

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FOURTH SESSION

Tuesday, 25th February, 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): Mr. Clerk, kindly take us through the Order of the day.

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Hon. Members, we are officially in the Fourth Session of the Second Assembly and I want to say that we have quite a lot to transact in the Session and this will call for our commitment and timely attendance of our sessions in both Committees and Plenary sessions.

Hon. Members, I believe that this week we will be dealing with the issues of the Kisumu County Supplementary Budget estimates FY 2019/2020 and I believe that the Chairperson, Budget and Appropriations is on top of things and we need to dispense off with it with haste so that we compete with the remainder of the time in the Financial Year.

Hon. Members, on the same breadth, we were in concurrence that different House Committees who had pending works to submit them to the Liaison Committee by the close of this week. Some of the Committees I want to mention but just a few;

- a) Health and Sanitation Committee: The Committee was working on an agenda on the Health Status in Kisumu County and I believe that it is due and you need to submit the report to the Liaison Committee this week.
- b) Committee of Labour and Social Welfare: The Committee was working on the Labour related issues on employment especially in the Health Sector in consultation with the Kisumu County Public Service Board. Please submit your report to the Liaison Committee by expiry of this week.
- c) Water, Environment and Natural Resources: The Committee you had undertaken some trips, your report should be ready by close of this week.
- d) Culture, Arts and Sports: The Committee had the CASA Games Report and it should be ready.
- e) Ward Development Committee: The Committee had a Benchmarking Trip with the sister Assembly Committee in Nairobi. Your report should be ready.
- f) Committee on Implementation: The Committee had a trip to Mombasa, so your report should be ready.
- g) Education, HR and Community Services: Your report should be ready.
- h) All the other House Committees who have assignments in terms of Statements, Motions, Trips, Benchmarking. They are going to form part of our business next week.

Finally, as we had agreed passed and resolved in this House, that we shall be having “Assembly Mashinani” by Friday we will be having a Gazette Notice on the dates and venues of “Assembly Mashinani” commencing the month of March, 2020 up to the month of June, 2020.

Hon. Members, I want to urge you all that let us make the attempt to attend all the “Assembly Mashinani” and we need to come up with the motions and agendas and we shall be engaging the Public on the areas of concerns as regards the different sub-counties that we will be holding the “Assembly Mashinani”. Our objectives is that all the Wards shall be covered by the “Assembly Mashinani” but this FY we will be having one per Sub-county if possible.

Hon. Members, with that communication, please let us be ready to work in this Fourth Session and to undertake our oversight role as appropriate. Next order!

PAPERS LAID

REPORT ON THE FIRST KISUMU COUNTY SUPPLEMENTARY BUDGET ESTIMATES
FY 2019/2020

AND

THE ANNUAL REPORT ON THE KISUMU COUNTY PUBLIC SERVICE BOARD FOR FY
2019.

The Speaker (Hon. Oraro): Hon. Steve Owiti, Chairperson, Budget and Appropriations Committee.

Hon. Owiti: Thank you Mr. Speaker. Pursuant to the provisions of County Assembly Standing Orders No. 225 I wish to lay before this Honourable House today Tuesday, 25th February, 2020 report on the First Kisumu County Supplementary Budget Estimates FY 2019/2020. Thank you.

(Hon. Chair for Budget and Appropriations tabled the Paper)

The Speaker (Hon. Oraro): Leader of Majority, do you have something, please proceed.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Allow me also to lay before this House the Annual Report on the Kisumu County Public Service Board for FY 2019. Thank you.

(The Leader of Majority tabled the Annual Report before the House)

The Speaker (Hon. Oraro): Hon. Members, please allow me to make a ruling on this Annual Report. As you are all aware that when we receive such a report, we have to commit it to a relevant Committee. I would like to commit the Kisumu County Public Service Annual Report for FY 2019 to the Committee of Budget and Appropriations and I want to request that the Committee looks into the report and report back to this House within two weeks.

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

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker. That the Kisumu County Public Service Annual Report for FY 2019 should be committed to the Committee of Labour and Social Welfare because those are issues dealing with Labour and not the Budget and Appropriations as such. I would request Hon. Guya to support my proposal that it be committed to the Committee of Labour and Social Welfare?

