

## COUNTY GOVERNMENT OF KISUMU



## COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

### SECOND ASSEMBLY – FOURTH SESSION

Tuesday, 30<sup>th</sup> June, 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): The Clerk, can you please take us through the business of the day.

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

### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oraro): Hon. Members, as you are all aware that today is a very important day in the history of Kenya in relation to Financial Management and to be specific Kisumu County. This is because this marks the end of one Financial Year as we move to the next Financial Year.

Hon. Members, I would like to bring to your attention that as I have perused through the Order Paper and I have noticed one key agenda that we will be dispensing with is the Kisumu County Appropriations Bill, 2020 which is before the County Assembly. As you are aware that pursuant to the relevant provisions of the Public Finance Management Act 2012, we had disposed of the Budget Proposal and the relevant statute is the Appropriations Bill which is before this House. Hon. Members, I would like to bring to your attention of the County Assembly Standing Order No. 120 which highlights the stages of a Bill. This states that one stage of a Bill can be taken at one time. This Standing order stipulates that;

*“Except with the leave of the County Assembly, not more than one stage of a Bill can be undertaken at any time.”*

Hon. Members, I would like to ride on and invoke that Standing Order and direct that by the leave of the County Assembly, when that matter comes up for deliberations, we allow that the stages of the Kisumu County Appropriations Bill 2020 be undertaken continuously. This order is based in part 2 which stipulates that;

*“Paragraph (1) shall not apply in respect of the Appropriations Bill or a County Revenue Bill.”*

Hon. Members, I repeat;

Standing Order No. 120, section (1) which states that;

*“Except with the leave of the County Assembly, not more than one stage of a Bill may be done at any one sitting;*

*Part (2), Paragraph (1), shall not apply or in respect of an Appropriations Bill or a County Revenue Fund.”*

Hon. Members, based on that Standing Order, this House shall be able to work on the Appropriations Bill in all the readings. So, I request for your maximum co-operation so that we deal with the matter and owing that today is 30<sup>th</sup> June, 2020 and our Public Finance Management Act provides that an Appropriations Bill should be dispensed of with on or before 30<sup>th</sup> June every year.

Hon. Members the other communications that I want to make is that, our Zoom Link is on and the password has been shared in the WhatsApp forum and you can communicate to the other Members that they can weigh in on this matter through the access code provided in the WhatsApp forum. Thank you.

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

## **PAPER LAID**

**The Speaker** (Hon. Oraro): Hon. Agolla, MCA, South West Kisumu Ward and Chairperson, Committee on Implementation.

**Hon. Agolla:** Thank you Mr. Speaker. Pursuant to the provisions of County Assembly Standing Orders No. 185, I wish to table before this House today Tuesday, 30<sup>th</sup> June, 2020, the Committee on Implementation Report in the Implementation Status of Development Projects under the Department of Tourism, Culture, Arts and Sports for the Financial Year 2019/2020.

Mr. Speaker, again please allow me to table before this House and pursuant to the provisions of the Count Assembly Standing Order No. 185, today Tuesday, 30<sup>th</sup> June, 2020, the Committee on

Implementation Report in the Implementation Status of Development Projects under the Department of Roads, Transport and Public Works for the Financial Year 2019/2020. Thank you.

*(Chairperson, Committee on Implementations tables the two Reports before the House)*

**The Speaker** (Hon. Oraro): Hon. Members, I confirm receipt of reports on the Status Report on the Status of Projects in the Department of Roads, Transport and Public Works for the Financial Year 2019/2020 as presented by Hon. Erick Agolla, Chairperson, Committee on Implementations on behalf of the Joint Committee on General Oversight and Implementation. I do hereby commit this report to the House Business Committee to slot it for discussion in the Assembly.

Finally, Hon. Members, I confirm receipt of reports on the Status Report on the Status of Projects in the Department of Tourism, Culture, Arts and Sports for the Financial Year 2019/2020 as presented by Hon. Erick Agolla, Chairperson, Committee on Implementations on behalf of the Joint Committee on General Oversight and Implementation. I do hereby commit this report to the House Business Committee to slot it for discussion in the Assembly.

