitting in committees. Secondly Mr. Speaker, we were amending the list of committees.

We were not amending the position of Vice Chairs and Chairs and I have noticed here that in Liaison, the Chair is Hon. Roy Samo and the Vice Chair is Hon. Victor Rodgers. Remember that Hon. Victor Rodgers has never been a Vice Chair for Liaison. Therefore that amendment should be done. Mr. Speaker, all of us are affected but we must move on. I was affected when the list was amended. I was removed from two committees and I can see I am also affected on this one,

but, all is well. There is no problem. Let us work as Kisumu County. Let us move on and let us do everything to make our County move. Thank you Mr. Speaker

The Speaker (Hon. Oloo): Thank you. I will have Hon. Okiri then Hon. Sally

Hon Okiri: Thank you Mr. Speaker. Mr. Speaker, I want to repeat that I will remain alone but I will speak what is on my mind because I know four years is about to elapse and if you are not careful pack and go. I want to oppose this list Mr. Speaker. I told you that we are looking for curative but not preventive measures. I do not know whether Members understand such terminologies. I want to say that our able governor once told us that we must be very careful when making these lists. He said for instance; if you go to the Budget please let each Sub-county be represented equally. Mr. Speaker, those were the words of Hon. Anyang' Nyong'o and I want this to be captured in the Hansard. If you see what is here today, it does not reflect what the governor said.

The second point Mr. Speaker, I wish I were you and I were holding Standing Orders and that I have got the leeway of using Standing Order No. 1, I could have ruled that this list be sent back based on the number of members in each committee as per the Standing Orders. Mr. Speaker, I do not understand why we take a lot of time.

The number of Members in each and every committee is not adding up to what is provided for in the Standing Orders Mr. Speaker. To save time Mr. Speaker, these are some technicalities to give you grounds for dismissing the list presented without us voting. The reason why I saying these things is that we never know what may come tomorrow based on what I am saying now. The third thing Mr. Speaker; a Member should also be consulted to establish where they feel aggrieved. Mr. Speaker, I was the Chair of Health Services for Kisumu County Assembly from 2013- 2017. That is 5 (five) years under chairmanship of Health. Lastly Mr. Speaker, I was not selected in this committee. I wrote a letter to your office and I told you the reasons why I wanted to be there. I have been there for 5 (five) years and I feel concerned about that committee Mr. Speaker.

Today Mr. Speaker, I was given a chance to be a member but my name is missing. You know the reasons. Mr. Speaker, above all if it is true that some committees had 23 Members, why is Paul Okiri removed from Education? Yet I had six committees. Above all, having six committees by then and people are looking for equality; people thought Paul should now have 7 (seven) or 8 (eight). Instead of seven or eight, the best thing we can rest on is four. I rest my case and may God guide this County. Lastly, the former Vice President of the Republic of Kenya Josephat Karanja said: common sense has been thrown through the window and the House now remains for political deficiencies. I rest my case.

The Speaker (Hon. Oloo): Thank you. The Hon. Leader of Majority is on his feet

Leader of Majority (Hon. Kenneth Onyango): Thank you Mr. Speaker. Mr. Speaker, I would have thought we would grasp this opportunity to restore sanity into this House. You remember when we opened the Assembly, I, the Hon. Atieno and the Senior Member did approach you and we requested that we would wish to have a difference in this Third session and we asked that the Membership of this House finds time to bond so that they can sort out issues amongst themselves

Mr. Speaker, I asked and of course I cannot authenticate this. Somebody told me that some people didn't like the idea of bonding because this Assembly must always be orderly. We must put the Assembly in disorder, I don't know for what reason. It is the basis of that order that we wanted that as we compose this list, we sanitize it as much as possible. Of course today it is a parent that we are throwing that opportunity through the window. As it obvious that what goes around comes back around. Even when at times we wilt on our overwhelm powers, at least we can halt for a moment and ask ourselves what is it that is good for our county? What is it that is good for the Assembly?