Hon. Guya: Thank you Mr. Speaker, I wish to second the proposal made by the Leader of Minority that the report on the Kisumu County Public Service Annual Report for FY 2019 be committed to the Labour Committee as has been the case in this House.

The Speaker (Hon. Oraro): Thank you Hon. Guya. I am inclined to believe that the Leader of Minority was on a Point of Order and I believe that you did not require a seconder. May I make a ruling that I have just consulted my mind and the Standing Orders and it is true? I want the first communication on the Committee that the report to be committed to the Budget and Appropriations Committee be expunged from the records of the Assembly, the Hansard and I make a communication that the Report on the Kisumu County Public Service Annual Report for FY 2019 be committed to the Sectoral Committee of Labour and Social Welfare. Please work on this report and give us a feedback within a period of two weeks.

The Speaker (Hon. Oraro): Next order!

NOTICES OF MOTION

THE BUDGET AND APPROPRIATIONS COMMITTEE REPORT ON THE FIRST KISUMU COUNTY SUPPLEMENTARY BUDGET ESTIMATES FY 2019/2020

BY

HON. STEVE OWITI

The Speaker (Hon. Oraro): Hon. Steve Owiti, Chairperson, Budget and Appropriations Committee.

Hon. Owiti: Thank you Mr. Speaker. Pursuant to the provisions of County Assembly Standing Order No. 45, I wish to give a Notice of Motion on the Budget and Appropriations Committee Report on the First Kisumu County Supplementary Budget estimates FY 2019/2020. Thank you.

The Speaker (Hon. Oraro): Next order!

STATEMENTS

Hon. Speaker (Hon. Oraro): Hon. Rashid Miruka, Chairperson, Culture, Community Services, Arts and Sports, MCA, North Nyakach.

Hon. Miruka: Thank you Mr. Speaker. Pursuant to the provisions of County Assembly Standing Order No. 41 (2) (b) read together with Standing Order No. 189, I wish to seek for a Statement from the Chairperson of the Committee on Budget and Appropriations regarding the Pending Bills.

Hon. Speaker, Chairperson of the Committee on Budget and Appropriations should inquire and investigate into and report back to this House on the following;

List of Pending Bills?

- a) FY 2013/2014 and Opening Balances?
- b) FY 2014/2015?
- c) FY 2015/2016?
- d) FY 2016/2017?

On the same breadth, we would like to be furnished with the following:

- a) Projects undertaken per Ward,
- b) Amounts and awards?
- c) Amounts paid so far?
- d) Outstanding Balances?
- e) Mitigation measures to curb future Pending Bills from recurring?

Mr. Speaker, we have the issues of the Supplementary Budget Estimates FY 2019/2020 with us and the issues to do with the Pending Bills just came and you are aware of the repercussions that it will impact on our wards. We would like to be furnished with the above so that we are certain on work regarding the future Bills will be done in order and we don't have any further Pending Bills. I would like to request on the same note that, with the discretion of your Chair you allow Members deliberate on the same. Thank you.

The Speaker (Hon. Oraro): Hon. Members, before I open a debate on this matter, Hon. Steve is in the House and I believe that I came across some correspondences requesting for the same. This was directly linked with the Committee of Budget and Appropriations and more so with the Kisumu County Supplementary Estimates FY 2019/2020.

So, before I open it for debate, I believe that we should get a feedback from the Chairperson, Budget and Appropriations if he has something to say about this.

Hon. Owiti: Thank you Mr. Speaker. I wish to respond to this House that the Committee of Budget and Appropriations is already on course and we had done a correspondence to the Executive on the same and there are other issues that have been raised in that Statement that we will have to delve in in-depth.

Mr. Speaker and Hon. Members, I want to seek indulgence of the House and because of the matter which is considered weighty we as a Committee will present our Report part of what has been sought for by the House. We will go further and request for more time so that we tackle the full details of the Statement in two weeks' time so that immediately we are through with the Supplementary Estimates FY 2019/2020 we will be able to give details of each issue sought in the Statement. It is important to note that as a Committee we are following up on that matter and therefore I will present to this House a response on what has been sought in that Statement. Thank you.

