

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – SECOND SESSION

Wednesday, 05th September, 2018

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

(The Temporary Speaker (Hon. Eric Agolla) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Agolla): Good afternoon Hon. Members?

Hon. Members: Good afternoon Mr. Speaker.

The Temporary Speaker (Hon. Agolla): Welcomed to this afternoon session of the County Assembly of Kisumu. Can the Clerk please take us through the Order Paper of the day?

PAPERS

The Temporary Speaker (Hon. Agolla) :Hon. Leader of Majority, the floor is yours.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Please allow me to say this in a gist, I think our Assembly can do better on the exchange between the Clerk and the Speaker, it is really embarrassing. That notwithstanding, I would wish that this day Wednesday, 05th September, 2018 we laid the following Bills as Papers;

1. 1st Reading of the Kisumu County Trade Funds (Amendment) Bill, 2018;
2. 1st Reading of the Kisumu County Enterprise Funds Bill, 2018;
3. 1st Reading of the Lake Region Economic Block Bill, 2018 and;

Thank you.

The Temporary Speaker (Hon. Agolla): Fair enough, next order!

STATEMENTS

The Temporary Speaker (Hon. Agolla): Hon. Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. We are all aware that today we have tabled before this House seven Bills that have gone through the 1st Reading. I want to inform the Hon. Members of this House that, we have received communication from the Executive intending to bring forth four more Bills. Mr. Speaker, this means that our in-tray will be quite full and we need to roll up our sleeves in readiness for serious business, thank you.

The Temporary Speaker (Hon. Agolla): Hon. Member for Market/Milimani.

Hon. Kanga: Thank you Mr. Speaker. I am rising while citing Standing Orders No. 42 (2) (a). Mr. Speaker, the matter I am raising is a matter of topical concern. I see the Clerk of this Hon. House sitting in the Public Gallery where it is the preserve of the invited guests in this Hon. House....

The Temporary Speaker (Hon. Agolla): Hon. Member for Market/Milimani. I was keen looking for the Standing Orders that you are referring to 42 (a), (b) . I am afraid you are out of order.

Hon. Kanga: I have not quoted (b). It is 41 (2) (a). *a member may make a statement on a county issue or on an of general topical concern.* My general topic of concern is that the public gallery is a preserve for the invited guest of your office. The Clerk should be at the table whenever she is in the chambers. For your information, since the Clerk assumed the Office I have been a religious attendee of the sittings, I have never seen the her at the table where she is supposed to sit even when convened our first sittings after the long recess. I don't know why she is sitting at the public gallery while she has the privilege to sit in the chambers while guiding the House on matters of procedures and laws of this House.

As you are aware we are discharging serious business as delegated to us y the Constitution under Article 185. The same article clearly states that the legislative authority is vested in this Assembly.

The County Government Act clearly states that the Clerk of the County assembly is the one to guide this House in matters pertaining to procedure and rules. The same is clearly stated in our Standing Orders. I therefore call upon you to guide this House. Thank you.

Temporary Speaker (Hon. Erick Agola): Very well. Hon. Kanga you stood on general statements and there should be no more debates on the same. Your concerns have been noted by the Chair. On my left side in the gallery is also preserved for technical staff. Even the House Orderlies, all the three seats before me are for the Clerk are all occupied. Meaning there is no vacuum.

The Hon. Chair with all due respects, I will not allow any point of Orders during Statement Hours, because you had made your statements and captured in the Hansard. Hon. Member, I am giving this chance to a Member who has any statement to be sought.

The Temporary Speaker (Hon. Agolla): Hon. Beatrice Pamela you have the floor!

Hon. Beatrice Pamela: Thank you Mr. Speaker. Yesterday you gave a ruling that the Chair of Co-operative, Trade, Finance and Enterprise Committee bring to the House reports concerning the Quarterly Reports that was supposed to happen in the morning, now that he is here can he furnish the House on the Quarterly Reports, thank you.

The Temporary Speaker (Hon. Agolla): Very well, before I go to the Member for East Seme, the Hon. Chair, Finance the floor is yours to respond on statement sought yesterday and the other day which you were to respond to in the morning.

Hon. Genga: Thank you Mr. Speaker. I would like to state that the Hon. Member is in order to request for the said report which she has done religiously time and again. Mr. Speaker, I want to assure the House that as you all know that we were out and we had been given a deadline of 21 days to submit the report and I have consulted with my Committee Clerk, I will be giving a Status Reports including that of Quarterly Reports within the next one week. Much obliged.

Hon. Okumu: Thank you Mr. Speaker, even though Seme needs Water so much, personally I believe that our Assembly need this commodity badly. Mr. Speaker, I want to remind you that in your prayers and any time we come here we take this House seriously and you really emphasize on that every time you make your ruling. Mr. Speaker, I want to remind you that even though in our Standing Orders No. 28 which stipulates when we are supposed to commence the House, on this Order that I have referred to if Members can find it on Hours of meetings which states that;

Hours of meeting

28(1) Unless the Speaker, for the convenience of the County Assembly otherwise directs, the County Assembly shall meet at 9.00 a.m. on Wednesday and at 2.30 p.m. on Tuesday, Wednesday, and Thursday, but more than one sitting may be directed during the same day.