Mr. Speaker, my idea of reconstituting this committee was that those who had less committee would retain their positions in those committees and those who had more would have some taken away from them. What I have seen today is the total reshuffle of committees, where in the committee is the entire new membership. We may have our way but as the Leader of Majority I feel so perturbed that sometimes even my party Members do not see the sense to abide by what the party directs.

Nevertheless, Members have raised issues even with the way these committees have been reconstituted. Members have raised I concern about the geographical composition of these committees which is actual a requirement of the Standing Orders. The Standing Orders presupposes the religion balance and I have just seen a case study where in a committee we have four Members that comes from one sub-county and that committee has been the most contentious.

As I windup, I had a very lengthy discussions with Hon. Roy, I don't know whether it was yesterday or the day before yesterday. I would not have wished to say this but now that it has reached this level, I will say it. The Hon. Roy told me that the Speaker has enormous interest in this matter and this thing must go his way. I do not want to lie about that.

Mr. Speaker, we were standing here and that is what Hon. Roy told me and now we have confirmed that indeed you have such enormous interest in this matter.

The Speaker (Hon. Oloo): Point of order allowed.

Hon. Rodgers: Mr. Speaker, is it right for the Chair of Chairs to allege that you have so much interest in the work of the Selection Committee of this Assembly? The Leader of Majority and Hon. Samo did say that you have a lot of interest in the work of the Selection Committee. So could the two withdraw what they said?

The Speaker (Hon. Oloo): Yes Hon. Misachi.

Hon. Misachi: Mr. Speaker, what the Leader of Majority said and Hon. Samo said means that they were back biting people somewhere. It was not this House and that is why I am saying that they like to back bite one another such that they go in narrow corners to talk about others. I feel that that is very wrong and that they should not bring it in the House. Why do they discuss you while you are not there? You don't sit in the committees.

The Speaker (Hon. Oloo): Let us be sometimes a bit sincere. Be it as it is may the Leader of Majority and however enormous interest that the Speaker may have on this issue, he is allowed to have interest as the Speaker as much as every Member is allowed. It is quite unfortunate for the Speaker that however big his interest is, he still must submit to the decision of the Members.

I will take it in jest and if the Honourable Members demand that we substantiate then we will do so, but I still think that that should not worry anybody that the Speaker's interest is secondary to the decision of Hon. Members. The Speaker has no vote so do not be worried about that. Proceed and conclude the Leader of Majority.

The Leader of Majority (Hon. Kenneth Onyango): Mr. Speaker, I still want to agree that all is not lost and of course ultimately the decision will be made by the Hon. Members of this House. But I want to tell you that now we may want to make rushing decisions because it is good for today.

I would have wished that the reconstitution of these committees, we would have used it to reunite this Assembly because as much as I am concerned this is a more contentious issue. For example when you look at the committee on Budget and Appropriation, you will see that it is like it has been freshly reconstituted.

The Speaker (Hon. Oloo): Hon. Majority, who is the Chairperson of this committee?

The Leader of Majority (Hon. Kenneth Onyango): Mr. Speaker I have said so many times...

The Speaker (Hon. Oloo): Did you attend these committee meetings?

The Leader of Majority (Hon. Kenneth Onyango): Night meetings have been going on and I have not been invited in these meetings.

(Laughter)

The Leader of Majority (Hon. Kenneth Onyango): So I have not been invited in those meetings Mr. Speaker.

The Speaker (Hon. Oloo): Yes Hon. Arao.

Hon. Arao: Mr. Speaker Hon. Misachi said that we like back biting and secondly you allowed our Standing Order No. 89 not to be implemented by the words of the Leader of Majority. Mr. Speaker if you don't ask the Leader of Majority to stop hearsay and rumors, then he is going to mislead this House. Any Member who brings any information be it against another Member of this House should bring it fourth as per Standing Order No. 89.

