



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – THIRD SESSION

Wednesday, 23rd October, 2019

House met in the Main Chamber at 09:00 a.m.

(The Temporary Speaker (Hon. Seth Okumu) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members. Pursuant to the provisions of County Assembly of Kisumu Standing Orders No. 32 (2), I want to request that the Serjeant-at-Arms to ring the Quorum Bell for five minutes. I want to request both the Whips to whip Members into the House.

(Quorum Bell is rung for five minutes)

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members. I want to request the Leader of Majority to affirm if the House has attained the required quorum.

Leader of Majority (Hon. Onyango): Mr. Speaker, I request that you allow the Quorum bell be rung for a further five minutes?

The Temporary Speaker (Hon. Okumu): The Hon. Leader of Majority, I would like to ask you again to confirm if we have the required quorum?

Leader of Majority (Hon. Onyango): Mr. Speaker, I thought I responded to your question though not directly but the quorum is not yet achieved.

The Temporary Speaker (Hon. Okumu): Hon. Members, I will request the Serjeant-at-Arms to ring the quorum bell for five more minutes. This is to both the Whips, can you please whip

Members into the House and I implore no member to leave the House when the Quorum Bell is being rung.

The Serjeant-at-Arms, ensure no Member leaves the House when the Quorum Bell is being rung except the Whips.

(Quorum Bell is rung for five minutes)

(House reconvenes after of attaining the required quorum)

The Temporary Speaker (Hon. Okumu): Order Hon. Members!! I would like to ask the Deputy Majority Whip to confirm if we have the required quorum in the House?

Deputy Majority Whip (Hon. Obonyo): Thank you Mr. Speaker, I want to confirm that we have the required quorum.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members. Mr. Clerk, can you please take us through the Order Paper of the day.

COMMUNICATION FROM THE CHAIR

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members and welcome to this morning session of Wednesday, 23rd October, 2019. Hon. Members, I have the following Communication to make which is from the Committee Clerks. There has been lethargy from Hon. Members when it comes to attending Committee Meetings in time and this in turn hinders the Committees from doing certain reports that are supposed to come before this Assembly for ratification.

Hon. Members, the Committee Clerks are requesting that we find time to attend these Committee Sittings to enable these communications be undertaken on time so as the reports reach the House for debate in time. Hon. Members, I also want to advise us with regards to the Plenary Sittings that we need to observe time so that we have adequate time to discuss issues that are before the Assembly.

The Temporary Speaker (Hon. Okumu): Next order!!

STATEMENTS

The Temporary Speaker (Hon. Okumu): Hon. Miruka, MCA, North Nyakach.

Hon. Miruka: Thank you Mr. Speaker. Pursuant to the provisions of County Assembly of Kisumu Standing Orders No. 41, I wish to request for a Statement from the Chairperson, Standing Committee of Welfare and Equal Opportunity regarding the current Medical Insurance Scheme for both Members of the Assembly and Staff of the Kisumu County Assembly.

Mr. Speaker, I would request the Chairperson to inquire, investigate into and report back to this House the following;

1. Why the Service Providers (Jubilee Insurance) never gave proper induction to Hon. Members and Staff regarding their Terms of Reference?
2. Why a Members of the County Assembly (MCA) was turned down while seeking treatment that he had exhausted his Out-patient cover to the ratio of 90% and could not be registered for treatment? This was a fact that was alien to the Member and even when inquiries were done through the Human Resource of the Assembly, they stated that they were never furnished with such information.
3. Why if a Member has misplaced his Medical Card, it takes the Service Provider more than a month to issue a replacement?

Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Miruka, MCA, North Nyakach. I acknowledge receipt of your statement to the House Committee on Welfare and Equal Opportunity and I direct that the Chair of this Committee Hon. Pamela Odhiambo, MCA, Manyatta "B" Ward to respond to your queries in the next one week which is Tuesday, 12th November, 2019 at 02:30 p.m. and I want to be very specific. This is to the Clerks at the table, I am inclined to believe that you will remind her so that she doesn't forget.

The Temporary Speaker (Hon. Okumu): Hon. Pamela, do you have the responses right now?

