

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – SECOND SESSION

Tuesday, 18th August, 2020

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

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

PRAYERS

The Speaker (Hon. Oraro): Honourable Members, going by the number of Members in the Chambers, I want to direct that the quorum bell be rung for five minutes.

(Quorum bell rung for five minutes)

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Honourable Members, welcome to this session. Like I did communicate last week, we are in the process of ensuring that our proceedings goes live in Facebook and You Tube and it shall be recorded fully. I want again to urge you that as you participate please take note of that because your constituents will be watching you. We still have some small technical hitch and the staffs attached to the ICT are working on it.

The Zoom platform is on the password is as sent in the WhatsApp forum so the Members who are outside can join us through the forum. I can see Hon. Guya, Hon. Beatrice and Pamela. Others will soon join.

The Speaker (Hon. Oraro): Next order!

STATEMENTS

The Speaker (Hon. Oraro): Yes Hon. Jacktone Ogendo.

Hon. Ogendo: Thank you Mr. Speaker. I am just doing a follow up in regards to some two Statements that I issued on 15th June, 2020 and the other one was on 30th June, 2020. I don't know whether you will allow me to ask again on the same.

The Speaker (Hon. Oraro): You said you had raised a Statement?

Hon. Ogendo: I want to make a follow up on those Statements.

The Speaker (Hon. Oraro): Please proceed.

Hon. Ogendo: The first Statement was on the Project Management Committee and I wanted to be furnished with the Bank Statements of the account as from 1st September, 2019 to 31st December, 2019. I asked the Committee of...

The Speaker (Hon. Oraro): Just a minute Hon. Ogendo. This is to the Hansard Team, please reduce the echo.

The Speaker (Hon. Oraro): Proceed.

Hon. Ogendo: Mr. Speaker, I can recall I asked to be given a response within seven days but you directed that the statement can be brought immediately after the recess. To date, no response has been given and it is two weeks since we resumed from recess.

The second statement was directed to the Implementation Committee in regards to Purchase of Power Generator and that was on 30th June, 2020. No response has been given to date. I therefore request for your indulgence.

The Speaker (Hon. Oraro): Which committees did you direct your Statements to?

Hon. Ogendo: It was Ward Development Committee and Implementation Committee respectively.

The Speaker (Hon. Oraro): Chairs of those Committees? If they are not there, Hon. Ogendo, I want you to bear with me. I will communicate a decision of that matter tomorrow at 2:30 p.m. because I can't see any Chair here. I am being informed that the Ward Development Committee already has a progress report which the House Business Committee to schedule for presentation. I am informed that the committee is still working on it.

I want to say that once a work has been given to a committee and they cannot deliver within time, then we shall form an Ad hoc Committee to work on it. Let committees not complain that

an Ad hoc Committee is doing their work. So, Hon. Ogendo allow me to give you feedback tomorrow.

Hon. Ogendo: Mr. Speaker, my worry is that these Committees are taking too long and my statements were very simple. Getting Bank Statements doesn't take that long.

The Speaker (Hon. Oraro): Hon. Ogendo, I cannot see the Chairs of the two committees. That is why I am saying that allow me to reach them through any other means. You will get your feedback tomorrow. Unless there are Members who are online who are the Members of the said committees. Hon. Gard Olima are you a Member of any of the two Committees?

Hon. Olima: No, Mr. Speaker I am not a Member of either of the Committees mentioned.

The Speaker (Hon. Oraro): How about you Hon. Johnson Guya?

Hon. Guya: No am not a Member of any of the Mr. Speaker.

The Speaker (Hon. Oraro): Yes Hon. Genga, are you a Member of either Ward Development Committee or the Implementation Committee?

Hon. Genga: No Mr. Speaker I don't belong in either of the Committees.

The Speaker (Hon. Oraro): How about you Hon. Beatrice Pamela?

Hon. Beatrice Pamela: No, I am not.

The Speaker (Hon. Oraro): So, Hon. Ogendo based on the confirmed roll call we neither have Members of those Committees nor their leadership here, therefore we will deal with it tomorrow.

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

Hon. Ogutu: Thank you Mr. Speaker, I have just walked in as you talking about the membership of the Ward Development Committee.

The Speaker (Hon. Oraro): Yes.

Hon. Ogutu: I can confirm that I am a Member of the Ward Development Committee.

The Speaker (Hon. Oraro): We are looking for a Statement that was raised by Hon. Jacktone Ogendo some time back in June. Have you had any discussion in your Committee or do you know the whereabouts of this referred statement?

Hon. Ogutu: Mr. Speaker, I know about the Report but I request you to give us more time to deliberate on it because we had scheduled a meeting recently, which was postponed. So with the little time you offer us, we will manage a conclusive report to this Assembly.

The Speaker (Hon. Oraro): I had made a ruling that I will give you feedback tomorrow after consulting the Chairs of the various Committees, otherwise thank you Hon. George Ogutu.

Hon. Ogutu: Thank you Mr. Chair.

The Speaker (Hon. Oraro): Yes Hon. Seth Okumu.

Hon. Okumu: Thank you Mr. Speaker, I rise on Standing Order No. 41 2(b) to raise a Statement. Pursuant to the provision of the County Assembly Standing Order No. 41 2(b), I wish to seek a Statement from the Chairperson of Planning, Industrialization and ICT Committee. A task force was instituted by His Excellency the Governor Prof. Anyang' Nyong'o vide a gazette Notice No. 3445 dated 13th April 2018, to investigate the irregular, illegal and multiple allocations of public land within Kisumu County. The task force was to produce a Report that would give a guideline to the County Government of Kisumu in collaboration with the National Land Commission to recover the illegally allocated public land, institutional houses, leases and estates within Kisumu County. In addition they were to look into historical land injustices, which are bedeviling our great County.

Notably, no Report has since been tabled in this honorable House regarding the same. Mr. Speaker, I am sure that you can clearly remember that we have been struggling to find land to construct the Assembly and even the Governor's House. Even in East Seme it is a struggle finding land for the Construction of a Cultural Centre. We could be struggling like this yet there are public lands in possession of people we are not certain of. So far we don't know where they are or who they are in their possession. I therefore seek a Statement from the Chairperson Committee of Planning, Industrialization and ICT on the following;

1. Whether the taskforce that was formed by the Governor undertook the investigation
2. If they undertook the investigation, was a report done?
3. If the report was done, why has it not been tabled in this House?
4. Whether the taskforce identified land for construction of an ultra-modern Assembly, the Governor's and the Speaker's official residence including that of the Deputy Governor
5. If the life of the taskforce still exists or whether it was disbanded without our knowledge.

I believe this is a very urgent matter that needs very quick action so that our plan as an Assembly to have an ultra-modern Assembly can be achieved. We are struggling to get land for various development purposes. I know there people who are struggling to get land to build dispensaries. I know people who are struggling to get land to build vocational training centres. We have public land across the county. We want them to tell us where they are through that report so that we can plan on our development. I seek your guidance that you give the committee shortest time possible so that they can bring a reply to my Statement into this House. Thank you.

The Speaker (Hon. Oraro): Thank you Hon. Members. Is there anybody who has something to contribute on that? If none then I want to commit that Statement to the Committee of Planning, ICT and Industrialization and I direct...

Yes Hon. Guya.

Hon. Guya: As one of the issues to be responded to; how much was the cost of running the committee? How much did it spend in the process of running its affairs?

The Speaker (Hon. Oraro): Hon. Guya is suggesting that you include the cost of running that taskforce. I think that is captured.

Hon. Ogutu you have something to add?

Hon. Ogutu: Yes, Mr. Speaker. Thank you once again. I want to reiterate what Hon. Seth Okumu has said about the county lands. Presently we have a problem building Nyakach Huduma Centre. On a close scrutiny, we have established that almost a half of the land in Pap Onditi belongs to the county government. I believe the opportunity which has been created by Hon. Okumu should enable the committee to further investigate county lands which were either given to the private developers or individuals so that they can be reverted back to the rightful owner which is the county government. We have been told that building Huduma Center at Pap Onditi is becoming a problem simply because of land. As I had said earlier, that, and almost half of this particular land of Pap Onditi belongs to the County Government. On the same, the Curriculum Development Fund (CDF) office is built on the County Government's land and the land which was supposed to be used to build Huduma Center belongs to the National Government.

Mr. Speaker these have really pulled back developments in West Nyakach. You are also aware that almost every Sub-County in our County of Kisumu has a Huduma Center whereas Nyakach Sub-County does not have; simply because of the failure by the Lands Department but not the entire County Government. The department of Lands has failed to identify a place for building the Huduma Center.

I believe that Hon. Seth has brought a very important Statement and should be taken seriously, thank you Mr. Speaker.

The Speaker (Hon. Oraro): Thank you Hon. George. However, I think the Statement from Hon. Seth was very clear on investigating the Status of the Land Task Force Committee and at that point I will not allow the Committee to go the extent of looking at the land issue since there is already a task force which was assigned to do that. Once they bring the report, we shall debate on it so that you can raise those matters.

I only want to allow the matter to go the extent as requested by Hon. Seth Okumu and an addition from Hon. Johnson Guya. So, you are given two weeks from today as a Committee, if

you do not deliver, we will form a task force of Ad hoc Committee and that will be the way to go.

It means that on 1st of September 2020, you will have to bring back the report back to the Assembly. If you do not bring the report by that time, we will form an Ad hoc Committee to work on the same.

I noticed Hon. Ken Ageng'o, okay...

The Speaker (Hon. Oraro): Next Order!

MOTION

FIRST READING OF THE KISUMU COUNTY CLIMATE CHANGE BILL 2020

(BY HON. SAMSON AMESO CHAIRPERSON COMMITTEE ON WATER,
ENVIRONMENT AND NATURAL RESOURCES)

The Speaker (Hon. Oraro): Hon. Samson Ameso. Sergeant-at-Arm can you assist Hon. Ameso? You can use the portable microphone.

Hon. Ameso: Thank you Hon. Speaker, Under Standing Orders No. 121 and 122, as I confine to the Standing Orders, the Kisumu County Climate Change Bill, 2020 be read for the First Time by the Clerk of the County Assembly.

The Speaker (Hon. Oraro): Yes, Madam Clerk

A Bill for introduction into the County Assembly of Kisumu. Kisumu County Climate Change Bill 2020. A Bill for an Act a County Assembly of Kisumu to provide for regulatory framework for enhanced response to climate change to provide for mechanisms and measures to achieve Low Carbon Climate Development. To provide for mechanisms and regulations to achieve low climate change development, financial mechanism for implementation of climate change, adaptation activities and for connected purposes. The Bill is hereby read for the first time.

The Speaker (Hon. Oraro): Hon. Members, the Kisumu County Climate Change Bill, 2020 has been read for the first time and pursuant to the provisions of our Standing Orders No. 121; when a Bill is read for the first time by the Clerk of the Assembly we are not subjecting it to any debate neither are we putting any question but the Bill is committed to the relevant committee. In that regard I do hereby commit the Bill on the Kisumu County Climate Change Bill,2020 to the Committee of Water, Environment, Natural Resources and Climate Change pursuant to the provisions of Standing Orders No. 123. I want to request the committee that you proceed and organize for public participation as soon and possible because you are aware that this Bill is important towards ensuring that County access given amount of funding by different donors.

I am also aware that there is a team that is willing to support you in terms of carrying out Public Participation; so the faster the better. I want to request the Water, Environment and Natural Resources Committee that you be committed and I believe that in the next one or two weeks before the deadline of such period as per when a Bill is committed to a committee you are supposed to have been through with the work and bring it back to the Assembly for the next stage. Unfortunately Hon. Members such Bills cannot go more than one step at a time.

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

Hon. Omoro: Mr. Speaker I would also like to request that the copy of the Bill uploaded in the website or to our WhatsApp group because some of us do not have it and we would like to go through it since...

The Speaker (Hon. Oraro): Hon. Omoro the Bill is already uploaded and I think it will also be sent in the WhatsApp group.

The Speaker (Hon. Oraro): Next Order!

ADJOURNMENT

The Speaker (Hon. Oraro): Hon. Members, there being no any other business to transact, the House stands adjourned to tomorrow Wednesday 19th August 2020 at 2.30 p.m.

(House rose at 3.06 p.m.)

Addendum

Hansard Team

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|------------------------|---|----------------------------|
| <i>Zablon Otiende</i> | - | <i>In-charge, Reporter</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> |