The Speaker (Hon. Oraro): Hon. Chair, you are a bit scanty on the Statement because you are saying that part of what Hon. Miruka has sought for is already covered in what you are going to present.

Hon. Owiti: Yes Hon. Speaker, because as a Committee in the Supplementary the Committee had prevailed upon the Executive to give us a List of all the Pending Bills. Mr. Speaker, in the Pending Bills there is what we call the Eligible Pending Bills which were already verified by the Kenya National Audit Office. Mr. Speaker, there is also a Committee on Pending Bills that was appointed by that National Government in conjunction with the County Government which is looking at the In-eligible Pending Bills and from the Statement by Hon. Miruka, he sought for those as early as FY 2013/2014 and we have to cluster them in that order.

Mr. Speaker, I believe that that detailed report that he sought for can be availed. So, I was saying that part of the Report, the names of the Eligible Pending Bills shall be presented with the

Supplementary Report. We equally want a full list even of those disallowed because we would like to know which other Pending Bills have not been verified as eligible.

The Speaker (Hon. Oraro): Hon. Miruka, I believe you heard the Chairperson Budget and Appropriations. What he is presenting is that he will be presenting the Eligible Pending Bills but, he will not be presenting the In-eligible ones. So, in the Supplementary Estimates Report that the Committee will be presenting, I don't know if we should open it up for debate as he has preempted that it will include part of the Report and though he is very clear that he will be presenting only part of it which are the Eligible Pending Bills. The In-eligible Pending Bills are the once missing.

Hon. Miruka: Thank you Mr. Speaker. I am not convinced because the same has been asked by many Member of this House for a long time but there has been procrastinations. Mr. Speaker, if he says that he will give us just part of the Pending Bills, he will not have solved the issues we want solved. We don't want any issues of Pending Bills in the future and if he is bringing us the responses, it should be as comprehensive as possible and on that, I am requesting you to allow Members to discuss it. Thank you.

The Speaker (Hon. Oraro): I will get the reactions of the Members within a period of ten minutes. You have heard from the Chair Budget and what Hon. Miruka has said. I saw Hon. Arao up.

Hon. Arao: Thank you Mr. Speaker. The issue of pending bills is a thorn in the flesh and I know the Budget Chair might also be a victim and this House might not be comfortable to pass the Supplementary Budget. He stated that he has part of what Hon. Rashid was asking for. We must know what the Supplementary Budget contains and not forgetting that we also need to see the list of pending Bills.

Mr. Speaker, projects were done in our Wards and therefore going through the list of Pending Bills will enable us verify if those projects were done in the Wards. We cannot make payments when there was no proper use of public resources. I therefore want to support the sentiments echoed by Hon. Miruka that we need to see the total list of Pending Bills. This an oversight responsibility that we must undertake to help this County. Let the Chair Budget give us the list of Pending Bills. Thank you.

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

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I just wanted to say that I don't know how more the Chair Budget could have been clear because he has said that, before this Statement was raised today, they had already communicated with the Executive demanding clarity on the said issues that are being raised now.

Mr. Speaker, I did see the letter that was written by the Clerk through the Budget Committee and in that letter the Committee demanded the same issues that are being demanded by Hon. Rashid Miruka. The Budget Chair said that before the Budget is read, that information that the Members want will be available. Besides, there is an issue that what is being done on the matter of the Pending Bills? We are aware that as we were doing the Supplementary Budget, the overall development of the County was slashed so that the issue of the Pending Bills could be sorted out.

Of the work that was done, Kshs.179 million has already been paid to offset the Pending Bills that has been there from the year 2013. As we speak today, pending bills have been paid up to mid-2016. In the Supplementary Budget, there is a provision due to the budget cuts of around Kshs. 500 million that is going to be used to offset the Pending Bills. I would have wish that we give the Budget Chair the benefit of doubt so that as he lays the Supplementary Budget and that is this week, it is going to come alongside the list of Pending Bills. Thank you.

The Speaker (Hon. Oraro): Thank you. Hon. Philemon Ojuok.

Hon. Ojuok: Thank you Mr. Speaker. I want to request the Leader of Majority that sometimes he needs to respond to the concerns raised by the Members in one single go. I want to say that the issue of the Pending Bills is going to determine whether we are a House that works or not. I remember when we were in Nairobi that one of the resolutions that the Speaker was asking by that time was the issue of the Pending Bills.