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I would like to request through your Chair that a letter be done to the Service Provider so that we meet with them on Tuesday, 29th October, 2019 at 09:00 a.m. during our Committee Meeting. Mr. Speaker, as the Chairperson to which the Statement is referred to, I need to be furnished with a statement of the same.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Pamela, I get your sentiments that you are delegating your duties to us and it's the reason that question was referred to you so that you find out how that letter is done and how it will be reaching Jubilee Insurance who are the Service Providers so that on the date you are supposed to meet the Service Providers we have responses to the question being sought by the Hon. Members.

The Temporary Speaker (Hon. Okumu): Hon. Members, are there any other statements that requires answers?

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

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I rise while citing Standing Orders No. 41 (2) (d).

The Temporary Speaker (Hon. Okumu): Please proceed.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. We are having the intention to start having some of our Sessions in our Sub-counties so that we may engage with our electorate directly with a view to understand their issues and we equally allow them understand our issues. This is because for a very long time the Assembly has been portrayed negatively and in bad light.

Mr. Speaker, I believe that if we can start going out there, then that will enable us engage with our electorates and explain to them the activities of the Assembly so that they can appreciate the role that the Assembly is playing in the Governance of the County. So, every month that will be done and in the Week of 12th to 15th that is the week after Recess, we shall have the first meeting in Muhoroni Sub-county and more specifically, in Miwani. Mr. Speaker, I did not pick Miwani because it falls under my purview, but you are aware that there is a Project coming up there and as an Assembly I believe that we need to engage with the people on what the Special Economic Zone is all about...

The Temporary Speaker (Hon. Okumu): Order!! Order!! Hon. A Rao, I request you to please let the Leader of Majority finish his submission, then, you inform him.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I believe that is going to happen once in a month. So, we shall do this in appropriate locations that the Assembly will decide so that we take the Assembly closer to the people, thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Leader of Majority. As you were presenting your submissions, Hon. A Rao was inclined to inform you about a pressing matter.

Hon. A Rao: Hon. Speaker, thank you very much. Even though the matter I wished to raise has been overtaken by events, I believe that it would have been wiser to interject during the statement on the matter he was touching on because it is a weighty matter and very important to us as Members and the residents of Kisumu and I wanted to encourage him so that he requests for a Seconder so that we debate on it and decide as a House that we shall commence the *Bunge Mashinani* with Miwani, thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members. Now that the Leader of Majority has brought a Statement and Hon. A Rao believes that it is weighty and needs to be discussed further by Hon. Members. Hon. Members, I want to allow that discussion to happen now.

The Temporary Speaker (Hon. Okumu): Starting with those who have stood, then they will give their statements later. Hon. Philemon, Hon. Carren and Hon. Pamela Odhiambo, I know that you all want to give statements. Hon. Members, I am being guided that if it's true that the Leader of Majority's statement is weighty and Hon. A Rao is proposing that it be discussed and we want a seconder to that discussion for it to happen?

The Temporary Speaker (Hon. Okumu): Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I want to second that we discuss the proposal as raised by the Leader of Majority.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members. This issue *Bunge Mashinani* having been brought by the Leader of Majority as statement and having been proposed by Hon. Arao and seconded by Hon. Odhiambo, I want to open it for debate. That is holding of Assembly Sittings in our different Wards. Honourable Members you are free to have the discussions. Yes Member for Central Nyakach.

Hon. Ojuok: Thank you Mr. Speaker. It is very important that we have sittings around the County. It is a good gesture that will enable us to interact with the people. The most important thing is to ensure that that objective is achieved. I think this idea is being rushed and I don't think it is easier as put forward because I don't understand how the sitting arrangements will be conducted. Let us think about it deeply to avoid the challenges it may bring to us. I beg to advice.

Temporary Speaker (Hon. Okumu): Thank you. Yes Hon. Olale.

Hon. Olale: Thank you Mr. Speaker. I wish to support the motion brought by the Leader of Majority that the Assembly Sittings be held in Sub-Counties. There are some Wards which are very hostile to us. Like Muhoroni Ward which is.....

Temporary Speaker (Hon. Okumu): Order Hon. Olale. Did you say Muhoroni Ward?

Hon. Olale: Mr. Speaker I said Muhoroni Sub-County.

Temporary Speaker (Hon. Okumu): Thank you for the clarification.

Hon. Olale: If we talk about a Special Economic Zone that is not going well with some of the Members where a number of Members from that area has been branded land dealers.

Temporary Speaker (Hon. Okumu): Yes Hon. Muga.

Hon. Muga: On a Point of information. Thank you Mr. Speaker. Members of the said sub-county has never brought it in this House that their sub-county is hostile. This motion tends to enable us conduct our session in a sub-county. Let us avoid discussions that are not in line with this topic of discussion. Thank you.

Temporary Speaker (Hon. Okumu): Thank you. Proceed Hon. Olale.

Hon. Olale: Thank you Mr. Speaker. We need proper security in Muhoroni if this is to happen and we also need to look at other logistics. We must ensure that everything is put in place for the success of this events. Thank you.

Temporary Speaker (Hon. Okumu): Thank you. Yes Hon. Arao.

Hon. Arao: Thank you Mr. Speaker. Thank you for giving me the opportunity to address the House on this motion even though Hon. Khan was on his feet. As you are aware the Honourable Member is a voter in my Ward...

Temporary Speaker (Hon. Okumu): What is it Hon. Khan?

Hon. Khan: Thank you Mr. Speaker. Let the Member know that when you vote for the MCA, Governor, Senator, MP then those are you servants and they are supposed to serve you with respect or else we shall be like Ukraine. Thank you Mr. Speaker.

Temporary Speaker (Hon. Okumu): Thank you. I know Hon. Arao is very informed about servant leadership and he is going to withdraw his statement.

Hon. Arao: Thank you. I withdraw. I want to request that proper structures should be put in place enable us conduct this sessions in the sub-counties. We must be assured of our security before we move out because we don't want by elections...

Temporary Speaker (Hon. Okumu): Order Hon. Arao. Yes Hon. Pamela.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. Muhoroni Sub-County is in Kisumu County and when Members say that they need security because they fear for their lives then we are lying to ourselves. We have colleagues that are coming from that area and we have never had anything happening to them. We must respect the people we represent. Let's avoid deviating from the agenda we are discussing. Thank you.

Temporary Speaker (Hon. Okumu): Yes Hon. George Olwal.

Hon. Olwal: Thank you Mr. Speaker. We are just taking a precaution and even here we have got the Sergeant-At-Arms who provides security to the Members. Remember we also have the policemen outside who are protecting us. We have heard and read in the social media that Hon. Olale has been having hard times in his Ward. How do you expect him to allow the House to go to his Ward?

Temporary Speaker (Hon. Okumu): Yes Hon. Arao.

Hon. Arao: Mr. I don't mean the Members lives are at risk. Let us strive to have the best sessions whenever we are out there. I support the motion.

Temporary Speaker (Hon. Okumu): I want to give Hon. Benny Pete.

Hon. Oiko: Thank you Mr. Speaker. The idea is a noble one to go out to the sub-counties to enlighten the public on our role and what they would like to know from our role and that which they have which we may not know. We shall not just go there to hold our sessions. We shall also have interactive session with them and when we go that way, we shall score.

Temporary Speaker (Hon. Okumu): Order Hon. Oiko Pete. Yes Hon. Okiri Paul.

Hon. Okiri: Thank you Mr. Speaker. I believe you are this Statement was raised under Standing Order No. 41 which has a limitation of time. I also want to inform this House that let us avoid using Miwani because we discussed with the Leader of Majority and he did confirmed to me that session will be first taken to Kisumu West Sub-County and he is now talking about Muhoroni...

Temporary Speaker (Hon. Okumu): Order Hon. Okiri. I thought you wanted to inform the House and not to contribute to the statement. Yes, contributions on statements are limited to time and I have been keen to give Members maximum of five minutes.

Hon. Okiri: Thank you Mr. Speaker.

Temporary Speaker (Hon. Okumu): Proceed Hon. Oiko.