The Speaker (Hon. Oloo): Thank you. Hon. Member, I am reminded that you have taken around 15 minutes and you were given 3 minutes. I will allow Hon. Ogutu to speak and kindly limit yourself to 3 minutes.

Hon. Ogutu: Thank you Mr. Speaker. For giving me this opportunity to at least add my voice to this important motion. I will go straight to page ten I think on implementation. As we are all aware we know that county assemblies and national parliament are being run by norms and traditions. I stand to support this list but at the same time I have to point out where I feel we as the minority we are infringed. Implementation in county assembly or parliament ordinarily will be chaired by opposition. In this Assembly of Kisumu, the independent candidates and the Ford Kenya members are perceived to be the opposition on this house. I was going through that particular committee on Implementation and I saw that the opposition has been seriously discriminated. I believe it is a point that has to be taken home and there is another day. Mr. Speaker, I moved on to PIC/PAC...

The Speaker (Hon. Oloo): Point of order allowed

Hon. Agola: I want to inform the Hon. Ogutu who is on the floor that he is trying to mislead this house. According to what h has just stated that Hon. Ojuok and Hon. Pete who are now in this committee. So if at all there are 4 members and two are in this committee, why is he misleading the house.

The Speaker (Hon. Oloo): Can we allow Hon. Ogutu to finish.

Hon. Ogutu: You are eating into my time, Mr. Speaker you will add me some time because I want to debate this issue. As I have just said. What he has said is true, as I just talked about the norms and traditions. There are some committees which should be left for the opposition. In fact we should have the chairman and supplemented with other people to be in that committee. But as I have just said, there will be another day. Let me move on to PIC/PAC which is also supposed to be a committee for the opposition from the chairman to the last person. Mr. Speaker this was not considered but as I said we will have another day. On House and Business Committee, I am happy on how the committee has worked. In fact it is the first time where I can say they worked according to the Standing Order 54 it states clearly how the House and Business Committee is to be constituted and I happy about that. With those few remarks, I rest my case.

The Speaker (Hon. Oloo): Hon. Steven Owiti then we will have Hon Karen Muga. Since I had allocated Hon Sally some time, she will go after Hon. Owiti.

Hon. Owiti: Thank you Mr. Speaker I rise to oppose this list. The reason why there was a realignment of the committees is because we had some Members who were having more committees than others. In that same spirit I had hoped that we would be able to align ourselves with the objective of alignment Mr. Speaker. I think when we were elected to this House the Members were given an opportunity to propose the committees where they would find themselves better. I was a member of 4 and 2 other mandatory committees where I was a member by virtue of the position I was holding.

As I look at the list today, I have been given 4 new committees and the initial ones where I was I have been removed. I find myself in Committees of Culture, Youth and Children Services, Tourism World life and Heritage and committee on General oversight where it consists of every Hon. Member in this House. There is also the Selection committee which seats once in a while and Procedure and Rules chaired by the Speaker. Of all these committees, the only one I had requested to be part of is Procedure and Rules. Previously, I was a member of the Budget committee, Finance, PIC/PAC but I have been removed in all.

I believe it is not in good spirit as I believe that every member is given an opportunity to serve in a committee that they have the required skills and experience where they can add value. As I look at what has been done here. I believe it is with the intention to punish members who are perceived not

to toe the line. Mr. Speaker I will humbly serve in these committees but they will not stop me from saying what is wrong.

What is wrong is wrong and it does not matter whether I have been removed from the committees that I would have served better. I will also say that the document we are discussing today was not procedurally tabled. Even though you ruled as you sit there, whether your conscience is clean or not, and you know the document that was tabled yesterday and the document that we are discussing today are two different documents. But because it has been au castrated so well to serve the purpose they were supposed to serve we will say time will tell.

The Speaker (Hon. Oloo): Thank you. I will allow Hon. Sally Okudo.

Hon. Okudo. Thank you Mr. Speaker, in as much as not all fairness was put into consideration into this I feel that the Selection Committee did a fair job in placing members in the various committees that they have been placed. I would also like to say that, and this is to the Members who seat in the House, whether or not you seat in a specific committee you are still able to give your opinion in any of those committees that you wish to give.

