

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – FIFTH SESSION

Thursday, 25th February, 2021

House met in the Main Chamber at 2:30 p.m.

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

PRAYERS

The Speaker (Hon. Oraro): Mr. Clerk take us through the Order Paper of the day.

The Speaker (Hon. Oraro): Next order!!

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Honourable Members, I have two communications to make. One, I want to welcome the staffs from Kajiado County Assembly. This delegation is here to do a benchmarking with us more so in the Hansard Department. These are;

1. Fiona Lugonzo – Hansard Editor
2. Elvis Mwashu - Hansard Reporter
3. David Omwangwe – Hansard Reporter
4. Simon Saiko – Research Officer

Welcome to Kisumu. Two, we had a Board meeting and we agreed with the Clerk that concerning the Ward Public Participation that we discussed in the *kamukunji*. Each Member

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should submit their dates of public participation two days and venue in order to formalize it. You can give them to the Chief Whip by the close of the week. Propose a date and the venue. We are suggesting two dates because we have got two villages per Ward. The Honourable Members who are specially elected should also come up with a means of meeting. It can be twice a month. The reason why we are asking for the date and the venue is because we must do public notice through gazette. I want to advise you to do it for the whole period that is March to June, 2021. I hope you will comply. I expect each and every committee to work on the assignments committed to them. We agreed to give the Ad Hoc Committee to work on the assignments that committees are not able to do. In WhatsApp group there is a list of pending work that is supposed to come to the Assembly. Thank you.

The Speaker (Hon. Oraro): Next order!

PAPERS LAID

**BUDGET AND APPROPRIATIONS COMMITTEE ON THE KISUMU COUNTY BUDGET
REVIEW AND OUTLOOK PAPER, 2019/2020**

BY

HON. STEVE OWITI,

CHAIRPERSON, BUDGET AND APPROPRIATION COMMITTEE.

AND

**THE KISUMU COUNTY INVESTMENTS AND DEVELOPMENT COOPERATION BILL,
2021**

BY

HON. KENNETH ONYANGO

LEADER OF MAJORITY

AND

**THE KISUMU COUNTY REGULATIONS OF LAND OWNERSHIP AND DEVELOPMENT
BILL, 2021**

BY

HON. KENNETH ONYANGO

LEADER OF MAJORITY

AND

THE KISUMU COUNTY LAKE FRONT DEVELOPMENT COOPERATION BILL, 2021

BY

HON. KENNETH ONYANGO

LEADER OF MAJORITY

The Speaker (Hon. Oraro): Yes, Hon. Steve Owiti.

Hon. Owiti: Thank you Mr. Speaker. Allow me to lay before this House today Thursday, 25th February, 2021, a report from the Budget and Appropriations Committee on the Consideration of the Kisumu County Budget Review and Outlook Paper (CBROP), 2019/2020. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I confirm the receipt of the report from the Budget and Appropriations Committee on the Kisumu County Budget Review and Outlook Paper, 2019/2020 as presented by Hon. Steve Owiti, the Chairperson, Budget and Appropriation Committee. I direct that the House Business Committee to schedule the same for debate in the House.

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 121, I wish to table to this House today Thursday, 25th February, 2021, the Kisumu County Investments and Development Cooperation Bill, 2021. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I confirm the receipt of the Kisumu County Investments and Development Cooperation Bill, 2021 for the introduction into the County Assembly of Kisumu.

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 121, I wish to table to this House today Thursday, 25th February, 2021, the Kisumu County Regulations of Land Ownership and Development Bill, 2021. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I confirm the receipt of the Kisumu County Regulations of Land Ownership and Development Bill, 2021 for the introduction into the County Assembly of Kisumu.

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 121, I wish to table to this House today Thursday, 25th February, 2021, the Kisumu County Lake Front Development Cooperation Bill, 2021. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I confirm the receipt of the Kisumu County Lake Front Development Cooperation Bill, 2021 for the introduction into the County Assembly of Kisumu.

The Speaker (Hon. Oraro): Next order!

NOTICES OF MOTION

BUDGET AND APPROPRIATIONS COMMITTEE ON THE KISUMU COUNTY BUDGET REVIEW AND OUTLOOK PAPER, 2019/2020

BY

HON. STEVE OWITI,

The Speaker (Hon. Oraro): Yes. Hon. Steve Owiti.

Hon. Owiti: Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 45, I wish to give a Notice of Motion on a report from the Budget and Appropriations Committee on its Consideration of the Kisumu County Budget Review and Outlook Paper, 2019/2020. Thank you.

The Speaker (Hon. Oraro): Next order!

MOTION

(CONTINUATION OF THE INTERRUPTED BUSINESS)

WATER, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE REPORT ON THE INVESTIGATIONS ON THE ALLEGED WATER INFLATION BY KISUMU WATER AND SANITATION COMPANY

BY

HON. SAMSON AMESO

CHAIRPERSON, WATER, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

The Speaker (Hon. Oraro): Honourable Members, I refer you to our Standing Order No. 30 on the Interrupted Business. Due to quorum issues yesterday, a Member suggested that we suspend the discussions and we agreed to continue with the debate today. The motion was seconded and I proposed a question for the opening of the debate. Let us continue with the debate on the same.

The Speaker (Hon. Oraro): Yes, Hon. Roy Samo.

Hon. Samo: Mr. Speaker as a resident of this County, I am aware that there is an inflation of bills and this is because the company is not taking its work seriously. I have been a victim of the said irregularity.

(Hon. Speaker leaving the Chair as the Speaker's Panelist, takes over)

Hon. Samo: I have got a number of homes and the said inflation is really affecting me. I hardly use 2 units in every meter but if you look at the bills that comes and the threatening messages that it is accompanied with, then, you wonder what is happening. I did give an example of Rehema Church in my Ward. In this church, water always comes at around 3 a.m. and it is difficult to wake up and collect water at that time but when the bill comes, it's around Kshs. 5,000 or 10,000.

Leader of Majority (Hon. Onyango): On a point of order. Madam Speaker, I rise on a Standing Order No. 89, what we are discussing is a very important issue and the Honourable Member is giving a reference to the Inflation of Water Bills from a church. We may not want to mismatch the reputation of KIWASCO without tabling evidence in the House. This is a very serious matter and we should not just treat it casually. If at all there is inflation, can the evidence be tabled before this House so that we make informed decision about the company?

Hon. Owiti: On a Point of Information. Madam Speaker, I don't know if it is in order for the Leader of Majority to interrupt the contribution of Hon. Roy Samo who debating on a report. I don't know any evidence that the Leader of Majority wants apart from the report that is before us.

Leader of Majority (Hon. Onyango): Madam Speaker, I was referring to a very specific references that the Honourable Member for Kajulu has alluded to and that is the water bill of Rehema Church. If indeed there is inflation then the evidence needs to be tabled.

The Temporary Speaker (Hon. Inviolata): Continue Hon. Roy Samo.

Hon. Samo: Thank you Madam Speaker. That is the problem of coming from the area where there is no KIWASCO services. He comes from an area where there is no tap water. What we are talking about was something that was subject of a committee discussion. He is not a member of that committee. He should come to my ward so that I give him a place to stay so that you understand these things.

Leader of Majority (Hon. Onyango): Madam Speaker, allow me to say....

The Temporary Speaker (Hon. Inviolata): Order!! Honourable Leader of Majority. Please wind up Hon. Samo.

Hon. Samo: Thank you. I want to say that the report is timely and serious recommendations needs to be done. I have an uncle that works in NYANAS and he has been getting a salary of Kshs. 9000 but the water collection is Kshs. 1.6 million. I have one of the homes next airport where I pay Kshs. 10,000 every month for the water bills yet we are only three. How on earth can you pay that amount when you are only paying 3-4 units a month? This needs to be looked into and I beg to support the report that is before the House. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. Hon. Khan.

Hon. Khan: Thank you Madam Speaker. I rise to support this report. The issue here is about the prices of water. The company has been billing vendors from time to time but at times the quality of water is poor or billing done when there is no water in the taps. Madam Speaker, KIWASCO must address the issue bills. Customers complaining very much. Thank you.

The Temporary Speaker (Hon. Inviolata): Yes. Hon. Steve.

Hon. Steve: Thank you Madam Speaker. I also rise to add my voice on this report. When you go through this report, a number of important issues have been raised and one of them is on none response by KIWASCO as a company to the customers complaints. We are sitting next to the largest fresh water lake in the world and yet as a county we are not able to provide people with clean and safe water. This committee has given a number of recommendations that needs to be adopted and followed up so that in an event that they want to raise tariffs or charges, those charges must be brought to the Assembly like the charges that the Government raise.

Madam Speaker, I want to say that, as an Assembly, we have an important role to ensure that our people are not over levied over a basic facility that is not also very far from us but pretty sitting next us. It is very unfortunate that as we speak today, KIWASCO as a company has failed to supply water even within the old municipality which is just within the city. I happen to represent a Ward which is within the City and a good number of the taps within the city are dry due to lack of pressure.

I want to urge the Members of this County Assembly that we need to be firm on the KIWASCO as a company. They have failed us. If they cannot provide the basic need that is water then we better think of other means of getting clean water. Action should be taken against those people responsible so that our people can get clean water. I support.

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Okiri.

Hon. Okiri: Thank you Madam Speaker. I understand the magnitude of this debate because we are talking about water. To begin with, I oppose this report based on the reasons that I am about to give. We are only looking for our own welfare that the commodity is not reaching us. The taps are dry and the bills are high. This committee has not presented any substantive answer to this House why the inflation is there.

Madam Speaker, we are not being told of the causes of the inaccurate bills. There are several factors that the report ought to address to show as the reasons for the inflation. We must also tell our people to pay for the service they are getting from the company. The committee ought to have engaged the company in order to come up with a factual report.

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Muga.

Hon. Muga: Madam Speaker, the Members of the committee went out engaged the management of the company and that is why we have this report. The Honourable Member on the Floor must have not read the report. It is my prayer that the motion mover will be able to respond to his statements. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you.

Hon. Okiri: Madam Speaker, people thought that I Hon. Okiri, will always say *aye* or *nay* in this House.

Hon. Owiti: On a Point of Order! Madam Speaker, is it in order to stand before this Honourable House and say that the Honourable Members do not know what they are talking about? Let him not belittle our contribution. If he is sent here by the people who are messing up with this company then he should let our people have water.

Temporary Speaker (Hon. Inviolata): Hon. Okiri, kindly finish your submission.

Hon. Okiri: Thank you Madam Speaker.

Temporary Speaker (Hon. Inviolata): What is it Hon. Agolla Erick?

Hon. Agolla: Thank you Madam Speaker. I just want to request you to ask Hon. Okiri to withdraw before you take any necessary action against him.

Temporary Speaker (Hon. Inviolata): Hon. Okiri, you have been asked to withdraw and apologize.

Hon. Okiri: Madam Speaker, there was a time the late Vice President of the Republic of Kenya, Prof. George Saitoti said that the common sense has been thrown through the window. I just want to know what I should withdraw. May I be guided?

Temporary Speaker (Hon. Inviolata): Yes, Hon. Samo.

Hon. Samo: Madam Speaker, the Honourable Member has just said that we are only coming to this House to say *aye* or *nay*. What of an academically qualified person like me who can debate? Let him withdraw and apologize.

Temporary Speaker (Hon. Inviolata): Yes, Hon. Steve.

Hon. Steve: Madam Speaker, to add salt to the injury. Hon. Okiri has just stood up and said that we have lost common sense in this House. Is he opposing or proposing the report?

Temporary Speaker (Hon. Inviolata): Hon. Okiri, just withdraw and apologize

Hon. Okiri: Thank you Madam Speaker. I said, I did not come here not we did not come....

Temporary Speaker (Hon. Inviolata): Hon. Okiri, don't waste a lot of time. Just withdraw and apologize.

Hon. Okiri: I said, I did not come here not we did not come....

Temporary Speaker (Hon. Inviolata): Yes, Leader of Majority.

(Laughter)

Leader of Majority (Hon. Onyango): Madam Chair, I want to imagine that this is House of debate and the content of what we say is what should persuade us to either vote yes or no. We should not therefore harass the Hon. Senior Member.

(Feet thumping)

Temporary Speaker (Hon. Inviolata): Hon. Leader of Majority, you are out of order. Order! Members can you all resume your seats. Hon. Paul Okiri, I believe that Hon. Steve Owiti, Hon. Roy Samo and Hon. Erick Agolla felt that the statement you made was against them and they have requested you to withdraw and apologize. I believe that you should do the same so that we continue with the business.

Hon. Okiri: Thank you Madam Speaker, I know your kind guidance of this House since I joined this assembly has got a lot of significance. When I am saying so I want to be clear that 'I' and 'we' are two distinct pronouns.

Temporary Speaker (Hon. Inviolata): I will move to the next contributor

Hon. Atieno: Madam Speaker, you have asked Hon. Okiri to withdraw and apologize yet he hasn't done so...

Hon. Okumu: A Point of Order Madam Speaker.

Temporary Speaker (Hon. Inviolata): Not allowed. Hon. Paul Okiri I am giving you the last chance to withdraw and apologize.

Hon. Ogutu: A point of information Madam Speaker.

Temporary Speaker (Hon. Inviolata): Not allowed. Hon Paul Okiri I will therefore have to take action.

Hon. Okiri: Madam Speaker, please give me two minutes to consult before I do so.

(Hon. Okiri consults with Hon. Agolla)

Temporary Speaker (Hon. Inviolata): Not consultation allowed, it is just a matter of withdrawing your statement and apologizing.

Hon. Okiri: Madam Speaker, going by the moods of the House, I apologize and withdraw my earlier statement.

(Laughter)

Temporary Speaker (Hon. Inviolata): Yes, Leader of minority, Hon. Pete Oiko.

Leader of Minority (Hon. Oiko): Madam Speaker, the report that has been presented by the Committee of Water, Environment and Natural Resources has generated heat. When you look at the headlines of the report, versus the contributions made in this House shows an obvious shift to the wrong direction. The headline is on ‘Alleged Water Inflation by KIWASCO but the word ‘Bill’ is missing on it.

(Feet thumping)

When you listen to the contributions of members as had been spelt out by the Leader of Majority, the content of our contributions will not tally unless an amendment is made to the report by adding the word ‘bill’ so that we identify relevance and irrelevance.

Temporary Speaker (Hon. Inviolata): I think you are out of order because the report presented to me has included the word ‘bill’ in the headline.

(Loud consultations)

Leader of Minority (Hon. Oiko): Then I don’t know what I have been given.

(Laughter)

Temporary Speaker (Hon. Inviolata): Yes Hon. Linet Muga.

Hon. Muga: Thank you Madam Speaker, I want to request Members to be serious in the House, especially the Leaders of Majority and Minority. I want to refer them to Standing Order no. 89. I therefore want to refer you to Standing Order No. 86 as we don't need to be disorderly in the House and we need to be factual in our contributions. We are honorable Members and so we should contribute in reference to Standing Orders.

Temporary Speaker (Hon. Inviolable): Thank you Hon. Muga.

Temporary Speaker (Hon. Inviolable): Yes Hon. Pst. Atieno.

Hon. Atieno: Thank you so much Madam Speaker, when this kind of serious report is in the floor of the House, a matter that affects us and even our people greatly and then the Leader of Majority and his counterpart Leader of Minority contribute contrary to the wishes of the people that they represent. No wonder some of them represent small wards hence do not feel the pinch.

Hon. Ogutu: A Point of Information Madam Speaker.

The temporary Speaker (Hon. Inviolable): Who do you want to inform?

Hon. Ogutu: I want to inform the House.

Temporary Speaker (Hon. Inviolable): Okay, proceed.

Hon. Ogutu: (*On a point of information*) Thank you Madam Speaker, I believe that as a House of debate one has to search their souls to know which line they want to lean on without restrictions. It is wrong for Hon. Atieno to insinuate that the Leader of Majority and Leader of Minority must just have to agree to the debate on a report despite having a contrary opinion. That is quite misleading, otherwise thank you.

Temporary Speaker (Hon. Inviolable): Thank you honorable Member, however, Hon. Atieno was also contributing on the same issue irrespective of the wrong or right approach to it.

Hon. Atieno: Thank you for protecting me Madam Speaker.

Temporary Speaker (Hon. Inviolable): Let him finish his submissions.

Hon. Atieno: We did not come here on our own hence representatives of the people. In doing so, we debate on their behalf and air their grievances, empathize with them and in the event get solutions to these problems. '*Breadonomics*' is an act where some uncouth Members, not necessarily from this House because I have not mentioned names...

(Loud consultations)

Hon. Ogutu: Madam Speaker that is not right

Temporary Speaker (Hon. Inviolata): Order! Order! Members. I think Sergeant-at-Arms will have to take control of microphones in this House because, I can see honorable members are now taking advantage. Hon. Ogotu you are not allowed to speak without my permission. You can't just use the microphone because you have control over it. Can you people take this House seriously and act like honorable members. Hon. Ogotu, I am giving you the last warning.

Temporary Speaker (Hon. Inviolata): Let me give chance to Hon. Erick Agolla.

Hon. Agolla: Madam Speaker, I have a copy of the Standing Orders so, Hon. Linet can just wait.

Temporary Speaker (Hon. Inviolata): Are you rising on a point of information to the House because Hon. Atieno was still making his submissions.

Hon. Agolla: Hon. Atieno had finished his submissions.

Temporary Speaker (Hon. Inviolata): No, he hadn't because I am the one who cut him short.

Temporary Speaker (Hon. Inviolata): Yes, Hon. Atieno.

Hon. Atieno: Thank you Madam Speaker I will conclude very fast. It is the mandate of KIWASCO to provide clean drinking water to residents of Kisumu at a very affordable rate.

Hon. Ogotu: A point of order Madam Speaker.

Temporary Speaker (Hon. Inviolata): Yes Hon. Ogotu.

Hon. Ogotu: (*On a point of order*). I don't believe that it is in order for Hon. Atieno to call members uncouth. Madam Speaker, you have to order him to at least withdraw and apologize. It is a serious offence that he should not get away with.

Temporary Speaker (Hon. Inviolata): Hon. Atieno can you apologize for calling Members uncouth and withdraw!

Hon. Atieno: Thank you Madam Speaker, I did not refer to honorable members of this House as uncouth but my reference was on cartels at KIWASCO.

Temporary Speaker (Hon. Inviolata): Pastor Atieno, just apologize.

Hon. Atieno: I apologize.

Temporary Speaker (Hon. Inviolata): Now you can finish your submission.

Hon. Atieno: (*He Sighs*).

(Laughter in the House)

What is special about this report? (*Rhetoric*) otherwise I report this report, thank you.

Hon. Muga: A Point of Order Madam Speaker.

Temporary Speaker (Hon. Inviolata): Yes, Hon. Muga

Hon. Muga: I am happy to see that you have put Members to order. In reference to Standing Order No. 105, talks about Disorderly Conduct in the House, if you allow me to read.

Temporary Speaker (Hon. Inviolata): Proceed.

Hon. Muga: Thank you very much.

Hon. Agolla: A point of order Madam Speaker.

Temporary Speaker (Hon. Inviolata): She is also on a Point of Order so you can just wait for her to finish.

Hon. Agolla: Yes, she is on a Point of Order but who is she referring to because, there is no Member on the floor. I think you should also guide the House accordingly.

Temporary Speaker (Hon. Inviolata): Are you the one teaching me on how to guide the House? Let her finish her point as I have given her the chance.

Hon. Muga: Standing Order No. 105 (c) '*Unnecessarily interrupts proceedings or consults in a disruptive matter*' I would request Members not to force you to name them because it seems like that's where they are headed, thank you.

Temporary Speaker (Hon. Inviolata): Thank you for that information.

Temporary Speaker (Hon. Inviolata): Yes, Hon. Agolla.

Hon. Agolla: Thank you Madam Speaker, I want to commend Hon. Samson Ameso, Chairperson Committee of Water, Environment and Natural Resources, the Members of the committee as well as the secretariat for coming up with this report. However, I want to argue in opposition of this report. Madam Speaker, one cannot just come up with a report insinuating that there is inflation of water bills without any proof of the meter readings or claims from consumers and expect this honorable House to adopt it.

(Feet thumping)

We are aware that KIWASCO is one of the parastatals in this county that we respect and value and if we want to interrogate it...

Temporary Speaker (Hon. Inviolata): Hon. Muga wants to inform you.

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

Hon. Muga: I want to inform Members that...

Leader of Majority (Hon. Onyango): Madam Speaker, I think they are getting it all wrong.

Temporary Speaker (Hon. Inviolata): Order! Leader of Majority.

Leader of Majority (Hon. Onyango): A point of information Madam Speaker.

Temporary Speaker (Hon. Inviolata): Can you resume your seat and after she has informed the House, you will also do so.

Leader of Majority (Hon. Onyango): Madam Speaker guide the House.

Hon. Muga: Leader of Majority, do not mislead the House.

Leader of Majority (Hon. Onyango): Madam Speaker, guide the House.

Temporary Speaker (Hon. Inviolata): I am guiding the House but you are one of those who are misleading the House. Let Hon. Muga finish her submission then you can talk after.

Leader of Majority (Hon. Onyango): The mover of the motion will have the opportunity to reply.

Temporary Speaker (Hon. Inviolata): Leader of Majority, I repeat, kindly resume your seat. Hon. Muga has not yet even contributed so, give her the opportunity to contribute.

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

Hon. Muga: Thank you Madam Speaker. I fail to understand why the leadership in this House is becoming unruly. This is a way of confusing the House. Madam Speaker, the information that I wanted to give to my learned friend is that let me refer him to page eight of the report, he will see attached letters of complaints attached to this report. Thank you.

Temporary Speaker (Hon. Inviolata): Thank you for that Hon. Muga.

Temporary Speaker (Hon. Inviolata): Hon. Agolla, are you informed?

Hon. Agolla: Thank you Madam Speaker...

Hon. Olwal: On a Point of Order. Madam Speaker, I believe that we need to get serious with our duties especially this Standing Committee that did this report. Madam Speaker, we need to be discrete with facts and especially in our annexes, we need to furnish this House with clear receipts or clear bills that were inflated.

(Applause)

So, what you have referred us to, is just a template that has no mathematical reference. Thank you.

Temporary Speaker (Hon. Inviolata): Thank you.

Temporary Speaker (Hon. Inviolata): Yes Hon. Agolla.

Hon. Agolla: Thank you Madam Speaker. I want to thank Hon. Muga for informing me, but I equally want to inform her that I indeed did go through this report because I first read the soft copy and the hard copy of this report and even gone through page eight.

Madam Speaker, as Hon. Olwal has just put it that is the proof of what I am talking about. This is my position that I am still disowning this report in totality. I want to inform this House that, this report cannot meet the test of time which this House can interrogate and adopt. We cannot question a firm like KIWASCO that could reach the standards of this House. I don't want to belabour too much on this matter and I want to be counted as one of the Members who is opposing this report. Madam Speaker, this report should be referred back to the House Committee to go and fact-find and bring back a serious report because we are really concerned as Members of this City, County because KIWASCO majorly serves the City Wards which I represent. I am concerned that, if we want to face KIWASCO or put them to task, we must do that with facts and not innuendos that we have witnessed in this report. Thank you.

(Applause)

Temporary Speaker (Hon. Inviolata): Thank you Hon. Agolla.

Temporary Speaker (Hon. Inviolata): Hon. Okumu.

Hon. Okumu: Thank you Madam Speaker....

Temporary Speaker (Hon. Inviolata): I apologize, I had given Hon. Olwal and I will get back to you.

Hon. Okumu: Madam Speaker, Hon. Olwal has contributed four times.

Temporary Speaker (Hon. Inviolata): No, no.

Hon. Olwal: Madam Speaker, I have not contribute. Thank you Madam Speaker. According to provision of our Standing Orders No. 89, especially for Responsibility of Fact, I believe that we should have thrown out this report long time ago.

(Applause)

Madam Speaker, especially, that this House Committee has done one of the worst reports that I have ever seen since I was elected to this August House. I believe that much punishment or

responsibility should be given to the Committee and in fact if there were any allowances that they were paid, they should be surcharged and refund be instituted.

(Applause and Laughter)

Madam Speaker, there are grim issues concerning KIWASCO that this Committee should have taken keen of and get fact that are tangible enough that this House can rely and act on. Madam Speaker, as you are aware that, our Budget for the Department of Water and Environment in the last Fiscal Year was close to Kshs 400 million. Yet we have a firm that is mandated with distribution of clean and affordable water supply. Madam Speaker, why should they be considered for allocation in the Budget yet they cannot connect the much needed commodity to our people. So, they should be dealing with serious issues like that.

Lastly, I believe that we as a House, especially the secretariat of this House Committee, we don't need this kind of an embarrassment to this August House. Thank you.

Hon. Steve: On a Point of Order. Thank you Madam Speaker. I believe that it is in order that when a matter is raised in the floor of this House, Members are at liberty to deliberate and even to bring up issues that might not have been sought in the Statement. It is true that, there are weighty matters that have been raised and it is not in order to come to the floor and state that the report that has been tabled in this House is trash.

Madam Speaker, as a matter of fact, when you look at that report, together with the other matters that we are raising, I witness irony when a Member rises on his or her feet and states that they are throwing away this report, but, they are also admitting that KIWASCO is not performing as expected. So, you would not understand what a Member is trying to do if we are saying that Member of the public are suffering because KIWASCO is not providing the much needed services for which it was created. Madam Speaker, let us be honest and put it on the floor in black and white. So, let us not hide behind the report which is just part of answering matters of the inflated water bills. There are weightier issues like are our people getting water, is the firm performing. If KIWASCO is not performing, then, I wonder what it is that you are supporting here strongly.

Temporary Speaker (Hon. Inviolate): Thank you Hon. Steve.

Hon. Okumu: Thank you Madam Speaker. I don't want to be informed, you will inform him later.

Temporary Speaker (Hon. Inviolate): Hon. Seth, Hon. Olwal is on a Point of Order.

Temporary Speaker (Hon. Inviolate): Yes Hon. Olwal.

Hon. Olwal: Thank you Mr. Speaker. I was very categorical on this issue. This issue here is not whether KIWASCO is doing a good job, but, the issue is about the bad report that has been

brought to this House because this House cannot act upon it and put KIWASCO to task to do its work. So, this House Committee should have done a better report on issues and facts that is affecting KIWASCO, then, we will act accordingly.

Temporary Speaker (Hon. Inviolata): Thank you Hon. Olwal.

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

Hon. Okumu: Thank you Madam, Speaker. This is to join my colleague Hon. Agolla and Hon. Olwal in admission that the content of this report does not much the Statement that was sought in this House.

(Applause)

(The Speaker Hon. Oraro relieves the Temporary Speaker, Hon. Inviolata)

Madam Speaker, in a court of law, you do not judge based on what you know but based on what was brought before the court as evidence. If somebody is brought to the court for stealing...

The Speaker (Hon. Oraro): Hon. Muga, whom do you want to inform?

Hon. Muga: The Hon. Member on the floor.

The Speaker (Hon. Oraro): Hon. Okumu, do you want to be informed?

Hon. Okumu: Mr. Speaker, I don't want to be informed.

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

(Hon. Muga on her feet in protest)

Hon. Okumu: Thank you Mr. Speaker. The Hon. Member must be orderly.

The Speaker (Hon. Oraro): Please proceed.

The Speaker (Hon. Oraro): Just a minute Hon. Okumu.

Hon. Muga: Thank you very much Mr. Speaker. I want to inform that the Hon. Member who is on his feet appended his signature to this report and he is number three of those who signed the report.

(Laughter)

Mr. Speaker, I want to request this House to be aware that Hon. Okumu seems to be misleading this House because he should not have appended his signature to this report. Thank you.

(Loud consultations)

The Speaker (Hon. Oraro): Hon. Okumu, I have confirmed that this is your signature appended on this report...

Hon. Okumu: Mr. Speaker, only a fool does not change his mind.

(Laughter)

Mr. Speaker, I don't want to remain with the fools and it's the reason we are debating this report in this House. I was explaining to Hon. Members...

Hon. Aslam: On a Point of Order. Thank you Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Steve, I have noticed you I will give you a chance. Please let me get what Hon. Aslam has to say.

Hon. Aslam: Thank you Mr. Speaker. It is not really information. Mr. Speaker, is it really in order for Hon. Okumu to call Members or insinuating that there are fools in this House.

The Speaker (Hon. Oraro): First, I want to rule out Hon. Aslam because I did not hear Hon. Okumu call anybody a fool in this House.

The Speaker (Hon. Oraro): Hon. Steve. Hon. Leader of Majority I have noticed you.

Hon. Steve: Thank you Mr. Speaker. The first statement that was made by Hon. Okumu was really in order that, it's only a fool who cannot change his mind, but, in conclusion he states that, he does not want to remain with fools. Mr. Speaker, can he tell us who these fools are that he does not want to remain with?

Hon. Okumu: Thank you Mr. Speaker. Those who do not want to change their minds and I believe that Hon. Members will change their minds. Hon. Steve will definitely change his mind. Mr. Speaker, I was explaining to Hon. Members that...

The Speaker (Hon. Oraro): Hon. Steve, what is it?

Hon. Steve: Thank you Mr. Speaker. I believe that we have parliamentary language and even if you want to make a point, you must always appear to be parliamentary. We cannot call Members fools because they have contrary opinions to ours and I believe that this is not in order.

The Speaker (Hon. Oraro): What is it Leader of Majority?

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. When somebody say that only a fool does not change his mind that is only a common English phrase, it does not mean that you are abusive at all. Mr. Speaker, unfortunately, that is not abusive they are figures of speech.

The Speaker (Hon. Oraro): Hon. Ojuok.

Hon. Ojuok: Thank you Mr. Speaker. The Leader of Majority has always, because we know that he was an English teacher, but we cannot allow him to continue misleading this House.

Leader of Majority (Hon. Onyango): Point of Information, Mr. Speaker.

The Speaker (Hon. Oraro): Order!! Order!! Leader of Majority. Hon. Ojuok is on his feet. Please resume your seat and let him execute his case.

Hon. Ojuok: Mr. Speaker, we are all aware that the Leader of Majority was an English Teacher in some Secondary School...

Leader of Majority (Hon. Onyango): No. Mr. Speaker. Please allow me to say this? There is nothing like an English Teacher, we have a Teacher of English.

(Laughter)

Hon. Ojuok: Mr. Speaker, Hon. Steve has qualified his argument that the Leader of Majority was right when he made the first statement when Hon. Okumu said that he does not want to remain with fools and he has justified by stating that those who don't change their minds. So, if I stand here and I don't change my mind, then I am considered a fool.

(Laughter)

The Speaker (Hon. Oraro): Hon. Okumu, can you please withdraw the first statement and then you proceed.

Hon. Okumu: Thank you Mr. Speaker. Out of the respect for Hon. Members...

The Speaker (Hon. Oraro): Order!! Order!! Hon. Members, I have instructed Hon. Okumu to withdraw that statement. Hon. Olwal, I have noticed you, please let Hon. Okumu withdraw.

The Speaker (Hon. Oraro): What is it Hon. Olwal?

Hon. Olwal: Thank you Mr. Speaker. I don't think it is right that we should limit language expressions to Hon. Members especially with regards to expressions of English language.

(Applause)

It is right but old women get uneasy when dry bones are mentioned.

(Applause)

Mr. Speaker, I don't think...

The Speaker (Hon. Oraro): Hon. Olwal, I want to rule you Out of Order. Please resume your seat.

The Speaker (Hon. Oraro): Hon. Okumu, I have instructed you to withdraw that statement.

Hon. Okumu: Thank you Mr. Speaker, I withdraw and apologize. Let me try and use language that is palatable. This report that we are having here today, emanated out of a Statement that was sought by one Hon. Samson Omondi Ameso and he is the same person who is bringing the report.

Mr. Speaker, of concern to him was on Inflated Water Bills. Mr. Speaker, Hon. Members should have read the report...

The Speaker (Hon. Oraro): What is it hon. Muga, I had given you time to inform the House because I want Hon. Okumu to conclude.

Hon. Muga: Thank you Mr. Speaker Sir. I want to inform this House that Hon. Okumu seems to be misleading the House because, he know all that was in this report that he is putting before the House and ended up signing the same report that he is now disowning.

The Speaker (Hon. Oraro): Hon. Muga, I want to rule you Out of Order because Hon. Okumu stated that he was a fool but now he is no longer a fool... and I have given him time to proceed.

(Laughter)

Hon. Okumu: Thank you Mr. Speaker Sir. Of concern to the Chair of Water and Environment was on Inflated Water Bills. When you go to the report and you look at the findings, remember that, the concern was on Inflated Water Bills. If you look at the findings which highlights on the following;

- a) High Number of Dormant Connections,
- b) Increase in Non-revenue Water and
- c) Low Staff Productivity.

Mr. Speaker, what did this Committee go out to find? Low staff productivity, high number of dormant connections and Increase in non-revenue Water. Mr. Speaker, how does that affect or show us or give us information about the Inflated Water Bills? Mr. Speaker, if you look at the table...

(Hon. Ojuok and Hon. Steve on their feet)

The Speaker (Hon. Oraro): Please give Hon. Okumu time to execute his case.

Hon. Ojuok: Mr. Speaker, but he is misleading the House.

The Speaker (Hon. Oraro): Hon. Ojuok, I had accorded you time to give information. What is it, is it so burning?

The Speaker (Hon. Oraro): What is it Hon. Steve?

Hon. Steve: Thank you Mr. Speaker. When a matter like this is raised, what causes the Inflated Water Bills? Mr. Speaker, at the end of the day you know that matters that are affecting the above issues raised or contributory factors like if we don't have adequate staff, it means that there is loss of revenue..

The Speaker (Hon. Oraro): Hon. Steve, you are not debating. I did not give you time to debate, I gave you time to give information.

Hon. Steve: Then, let me give the information that let us analyze and internalize the report and whatever factors that are given and connect it to the initial statement that was raised.

The Speaker (Hon. Oraro):Hon. Ojuok, what is it.

Hon. Ojuok: Thank you Mr. Speaker. Hon. Okumu has just asked, how these factors are connected.

The Speaker (Hon. Oraro):Hon. Ojuok, I gave you time to give information and not to debate.

Hon. Ojuok: Mr. Speaker, he has asked a question and I am informing him.

The Speaker (Hon. Oraro):Hon. Ojuok, Hon. Okumu was contributing, he is not asking a question but contributing.

Hon. Ojuok: Mr. Speaker, I am informing him how it contributes the Inflated Water Bills.

The Speaker (Hon. Oraro): Hon. Ojuok, I rule you Out of Order.

The Speaker (Hon. Oraro): What is it Hon. Agolla?

Hon. Agolla: Thank you Mr. Speaker. Now that you have ruled Hon. Ojuok out of order. The mover of the motion has the time to respond...

The Speaker (Hon. Oraro): It is the reason that I have ruled Hon. Ojuok out of order because it is the responsibility of the mover of the motion to reply on those issues.

Hon. Ojuok: Mr. Speaker, what if somebody is misleading the House and taking time?

The Speaker (Hon. Oraro): Hon. Ojuok, you will have your time to debate and when you will be debating I will be guided.

The Speaker (Hon. Oraro): Hon. Ogutu, what is it?

Hon. Ogutu: Thank you Mr. Speaker. I believe that we have a teacher of English in this House. We have been told that Inflated and High Bills are two different things. Can he come out and explain to us which is which...

The Speaker (Hon. Oraro): Hon. Ogutu, I don't want us to debate as if we don't have the Rules of Debate. Please let the Hon. Member execute his case, when it comes to the next Member and if there is something that you have not said, or if you had talked, just inform your neighbor that when you rise please mention one, two three and four as you challenge the Member who was on the floor. Just tell your neighbour that; "please when you stand, just say few things as you as you challenge the Hon. Member who was on the floor". Alternatively, the mover of the motion can take notes. When will be given time to reply, you can execute your case against the presentations.

(Loud consultations)

The Speaker (Hon. Oraro): Hon. George and Hon. Erick Agolla, let us have order in the House. Hon. Okumu, can you conclude your case very fast.

Hon. Okumu: Thank you Mr. Speaker. They are eating into my time. Mr. Speaker, I was explaining that the issue was Non-revenue water. The real issue was an inflated bill but what they went and found out were;

- a) Non-revenue water,
- b) High number of dormant connection and finally,
- c) Very low staff productivity.

The committee did not go ahead and show us in this report that these things are contributing to the high bill. If you look at the table of bills that they brought here; there is an explanation on each and every case that was brought before them.

One Andrew Onyango, whose units moved from 6-305 units, they have written that the shift in charges rises from 420 to unrealistic figures and they are giving their explanation whereby they did not indicate whether they reject that the explanations do not make sense.

In conclusion on this report, I have read it and re read it.

(Laughter)

Hon. Okumu: Mr. Speaker, I regret so much to appending my signature on a report that demean the capability of our committee. If this mistake was done by the secretariat, they will show us in our next meeting. But, we do not agree that our committee can bring such a report in the House. I oppose this report and I ask Hon. Members to oppose it so that the committee can go back and bring a more conclusive and helpful report, thank you Mr. Speaker.

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

The Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Before I give my contribution, allow me talk about something. Members commonly talk about an English teacher. An English teacher means a teacher from England.

(Laughter)

The Speaker (Hon. Oraro): Hon. Leader of Majority I thought you would...

Leader of Majority (Hon. Onyango): We should say; a teacher of English. That is very important. Because you make that mistake somewhere else and you will badly be embarrassed. Mr. Speaker I hope they have taken the correction even though they want to chest thump.

Mr. Speaker, we have repeatedly say in this House, that one of the most set of weaknesses that Hon. Members have is that, we want to treat very serious matters trivially. That is because, the issue that was sought for here, is a very serious matter. It is a matter that affects the residents of Kisumu County.

Mr. Speaker, I want to believe that there were complains about the inflated bills. It is the expectation of this House, that when a committee is given such an important task, then you must bring evidence that can stand the test of time; Evidence that is irrefutable in any place. Because, this House has a responsibility in adducing hard facts.

If you look at the Statement that was sought, it was to investigate into and report on all matters that relates to alleged inflation of bills. And the evidence must be brought to this Assembly.

THAT in our investigations, we did find that so many consumers of KIWASCO Water are complaining about inflation bill and this is what is causing this inflation if at all there is any. So, that when we put KIWASCO to account as Honourable House, then we shall be without blemish like Caesar's wife because that is our responsibility.

However, many at times, many committees want to rush over very important task and bring half-baked reports in this House. Report that you cannot go out there and defend because they are not supported by facts.

Indeed, if a member has been directly affected by inflated bills, then the evidence needs to be adduced in this House Mr. Speaker so that we as a House can recommend that KIWASCO be investigated further. But, we cannot...

Hon. Atieno: Point of information!

The Speaker (Hon. Oraro): Yes Hon. Atieno, whom do you want to inform?.

Hon. Atieno: The House.

The Speaker (Hon. Oraro): Please proceed.

Hon. Atieno: Mr. Speaker sir, I think there is a tendency in this House whereby these Hon. Members want the committee that has done a superb job to produce evidence. We are not an investigative agency. That one needs to be very clear. We are not EACC or DCI.

With us, we have done our work and presented the report. If the Leader of Majority wants an evidence, then when the report shall have been adopted by this House, then the EACC shall take recommendations of the House and we will hand over the evidence that the Leader of Majority wants.

The Speaker (Hon. Oraro): Hon. Atieno, you have good points but, I want to rule you out of order because you are debating. I had suggested that Chairperson whom is Hon. Samson Ameso to take notes, and if you have something, please give to the Chairperson. Please he will give those replies. So let us have genuine information if you have any.

The Speaker (Hon. Oraro): To the Leader of Majority, can you conclude.

The Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I believe that you should also remind the Hon. Members that we have so many frivolous points of order in this House and that is stifling the debate which is taking time unnecessarily.

Please allow me to say this. We have people who are allegedly affected by these inflated bills. We have; Ms. Linet Adhiambo, Andrew Onyango, John Odhiambo, etc. If you allow me to add something here, there was a time I had a problem with my water connection and I happened to bump into the person who was in charge. Fortunately, this person carries his laptop every time wherever he goes. Fortunately, again the Chairperson Water, Environment and Natural Resources Committee joined us and he raised this matter. Each item was explained why there were variances. Unfortunately, that explanation does not form part of this report. This is because, if it were to form part of this report, then we would have gotten a direction of why this problem is happening. So, Mr. Speaker, that is why we are saying that we need to do serious work as committees of this House. So, that when we bring reports here...

(Loud consultation)

The Speaker (Hon. Oraro): Conclude Leader of Majority.

Leader of Majority (Hon. Onyango): We can adopt it and hold some people to account. Because I want to believe that the committee did not do some good job here, I oppose it and urge them to go back, do a proper job and bring it to the floor of this House, thank you.

The Speaker (Hon. Oraro): Yes Hon. Florence Olang'o.

Hon. Olang'o: Thank you Mr. Speaker, going by the mood of the House, let me call the mover to reply.

The Speaker (Hon. Oraro): Hon. Samson Ameso, I think now you have time to respond to all the concerns of the members. I believe you were taking notes.

Hon. Ameso: Thank you Mr. Speaker, I will try my best to respond. First and foremost I want to thank Hon. Members for their sincere contribution on the report.

Mr. Speaker, the genesis of this report as indicated here came through when a petition arose which was copied to the chairperson of this committee by one Mr. Audi Ogada on the matter concerning the inflation bill by KIWASCO.

Once again I want to admit; I have listened to each and every member's contributions. One of the things that I have noticed is that members do not read the report. That one I can say without any contradiction. We were investigating an issue of Alleged Inflation of Water Bills. Whereby while a member was contributing, contradicted that the report do not indicate whether it was a Bill. That is my one confirmation to you that they did not read the report. Some were just contributing for the sake.

Again, in many a times, few of the speakers ask for evidence. Mr. Speaker, when you look at the annex, we have given the analysis of evidence. The evidence of both to this committee and we have summarized in a page here we indicated each and every account and their issues that was raised based on these findings.

Mr. Speaker, when one ask for evidence, I do not know which one they expect apart from the ones we have analyzed here in brief other than bringing the whole document which was so big to this Honourable House. The evidences are there.

Once again, I want to echo what my brother Bishop Hon. Atieno, when introduced a word of *Breadonomics* which, as general as it is in this House. Words have different meanings. Hon. Bishop tried to give a definition of the *Breadonomics* which members felt that he is using unparliamentary word.

I do not know how best you can give an explanation of a word, but, you must just give it to the best of your knowledge as he put it. I did not feel it if he offended members by giving a definition of the *Breadonomics*.

Mr. Speaker, it is true as many contributors have said that KIWASCO has issues. This particular issue that we were investigating was about alleged inflated water bills. Mr. Speaker, if you look at the document which I now plead with Hon. Members, and any report that has come to this House, let us always take our time to go through the report and understand what it means. That will help guide us while contributing before this Honourable House.

Mr. Speaker, I was so shocked if one of the very important member of this committee, a man that I respect so much in this House who is my brother contradicting himself on the report that he read, re-read and signed. Mr. Speaker, those good words and contributions that he was bringing through this House; he could brought them before the committee whereby he is a member.

I agree that only a fool cannot change his mind. It would be much better if he gave it his best in the committee. He is also part of this report. If the report does not meet the standard of what was required, but, he is the one who contributed to this report.

I want to plead with other members of the various committee that when we are at the committees, let us contribute to the best of our knowledge. So, that whatever we bring here, we all concur with.

Mr. Speaker, as I conclude, it is the power of this House if we have done a report and brought it, however much it could be good or bad, but as a committee, we have done our best and have brought the report in this Honourable House.

You will agree with me that it is the record of this House that the Water, Environment and Natural Resources Committee was always ranked number one in their report. That is on the record. If the issues of; maybe giving opportunity to EACC to do investigation, is now at your liberty Mr. Speaker when you will be making your ruling.

If whether we can go further to invite other agencies to do more on this. Otherwise Mr. Speaker, I beg to reply.

(Applause)

The Speaker (Hon. Oraro): Hon. Members now that the Sectoral Committee Water, Environment and Natural Resource on the Investigation of Alleged Inflation of Water Bills by KIWASCO was presented by the Chairperson, Hon. Ameso, seconded and debated I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

(Hon. Members with opposing views rise to their feet)

The Speaker (Hon. Oraro): The report of the Sectoral committee Water, Environment and Natural Resource on the Investigation of Alleged Inflation of Water Bills by KIWASCO.

The Speaker (Hon. Oraro): What is it Hon. Okiri?

Hon. Okiri: Mr. Speaker in such a situation like this when the four of us are standing, it requires that we go for division.

(The Clerk at the table consulting with the Speaker)

The Speaker (Hon. Oraro): Hon. Members I have consulted and I am told that only 4 Hon. Members stood. Hon. Members, our Standing Orders is very clear on the number of people who should stand for us to go for voting.

Therefore the Sectoral committee Water, Environment and Natural Resource on the Investigation of Alleged Inflation of Water Bills by KIWASCO has been adopted to day 25th February 2021 at 1620 hours.

Hon. Members, I direct that communication to be made to the right institution for further action. That the Implementation committee to take charge to ensure that the recommendations are implemented.

The Speaker (Hon. Oraro): Next Order!

MOTION

1ST READING OF THE KISUMU COUNTY LAKEFRONT DEVELOPMENT
CORPORATION BILL, 2021

BY HON. GEORGE OLWAL

CHAIRPERSON,

STANDING COMMITTEE OF PLANNING, INDUSTRIALIZATION AND ICT

The Speaker (Hon. Oraro): Hon. Olwal.

Hon. Olwal: Thank you Mr. Speaker. I would like to request that the Kisumu County Lakefront Development Corporation Bill, 2021 be read for the first time.

The Speaker (Hon. Oraro): Yes Mr. Clerk.

The Kisumu County Lakefront Development Corporation Bill, 2021. A Bill for an Act of the County Assembly of Kisumu to make provisions for the establishment of Kisumu Development Lakefront Corporation as a special purpose vehicle SPV. To develop and manage economic and social activities of the Lakefront mobilized resources and for connected purposes is now read for the 1st time.

The Speaker (Hon. Oraro): Hon. Members now that the Kisumu County Lakefront Development Corporation Bill, 2021 has been read for the 1st time, I want as per our Standing Orders to commit it to the committee of Planning, Industrialization and ICT.

Hon. Members, I want to direct that the Chairperson of the Committee that you kindly refer to our Standing Orders and ensure that you do the necessary which includes discussions at your committee level and carry out public participation and give us a report.

The Speaker (Hon. Oraro): Next Order!

MOTION

1ST READING OF THE KISUMU COUNTY REGULARIZATION OF LAND OWNERSHIP
AND DEVELOPMENT BILL, 2021

BY HON. GEORGE OLWAL

CHAIRPERSON,

STANDING COMMITTEE OF PLANNING, INDUSTRIALIZATION AND ICT

The Speaker (Hon. Oraro): Yes Hon. Olwal.

Hon. Olwal: Thank you Mr. Speaker. I would like to request that the Kisumu County Regularization of Land ownership and Development Bill, 2021 be read for the first time.

The Speaker (Hon. Oraro): Yes Mr. Clerk!

The Kisumu Regularization of Land Ownership and Development Bill, 2021, A Bill for an Act of the County Assembly of Kisumu to provide for the regularization of unauthorized developments and for connected purposes is now read for the 1st time.

The Speaker (Hon. Oraro): Hon. Members now that the Kisumu County Regularization of Land Ownership and Development Bill, 2021 has been read for the 1st time. Again, I want to commit the said Bill to the committee on Planning, Industrialization and ICT and as per our Standing Orders, I want to direct again that the Chairperson of the House Committee that you kindly refer to our Standing Orders and ensure that you do the necessary which includes discussions at your committee level and carry out public participation and give us a report.

The Speaker (Hon. Oraro): Next Order!

MOTION

1ST READING OF THE KISUMU COUNTY INVESTMENT AND DEVELOPMENT
CORPORATION BILL, 2021

BY HON. PAUL OKIRI

CHAIRPERSON,

FINANCE, TRADE AND ENTERPRISE DEVELOPMENT

The Speaker (Hon. Oraro): Yes Hon. Okiri.

Hon. Okiri: Thank you Mr. Speaker. I would like to request that the Kisumu County Investment and Development Corporation Bill, 2021 be read for the first time.

The Speaker (Hon. Oraro): Yes Mr. Clerk!

The Kisumu County Investment and Development Corporation Bill, 2021. A Bill for an Act of the County Assembly of Kisumu to provide for the establishment of legal and institutional framework for investment and development management and for connected purposes is now read for the 1st time.

The Speaker (Hon. Oraro): Hon. Members now that the Kisumu County Investment and Development Corporation Bill, 2021 has been read for the 1st time, I hereby commit the Bill to the Standing Committee of Cooperatives, Finance, Trade and Enterprise Development and direct that as per our Standing Orders the Chairperson of the House Committee plus the members of the committee to adhere to the provisions of the Standing Orders and ensure that the Bill is discussed, Public Participation is carried out and a report is brought to the plenary so that the Bill can move to the second level. Thank you.

The Speaker (Hon. Oraro): Next Order!

MOTION

ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY REPORT ON THE COMMITTEE TRAINING ON ACCESS TO JUSTICE AND INTERPRETATION OF MANDATE

BY HON. SETH OKUMU,

CHAIRPERSON,

STANDING COMMITTEE OF ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY.

The Speaker (Hon. Oraro): What is it Leader of Majority?

Leader of Majority (Hon. Onyango): Mr. Speaker, I have consulted with Hon. Okumu and I want to indulge the House that we differ this motion to Tuesday next week so that we may have adequate time to debate on it. I call upon Hon. Okumu to second.

Hon. Okumu: Thank you Mr. Speaker. Following the long debate and deliberation on the Committee of Water report, I know the Members are exhausted but it is equally important to give them time so that they can also deliberate on the report by the Legal committee and I want to request out of that that we postpone reading of the report to Tuesday next week. Thank you.

The Speaker (Hon. Oraro): Hon. Members the Clerk has called for a motion on the report of Committee Training on Access to Justice and Interpretation of Mandate by the Committee of Administration of Law, Justice, Constitutional Affairs, Good Governance and Security. The withdrawal of that motion has been done by the Leader of Majority, seconded by the mover of the motion, Hon. Seth Okumu. I think it is only in order that I give maybe 3 or 4 Members to deliberate on the same because the Leader of Majority is saying that Members are tired but I don't know how he managed to get into the minds of other Members to know that they are tired.

The Speaker (Hon. Oraro): Yes Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I have just received my copy and I have not gone through it. So I support that we debate it on Tuesday.

The Speaker (Hon. Oraro): Hon. Okiri.

Hon. Okiri: Mr. Speaker I support the withdrawal of this motion to Tuesday. This is based on how this motion is very important when it comes to the Standing Committee of Administration, Law, Justice, Security, Constitutional Affairs and Good Governance. This is not something that we can talk about as a cup of tea. We don't want it to go the way the Water Committee Report has gone through. Thank you.

The Speaker (Hon. Oraro): I promised to give the Leader of Minority.

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker. It is also imperative that the Office of the Minority does consultation and when a House Committee Chairperson says that the report is adjourned to the next sitting then it is in order. Members need to go through the report so that when the time for discussion comes, they will have exhausted it. I do support that we do the necessary as suggested by the Majority Leader so that we have a full discussion of the report next week on Tuesday. Thank you.

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

Hon. Agolla: Thank you Mr. Speaker. I am one of the Members who is exhausted and I am a little a bit disturbed under which Standing Orders the Leader of Majority used to ask for the adjournment because that is not constitutional and it is against our Standing Orders.

Mr. Speaker, I just want to ask that the proper way of moving a motion should be followed up to a stage where that motion is seconded and it is opened for debate. That is the only stage and the situation where we should adjourn or differ a motion. Once a motion is disrupted at that stage under Standing Orders No. 30 that is when we can leave it at that point so that those Members who did not contribute can contribute in the next sitting. At this point, I hope it is too early to differ or to suspend or to adjourn whatever case but I want to support that we can differ this motion when we follow the statutes of this House.

The Speaker (Hon. Oraro): Hon. Ogutu.

Hon. Ogutu: Thank you Mr. Speaker. I am against differing of this particular motion. We know how our tray is full of businesses in this House. Even if we can discuss this particular motion until 9.00 p.m. then there is room for that. I believe that we continue with this motion if it is a matter of adding more time for Members so that we can deliberate on this motion at around 9.00 p.m. I believe that from that time, we will also be looking at the Members' welfare because our main concern is that. If our welfare can be taken care of then I believe it is okay.

The Speaker (Hon. Oraro): Hon. Members the Leader of Majority raised the matter. Thank you Hon. Agolla, I was almost indulging the Leader of Majority to give us the Standing Orders that he has used but nevertheless, we understand his intention and now that I have got two versions on the same; initially I have had around 4 Members supporting the proposal by the Leader of Majority and one Member. So I want to give an opportunity to a Member who has a contrary opinion.

The Speaker (Hon. Oraro): Yes Hon. Muga.

Hon. Muga: Mr. Speaker, we need to take time as leadership in this House as I have I always informed the Majority Leader to refer to the Standing Orders. I like my learned friend because he got enough training at the start.

The Speaker (Hon. Oraro): Yes Leader of Majority. Who do you want to inform?

Leader of Majority (Hon. Onyango): Mr. Speaker I want to inform the House. I want the House to know that I am well vast with the Standing Orders and what was moved here was a Notice of Motion. If you look at Standing Orders No. 41 (1), it states that a Notice of Motion can be withdrawn and that is precisely what I have done. So when some people want to insinuate...

The Speaker (Hon. Oraro): Hon. Majority Leader did you say Standing Orders No. 41 (1)?

The Leader of Majority (Hon. Kenneth Onyango): Standing Orders No. 49 (1). That was a Notice of Motion. The motion has not been moved.

The Speaker (Hon. Oraro): Yes Hon. Samo.

Hon. Samo: Thank you Mr. Speaker. I believe that the Leader of Majority is misleading the House. We are in business No. 12 which is the Motion by the committee of Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Committee report. So, at as then this is not a Notice of Motion that is why I always insisted that the Leader of Majority was a teacher of CRE and not even English.

The Speaker (Hon. Oraro): Hon. Members I had directed that yes we have motion that had been proposed for debate and there is a procedure of withdrawing such motion. I am saying that I had

made a direction that the Leader of Majority did not indicate the Standing Orders that he is using but, I did say that the intention of his statement was known. I also want to connect to what the Leader of Majority has said that the motion has not been moved and that the motion is still at notice stage. Were it like the case of Hon. Ameso where the proposer of the motion had done, seconded and by the time I had proposed a question for debate I think it is Hon. Misachi who stood up and said that she is requesting for the suspension of the discussion to a later date.

Hon. Members, if Hon. Okumu had moved the motion then it changes the scenario and it is no longer a Notice of Motion and it is now a motion under debate. So I want to see if there is anybody who is for the opinion like that of Hon. Ogutu.

If there isn't in that case I will not put a question but I want to direct that motion No. 12 is hereby differed to Tuesday, 02nd March 2021 at 2.30 p.m.

The Speaker (Hon. Oraro): Next Order!

ADJOURNMENT

The Speaker (Hon. Oraro): There being no any other business to transact the House stands adjourned to Tuesday, 2nd March 2021 at 2.30 p.m.

(House rose at 4.55 p.m.)

Addendum

Hansard Team

<i>Zablon Otiende</i>	-	<i>In-charge, Reporter I</i>
<i>Edward Odanga</i>	-	<i>Reporter</i>
<i>Fanuel Okode</i>	-	<i>Reporter</i>
<i>Patrick Okoyo</i>	-	<i>Reporter</i>
<i>Jesca Otieno</i>	-	<i>Reporter</i>
<i>Dennis Onyango</i>	-	<i>Reporter</i>
<i>Jacklyne Otieno</i>	-	<i>Reporter</i>