Hon. Oiko: Thank you. I would urge Members to explore more on how this should be executed because it will add us some value on the way we do our work. This will bring value to us and the public will be enlighten on the role of the Assembly. Let the Members sit down and discuss when the convenient time is and place to have the session then the administration should put everything in place and we shall set an example. I hope the Members of Muhoroni may have sat down and agreed and if they have not agreed Even if they have not agreed, let them formalize it so that there is no conflict but let us get a convenient place in Muhoroni where we shall go to. The same will apply to other sub counties.

The Temporary Speaker (Hon. Seth Okumu): Thank you. Yes Chief Whip.

The Chief Whip (Hon. Misachi): Thank you Mr. Speaker, I want to support the motion. The technicalities which will be involved in our outing session and then call an Assembly cannot be accomplished within this short period before we go for the long recess. So I would like to urge the Hon. Members that it is a noble idea but let us do what it takes to have out sessions outside because first a central place has to be identified to have in each sub county, gazette them as an alternative Assembly so that we do it in the entire 7 sub counties then we can now put our schedules for the outside meetings taking into account that when it is gazetted the police will be there, our sergeant –at- arms will be there and then there will be adequate arrangements for the session to take off.

The Temporary Speaker (Hon. Seth Okumu): Thank you. Hon. Members I want to give the last three people. Yes Hon. Khan.

Hon. Khan: Thank you very much Mr. Speaker. Infact what Hon. Misachi said is what I was going to talk about. The issue of gazettement is very important for convening an Assembly outside the gazetted area. Mr. Speaker as you may be aware that recently, County Assembly being replica of the Senate and the National Assembly, they had gotten to have a sitting in

Kitui and you could see that the sittings did not go well because Members of the County Assembly were not adequately facilitated.

Mr. Speaker this needs a proper arrangement not that can be done within 2 weeks. This will also need a proper diary for other stakeholders who are also involved from different sub counties and the County at large. It is improper that this motion if possible be given to a committee to start arrangements and make proper decisions that will not be the issues that we will regret later on. If possible we can have one in Kisumu Central from any part of the sub county. Therefore Mr. Speaker I totally agree to support it but let there be a lot of deep thought and thinking about how to make it a success since it will be a record that Kisumu County Assembly has decided to go down to the 'Wananchi'. Then later if we can after the sittings decide whether we can have something like a 'Baraza' and have a free discussion with the people that we represent in each sub county. Thank you.

The Temporary Speaker (Hon. Seth Okumu): Yes Hon. Olwal.

Hon. Olwal: Thank you Mr. Speaker, I support the statement though with some few reservations and more so on the manner in which it was brought on the floor. How I wish it would have been a substantive motion so that Members would have to deliberate and maybe the motion be committed to a committee for further implementation. Hon. Kenneth brought the statement and suggested some sub counties though to me I thought that will be a reserve for the committee or the House to decide which sub county to start with. On logistics, you have seen and also been informed about several logistics that have to be taken care of before we move out; issues to do with gazette which might take time. So that brings me to the frequency of meetings that we can have in a calendar year. I would even suggest that we can have one per Sub County in each calendar year because the logistics is not as simple as may be it may seem; again there will be issues of Members welfare in terms of security and transport allowance and you know that if I want to go to Anding'opanga my allowance has to change. That will be a concern to Members and I am not saying it is to me. We have committees that deal with topical issues which can go to the ground and have public participation with the community. If you were to take the Assembly to the sub counties it won't be necessarily about topical issues; it will be about taking our issues and our mandate so that we can have interactive sessions with our people. Thank you.

The Temporary Speaker (Hon. Seth Okumu): I can see Hon. Muga who has stood for a long time and I did say that Hon. Otura will be the last person, so I will give Hon. Otura first then Hon. Muga will conclude.

Hon. Otura: Thank you Mr. Speaker. I would like to say that this is a noble idea. Going by the normal practices with other Assemblies and mostly the senate, this is an exercise that they have started and we need to emulate from them. So many things have been said about this issue but I want to put it very clear that it is true that one can say that something is right at that particular time. The truth is that there is no sub county in Kisumu County that can be against this noble

idea of having Assemblies in their respective Constituencies or sub Counties. Mr. Speaker even if the residents are not responsible to other political issues then I think that this is now the right time for such residents to be given such opportunity to understand the system. If one thinks that Muhoroni is the only place that there consist of dishonesty from politicians then Muhoroni stands the best to have these session first.