I want it to be very clear that nobody is raising the issue of Pending Bills to stop the budget. I had the responsibility to explain to my constituents that we were slashing the budget to offset the Pending Bills and they were very uncomfortable because no projects were done. We need a complete list of Pending Bills to be availed. We must handle this ghost called the Pending Bills. A comprehensive list of Pending Bills is something that is not so much to ask for. Please.

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

Hon. Agolla: Thank you Mr. Speaker. I want to support what Hon. Leader of Majority has said. The Budget Chair has made a commitment that he will bring a report within two weeks and that is within the law. What we need to do is to urge the Committee to avail the list of the Pending Bills. There is a project that does not even exist in my Ward. We must know which contractor is demanding to be paid which project. I want to strengthen that the Budget Committee take it seriously and invite and visit their place and meet so that they come up with a comprehensive report on the Statement sought by Hon. Rashid Miruka. Thank you.

The Speaker (Hon. Oraro): Hon. Ken Ooko.

Hon. Ooko: Thank you Mr. Speaker. We have two list of Pending Bills. The illegible and ineligible pending bills. We need all these lists. How can a contractor demand for payment of a project that he never completed? Let the list of Pending Bills be availed. Thank you.

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

Hon. Pamela Odhiambo: Thank you Mr. Speaker. When we asked for the list of Pending Bills then we are doing our oversight role. There are projects in our Wards that were never done and the contractors are demanding for payments. The Ward Administrators are not able to avail the list of projects that were done. We need this list of Pending Bills. Thank you.

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

Hon. Ogutu: Thank you Mr. Speaker. I support the pleas of Hon. Rashid Miruka. You are aware the issue of Pending Bills has been a problem in our County. Executive paid around Kshs. 130 million in 2013 to 2016 for Pending Bills. The ineligible Pending Bills are there because some documents are missing in those respective files.

Mr. Speaker, we can only verify the projects that were done after getting the list of Pending Bills.

But as time goes, I believe those papers will be returned and those companies will be paid. It would be better if we could be provided with this particular list so that we can go through it. We can compare and contrast from our Wards if these particular contracts were done. Mr. Speaker, I support Hon. Rashid. Thank you.

The Speaker (Hon. Oraro): Hon. George, are you predicting that the papers, in case they will return to the companies, then why do we look for the bills? This is because you are saying they will be paid.

Hon. Ogutu: That is why I am of the opinion that even the ineligible ones should be provided in this House so that we know that a particular company is classified as ineligible. In any case it is not paid in time then we will question why it is being paid at that moment. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): I want to end this debate. Anyway, I am seeing Hon. Ngeta, and Hon. Pete. Due to seniority, let me give the first opportunity to Hon. Pete followed by Hon. Ngeta. I will give Hon. Steve the last chance then I make a ruling.

Hon. Pete: Thank you Mr. Speaker, Sir. The issue of Pending Bills in Kisumu County is not a small matter. Since this Government came to power, when we hear of Pending Bills, the question, which comes, is; Do we feel the Pending Bills on the ground? We hear of big figures. What did the figures do on the ground? Another question. The payment is ongoing. What is stipulated in the Public Finance Management Act? The Executive could have paid two months to the Supplementary, and, by the time of the Supplementary, they have the list because they have been paying. What is the problem that makes this list not to be provided?

That means they have the list. Let them provide the list so that we approve what they have done. When it has become an issue and questions come left and right, suspicion comes in. it is my

prayer that the Executive sees the sense, the Finance Department, they avail the list to the Assembly. Just as Members are expressing their fear, the fear cuts across all the Wards. There are some projects which people have seen what was done and to the best of their knowledge they were not done.

For the people of Kisumu to be satisfied that things are going on well, let the list be provided because I think this is a public document which should not bring hue and cry. If availed, all these questions will not arise. I beg that pressure is piled on the Executive to avail this list and it becomes a practice that a document that they ought to bring, they do not force us to force them to submit. Let them take it upon themselves to submit it within the right time. I beg to support that pressure is put on the Executive to bring the list of pending bills: what they inherited, what they have paid, what they are going to pay, what will remain to be paid so that we know here we have come from and where we are going to? Thank you.