**The Speaker** (Hon. Oraro): Mr. Clerk, please approach the Chair!

*(The Hon. Speaker consulting with the Clerk)*

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

**Leader of Majority** (Hon. Onyango): Thank you Mr. Speaker. I wish to lay before this House today Tuesday, 30<sup>th</sup> June, 2020 the Kisumu County Appropriations Bill for the Financial Year 2020/2021. Thank you.

**The Speaker** (Hon. Oraro): Hon. Members, the Kisumu County Appropriations Bill, 2020 has been laid before this House and received and I believe that each and every Hon. Member has been furnished with a copy. As I had directed during the Communication from the Chair that it is scheduled for discussions. As per our Standing Order No. 120 (1) and (2), I did direct that we shall undertake all the readings in one sitting. I would like to commit this Bill to the County Budget and Appropriations Committee. Thank you.

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

## NOTICES OF MOTION

REPORT FROM THE IMPLEMENTATION COMMITTEE ON THE IMPLEMENTATION STATUS OF PROJECTS AT THE DEPARTMENT OF TOURISM, CULTURE, ARTS AND SPORTS FY 2019/2020

AND

REPORT FROM THE IMPLEMENTATION COMMITTEE ON THE IMPLEMENTATION  
STATUS OF PROJECTS AT THE DEPARTMENT ROADS, TRANSPORT AND PUBLIC  
WORKS FY 2019/2020

BY

HON. ERICK AGOLLA

CHAIRPERSON, IMPLEMENTATION COMMITTEE

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

**Hon. Agolla:** Thank you Mr. Speaker. Pursuant to the provisions of Standing Order No. 45, I wish to give a notice of motion from the Committee of Implementation on the Implementation Status of projects at the Department of Tourism, Culture, Arts and Sports for the Financial Year 2019/2020.

Consequently, if you allow me, pursuant to the provisions of Standing Order No.45 I wish to give a notice of motion from the Committee of Implementation on the Implementation Status of projects at the Department of Roads, Transport and Public Works for the Financial Year 2019/2020. Thank you. Thank you.

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

**COMMENCEMENT OF BUSINESS**

1<sup>ST</sup> READING OF THE KISUMU COUNTY APPROPRIATIONS BILL, 2020

BY

HON. STEVE OWITI

CHAIRPERSON, BUDGET AND APPROPRIATION COMMITTEE

**The Speaker** (Hon. Oraro): Yes Hon. Steve Owiti. What is it Hon. Kanga?

**Hon. Kanga:** Mr. Speaker, there are certain things that we must do procedurally because this is a Bill which is going to become an Act. The Leader of Majority has laid a Paper and the Chairperson has not given a notice of motion and you have gone further to give him the chance to read the motion. I believe after the Leader of Majority had laid the Paper, a notice should have been given. Thereafter, we move to the motion. This is a very important document. Advise the House accordingly. Thank you.

**The Speaker** (Hon. Oraro): Thank you Hon. Kanga. I want to rule you out of order. The notice for the Appropriations Bill had been given and the Bill that was laid was recommended for some corrections and I did direct the Leader of Majority to lay again the Appropriations Bill which was laid after the corrections on the budget proposals. Therefore, the notice had been given accordingly and as per our Standing Orders. Honourable Members, that is why I had directed that the Chair Budget shall proceed as per our Standing Orders.

**Hon. Owiti:** Thank you Mr. Speaker and the Honourable Members. I rise to move a motion that the Kisumu County Appropriations Bill, 2020 be read for the 1<sup>st</sup> time. May I ask the Clerk to take us through.

**The Speaker** (Hon. Oraro): Proceed Mr. Clerk.

## THE KISUMU COUNTY APPROPRIATIONS BILL, 2020

### A Bill for

**AN ACT of the Kisumu County Assembly to authorize the issue of certain sums of money part of the County Revenue Fund and their applications towards the services of the year ending 30<sup>th</sup> June, 2021 and to appropriate those sums of certain public services and purposes.**

**The Speaker** (Hon. Oraro): Honourable Members, the Kisumu County Appropriations Bill, 2020 has been read for the 1<sup>st</sup> time. As per our Standing Order No. 123, I do hereby commit this Bill to the Budget and Appropriation Committee and based on the directive that I did give on our Standing Order No. 120 (1) and (2), I direct that the House be suspended for ten minutes to allow the Budget and Appropriations Committee to organize themselves as we move to the next level of the Bill.

*(The House breaks for ten minutes)*

**The Speaker** (Hon. Oraro): As per our Standing Order No. 123, we did commit the Bill to the Budget and Appropriations Committee. Therefore, I would like the Chair Budget to report to the House before we move to the next business. Proceed Hon. Steve Owiti.

**Hon. Owiti:** Thank you Mr. Speaker. The Appropriations Bill before this House was tabled here and looked by the Committee and I want to report to the House that the Committee had met earlier and deliberated on the budget proposals and a report was tabled here, last week on 26<sup>th</sup> June, 2020. It was adopted by this House and the Bill that has been tabled here today has been informed by the decisions in the report that was approved in this House. I therefore, urge this House that we proceed with the deliberations. May I ask my able Deputy to second. Thank you.

**Hon. Khan:** Thank you Mr. Speaker. I rise to second.

**The Speaker** (Hon. Oraro): Honourable Members, the Budget Appropriations Bill was committed to the committee. The report we are getting from the Budget and Appropriations Chair is that the

information in the Bill is as per the report that was adopted in this House last week on 26<sup>th</sup> June, 2020. His presentation is that, with the adoption of that report, we move to the next stage. I want to open this matter for a short debate. Yes Hon. Kanga.

**Hon. Kanga:** Mr. Speaker, going by the mood of this House, I call upon the mover to reply.

**The Speaker** (Hon. Oraro): Thank you. Silence means everybody is satisfied that we had adopted the report by the Budget and Appropriations Committee last week. Hon. Steve Owiti.

**Hon. Owiti:** Thank you Mr. Speaker. I want to thank the Members for giving our Committee an easy time. I would also want to appreciate that the level of discussions that we held on the report was indeed satisfying and I want to ask that if agreeable, I want to propose that we move forward. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Now that we are in agreement that the report that the report that was adopted last week informed the preparations of the Bill that we are discussing today in the House, I want to direct that we go to the next order.

## 2<sup>ND</sup> READING OF THE KISUMU COUNTY APPROPRIATIONS BILL, 2020

BY

HON. STEVE OWITI

CHAIRPERSON, BUDGET AND APPROPRIATION COMMITTEE

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

**Hon. Owiti:** Thank you Mr. Speaker. I rise to propose that the Kisumu County Appropriations Bill, 2020 be read for the second time. May I ask the Clerk to take us through.

**The Speaker** (Hon. Oraro): Proceed Mr. Clerk.

## THE KISUMU COUNTY APPROPRIATIONS BILL, 2020

**A Bill for**

**AN ACT of the Kisumu County Assembly to authorize the issue of certain sums of money part of the County Revenue Fund and their applications towards the services of the year ending 30<sup>th</sup> June, 2021 and to appropriate those sums of certain public services and purposes.**

**The Speaker** (Hon. Oraro): Honourable Members, I want to refer ourselves to Standing Order No. 125, which states that; *(1) A Bill having been read a Second Time shall stand committed to a Committee of the whole County Assembly.*

(2) *On the Order of the Day for Committee on a Bill being read, the Speaker shall leave the Chair without question put.*

Yes, Hon. Steve Owiti.

**Hon. Owiti:** Mr. Speaker I arise to propose that this House converts to the Committee of the Whole House and I ask the Leader of Majority to second.

**Leader of Majority (Hon. Onyango):** Mr. Speaker I second. Thank you.

*(House converts to Committee of the Whole House)*

**Chairperson, Committee of the Whole House (Hon. Joachim):** Order Hon. Members. We are now in the Committee of the Whole House. We will be guided by the Standing Order No. 126. Allow me to read part of it: *“In considering a Bill in Committee, the various part therefore shall be considering the following sequence.*

- a) *Clause as printed excluding the clauses providing for citation of the Bill, the commencement if any and interpretation*
- b) *New clauses*
- c) *Schedules*
- d) *New Schedules*
- e) *Interpretation*
- f) *Preamble*
- g) *Long title*
- h) *The Clauses provided for the citation of the Bill and the Commencement*

Back to the Chair Budget

**Hon. Owiti:** Thank you Chair. As we look at this Bill in the Committee of the Whole House, I would propose that we go by the way of guillotine. I ask the Leader of Majority to second.