I wish to support this document but I will also request that it be amended in terms of equity and I do understand that we cannot have everyone happy or pleased with the outcome of the document, but I do wish that some amendments be made in terms of regional balance for all members in the various sub counties. I do support and commend the Members of the Selection Committee who did the document. Thank you.

The Speaker (Hon. Oloo): Hon. Beatrice Pamela.

Hon. Beatrice Pamela: I stand here a little bit perturbed because we call ourselves a House of rules, laws and procedures. We are the law makers, but am surprised that we are sitting here debating on illegalities and pushing for the same to pass yet at the same time we are making laws for this county and expect the citizens of Kisumu to adhere to those laws. Mr. Speaker as a lawyer am sure you know that as you present a document to the court, any lawyer would want to present an airtight case not a case that can be punched a thousand holes in. even for our level so many holes have been punched in this document and I am surprised that we have the audacity to pass this document today without amending it today.

What do we have to lose? Can't we seal the loopholes so we can pass a document that even when we have left this assembly others can come back and refer to? I believe that this is what happens in court. Whenever a ruling is made when another case like that appears before another court it is always refereed to another case that in such a day, case and court, a judgment was made. Can we, as we sit here, can we consciously believe that this document can be used for another House to do a realignment. Aside from that, I feel that it is a sad day that Hon. Members, we can lower ourselves so low to settle scores.

When the idea of realigning came, I believe the Selection Committee wants to place the Members in Committees once in a lifetime of the Assembly which the lifespan of a Committee and its leaders is three years. The idea to realign Committees came up on the basis that there was no equity in them. It is a sad day that today we are in this House talking about realignment of Committees while nothing has changed. It is the case of same monkeys' different forest. We have a case where some have so many Committees while others have been given very little. I have gone through the list. There are Members who have been placed in three Committees, what is their crime, what did they do, why should they be placed in three committees while others have been placed in 20. My time is very short Mr. Speaker please protect me so that I can complete...

The Speaker (Hon. Oloo): Hon Member I am reminded your time is up but I will give you a few seconds to conclude.

Hon Olwal: Thank you Mr. Speaker, I just want to inform Hon Beatrice Pamela that I have gone through the list and to the best of my knowledge, every Member has between 6 to 10 committee placements. I would also to inform her that committee reports could always be passed with amendments. We need not to send the report back. She could always bring her proposal of amendments for consideration in this house. Thank you.

The Speaker (Hon. Oloo): Thank you, Hon Beatrice, could you try and conclude.

Hon Beatrice Pamela: Mr. Speaker, I would like to inform Hon Olwal that it is not true that the minimum anyone has is 7. Personally I have three committees plus 2 mandatory which makes it 5. That notwithstanding Mr. Speaker, I still feel that it is true that we can amend and I propose that we amend some of these things so we can solve this issue once and for all because it is not a matter of

how many committees one has but rather how one can perform. Other than that, once we pass this document, it will no longer be a list. It is already going on in the Hansard, it will then be archived for future reference. So we can proudly say that what we are doing will lead for prosperity? I stand to call for an amendment.

The Speaker (Hon. Oloo): Thank you, I am trying to look for those who may have stood. Hon. Pete has stood quite repeatedly after which I will give a chance to Hon. Ooko. We hope everybody will get a chance.

Hon Pete: Thank you Mr. Speaker. As other Members have indicated, the idea was to bring fairness in the realignment of the committees. It was not meant to distort the committees as it has been done here. There is a statement you made in the morning and that's where my problem is. In the statement, you said you will not listen to the parties; you will listen to what the Members of the committee are saying. Generally, what I have been reading in the papers and what I know in parliamentary practices, in the constitution of committees, the Majority Leader takes the lead. Then it will be in consultation with the party. From your statement, you have no room for that. And that's why things are happening as they are.