The Speaker (Hon. Oraro): Hon. Ngeta

Hon. Ngeta: Thank you Mr. Speaker, Speaker. Mr. Speaker, I want to concur with my Honourable colleagues in supporting the issue of Pending Bills. Mr. Speaker, we need to dispense with the issue of Pending Bills. Mr. Speaker, we are taking our community backwards by not paying the business class, our youth, and our women doing business with the County Government and so on.

Mr. Speaker we need an Ad hoc Committee to deal with this animal of ineligible and eligible Pending Bills, so that after every payment, I have heard the Leader of Majority saying about Kshs179 million was paid the other week. I think it he does not have full information. It was Kshs. 129 million and not Kshs. 179 million.

The Speaker (Hon. Oraro): What is it Honourable Leader of Majority? Whom do you want to inform?

Leader of Majority (Hon. Onyango): On a Point of Information. Mr. Speaker, I think my Statement would have been taken out of context. It is true that Kshs. 129 million was paid last week, but earlier on, Kshs. 40 million had been paid that is why I talked about Kshs. 169 million and not Kshs. 179 million. Thank you.

The Speaker (Hon. Oraro): Proceed Hon. Ngeta.

Hon. Ngeta: However much you are denying your statement; I think there is Hansard report. Kshs. 129 million added to Kshs. 40 million cannot sum to Kshs. 179 million. I think you are still misleading the House.

The Speaker (Hon. Oraro): Hon. Ngeta, I think the Leader of Majority has made the correction.

Hon. Ngeta: That is a wrong correction Mr. Speaker. We need to be honest.

The Speaker (Hon. Oraro): Hon. Ngeta, he has said that he meant Kshs. 129 million plus Kshs. 40 million that is Kshs. 169 million.

Hon. Ngeta: Kshs. 129 M added to Kshs. 40 million is Kshs. 169 million and not Kshs. 179 million. we can refer to the Hansard. Let us have residents of Kisumu County at heart. This is the House of Rules and Procedures. As such, we must speak the truth so that we save our County and our people. Let us not take this as business as usual. We cannot be lying every time Leader of Majority.

The leadership should come up with an Ad hoc Committee to deal with this animal called Pending Bills so that we save our people from auctioneers and protect their children from being sent away from school due school fee arrears. Mr. Speaker, we must clear Pending Bills by the end of this Financial Year. Thank you.

The Speaker (Hon. Oraro): Hon. Steve Owiti, Chair Budget.

Hon. Owiti: Thank you Mr. Speaker. I totally agree with some of the sentiments raised here and I wish to inform this House that long before the statement was raised, my Committee had made commitments and went ahead to write to the Executive to enquire the position of the pending bills. Last week as we were discussing Supplementary Budget and the beginning of this week, one of the things that delayed our discussion was the issue of pending bills. We had invited the CEC Member for Finance before the Committee of which he explained. When we are talking of the verification process, who verified the so- called eligible and ineligible? It was done by the National Audit Office and there is a report done by the same office.

We agreed, and I have reported here, that list of eligible Pending Bills that will be paid. We agreed we would not present before this House a report without a list of those Pending Bills. Because today Hon. Rashid has raised that matter and there are other things, he has asked in his statement. He said he wanted the list properly analyzed. We would even want to know, from the Pending Bills, in which Wards where they committed.

In our discussion Mr. Speaker, Sir I think it was said, we as an Assembly are not introducing another verification level. It was agreed as a committee that in an event we see a project that has queries, each and every Member will have to raise flag immediately so that we they go ahead and pay then that will now be upon them.

The list of eligible Pending Bills, which has been verified by the National Audit Office, will be availed with that. I am asking and pleading with this House that we had earlier asked to be given two weeks so that we bring a full report on the Pending Bills as had been raised by the Honourable Member. I think the Speaker brought the issue of the list having been there, given that he knew the Budget Committee had already started the process.

