



## COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

#### SECOND ASSEMBLY – THIRD SESSION

Wednesday, 11<sup>th</sup> September, 2019

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

**(The Acting Presiding Speaker (Hon. Elisha Jack Oraro) in the Chair)**

### **PRAYERS**

**The Acting Presiding Speaker** (Hon. Oraro): Mr. Clerk, please take the House through the Order of the day.

### **COMMUNICATION FROM THE CHAIR**

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Members, I also want to assure you today that yesterday we as a House made some changes in the Assembly which were geared to ensure that the Assembly moves forward. I want to commit to you that moving forward we are all supposed to ensure that all the Members that come to the Assembly are united. I equally would like to inform the House that, we have reached the staff leadership and we will be having a consultative meeting with them because I had apologized on their behalf on whoever had been injured and also want to apologize on their behalf that if any of the staff member injured you during the fracas that ensued, please accept their apologies.

Hon. Members, if you go outside you will realize that there is security, it is for your own protection and no person is allowed to interfere with your being here and the security will be there until we feel that there is order in the Assembly, thank you.

**The Acting Presiding Speaker** (Hon. Oraro): Next order Mr. Clerk!

### STATEMENTS

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Linet Muga.

**Hon. Muga:** Thank you Mr. Speaker. I am here to give a statement. Foremost, I would like to thank the Almighty God and you so much for having given up your life to help salvage Kisumu County. Mr. Speaker, you will have noticed that things have not been rosy for us and there were a number of contestants eyeing that seat and that is the more reason that I must appreciate the Hon. Members for according you this opportunity to try and see if we can see changes in this Assembly of Kisumu.

Mr. Speaker, the residence of Kisumu County are looking at you on how you will transform this House and help them achieve their aspirations and goals because the success of this County must come from this House. I again want to thank you plus the other contestants who voluntarily stepped down for you after having seen that you deserve occupying that seat. Mr. Speaker, if you got it on merit, based on the qualifications and knowledge that you possess and the patience that you have and having been an astute listener, I therefore request you that you ensure that what we as a House saw in you that swayed us to ensure that you to occupy that seat, we get it. I cannot forget the position of the Speaker's Panel Reprehensive who was there for us as things were thick, that you made it. Thank you for being courageous because it has ended well and may the Almighty bless you as you lead us from the front. Be blessed.

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Guya, MCA, South East Nyakach.

**Hon. Guya:** Thank you Mr. Speaker those are the true wordings. Please allow me to add my voice in congratulating you on the election that was undertaken here yesterday...

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Member, are you making a personal statement?

**Hon. Guya:** Mr. Speaker, yes I am making a personal statement. This is because I did not get the opportunity yesterday to congratulate you and now that the opportunity is there I want to congratulate you for the election that was carried out here yesterday.

Mr. Speaker, the reason as to why I have stood here all along in the past I have sought for several statements in this House. A lot of these statements could not be brought to this House because of the reasons that the whole House knows. So now because there is a new broom in the House to assist us sweep clean, I just want to request that if we can give ourselves time just to ensure that those statements that had been raised in this House are sorted out. I know it might not be easier

to order for those statements to be brought now, but we can give the various Committee Chairs adequate time so that we get responses to the various statements that had been sought. Mr. Speaker, if you do that, it will be the difference in the leadership that we have been looking for and yearning for in this House. Mr. Speaker, that was my word that if you could grant the various Committee Chairs time so that they avail those reports to this House, Thank you.

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Steve Owiti, MCA, East Kolwa

**Hon. Steve Owiti:** Thank you Mr. Speaker and the Hon. House. I also rise to make a Personal Statement on a matter that is very pertinent to the residence of Kisumu.

Let me go straight to my statement, I do take this rare opportunity to congratulate you for having been elected in this Assembly to preside over in the position of the Speaker. Mr. Speaker, we are all aware that it has not been very easy and we are also aware that for the three years that we have all been here there are specific things that we have been asking for. It does not require rocket science for this House to have adequate communication microphones. Mr. Speaker, two years down the line I would like to implore you as a Member of this House to look at some of the very basic things because we are not asking for those complicated things and we are saying that the idea of the Serjeants moving around the floor of the House with a microphone because I don't know how long it will take this House to implement some of these simple things.

Mr. Speaker, the second issue that I want to request you is that for the one week that you will be acting as the Presiding Speaker of this House may you in your wisdom find it necessary to ask the Board to make for us the basic utilities like the washrooms. Mr. Speaker, our Members cannot even use the washrooms and for two years we have been lamenting.

Lastly, we budgeted for Air Conditioners to be fitted in this House. Instead of fixing the very basic things we have been ridiculed out in the public that we are asking for things that are not important. Mr. Speaker, when Members come to this House in the afternoon, it's horrible. I want to believe that the trust these Members have bestowed to you that you first unite us then provide some of these basic amenities and show the leadership that we have seen in you.

To conclude, I want to implore you that you made pledges to this House that you will unite this House, and for those who would like this County to move forward will follow you and for those who have their self-interest we ask them to go wherever they want and let this House be seen as one of the Assembly prototype that Counties would want to Benchmark with and the name that we have is very disappointing and when our sister Assemblies come to us, they see where we are. I want to believe that as legislatures, for those who still have a future in politics we must make a difference. Thank you.

**The Acting Presiding Speaker** (Hon. Oraro): Unfortunately, Hon. Miruka you stood earlier but because the senior Member is on her feet, let me give the MCA, Kaloleni who is also our Chief Whip.

**Chief Whip** (Hon. Misachi): Thank you Mr. Speaker. Mine is not a long statement it is to take this opportunity to congratulate you for having to be patient to be our Acting Presiding Speaker. We all know that it is not an easy task and you have a daunting task to unite this House. I want to implore all the Members that, let us embrace teamwork and synergy and let us look of the other Members who might have the fear to come to this House as a result of what transpired yesterday so that we walk together because as we were elected, we were also sworn in together one day and let us all be in this House and deliberate on issues that affect our County.

Mr. Speaker, we did not elect you to replace or act on behalf of the other Speaker because your duty is not to lead us abdicate our roles as enshrined in the Constitution, but you are expected to lead us to assist this House affirm the oversight role that is given to this House. Let us not forget to undertake our roles and let us not lean on the Executive and be stiff-necked and rigid not to work in harmony with the sitting government. We are all here as part of the other arm of the government which is the County Government and our role is not to sabotage the work of the Governor and we are the auditors of issues affecting Kisumu County. So, I would implore this House that let us be firm on our Oversight, Legislative and Representation roles so that we move together with our three roles and deliver services to the people of Kisumu County as we were mandated to be in this House. I want to appreciate you once more and I have heard that you have conveyed our apologies to the Staff on our behalf and I want to reiterate that if people are fighting over food, either the food can slip and muddied or somebody can be injured, but, I am glad nobody was injured and the food did not spill on the floor of the House because we contained things and here we are. I would like that we move with that spirit and united and call on you to usher in and embrace other Members to see why they were elected to come to this House. Mr. Speaker, I must say that we are not fighting for our stomachs as it may be construed, that is not our mandate, and we want to do proper work and proper representation to the people of Kisumu County.

Mr. Speaker, I want to support all the development issues that the government have initiated, we want to appeal to this House let us look again and again in our Budget because we are the only County that has not approved its Budget Estimates and let us not focus on the National, they will do there's, but, how about us and let us do our best to ensure that Kisumu County approves its Budget.

But I am glad nobody was injured and the food did not drop on the floor of this House. We contained things and here we are. I want us to move with spirit and we are united and I call on

you to bring other Members closer so that they can embark on their roles. We are not fighting for our tummies as people may think. Let us do proper representation to the population of Kisumu. I also want to support all the development issues raised by the government.

I want to request the Members to look into the budget. We are the only County that has not passed its budget. Let us forget about the national government and give the people of Kisumu a budget. We need to deal with this matter so that the County can move forward. Let us deliver the Kisumu we want. May God bless you.

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Rashid you will bear with me. I have seen the Deputy Leader of Majority on her feet.

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker. I wish to take this opportunity to congratulate as you sit on that chair. I also want to remind you that we voted in this House and unfortunately we ended up in the minority team. Please unite this House. Not everybody was going to sign the list but when you see twenty five plus then know that it is over.

I want to request my colleagues who are not here that they should not be afraid to come to the Assembly. Leaders must be abused. People will always make noise for you outside there but you were elected to come and legislate in this House. We were not elected to wait for the court verdict. Come and represent your people in the House. We have a business to transact that is the passage of the budget. Let us embark on our duties as Honourable Members. Thank you.

**The Acting Presiding Speaker** (Hon. Oraro): Yes Member for North Nyakach.

**Hon. Miruka:** Thank you Mr. Speaker. First allow me to congratulate you for a big win on a big fight. I just want to request that your leadership unites both the staff and the leadership of this County Assembly so that we move on as a team and transform our County.

Two, my statement is in reference to the CASA games. You remember we have made various communication and statements on that and to date not all of us are going for trainings. I want to request you for the last time that you take your time and identify an activity that you can participate in, practice so that you can also be identified somewhere. We have very few days to go. Remember it is scheduled for Eldoret from 27<sup>th</sup> September to 5<sup>th</sup> October, 2019. Honourable Members, remember the tag that is put for us. It 50% staff and 50% Members of County Assembly. If we don't join them then we shall not get the required team. Thank you Mr. Speaker.

**The Acting Presiding Speaker** (Hon. Oraro): Yes Member for West Kisumu.

**Hon. Okiri:** Thank you Mr. Speaker. First, allow me to congratulate you for being elected the acting Speaker of the Kisumu County Assembly. Mine is to encourage you because you know what has been happening in this House. We are only remaining with two years then we shall face the electorates. Please conduct an open debate in the chambers and do not group people. Thank you and I wish you well.

**The Acting Presiding Speaker (Hon. Oraro):** Because of gender issues, I will give Hon. Beatrice Pamela followed by Hon. Ogendo.

**Hon. Beatrice Pamela:** Thank you Mr. Speaker. I also want to echo my congratulations along my colleagues for your elections to be the acting Speaker of this Assembly. Having served as your vice I know your capabilities, I know you are a great leader and I believe you are going to steer this House in the right direction. My only request would be that you unite us and make us as a team. For a long time we have been a group pulling in different direction and for us to achieve for this county and even for ourselves, we need to be able to work as a team and work for a common goal of serving the citizens of Kisumu County. Thank you.

**The Acting Presiding Speaker (Hon. Oraro):** Hon. Ogendo.

**Hon. Ogendo:** Thank you Mr. Speaker. Allow me to congratulate you once more on behalf of the people of Nyalenda. Our County Government headed by Prof. Peter Anyang' Nyong'o has a slogan *tich tire*. That is the same spirit that we should have in this Assembly. Having mentioned that and being a statement hour, I know my colleagues have raised a concern that certain statement are not responded to.

On that note I want the Vice Chairperson for Roads, Transport and Public Works to give a response on the statement I had raised on the floor concerning the status of roads in Nyalenda.

**The Acting Presiding Speaker (Hon. Oraro):** I think the Vice Chair is around. Do you have anything to say on the same?

**Hon. Guya:** Thank you Mr. Speaker. Now that we are going to follow the Standing Order, the progress report has not been brought to this House. I would have wished that we go as per the Standing Orders. I want to inform my colleagues that progress reports should be brought to this House.

We know we have a pending statement from Hon. Jacktone Ogendo and those are some of the reasons for and the majority of the Members who sit in that committee decided to vote for you. We were meant to go and see the situation of the roads in his Ward sadly we were not able to get

vehicles. I wish that you give a directive that the vehicles be availed so that we can conclude the matter. Thank you Mr. Speaker.

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Ogendo you have heard the response and I think we need to work on it immediately. I am being reminded that each and every committee has some pending work. Please revisit your work and let us see where the hitches are so that we can fast-track them as fast as possible. Hon. Aslam Khan.

**Hon. Khan:** Thank you Mr. Speaker. I take this opportunity to congratulate you for being elected an acting Speaker for this Assembly. I want to advice you that do not be drunk with power. That will take you a long way even after this place. Do not use the tactic of divide and rule. Handle all the Members equal and give them a conducive environment to work.

But on the same strength without antagonizing the nominated Members of County Assembly and taking them as second class Members but in equal ranks. Mr. Speaker, let us also remind our Hon. Members of our 3 core roles that we are supposed to play and we should play. You should give us enough room and let us do it in an honorable way so that the common '*mwananchi*' back there can feel that the representation and the leadership of this August House is working together with the Executive to make sure because we fall under the same umbrella of Government and we should not deviate the issue of our Party ODM with its vision, mission and whatever the Party had wanted for the purpose of devolution to come. As you may be aware our great Party leader Hon. Raila Odinga fought for devolution to come down. We want to enjoy the fruits of devolution to the common '*mwananchi*' in the ground back home. Let us not concentrate in one or two words for the purpose of division and equity to enable us to prosper.

Finally Mr. Speaker, I want to request through your Chair to make sure that all the watch dog committees that have been in slumber too rise for the benefit of the people of Kisumu and I am saying it without fear that these committees like PIC/PAC, Implementation and the rest should come out now to play their role to make sure that we are going to deliver so that the Kisumu County citizenry know that we are delivering. With all those few remarks, I wish to welcome you once again to continue the good task ahead of you.

**The Acting Presiding Speaker** (Hon. Oraro): I am seeing we still have some 20 minutes on statements so you will be as brief as possible in your statements. Yes Hon. Seth Okumu.

**Hon. Seth Okumu:** Thank you so much Mr. Speaker, first I want to join my fellow colleagues in congratulating you for having been elected as our Acting Speaker. Mr. Speaker after doing that, I want to remind you that the expectations are high and the task ahead is so enormous but we

believe in you and that is why we placed you in that position because we know you can deliver. Members are crying for unity and you must help us achieve that.

Lastly I want to remind you of something that you have been repeating over and over and God was listening to you and wanted to put you in that position so that you can achieve what you have been talking about. On several occasions you have told me and other Members that that the performance of the County is dependent on the well function of the County Assembly. For us to have a meaningful development we must have a well functioning Assembly. You are at the titular head of the Assembly; help us achieve that so that this County can have meaningful development that the electorate who brought us here are waiting for. Thank you.

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Otiang.

**Hon. Otiang:** Thank you Mr. Speaker, I want to congratulate you on the new appointment but I must also thank the Almighty God. I remember when we were going through this, I said that we pray and I guess Members prayed and this is God's answer to us. When the O DM officials called us I could see the ages who were sitting there and the only person who I would call their age mates was Hon. Misachi and when they said this is our resolution and as people who respect elders we did say yes. I would like to congratulate them because they came in time since we were going in circles and we didn't know where to lead to. For us to be able to move on, I think it is high time we leave the past and continue to work hard so that we can achieve goals that the people of Kisumu County are looking at. We know it is not easy and we are not going to pretend that you are going to have an easy time. It is a very difficult job to unite 48 Members and staff but we know and we are still going to continue and pray that God gives you wisdom. I want to also ask Hon. Members that the diligence that you showed yesterday should be continued and even to us as Hon. Members. It is not appropriate to denote that if somebody has a divergent opinion then it means he/she is your enemy.