People who had less number of committees were supposed to be added. The only organization of a committee was not agreed upon in this house. If this has happened, it means there were vested interests and that is why I say that people had been schooled to carry the day. That does not help us as Hon Members and therefore we must say the truth that let the majority take charge of this. Three documents have been presented in this house, there is no way you can cheat us that you are calling the Members there for clarification to enable you make a judgment.

Since there is a mess, throw away the three documents, tell the Selection Committee to go back to the drawing board and bring a watertight document. That is when you will be a good arbitrator. So that I don't take long, it has been certified, I have been removed out of the major Committees in this list; Committee on Administration of Law, Justice, Constitutional Affairs and Governance and PIC/PAC, which traditionally belongs to the opposition, has been chopped off. Was this by coincidence? When you look at the list that was presented in the morning, my name is there, the list brought in the afternoon; my name is not there which triggered this. The best that you can do is to suspend this, give the majority leader the work to go and do with this committee. Under Standing

Order no. 100, that you are fond of quoting, is not in line with parliamentary practices Hon. Speaker.

The Speaker (Hon. Oloo): Thank you. I think I had asked Hon. Ooko to get the chance then we will go to Hon. Muga

Hon. Ooko: Thank you Mr. Speaker, I rise to support this report whether it is fair or not. I also went through the document prepared by the Majority leader and in that report and found myself removed in three committees. But when I come to this report, I find myself in the three committees, so which one should I support? I will support this document! Mr. Speaker I want to say that leadership in this assembly has been taken over by the Members because the Majority Leader should be the symbol of unity in this Assembly and should be consulting with the party and not reporting Members to the party. If you are the Majority Leader and you are becoming a crying baby, pointing fingers at Hon. Samo who is the chair of chairs should take leadership. Mr. Speaker I want to tell the Hon Majority Leader to be very careful with the mood of the house.

If Members can bring down his report, then he should cease to be the Majority Leader of this house. It means that any other report he brings to the House will be stunned by the Members since the Members have the numbers to do so. So wake up from where you are sleeping. Thank you, Mr. Speaker.

The Speaker (Hon. Oloo): Thank you. Hon. Muga, then we will go Hon. Genga.

Hon. Muga: Thank you Mr. Speaker. I am here to oppose this report. If you go to page 13(m), and to page 14(o), it is true that the positions are not divided equally; because we have 7 sub counties which are represented in this house. By the time we are making or thinking of having committees, we must make sure that all the sub counties are well represented so we don't have wrangles in the house. It is true because you are seated and hearing us well.

I know you can't see but are hearing us well you have heard a lot of comments that are not favoring us to support this document. I therefore humbly request you to look on where we have brought this crisis. I know very well that people may cry on committees but I don't cry myself. I know you have taken most of them from me but I will never cry, I will just laugh because I know my time of laughter is coming. I want to tell you Mr. Speaker Sir and the House that I request even with your

powers you may be able to pass it but I request you to look forward on how everybody in this Assembly can be treated fairly so that we don't have wrangles and don't become bitter since a hungry person will always become bitter.

I think I discussed this with you in the morning. I want to request this because we come from different parts of this County but what brought us here is to do legislation among other things. I want to kindly request to let us have that peace we had before we came to this House and we may continue with that. We may assume things to be small but they are not because it is when someone sits in the committee that the salary will be boosted. You may think that when you are frustrating others things will be okay. Fine, they may be okay but God who created these people may not be happy. Thank you.

The Speaker (Hon. Oloo): Yes Hon. Ngeta you seem to be worried about something.

Hon. Ngeta: Thank you Mr. Speaker. We need to watch our words in this Hon. House Mr. Speaker. We are not discussing you Mr. Speaker, we are discussing the list that was brought by the Committee on Selection. We are not discussing individuals. I will request my sister who I love so much that the next time we are discussing an issue like this to please concentrate on the same. Thank you Mr. Speaker.