Mr. Speaker, Sir, I request that you give us two weeks and within those fourteen days, we shall be able to avail the statements. I think as the Chair, we ought to avail a more detailed report. We can include the Wards so that if people have questions, they can even visit the areas where the projects are said to be done or purported to have been done. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Thank you Hon. Steve. You have made my work easier. Allow me to say something before I make communication on the same. From the statements on the replies by the Chair Budget, he has alluded to the fact that when presenting the report on the Supplementary Budget he has part list of the Pending Bills, which is basically the eligible Pending Bills. However, it looks like the concern of the Members is whether eligible or ineligible. There is need to understand the whole list of Pending Bills.

From the presentation by Hon. Steve, and even my knowledge, there is the Pending Bills Committee chaired by one Mr. Alloyce seconded by the National Government and they are working on ineligible pending bills. I also want to challenge Members of the Assembly in regards to our oversight role. Before the list of Pending Bills is brought, what is our preparedness in terms of the status of all the projects that have been approved and implemented from the year 2013 to date?

I want to challenge especially the Implementation Committee, what is the status of the projects that were approved from the year 2013 to the FY 2019/2020? So that when the list comes, we are able to verify the list of payment status vis a vis the project status on the ground which is entirely our role. On the same line, one of the areas of doing oversight is the quarterly reports and the Annual Reports. There were quarterly reports submitted to those committees like the Finance Committee, what are your findings?

In the report, there must be attachment of detailed description of what was paid, what was done, bank statements, and you are allowed even to request the evidence of what was paid. Where is the report from the Finance Committee as regards the Quarterly Reports that you have plus any other? The Finance Committee and the Budget Committee, where are the Annual Auditor General's report if you have received them? And what are we doing as regards the Quarterly Reports?

Therefore, in as much as we are looking for these bills, we also need to be a head as an Assembly. We must have the reports ahead from the Executive and we must do our work. Let each and every Committee be responsible. The various Sectoral Committees such as Committee of Health, Committee of Water, Committee of Agriculture, Committee of Roads, where are your reports in regards to what is happening? Let us not wait until things are out of order. That could have happened but can we resolve that going forward, we must be ahead of Executive in terms of oversight. Let us be very precise and timely in terms of working on the Quarterly Reports. When we have worked on the Quarterly Reports very easily, it becomes easier to work on the Annual Reports because it is just a combination of the four reports.

We are in February 2020, it means as we speak, by 15th of January we ought to have received the Second Quarter Report of the FY 2019/2020 and with details bank statements, list of payment including even labour issues, employees and so on. Therefore, as an Assembly, can we up our game.

Finally, I still want to commit the same statement to the Committee of Budget and Appropriations. If they do not give us appropriate results within two weeks that is satisfactory to the Members, we will have no otherwise but to form an Ad hoc Committee to look into the matter in details. Therefore, if we do not get the full list of Pending Bills, within two weeks from today, we will have no otherwise but to form an Ad hoc Committee to look into the matter.

The Speaker (Hon. Oraro): Hon. Linnet Muga. Hon. Inviolate Adhiambo, kindly approach the Chair. Hon. Linnet proceed.

Hon. Muga: Thank you very much Mr. Speaker, Sir. Pursuant to the County Assembly Standing Orders No. 193, I wish to request for a Statement from the Chairperson from the sectoral Committee of Water, Environment and Natural Resources regarding pollution of the lake.

(Hon. Inviolate Adhiambo takes over the Chair)

Honourable Speaker, from the Statement, the person should enquire and investigate into the cause of pollution, the action taken so far, the extent of damage, the mitigation measures to curb any future pollution.

Madam Speaker, we all know that the Lake Victoria is a fresh water lake and right now the lake is polluted. After more consultations, I came to realize that water has become very filthy and smelly. This is the reason why I have come up with this Statement so that we know all the four issues I have brought before the House. On the same, I want to request you Madam Speaker if you can allow the Members to contribute on this so that we know the status as we give it to the Committee of Water to go and do their investigations. Thank you, Madam Speaker.

The Temporary Speaker (Hon. Inviolate Adhiambo): Thank you. I will allow Members to contribute on the statement. Yes, Hon. Guya.

Hon. Guya: Thank you Madam Speaker. Madam Speaker, I think the issues raised by Hon. Linnet are key. Madam Speaker, I would just add my voice to request the committee to ensure that it is fast-tracked. In doing so, I want this House to allow the committee to ensure that they visit the various industries that cause the pollution of the Lake so that when we get that Report in this House then we can do a comprehensive report, complete with necessary action to be taken and the way forward so that we deal with this matter once and for all.