**Leader of Majority (Hon. Onyango):** Thank you Chair. Having gone through the Appropriations Bill, by and large it reflects the Budget estimates adopted in this House last week on Thursday. And therefore, I second the proposal that we go the guillotine way. Thank you.

**Chairperson, Committee of the Whole House (Hon. Joachim):** Thank you Leader of Majority We will go the guillotine way having been proposed by the Chair Budget and seconded by the Majority Leader. So, we will go Clause by Clause. Mr. Clerk.

*(Clause 2, 3, 4 and 5 being read by the Clerk at the Table)*

**Chairperson, Committee of the Whole House (Hon. Joachim):** Thank you Mr. Clerk. Any proposed amendment for the part that has been read by the Clerk?



I therefore put a question that Clause 2,3,4,5 to be part of the Bill.

*(Question put and agreed to)*

Mr. Clerk.

*(First Schedule being read by the Clerk at the Table)*

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you Mr. Clerk. Just as guided by the Standing Order No. 126, we are on the Schedule, and as read by the Clerk, I want to get back to the floor if there is any proposed amendment. Yes, Hon. Khan.

**Hon. Khan:** Thank you Chair. There are three amendments to be done and I want to read them consecutively if you allow me.

**Chairperson, Committee of the Whole House** (Hon. Joachim): I just want to guide you that we are currently dealing with the recurrent expenditure

**Hon. Khan:** Okay. Then there is only one here which is under 317 R11 on Page 4. They have omitted the sub counties of Kisumu Central and Kisumu East for purposes of services and purpose. If you read the amount required in the year ending 30<sup>th</sup> June, 2021 of Energy and Industrialization including salaries, general administration and planning for headquarters, you should insert Kisumu Central, Kisumu East, Kisumu West, Seme, Nyando, Muhoroni and Nyakach which is there. So, it is just to insert Kisumu Central and Kisumu East. Thank you Chair. I ask Hon. Steve Owiti to second the same.

**Hon. Owiti:** I second.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you very much. Hon. Leader of Majority.

**Leader of Majority** (Hon. Onyango): Chair, mine is very brief. When the Clerk was reading the vote codes from 317 R01 to 317 R14, he referred the Departments as executive Departments. I want to correct that the Assembly is also part of the recurrent expenditure that runs from 317 R01 to 317 R14. Thank you.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you very much Leader of Majority. That is a very good concern. Any other proposed amendment? Yes Hon. Guya.

**Hon. Guya:** Thank you Chair. 317 R10 Colum 3, there is the General Administration and Planning Services and then the second one is Industrialization and Enterprise Development which in my view should read Business, Cooperatives and Markets. Colum 3, under program title, the Department is Business, Cooperatives and Markets but the program title here is Industrialization



and Enterprise Development. Again, in the next one, 317 R11, it also talks about Industrialization. I think that correction should be done. I request Hon. Genga to second.

**Hon. Genga:** Thank you Chair. I arise to second.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you Hon. Genga. I want a question for the two amendments that have been proposed and we are dealing strictly with the first part of recurrent expenditure.

*(Question put and agreed to)*

We are moving to Development Expenditure. Mr. Clerk.

*(Clerk at the table taking the Committee of the Whole House on Development Expenditure; 317 D01, 317 D02, 317 D03, 317 D04, 317 D05, 317 D06, 317 D07, 317 D08, 317 D09, 317 D10, 317 D11, 317 D12, 317 D13, and 317 D14 and their respective totals)*

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you Mr. Clerk. What is it Hon. Erick Agolla?

**Hon. Agolla:** Thank you Chair. I just want to remind us that you did put a question for the amendments and you didn't put a question for the adoption of the Recurrent Expenditures. That is an omission.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you for the concern but remember we had proposed that we go the guillotine way. According to the Standing Order No. 126, the first part that we had adopted was the Clauses. However, Clause 5 having other several parts of it, that includes the schedules, we had adopted all our Clauses and we are now going as per the schedule. We are right as per the Standing Order No. 126.