The Speaker (Hon. Oloo): Maybe just a reminder that the Speaker does not even sit on that committee. Just take it to Hon. Genga then I want us to do at least two then we conclude on this matter. Quite a number of us have contributed. Let Hon. Genga speak then we will allow Hon. Okumu then allow Hon. Misachi, Hon. Omoro and Hon. Judy. The rest will bear with us I think I have heard your voices on the same. Let us go in that order.

Hon Genga: Thank you Mr. Speaker for finally giving me the chance. I want to say that there is a report on the table of the house which I have my reservations on but as much as that is the case, I will stand here and say that I support the report but want it to have very strong amendments. Mr. Speaker what we should ask is that we are in a parliamentary democracy and our allegiances and alliances are bound to change.

That is not a question. But before us Mr. Speaker is a clear sign that we are indeed on a trajectory. I want anybody conscience enough that when a report comes before us, we should not exhibit the

spirit of cannibalism where if it favors you, then it is okay, and where it doesn't favor you, it is not okay.

Mr. Speaker, the other reservation I have if I could kindly take you to page 16, I don't know whether the two Members are both no. 9, I don't know if the report was trying to please Hon. Okudo or Hon. Ooko because I can see no. 9 has two Hon. Members. So Mr. Speaker whoever chaired the meeting on selection committee can also tell us. Maybe it was a way of pleasing Hon. Ken Ooko now that his allegiance has shifted to the right. Mr. Speaker maybe you have taken note of that.

There are two things you ought to give guidance on. Page 16. No. 9 has both Hon Members Hon. Ooko and Hon. Okudo. By coincidence they are both seated next to each other and thinking alike.

The Speaker (Hon. Oloo): Yes point of information noted.

Hon. Genga: Mr. Speaker because of time I would like you to protect me please.

Hon. Ooko: Mr. Speaker, the Hon. Member for Muhoroni does not need to be protected. He cannot say that I have shifted my allegiance. I want to say that I have spoken my mind on these two reports and I have said that I am supporting this report based on its fairness.

The Speaker (Hon. Oloo): Thank you, Hon. Ooko.

Hon. Genga: I want to say that you did confirm before this house that the Majority Leader's list indeed didn't favor you and the list presented by under the chairmanship of Hon. Samo favored you by three more committees and I think that's shifting allegiance and I stand corrected. Mr. Speaker as I said we are on a trajectory and I want to say in parliamentary democracies, such cases are bound to happen and I want to believe that the committee did what was right to address the inequities.

I can confidently say that I have never been a beneficiary of inequity and I just have 6 committees. I think 2 have been taken away so I have 4 and I think I will be able to serve in those committees. I want to say Mr. Speaker that I am very happy because as you sit on the apex, you have preceded over the reconstitution and realignment of committees and this time round you are also sitting at the apex with both side of the divide each trying to urge their case and looking up to you. I want to say

without fear or contradiction that let the report address the primary aim, let the reconstitution address the inequities that are there.

But a case where any Hon. Member celebrates that now he has 10 committees and it is okay whereas other Members are saying that they have 4 committees then I don't know which side of the trajectory we are on in this House. As I finish, I want to say that it is good and indeed very okay that you will always sit at the apex. Members will say all they want to say but let the committees not determine the political ideologies that every single Member stand for. I want to say that as you sit there, I hope that time will come that you will be seated there and the same dice will be rolled over on the other side of the coin. Thank you.

The Speaker (Hon. Oloo): Before we move as I directed, thank you Hon. Genga, you have brought to my attention the presence of the House Business committee page 16 and by extension I have also seen the on appointment on page 17. As the custodian of the law in the Assembly, I am taking into consideration the provision of standing order no. 155 (2) which provides that the committee of Selection shall nominate Members to serve in committees safe for the Membership of the County Assembly House Business committee and committee on Appointments. I direct that the 2 committees that is House Business committee and committee on Appointments as appearing on page 16 and 17 respectively be expunged from the report. Yes Hon. Okumu.