Madam Speaker, you remember that as a County we are going to host the Africities coming next year. One of the probable reasons why Kisumu was chosen is because it is a city next to a fresh

water lake. I would therefore urge the Committee to move with speed and report to this House. Thank you.

The Temporary Speaker (Hon. Inviolete Adhiambo): Thank you. Yes, Honourable Whip

The Chief Whip (Hon. Misachi): Thank you Madam Speaker. In support of the statement raised by Hon. Linnet, I would add that let us start with our own House and that is Kisumu Water and Sewerage Company (KIWASCO). Let the Committee on Water start with them so that we can see for ourselves. I believe it is always over the radios on the pollution of lake water is always discussed and they always refer to KIWASCO. I would say that the Water Committee should insist that KIWASCO do their job after treating their effluence to see if there is any other area that is putting raw sewer into their treatment plant.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Ken Ooko.

Hon. Ken Ooko: Thank you Madam Speaker. I am against the committee on Water and Environment visiting these places. Hon. Guya is a Member of that committee and I am wondering why he is requesting the House to allow the committee to visit those places yet we know that the Lake is polluted. What is the purpose of visiting those places again? We need solutions and actions to be taken. The Chief Whip has mentioned KIWASCO. There is no need for you looking for allowances here and there.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Philemon Ojuok.

Hon. Philemon Ojuok: Hon. Speaker let me take this opportunity to thank Hon. Muga for bringing up this statement. There is this issue of Blue Economy and even at the National level, one of the key things that we are talking about is food security. We cannot talk about food security without talking about the Lake in Kisumu and if you are aware, we are already losing the sugar cane. Those are the key areas that we were able to attain our livelihood. Right now, we are about to lose the lake. This is a matter that I would urge the Committee of Water, Environment and Natural resources to take seriously.

I would like to support Hon. Guya that this House stops doing a number of arm-chair decision that you sit here and make decisions that this company is releasing effluent into the Lake without even confirming. When you want to bring something into this House, you have to bring something that is concrete and that you have confirmed. In fact, if you go to other places the issue of environment is very key. Even if you go to the markets where it is polluted, the water takes the pollution into the Lake. In my place I know of markets where they are threatening not to give revenue because the people are defecating in the markets. There is need to awaken the Department of Environment on their role in this County. I support the statement.

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

Hon. Ogutu: Thank you Madam Speaker. I would want to support this particular statement and say that we as MCAs coming from the area bordering the Lake, we are worried. This particular Lake is totally polluted and I believe that our livestock drink this water. It has come a time when these livestock are afraid of drinking this particular water. My ward has been ear marked because it is a place where the fish should breed and if you go there in the morning you will find small fish dying.

Madam Speaker this is the extent to which this Lake has been polluted. It forces some people to drink this water and you can imagine the results when it is taken by a human being. In some areas you will find this water bluish in color. So, we were wondering what kind of chemical is being discharged in the Lake. If this issue is not taken care of in time then I believe that we will have no Lake and it will not be called a fresh water Lake. We are also questioning the kind of fish which we are getting from this particular water, we don't know whether these fish are contaminated. I believe that the results will be huge on people consuming this fish. Something must be done immediately. Thank you.

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

Hon. Ogaga: Thank you Madam Speaker. I wish to support this statement by Hon. Muga and I want to say that there are many actors involved when it comes to Lake Water pollution. Like my colleagues have stated we have the business community who mishandle whatever they interact with and it ends up in the Lake. We have our farmers whose farm inputs end up in the Lake. We have the industries and other companies that direct their effluence in the Lake and it us human beings who are involved.

I therefore urge and request the committee that the statement is directed to, to act with a lot of speed. In the past we have had complaints on River Kibos being affected by the sugar company that we have there. I represent a Ward that is just next to the lake where we have so many beaches. Fishermen used to get fish from the lake but nowadays they only get baits where the women go for them and they are sold for Kshs. 1.00. I would like to inform this House and disagree with Hon. Ogutu who sad that we get contaminated fish from our lake. I would like to inform the House that the fish we consume in Kisumu is imported. We get fish from Usenge, Busia and Uganda, making it very expensive and making it very difficult for our fishermen who used to rely on that for their livelihood.