Mr. Speaker, I want to remind you that today we started late and it is not for the first time. The stipulated hour of 30 minutes lets say on average for one week, we shall have lost a good amount of time that is good for us to discuss a motion or deliberate on a Bill. Mr. Speaker, I want to remind you and the whole House that, as you always say that we take this House seriously, this should be witnessed on the time and hours that we commence our sittings and if the Standing Orders stipulates 02:30 p.m. unless otherwise in your convenience, it should be communicated earlier, we should commence sitting at 02:30 p.m.

Mr. Speaker, secondly, you observe me as I try to write on top of this table as I seat on my chair so that you can see uncomfortable it is to write on this. This compels me to write on this table while standing and by procedure I am not supposed to stand unless I am given the opportunity to talk by your Chair Mr. Speaker. Mr. Speaker, these tables were brought here because we were promised that they were to come with microphones and I am yet to find the microphone on my table. Something happened in this House today that is embarrassing and shameful that you were talking on a microphone and it was picked again and passed on to the Table Clerks and later brought back to the Speaker and brought back to Members. I am referring to you how serious we need to take this House if we are to get anything meaningful out of this House.

If these tables were brought for the microphones to be brought then things would have been easy in this House so that this idea of waiting for the microphone to come from the far end to where I am on this end, the time wasted along the way, if you accumulate it with the time wasted that will be enough to deliberate either on a Bill or a Motion. Those are my statements as I remind you that Seme needs water. Thank you.

The Temporary Speaker (Hon. Agola): Thank you very much for being precise. Yes, Hon Guya.

Hon Guya: Mr. Speaker, on the 15th of August I had sought for a statement under Standing Order no. 200 that was referred to the General oversight Committee on issue of revenue in this County. The Vice Chairperson of Oversight committee is here. And the time lapse has expired since you directed. Thank you.

The Temporary Speaker (Hon. Agola): Hon. Genga you have the floor to respond.

Hon. Genga: Thank you Mr. Speaker...

The Temporary Speaker (Hon. Agola): On what issue do you want to inform the House, Hon. Beatrice Pamela.

Hon. Beatrice Pamela: I want to inform the House that Hon Julius Genga is not the Chairperson or Vice Chairperson of Oversight Committee.

The Temporary Speaker (Hon. Agola): What do you want to inform the House on, Hon. Genga?

Hon. Genga: I think that it is in order for me to answer the same because the issue that is at hand was referred to my committee and is part of the status report. If you go back to the Hansard, the report on revenue collection was referred to my committee. Let us be serious with the proceedings of this House so that we are keen with everything that we say in this House.

The Temporary Speaker (Hon. Agola): Yes Hon. Guya.

Hon Guya: My statement was and is very specific. The statement was on standing order no. 200 and you directed that the statement be referred the committee on General Oversight. The Vice Chair of that committee is in this House.

The Temporary Speaker (Hon. Agola): Hon. Members referring to standing order no. 1, I want to refer that matter to next week Tuesday afternoon. The Chair will do some research to get the truth from this so that I can give proper ruling.

Next order!

MOTION

1ST READING OF THE KISUMU COUNTY TRADE FUND (AMENDMENT) BILL, 2018

The Temporary Speaker (Hon. Agola): Under our standing order no. 121 which states that;

‘A Bill is read by the Clerk of the County Assembly by reading the title of the Bill.’

And standing order no. 122 which states that;

‘Every Bill shall be read a First Time without Motion made or question put.’

I hereby commit this Bill to the committee on Budget and Appropriation.

Next order!

MOTION

1ST READING OF THE KISUMU COUNTY ENTERPRISE FUND BILL, 2018

The Temporary Speaker (Hon. Agola): Under our standing order no. 121 which states that;

‘A Bill is read by the Clerk of the County Assembly by reading the title of the Bill.’

And standing order no. 122 which states that;

‘Every Bill shall be read a First Time without Motion made or question put.’

I hereby commit this Bill to the committee on Cooperative, Finance, Trade and Enterprise Development.

Next order!

MOTION

1ST READING OF THE LAKE REGIONAL ECONOMIC BLOCK BILL, 2018

The Temporary Speaker (Hon. Agola): Very well, Hon. Members, under Standing Order No. 121, a bill is read by the Clerk of the County Assembly on the title of the bill which has been done properly. In our Standing Order No. 122, every bill shall be read first time without question being put, I therefore commit this bill in the Committee of Budget and Appropriation.

ADJOURNMENT

There being no other business to transact, the house stands adjourned to tomorrow 2.30 p.m

(The house rose at 3.01 p.m)