We are going to ask other Hon. Members to join us so that we can work as a team to promote peace, love and unity. Thank you.

**The Acting Presiding Speaker** (Hon. Oraro): Yes Leader of Majority.

**The Leader of Majority** (Hon. Kenneth Onyango): Thank you so much Mr. Speaker. I did congratulate you yesterday and I just want to retaliate that we are happy as a House to have you as the Chair. Many of our colleagues have said and have stressed that there is need for unity. There is a task ahead to make sure that the Members of this House are united for the purpose of moving this County forward. I believe that going forward you will take it upon yourself to ensure that we do not have unnecessary groupings that help to divide this House. I believe that you are

capable that even those colleagues of ours that may have felt offended in one way or another are made to realize that whatever we are doing is for the good of this County.

Mr. Speaker I also want to say to our colleagues in the Party to always adhere to what the Party says. Let us not belittle the leadership of the Party because these Party Members even though some of us may imagine that they are not important; they are the river that feed the ocean. Whatever information that the Party leader wants always gets from them. The Party leader owes them with a lot of respect and it is that that we should always demonstrate. Going forward Party discipline is going to be important. Please let us not be people who forget that it is the Party that has enabled us to be in this House. We shall also work closely with the Party to consult every now and again on issues that are affecting this House. We shall entrench the need to have regular PG meetings so that whatever decision that we decide to take will be a decision that is arrived at in the PG meeting. Those PGs are going to be in the informal front that is going to be the basis upon which whatever is done by the Party Members is going to be the hunch. For that reason, we intend to hold our first PG meeting after consultations at the shortest time possible before Friday so that the outstanding issues can be addressed. I know there are matters that must be addressed very fast and we can only do them once we have held our PG meeting.

Mr. Speaker, it also gives me pleasure when you said that you want to meet the staff so that you can reassure them of their safety in this place and work without any intimidation. I think that is an area that needs a lot of effort on your side now as the Chairperson of the County Assembly Service Board because we don't want a workforce that is under threat.

Lastly, let us now focus this House for our key mandate; let us not have side shows because that is what has characterized what has happened in this House. You did say yesterday and I agree with you that there are bills that have been pending in this House for the last 8 months. It is unbelievable that we can have business in this House and for reasons that sometimes are flimsy they can be brought here so that they are processed. I have tried so much some times to push this agenda but every time excuses crop. I believe that going forward; we are going to focus this Assembly to do our core mandate that is legislation, oversight and representation. Otherwise I want to believe that Members must realize that the elephant in the room was the issue of the Budget. The Budget must be dealt with very well and it must be passed at the shortest time possible and we must develop the attitude of give and take. Sometimes we must learn when to let go. Thank you.

**The Acting Presiding Speaker (Hon. Oraro):** Thank you Leader of Majority. You do take the issue of the Budget serious and I did see the Budget Vice Chairperson Hon. Khan here to bring the Budget in this House by the end of this week.

Next Order!

#### ADJOURNMENT

**The Acting Presiding Speaker** (Hon. Oraro): Hon. Members, I have listened carefully on what you have said and I want to say that we are going to have what is called constructive engagement and our approach shall be consultations so that the County moves ahead and I want to agree with what Hon. Okumu has said that I have been saying that the success of Kisumu County lies entirely on the productivity of the County Assembly of Kisumu. If we don't have an Assembly which is geared towards development then the Assembly cannot move forward. All the Chairpersons of the committees must be on toes to perform the duties to ensure that we are moving towards the right direction. The being no any other business to transact, this House stands adjourned to today Wednesday 11<sup>th</sup> September 2019 at 2.30 p.m.

*(House rose at 10.25 a.m.)*

**Addendum**

**Hansard Reporters**

*Zablon Otiende – In-charge*

*Fanuel Okode - Reporter*

*Edward Odanga - Reporter*