Mr. Speaker there is also the element of whether it is true that some electorates are not happy with their elected leaders. Let us accept it is true and that is why we want these people to have a change of heart by taking such activities to their door steps so that they can understand the procedure, the flow of events and also know how actually those Members that they purport to be bad to them are carrying out their businesses. It has been said all along that there are those who are not good in the queen's language and those that are arrogant. This is the opportunity to prove to the residents that various Constituencies in the County that it is not true and that there representatives are up to the task and they are capable of doing their work well.

As to whether the procedure was followed will be pegged on the position of the Leader of Majority which is an iconic position that cannot just give information without a basis. I believe that there had been some serious engagements and that is what prompted the Leader of Majority to communicate the same in this House. Through the leadership of the Leader of Majority and that of the Assembly, there are procedures which are put in place, some discussions which are very serious and that has prompted this statement to be brought into the House. I support that the Assembly be taken outside Kisumu City to the rural sub counties. Thank you.

The Temporary Speaker (Hon. Seth Okumu): Yes Hon. Muga.

Hon. Muga: Thank you Mr. Speaker. This is a noble statement that has been brought by the leader of Majority and I want to say as I support the statement that it is true that most of our voters are not well conversant with what we are doing in the House here. So by taking the Assembly to the sub counties is a very wise thought. Muhoroni residents have to realize the importance of discussions in the Assembly and that is the main reason why special economic was discussed that it be in Muhoroni. I know that many people may think that Muhoroni is a hostile place and I would like to say that it is not that way. I want to give an assurance in the House here that the people of Muhoroni are so welcoming, friendly and are conversant with the issue of Special Economic Zone which maybe one or two of us would have thought that they are hostile about it. The Leader of Majority would not have come to talk about what the people of Muhoroni are not aware of. I want to believe that the Leader of Majority is aware of what is to be done and by bringing this to the Assembly and suggesting dates, I want to believe that the arrangements are up to date. I therefore request the Hon. House to support the statement and let it be done if in any case there is proper arrangement that has to be done as early as possible. Thank you.

The Temporary Speaker (Hon. Seth Okumu): Thank you Hon. Members for your contributions to the Leader of Majority's statement. I hope you remember that this statement was brought under Standing Orders no. 41 (2d) and we opened it up for debate. Following the sentiments from Members, I would like to make the following rulings;

1. That, the Leader of Majority brings his statement as a substantive motion to this Assembly so that we can deliberate and make resolutions as a House as to whether we are going to hold plenary sittings outside the currently gazetted Assembly.
2. As he does that, I want to direct that the Chairperson of Procedure and Rules committee as they are looking into the Standing Orders to also work of the procedure and rules to be used in the Assembly so as to have resolutions to have Assemblies outside the currently gazetted area.

Is there any other statement from the Hon. Members? Yes Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I have a statement concerning welfare. I have realized that from last week the Members have been waiting for the Clerks to appear in committee meetings...

The Temporary Speaker (Hon. Seth Okumu): Order Hon. Member, I want to request that you state which Standing Orders you are giving your statement so that we can make a ruling on your statement.

Hon. Pamela Odhiambo: Under Standing Orders no. 42 (b). It is a concern that the Chairpersons are calling the Clerks and I don't want that to happen from next week. Let the Clerks wait for Members at the committee rooms.

The Temporary Speaker (Hon. Seth Okumu): Thank you Hon. Chairperson of Welfare. I think that your message has been passed and the table Clerks are here to communicate to the committee Clerks and the sergeant –at- arms to be in those meetings at the agreed time.

Next order!

ADJOURNMENT

The Temporary Speaker (Hon. Seth Okumu): Hon. Members there being no any other business to transact, this House stands adjourned to today Wednesday 23rd October 2019 at 2.30 p.m.

(House rose at 10.05 a.m.)

Addendum

Hansard Reporters

Zablon Otiende – In-charge

Fanuel Okode - Reporter

Edward Odanga - Reporter