Hon. Okumu: Thank you Mr. Speaker for realizing that in time. As we discuss this list it is sad as the Kisumu County residents that these are the people who are here to make decisions on their behalf. I want to say with confident that we have Hon. Members that are so undecided. This is the third time that we are doing realignment in this Assembly since we started and the law is very clear that once you are chosen to work in a committee it should take 3 years.

The Speaker (Hon. Oloo): Which law is that?

Hon. Okumu: I am going to read for you in our standing orders as I finish. That is why I am saying that we are before a House that is doing realignment 3 times in less than 2 years. Every time we do realignment you see there are several changes of people going to different committees and every time you go to a different committee you will need an induction to go to that committee. Right now we are doing another realignment, removing me from Education committee, Culture...

The Speaker (Hon. Oloo): Yes the Leader of Minority. You are on a point of information?

The Leader of Minority (Hon. Ojuok): Mr. Speaker I want to say that laws are made for human being and not human beings for laws. I want to say that we did the entire Kenyan Constitution. We are on the road talking about realigning it and we all agree that it should be realigned because laws are made for human being and not human beings for laws.

The Speaker (Hon. Oloo): Thank you. Hon. Okumu, you have 1 minute to go.

Hon. Okumu: I was saying and I will still repeat, we make laws for ourselves. This goes and it is common sense that in 1 and a half years we are having 3 realignments and every time we have to do induction so I don't know when this Assembly will deliver to its people. I was in Education committee and Culture and I have been removed from those committees after induction and it was a cost under tax payers' money.

I have been taken to a new committee on Implementation in new induction Mr. Speaker. When will we deliver if we are going to be inducted every time? Mr. Speaker, I t is very clear that this Assembly is no longer controlled by our party ODM. It is so sad that we have the County youth Chairperson in this House and he is seeing all these happenings. It is clear in standing orders no. 157 that when a party nominates me into a committee...

The Speaker (Hon. Oloo): Yes point of order.

Hon. Ogendo: I would wish to inform Hon. Okumu that matters of party are to be conducted by the Leader of Majority and not the Youth Leader of the Party in the County.

The Speaker (Hon. Oloo): Thank you. Conclude Hon. Okumu.

Hon. Okumu: Mr. Speaker with that mood, I will just rest my case. I know you don't want my submission to go beyond that. I think that what I have given out is clear and will be remembered and these Hon. Members will go home knowing that there is nothing that they are going to do in this House if all that they can do is realignment. Thank you.

The Speaker (Hon. Oloo): There is a way that I had schedule and I don't know who was talking before the other between Hon. Omoro and Hon. Misachi. Yes Hon. Misachi.

Hon. Misachi: Thank you Mr. Speaker. Procedures and rules in this House were violated. We are trying to come back and own this House as elected Members to sit and deliberate in this House. Mr. Speaker, the day that you were being sworn in and that consequent meeting of placing people into the committees, a list was read which I objected and it went through. I want to say that a party can nominate you into a committee and give a notice in writing that you have withdrawn. I even went to court under Standing Orders No. 159 and it never bore fruit. When it is raining in my House, I am jumping and when there is drought, I go under the tables. We should stand and let the rain fall on us. Thank you.

The Speaker (Hon. Oloo): Yes Hon. Omoro.

Hon. Omoro: Mr. Speaker I want to recommend the Selection committee Members for a wonderful job done of coming up with this list. Mr. Speaker, from this I am very sure that Members are very eager that when this list is adopted they will start working on their mandate without wasting time as far as legislation and representation in various committees is concerned. However, Mr. Speaker, I have just noted some few typing errors in this report which I think that the committee can...

The Speaker (Hon. Oloo): Hon. Olwal, you are out of order.

Hon. Omoro: I have just noted some few typing errors on page 14, committee of Public Works; we have the name of Hon. Guya appearing twice. I believe that the committee is taking care of that and can be corrected as soon as possible. The other one is on page 16; I have been privileged to serve in the committee of Water and Environment since the beginning of this Assembly. I thought that I would be in that committee again but Mr. Speaker when it comes to the names No. 13 is Hon. Caleb Obonyo. Mr. Speaker even in my descendants, I don't remember my great grandfather being called Obonyo. I think that this is a mistake which can be corrected and it should read as Hon. Caleb Omoro. Otherwise I support this report. Thank you.

The Speaker (Hon. Oloo): Thank you. Since there is no any other Caleb in this House I direct that it be corrected to read as Hon. Caleb Omoro. Hon. Miruka, I will give you one minute then Hon. Ogaga to conclude.

Hon. Miruka: Thank you Mr. Speaker for recognizing me. I don't want to appreciate the Chairperson of Selection committee but I would like to raise my observations very seriously. First, I

want to refer you to Page 13 and Page 15. If you look at the committee on Planning and Industrialization; I am talking on behalf of my sub-County which is Nyakach. Nobody from Nyakach is represented there and during the previous reconstitution we had two people represented there. In page 15, there is another committee that I think we are so much aligned to as a community of Nyakach that is committee on Water and Environment; there is no representation from Nyakach. So if you will be doing the amendment, kindly consider Nyakach and let them be represented in those 2 committees. Thank you.

The Speaker (Hon. Oloo): Yes Hon. Ogaga.

Hon. Ogaga: Thank you Mr. Speaker, I would like to call upon the mover to reply.

The Speaker (Hon. Oloo): Yes the Leader of Majority.

The Leader of Majority (Hon. Kenneth Onyango): Mr. Speaker, I think I have said all that I would have said today. I will not stand on the path of what the majority of Members in this House want even if in my opinion it is not a well-considered decision. Members have pointed to errors in this list. Members have said that there are some committees that have more names that is permitted by the Standing Orders. Members have raised issues on regional balances on committees. Mr. Speaker, I would have pleaded that even as the mode of the House as I see wants to adopt this list; could you give guidance so that the committee those errors for this list not to be adopted with errors. I would have wished that the concerns that have been raised like the one for regional balance would be taken for considerations.

Otherwise, my reservation notwithstanding, I think that I would not want to be in a position where I disagree with the majority of Members. My thinking would have been that you would have grabbed this opportunity to make it better than it is today. Of course, sometimes we must understand and I understand the situation that we are in at the moment. Thank you.

The Speaker (Hon. Oloo): Thank you Hon. Members for such a robust debate that is quite intensive and such a wonderful critic of ourselves. I would like to put the question that the Report from the Committee of Selection on the Re-alignment and all Reconstitution of House Committees as amended be passed.

(Question put and agreed to)

The Speaker (Hon. Oloo): Next order!

MOTION

KAJULU WASTE DISPOSAL SITE (BY HON. ROY SAMO, MCA, KAJULU WARD)

Hon. Samo: Mr. Speaker, I stand on Standing order no. 49 that due to the mood of the House to implore you to allow me to bring this motion tomorrow in the afternoon.

The Speaker (Hon. Oloo): What is the time now?

Hon. Samo: Mr. Speaker, it is already 6.00 p.m.

The Speaker (Hon. Oloo): Hon. Samo may you approach the Chair.

(The Liaison Chairperson consulting with the Speaker)

Hon. Samo: Mr. Speaker, I just want you to allow me to table this motion tomorrow in the afternoon and I seek the indulgence of Hon. Khan to second.

Hon. Khan: Thank you Mr. Speaker, I rise to second this motion so that it can be brought before the House tomorrow in the afternoon.

The Speaker (Hon. Oloo): Thank you, I do direct that the motion that was to be moved by Hon. Samo be placed in the order paper for tomorrow afternoon.

Next order!

ADJOURNMENT

The Speaker (Hon. Oloo): The House consequently stands adjourned to tomorrow Thursday 28th February 2019 at 2.30 p.m.

(House rose at 5.30 p.m.)