

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 09:00 a.m.

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

PRAYERS

The Temporary Speaker (Hon. Agolla): Order Hon. Members.!! Welcome to this morning session. The clerk to 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. I would wish that on this day the Wednesday, 05th September, 2018, I lay the following Bills as Papers;

1. 1st Reading of the Kisumu County Attorney Office Bill, 2018;
2. 1st Reading of the Kisumu County Economic and Social Council Bill, 2018;
3. 1st Reading of the Kisumu County Administration (Village Units) Bill, 2018 and;
4. 1st Reading of the Kisumu County Emergency Funds Bill, 2018.

Thank you.

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

STATEMENTS

The Temporary Speaker (Hon. Agolla): Hon. Carren Muga.

Hon. Muga: Thank you Mr. Speaker. I have a Personal Statement to make. I believe as a Hon. Member that we are all allowed to bring any motion in the House so that it can be debated on. Mr. Speaker, it is very unfortunate when yesterday I gave a Notice of Motion before the House, it became a weapon against me. I want to alert all the members of this House that, we are all allowed to bring any motion before this Hon. House, but, if anyone wants to threaten me on a Notice of Motion that I brought before the House, I want to tell him/her that they need to take care before issuing threats, thank you.

The Temporary Speaker (Hon. Erick Agola): What is it Hon. Samo?

Hon. Samo: Thank you Mr. Speaker. I am getting a lot of information that certain motions are appearing in the House that we have not approved in the House Business Committee. With your permission you can allow members to deliberate on this because you remember the pertinent issues that were raised by the Majority Leader. Let us sit down and have some talks after the plenary. Thank you.

The Temporary Speaker (Hon. Erick Agola): Very well. I want to comment on what the Chair of Liaison has said. It's a common practice in both the National Houses and the Commonwealth Parliaments that the only person that is allowed to call the informal meeting is the Speaker.

I want to request you to seek permission from the Speaker formally then we can meet. That is very in order. I did direct that committees should work and report to the House. We cannot do anything at this level. Kindly seek authority from the Speaker.

What is it Hon. Guya?

Hon. Guya: Thank you Mr. Speaker. Liaison Chair is like the Deputy Speaker. I want to believe the Speaker is aware of this. May be he consulted with the Speaker. Thank you.

Temporary Speaker (Hon. Erick Agola): Very well. I had ruled on the same. There are clear procedures of doing things in the House. Let me hear from the Majority Leader.

Majority Leader (Hon. Kenneth Onyango): Thank you Chair. I really understand the concerns of the Members especially as far as committee meetings are concerned. They are quiet legitimate. Our system relies on the committees to operate. However the House Business Committee bench should get communication from different chairs as to when each committee should have a meeting. As a member of the House Business Committee...

The Temporary Speaker (Hon. Erick Agola): What is it Hon. Okiri?

Hon. Okiri: Thank you Mr. Speaker. I am rising on Standing Order No. 42. We are still on personal statement. I don't know which Standing Order the Majority Leader is on.

The Temporary Speaker (Hon. Agolla): Hon. Okiri you are right, because under Order No. 41 (2) statements should not be debated on and I believe that the Hon. Leader of Majority was only informing the House and not debating on the same. If he was contributing on the same then, that means that he was out of order, but, if my conscience is not wrong, I believe that you are just informing that House on the importance of the Statement, but not contributing because it is not a motion.

The Temporary Speaker (Hon. Agolla): What is it Hon. Okiri? What do you want to inform the House about?

Hon. Okiri: Mr. Speaker, I do agree with your wisdom decision. Mr. Speaker, on the same, on personal statement it should not be debated on, it is just a personal statement and it dies a natural death.

The Temporary Speaker (Hon. Agolla): Hon. Oraro!

Hon. Oraro: Thank you Mr. Speaker. I rise while citing Standing Orders No. 42. I would like to say that I believe that the Hon. Member for Kisumu West Hon. Okiri is misleading the House. Mr. Speaker, if I quote that during Statement Hour a member may by the guidance of the House bring matters of personal nature although there is no question before the House, but, such matters may not be debated upon. Mr. Speaker, May not be Debated not Shall not be Debated.

Mr. Speaker, what is mandatory is that no question shall be put, unless, that grammar has a different meaning.

The Temporary Speaker (Hon. Agolla): Fair enough. Hon. Oraro, Unfortunately Hon. Okiri you need to understand that in Law the words SHALL and MAY have a very big distinction. So, in this case may not, so it means that it may not. Please allow me give the Leader of Majority to conclude.

Leader of Majority (Hon. Onyango): Thank you so much Mr. Speaker for your indulgence. I was saying that our systems work through Committees, and it is very important that Committees need to be strengthened so that we have a robust business in this House. Mr. Speaker, chair of different Committees need to initiate meetings through the House Business Committee. So, that if the House Business Committee has a request from different Chairs, then it would be wrong for the House Business Committee to refuse to schedule such meetings.

Mr. Speaker, I do not believe it is procedural for the House Business Committee to miss scheduling meetings for Committees. I would wish to implore the various Chairs of Committees present in the House and those not present that let the leaders programme their meetings so that

we place them in the Order Paper. Otherwise, I know that we are in a learning process and I would wish to urge Chairs of different Committees to strengthen the work of their committees. Mr. Speaker, actually we have heard very difficult times when Committees cannot operate efficiently because of lethargy from the Chairs that we have. Thank you.

The Temporary Speaker (Hon. Agolla): Next Order!

MOTION

1ST READING OF THE KISUMU COUNTY ATTORNEY OFFICE BILL, 2018

The Temporary Speaker (Hon. Agola): Very well, as you have just mentioned standing order no. 121 and 122. A motion has been read for the first time on the Kisumu County Attorney Office Bill, 2018 and according to standing order no 122, I hereby commit this Bill to the Committee on administration of Justice, Law, Constitutional Affairs, Governance and Security.

Next order!

MOTION

1ST READING OF THE KISUMU COUNTY ECONOMIC AND SOCIAL COUNCIL 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 ADMINISTRATION (VILLAGE UNITS) 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 administration of justice, Law, Constitutional Affairs, Governance and Security.

Next order!

MOTION

1ST READING OF THE KISUMU COUNTY EMERGENCY FUNDS BILL, 2018

Temporary Speaker (Hon. Agola): According to 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!

Temporary Speaker (Hon. Agola): What is it Hon. Guya?

Hon. Guya: I am standing on order no. 123 (1) which states that;

'A Bill having been read a First Time shall stand committed to the relevant Sectoral Committee without question put.'

The Kisumu County, Economic and Social Bill is not a money Bill. Mr. Speaker. The relevant sectoral committee for this Bill is planning.

Temporary Speaker (Hon. Agola): Hon. Guya you are very right but I would like you to understand that on the first reading there is no question to be put. So there will be a time for you to place that amendment.

ADJOURNMENT

Temporary Speaker (Hon. Agola): There being no any other business, this House stands adjourned to today Wednesday 5th September 2018 at 2.30 pm.

(House rose at 10.05am)