Honourable Chair, any proposed amendments on the second part of the schedule? Yes Hon. Khan.

**Hon. Khan:** Thank you Chair. I have an amendment on Page 7, 317 D11 for the purposes of inserting the following Sub-Counties, Kisumu Central, and Kisumu East which have been omitted. It should therefore read, the amount required in the year ending 30<sup>th</sup> June, 2021 of Energy and Industrialization including salaries, general administration and planning for headquarters Kisumu Central, Kisumu East, Kisumu West, Seme, Nyando, Muhoroni and Nyakach. May I call Hon. Owiti to second?

**Chairperson, Committee of the Whole House** (Hon. Joachim): Carry on Hon. Chair for Budget.

**Hon. Owiti:** Thank you Chair. I second the amendments.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you Hon. Khan. Any proposed amendments? Yes Hon. Kanga.

**Hon. Kanga:** Thank you Chair. I have some observation on vote head on 317 D07 on the naming of mechanical in Public Works is slotted Kshs. 378,758,538. That sounds funny because you cannot give that amount to Mechanical and Public Works whereas Roads, Transport and Public Works is slotted for only Kshs 65,000,000 and it is development expenditure. The Chair should say something about naming of that code. Thank You.

**Chairperson, Committee of the Whole House (Hon. Joachim):** Before I hand over to the Chair, I want to say that these are program titles. I remember in Accounting money follows functions. The major functions that particular department handles are Mechanical and Public Works that is why it has that slot. You will see that the name of the Department Roads, Transport and Public Works but the program title makes it have that chunk of money slotted. I can see Hon. Guya nodding, unless you have a contrary opinion.

**Hon. Guya:** Thank you Chair. I want to concur with Hon. Seth Kanga and I know this includes the purchase of machines, and the KRB roads. My proposal is that the purchase of machines be under Mechanical department whereas the KRB roads to be put in the department of Roads, Transport and Public Works.

**Chairperson, Committee of the Whole House (Hon. Joachim):** Thank you Hon. Guya. I think we are on the same note and we are just clarifying why the chunk of money is put under the program Mechanical and public Works department, where the machinery falls. Take note that these are the major programs but they all fall under the same department that you are proposing, unless the Chairperson of Roads, Transport and Public Works has a different explanation from mine.

**Hon. Kanga:** Thank you Hon. Chair. I do not have a different explanation but I think we all agree that when we talk about Mechanical, it refers to heavy machinery and the like, that is why we have the escalated figure as compared to the Roads, Transport, and public works department. Consequently, when we talk about public works, it includes the bridges and the like. In as much as the figure seems higher than expected, it is just in the right proportion to its functions. As you have explained, I would say that they are just directorates in that department, which still fall under the same thing.

**Chairperson, Committee of the Whole House (Hon. Joachim):** Thank you very much chair. Yes Hon. Leader of Majority, Hon. Onyango.

**Hon. Onyango:** Thank you Chair. I would probably weigh in on that matter later. First, if you take a look at 317D10, the problem that was there in the same vote head under recurrent Expenditure is re appearing because it is under Industrialization and Enterprise development and yet the Department is of Business Cooperatives and Markets. I don't know how Industrialization and Enterprise Development comes in. I think there should be an amendment on that part so that it falls under the Department of Business Cooperatives and Markets.

On the issue of 317D07, if you look at the Budget book, you will see that the Kshs 378,758,538 million includes the KRB roads of Kshs 203,000,000 million. So, the Department of Roads, Transport and Public Works is a directorate.

The Chair can advise if what Hon. Kanga is saying, aligning the KRB Roads which is included in Kshs. 378,758,538 to Roads, Transport and Public Works. The Chair Budget can give a direction on that because it is not a big deal because money appropriated still remains in the said department. It is only that the specific programme is what is under contention. Thank you.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you.

**Hon. Owiti:** Chair, what matters here is the vote code and it is 317 D07. This is not a big deal. When you go to the main budget, even in the vote book. It is the vote that matters. We are not taking money from one department to another. They also have reasons for putting these codes.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Hon. Chair, I also want you to have this point.... What is it Hon. Kanga?

**Hon. Kanga:** When we were talking about the Recurrent Expenditure and we allocated Kshs. 181,000,000 to the directorate including money for road maintenance team. How do we expect them to work when you are re-allocating the money to mechanical and public works? Does it make sense. The Mechanical and Public Works has an allocation of Kshs. 378,758,538. Administratively, the directors will jostle this money to their respective departments. Every chunk of money is under a director. Who is that director? That is my point.

**Chairperson, Committee of the Whole House** (Hon. Joachim): It is important that we also clarify that, when the Clerk was reading the parts that constitutes the schedule, they were five parts. We had Part 1 up to Part 5. I don't think Part 3 directly translates to directorates. To put the arguments to rest, if you look at Part 2, which is titled the Service or Purpose for which the intended allocation is meant for. And if you allow me to read, the amount required in the year ending 30<sup>th</sup> June 2021 for salaries and expenses of Public Works, Roads and Transport including General Administration and Planning for Governance, Kisumu Central, Kisumu East, Kisumu West, Nyando, Muhoroni, Seme and Nyakach. It explains that it includes money meant for Works, Roads and Transport.

Yes, Hon. Atieno.

**Hon. Atieno:** Thank you Chair. Chair, if what you are saying is true, why it hard difficult for us to amend this one so that instead of Public Works which is a minor Directorate get the allocation of Kshs. 65,000,000.00 without wasting much time. Remember we had agreed that Public Works which include culverts and bridges among others was to cost about Kshs. 50,000,000.00. why can't we just reverse this and put it where it ought to be.

**Chairperson, Committee of the Whole House** (Hon. Joachim): I will rule you out of order because Kshs. 65,000,000 is not contested, I mean the bottom part which is Kshs. 378,000,000 that reads mechanical and public works.

**Hon. Atieno:** Yes, I understand and that is why we are having this kind of conversation. If the purpose of this huge chunk of money is for road maintenance, why can't we have specific description of the same in the Third Schedule instead of leaving it hanging as it is bound to bring a lot of confusion in future?

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you Hon. Atieno. Let me get back to Chair Budget then give opportunity to Hon. Genga. Yes, Hon. Owiti.

**Hon. Owiti:** On a Point of Information. I wanted to refer Members to code R07 and you will realize that it is Recurrent. Under Roads, Transport and Public Works, there is an allocation of Kshs.181,800, 000. In the same department, Recurrent for Mechanical and Public Works is just a meagre Kshs. 17, 841, 161. This means we are going to spend more as the issue of roads maintenance have become recurrent. Major part of monies that ought to have been on the other side were transferred to Recurrent Expenditure.

The person with Authority to Incur Expenditure in a department is not the directors but the Chief Officer in charge of that department. These are simply sub units for economic classification. It makes sense for the coding and financial works.

At the structures when you go to the departments, you will find that things are somehow different but for the coding and accounting purposes, they could be some differences in the way they are viewed. I think we cannot move money from one code to the other. We have to refer that to the main budget book and look at the budget analysis and also get the notes and understand what that figure represents.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you. Hon. Genga.

**Hon. Genga:** Thank you Chair. Part of the information I wanted to raise has already been explained by the Chair of Budget. In addition, I wanted to inform my friend Hon. Seth Kanga, the Chair of Roads. I am sure he is very much worried that the roads are not going to be done. I do not know whether it is a department but when you say Mechanical and Public Works, I think, either way, it forms the bulk of mechanical works which still falls under Public Works.

If you look at what he is contesting, we have Roads, Transport and Public Works at Kshs. 65,000,000.00. Next, we have Mechanical and Public works. This is the same Directorate Chair. It need not to be contested. The second information I wanted to say is that it is uncontestable. It is still under the same Directorate. Thank you.

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you very much Hon. Genga. The two Members have made valid clarification. I believe that the Chair Roads is also satisfied. I request that we proceed unless there is any other proposed amendment on code 317 D 01 to 317 D14.

I therefore propose that we put a question so that the proposed amendment be part of the Bill that is code 317 D11 where we inserted Kisumu Central and Kisumu East and also code 317 D10 where we replaced Industrialization and Enterprise development with Business, Cooperative and Markets.

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Joachim): Proposed amendments stand adopted as part of the Bill. Thank you. Before we proceed, we need to put a question on code 317 D10 up to 317 D14 and the total amount for the Development expenditure is Kshs. 3,978,803,656. I now want to put a question that we adopt it with the said amendments.

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Joachim): Proposed amendments stand adopted as part of the Bill. Before we proceed again as per Standing Orders No. 126, Hon. Genga, you had a burning issue.

**Hon. Genga:** I was on 317 D10 that should fall under Business, Cooperatives and Markets but if you check on the Programme Title it is erroneously indicated as Industrialization and Enterprise Development. It should read, Business, Cooperatives and Markets. I am asking in case I missed that.

**Chairperson, Committee of the Whole House** (Hon. Joachim): I think you missed it. It has been amended and a question put. Mr. Clerk!

*(Total Recurrent Expenditure and Total Development Expenditure being read by the Clerk-at-the Table)*

**Chairperson, Committee of the Whole House** (Hon. Joachim): Thank you. I therefore propose a question as read by the Clerk so that we also have the totals as read by the Clerk to be part of the Bill.

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Joachim): The grand total of Kshs. 11, 554, 280, 925 is hereby adopted as part of the Bill. Mr. Clerk!

*(Memorandum of objects and reasons of the Kisumu County Appropriations Bill, 2020 being read by the Clerk-at-the-Table)*

**Chairperson, Committee of the Whole House** (Hon. Joachim): Before I put a question, is there any proposed amendments? Yes, Hon. Khan.

**Hon. Khan:** Thank you Chair. In the last column where the name is indicated as Steve Ouma Owiti, we insert the word. Hon. Before Steve Ouma Owiti, Chairperson, Budget and Appropriations Committee. I call upon the Leader of Majority to second.

**The Chairperson** (Hon. Joachim): Thank you. Yes, Leader of Majority.

**The Leader of Majority** (Hon. Onyango): I second the amendment to read Hon. Aslam Khan.

**The Chairperson** (Hon. Joachim): Thank you Leader of Majority. I therefore want to put a question that we adopt Memorandum of Objects and Reasons with the said amendments.

*(Question put and agreed to)*

**The Chairperson** (Hon. Joachim): The Memorandum of Objects and Reasons stands adopted with the said amendments. Yes Mr. Clerk.

Thank you, Mr. Chairman. We are under the citation which is under Clause 1: This Act may be cited as the Kisumu County Appropriation Act, 2020, short title is the Kisumu County Assembly, long title is the Kisumu County Appropriations Bill, 2020; A Bill for AN ACT of the County Assembly to authorize the issues of certain sums of money out of the County Revenue Fund and their application towards the services of the year ending on the 30<sup>th</sup> June 2021, and to appropriate those sums for certain public services and purposes.

**The Chairperson** (Hon. Joachim): Thank very much Mr. Clerk. Is there any proposal to the short title, long title and citation? I therefore propose to put a question that combines the long title, short title and the citation to be adopted without any amendments.

*(Question put and agreed to)*

**The Chairperson** (Hon. Joachim): Therefore, the long title, short title and the citation stands adopted without any amendment.

Thank you very much Hon. Members for the cooperation I think we are through and I wish to hand back to the chairperson of Budget and Appropriations committee.

**Hon. Steve Owiti:** Thank you Chair. Allow me to propose that the committee of the whole House reverts to plenary and I ask Hon. Khan to second.

**Hon. Khan:** Thank you Mr. Chairman. I second the same.

**The Chairperson** (Hon. Joachim): Thank you.

*(House reverts to the plenary)*



**The Speaker** (Hon. Oraro): Following our procedures and as per our Standing Orders, let me allow chairperson of the committee of the whole House to report back to the House.

**Hon. Joachim:** Thank you very much Hon. Speaker. We had a fruitful deliberation during the committee of the whole House and I wish to report that we did have some amendments. The first one just to be precise is on page 4 under code 317 R10; the program title on Industrialization and Enterprise Development was amended to read Business, Cooperatives and Markets because the service of purpose was equally contradicting the program title.

We did have amendments on code 317 R11. If you allow me to read; the amount required in the year ending 30<sup>th</sup> June 2021 of Energy and Industrialization including salaries, general administrations and planning for Headquarters Kisumu West, Seme, Nyando, Muhoroni and Nyakach. We did amend so that we include Kisumu Central and Kisumu East.

Similarly, on page 7 we equally had an amendment on code 317 D10 under Industrialization and Enterprise Development which was amended to read Business, Cooperatives and Markets.

On code 317 D11; the amount required in the year ending 30<sup>th</sup> June, 2021 of Energy, Industrialization including salaries, general Administrations and planning for Headquarters Kisumu West, Seme, Nyando, Muhoroni and Nyakach. We also did amend to include Kisumu Central and Kisumu East.

Under Memorandum of Objects and Reasons we also did amend the last part to read Hon. Steve Ouma Owiti.

Mr. Speaker those are the few amendments we did have during the committee of the whole House. Thank you.

**The Speaker** (Hon. Oraro): Do you have a seconder for your report?

**Hon. Joachim:** Thank you Mr. Speaker. I call upon Hon. Steve Owiti to second.

**Hon. Steve Owiti:** Thank you Mr. Speaker. I rise to second the report as presented by the Liaison Chairperson.

**The Speaker** (Hon. Oraro): Thank you Hon. Members. The report from the committee of the whole House has been presented by the Liaison Chairperson and seconded by Hon. Steve Owiti; I therefore want to put a question for the adoption of the same.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): The report from the committee of the whole House on the Kisumu County Appropriation Bill, 2020 is hereby adopted.

Next Order!

## MOTION

3<sup>RD</sup> READING OF THE KISUMU COUNTY APPROPRIATION BILL, 2020



BY

HON. STEVE OWITI

CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE

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

**Hon. Steve Owiti:** Thank you Mr. Speaker and Hon. Members. I rise to propose that the Kisumu County Appropriation Bill, 2020 be read for the 3<sup>rd</sup> time.

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

Thank you, Mr. Speaker sir. Pursuant to the provisions of Standing Orders no. 134 (2), that the Kisumu County Appropriation Bill, 2020; A Bill for AN ACT of the County Assembly to authorize the issues of certain sums of money out of the County Revenue Fund and their application towards the services of the year ending on the 30<sup>th</sup> June 2021, and to appropriate those sums for certain public services and purposes is hereby read for the 3<sup>rd</sup> time at 1606 hours.

**The Speaker** (Hon. Oraro): Hon. Members, as per our Standing Orders no. 134, the Bill has now been read for the 3<sup>rd</sup> time and I want to propose a question that the Bill is open for debate. Remember this is an opportunity for you to put any further amendment or any further debate if there is. It seems there is no further input and as per our Standing Orders I have no otherwise but to put a question. Before I put a question, I would like to remind the Hon. Members that this is the Kisumu County Appropriation Bill, 2020 which was read for the 1<sup>st</sup> time, committed to the Budget and Appropriations committee and report made to the Assembly, read for the 2<sup>nd</sup> time, input made at the Committee of the Whole House whose report was unanimously adopted, read for the 3<sup>rd</sup> time and no further amendment or input has been made. I therefore have no otherwise but to put a question for the adoption of the Kisumu County Appropriation Bill, 2020 with amendments therein.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): The Kisumu County Appropriation Bill, 2020 is hereby adopted with amendments therein today 30<sup>th</sup> June 2020 at 1608 hours.

I therefore direct the Clerk to prepare the necessary documents including the velum for onward submission to the Governor for appending his signature.

Next Order!

### ADJOURNMENT

**The Speaker** (Hon. Oraro): There being no any other business to transact, the House stands adjourned to tomorrow Wednesday 1<sup>st</sup> July 2020 at 2.30 p.m.

*(House rose at 4.09 p.m.)*

**Addendum**

*Zablon Otiende – Head of Department*

*Edward Odanga – Hansard Reporter*

*Fanuel Okode – Hansard Reporter*

*Patrick Okoyo – Hansard Reporter*

*Jacklyne Otieno – Hansard Reporter*

*Denis Onyango – Hansard Reporter*

*Jesca Otieno – Hansard Reporter*