I therefore urge the committee to do its work properly and the County Government. We have people living along Lake Victoria who cannot afford to buy water ad so they will still go for this dirty water. I want to tell you that where I am married, we cannot consume that water since it is dirty and so it forces us to buy water.

In my Ward, when I always talk of water getting connected, they are always saying no and giving explanations that we are just next to the lake. We are next to the lake but we cannot

consume that water. Many people from my Ward tend to get sick because they consume that dirty water and this consume the small income that they get instead of using it on development. I support. Thank you.

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

Hon. Ogutu: Thank you Madam Speaker. I would like to inform the House and the Hon. Member. She has just said that all the fish is coming from Usenge. I am coming from a lake region and my Ward is almost covered by the lake in every corner. There are fishermen in that area and they have nets and boats. In the evening they go to the Lake to fish. It is not proper for the Hon. Member to say that the fish we are eating is coming from Usenge unless the once being consumed in her Ward are coming from Usenge. Thank you.

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

Hon. Samo: Thank you Madam Speaker. Fish will always move and so Hon. Ogutu needs to know that very well. Some of them are found on the other end and not only in Nyakach. If Hon. Ogutu is talking about her fish coming from Usenge, then you just have to agree.

Madam Speaker, I would wish to get some directions from you because this matter as it has been ably raised by Hon. Muga and of which I support is already a matter that is already being looked into by the committee of Water. Yesterday we did sit in that committee and this matter was part of the agenda, the direction had been given and on Thursday there is a sequence that the committee is going to follow to go through this. I just wanted to get some direction that if you are going to commit it then are you going to re-commit a matter that is already being looked into or what are we going to get from this?

Secondly, in the support of Hon. Muga. When you go round the lake from Kisian, there is a Crown Paint Factory; its effluent into the Lake is completely raw and I have seen it since I have been there. When you go to Impala Park, Sunset used to take all the effluent into the Lake and the highest percentage has been the sanitary towels which is chocking the lake. So, when Hon. Muga raised this matter, I am in concurrence that the Committee of Water, Environment and Natural Resources should be able to do a thorough check on this and report back to this House on what is happening. People like us who stay around the lake, we find it rough to stay at home since the smell from the lake is bad and you wonder if you wife has polluted the air since men don't do that.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Otiang'.

Hon. Otiang': Madam Speaker, is it really in order when Hon. Samo state that ladies do pollute the air whenever they are and right now, he is sitting next to a lady. If he cannot justify that, then he should withdraw and apologize.

The Temporary Speaker (Hon. Inviolata): Hon. Samo, you are requested to withdraw and apologize.

Hon. Samo: Madam Speaker, before I apologize, I think that Hon. Otiang' is short sighted because I am sitting next to Hon. Okiri.

The Temporary Speaker (Hon. Inviolata): Hon. Samo, kindly withdraw and apologize.

Hon. Samo: Madam Speaker, the Hon. Member has said that I am sitting next to a lady and here where I am sitting next to Hon. Okiri who is a man.

The Chief Whip (Hon. Misachi): Madam Speaker I believe that Hon. Samo was clear on his submission because he said the fact 'in his House'. So if his wife pollutes the air at home then that is not this place. So, we cannot take something which is happening outside and put it in our Assembly.

(Loud laughter)

The Temporary Speaker (Hon. Inviolata): Well noted. Proceed Hon. Samo.

Hon. Samo: Thank you Hon. Whip. You have come to my defense since you really understood what I said. I mentioned my House. Madam Speaker as I have said if this is going to be committed to the Committee of Water then I really need to get some direction since we are already handling that matter. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. If it had already been committed to the Committee of Water, Environment and Natural Resources, I request that the committee to give us a progress report on the same in the next one week. Next order!

ADJOURNMENT

The Temporary Speaker (Hon. Inviolata): There being no any other business to transact, the House stands adjourned to tomorrow Wednesday 26th February 2020 at 9.00 a.m.

(House rose at 4.05 p.m.)

Addendum

Zablon Otiende – Head of Department

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter