

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

## **THE HANSARD**

### SECOND ASSEMBLY – FOURTH SESSION

Tuesday, 9<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): Good afternoon Hon. Member?

### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oraro): Honourable Members, please notify the other Members that the online password is as communicated in the WhatsApp group. Our Zoom is active and they can go to ID and check the password.

I also want to request the Chief Whip to inform the Members who are already out to come in because we have enough seats. I have the communication from the Ad Hoc Committee that was formed regarding the Health Workers strike. The Committee is therefore requesting that the Members meet today after the plenary. There is already a communication from the Executive that you need to discuss so that the issue of strike is averted immediately. Next order!

### **COMMENCEMENT OF BUSINESS**

2<sup>ND</sup> READING OF THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2)  
BILL, 2020

BY

HON. ASLAM KHAN

VICE CHAIRPERSON, BUDGET AND APPROPRIATION COMMITTEE

**The Speaker** (Hon. Oraro): Yes Hon. Aslam Khan.

**Hon. Khan:** Thank you Mr. Speaker. I rise to give a notice of motion on the 2<sup>nd</sup> Reading of the Kisumu County Supplementary Appropriation (No. 2) Bill, 2020 on behalf of the Committee Chair. May I request the Clerk to read the Bill for the second time.

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

**THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, 2020**

**A Bill for**

**AN ACT of the County Assembly of Kisumu to authorize the issue of certain sums of money out of the County Revenue Fund and their application towards the services of the year ending on 30<sup>th</sup> June 2020, and to appropriate those sums for certain public services and purposes.**

**The Speaker** (Hon. Oraro): Yes Hon. Aslam Khan.

**Hon. Khan:** Thank you Mr. Speaker. May I request that we revert to the Committee of the Whole House so that we discuss the next stage of the Bill. Thank you.

*(The House reverts to the Committee of the Whole House)*

**Chairperson, Committee of the Whole House** (Hon. Inviolata): We are now in the Committee of the Whole House and I call upon Hon. Khan to take us through the Bill.

**Hon. Khan:** Thank you Madam Chair. We had an amendment on the Department of Finance and Economic Planning. The National Government has given some sums for COVID 19 totaling to Kshs. 159,820,000. Therefore, on the Recurrent Appropriations in the Department of Finance and Economic Planning to read Kshs. 1,643,512,109.00. Which will bring a total budget appropriation for the same Finance and Economic Planning to Kshs. 1,646,590,295.00. The total amount for the County should therefore read Kshs. 12,215,958,368.00. That is the only amendment. That amount had to be factored in the Appropriations Bill as per the memorandum of the Governor. Under the Recurrent Expenditure vote 317 R02 will now read Kshs. 1,643,512,109.00. May I call upon Hon. Beatrice Odongo to second the proposals.

**Chairperson, Committee of the Whole House** (Hon. Inviolata): Proceed Hon. Beatrice Odongo.

**Hon. Beatrice Odongo:** Thank you Madam Chair. I stand to second.

**Chairperson, Committee of the Whole House** (Hon. Inviolata): Honourable Members, I will now put a question on the amendments on the Kisumu County Supplementary Appropriation (No. 2) Bill, 2020 as proposed by the Vice Chair, Budget and Appropriations Committee. That is on 317 R02 an additional fund of Kshs. 159,820,000 be included in the vote head 317 R02 and the total amount be Kshs. 1,646,590,295.

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Inviolata): The amendments are therefore part of the Bill. Yes Hon. Khan.

**Hon. Khan:** Thank you Madam Chair. May I request that we revert back to the plenary.

*(The House reverts back to the Plenary)*

**The Speaker** (Hon. Oraro): Order Honourable Members. May get the report from the Committee of the Whole House.

**Hon. Khan:** Thank you Mr. Speaker. We had an amendment on Vote Head 317 R02. We received a memorandum from the Governor dated 29<sup>th</sup> May, 2020 and received on 2<sup>nd</sup> June, 2020 in the Assembly to add Kshs. 159,820,000 from the National Government and we have done the same. The amount now read Kshs. 1,646,590,295.

**The Speaker** (Hon. Oraro): Now that we have received a report from the Committee of the Whole House, I therefore want to propose a question.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): The report is therefore adopted. Next order!

3<sup>RD</sup> READING OF THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2)  
BILL, 2020

BY

HON. ASLAM KHAN

VICE CHAIRPERSON, BUDGET AND APPROPRIATION COMMITTEE

**The Speaker** (Hon. Oraro): Proceed Hon. Khan.

**Hon. Khan:** Thank you Mr. Speaker. On behalf of the Committee Chair, I rise to request that the Kisumu County Supplementary Appropriation (No. 2) Bill, 2020 be read for the third time.

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

**THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, 2020**

**A Bill for**

**AN ACT of the County Assembly of Kisumu to authorize the issue of certain sums of money out of the County Revenue Fund and their application towards the services of the year ending on 30<sup>th</sup> June 2020, and to appropriate those sums for certain public services and purposes.**

**The Speaker** (Hon. Oraro): Honourable Members, now that the Kisumu County Supplementary Appropriation (No. 2) Bill, 2020 has been read for the third time and you are aware that this is as a result of the memorandum that came from the Governor and it has passed all the process as per the Standing Orders. I now want to ask if there is any further amendment.

Silence means there is none. In that regard, the memorandum having followed all the laid down procedures in the Standing Order up to the Third Reading, opened for debate with no further amendment, I want to put a question for the adoption of the Appropriation Bill.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): The Kisumu County Supplementary Appropriation (No. 2) Bill, 2020 is hereby adopted today Tuesday 9<sup>th</sup> June, 2020 at 15:02 Hrs. I direct that the Hansard Report be prepared with the velum to be signed and send to the Executive for further action. Next order!

MOTION

COMMITTEE FOR ECD, VOCATIONAL TRAINING AND ADULT EDUCATION REPORT  
ON THE KISUMU COUNTY DISBURSEMENT FOR THE SPONSORED STUDENTS AND  
THE TIVET INSTITUTION

BY

HON. (PR.) DAVID ARAO

CHAIRPERSON, ECD, VOCATIONAL TRAINING AND ADULT EDUCATION.

**The Speaker** (Hon. Oraro): Yes, Hon. Ogaga

**Hon. Ogaga:** Thank you Mr. Speaker, Sir. On behalf of Committee Chair Hon. Arao, I rise to request for more time. This is because communication was made to the Executive, we further invited them and they came after we had a discussion. However, since that time, the information that the Committee needed from the Education department of the Executive has not been

supplied to the given. A reminder letter was done through Clerk of the Assembly on 5<sup>th</sup> of June 2020. However, they have not responded to date much as they had promised to get back by today. Therefore, I request, Mr. Speaker, on behalf of my Chair that we could be allowed to present the same next Tuesday. Thank you

**The Speaker** (Hon. Oraro): Honourable senior Member, it looks like you have something to say.

**Hon. Okiri:** Thank you Mr. Speaker. Mr. Speaker, I rise to oppose the request by the Member of this Committee which was supposed to give a Report today. Mr. Speaker, I have been telling this County to take a lot of interest in matters of Education. Mr. Speaker, if this assignment was committed to Education Committee; and she has admitted that a letter has been sent to the Executive. However, Mr. Speaker, there is no response that has been so far received.

Mr. Speaker, it would not be in order for Members to receive salaries by 2<sup>nd</sup> or 3<sup>rd</sup> while when it comes to Education, then we take little effort to ensure that our students go to school. Mr. Speaker, we are approaching the end of this Financial Year. The IFMIS may be closed at any time. Mr. Speaker, if this money has not yet been disbursed by now, while the Assembly is talking about Budget and projects, this is totally unacceptable. If this was an individual issue, then I am sure by today the report could have been here.

Mr. Speaker, let us not hide behind COVID-19. Despite the fact that this disease exists, we are still entitled to salaries. Could we know what impedes the Education to act appropriately? Let them release the money so that it goes to school accounts. In addition to that Mr. Speaker, you may be aware that the Budget making process is almost coming to an end. Many will ask questions why we pass budgets yet the last disbursement has not been effected. This is going to be a difficult exercise. Why would we allocate money when that which was allocated the previous year was not spent?

Mr. Speaker, I request you to consider my plea as you will be making your ruling on this matter. It is prudent that we not only think our salaries but we must also think about our school going children. Thank you.

**The Speaker** (Hon. Oraro): Honourable Senior Member, you oppose the request by the Committee but you have not provided us with a solution. What is the way forward?

**Hon. Okiri:** Mr. Speaker, after a Committee has been mandated and subjected to give a Report and fail to do so, then the consequences are well stipulated in the Standing Orders. As a law making House, the only thing we can revert to if they fail to bring the report, do what the law says.

**The Speaker** (Hon. Oraro): Hon. Ogaga, you will be given time to respond. Sorry Hon. Aslam, I had noticed you but I have already given this chance to Hon. Beatrice. Kindly mute your microphone Hon. Omoro until you are granted permission to talk. Hon. Beatrice.

**Hon. Beatrice Odongo:** Thank you Mr. Speaker.

**The Speaker** (Hon. Oraro): Mute your microphone Hon. Caleb Omoro. Proceed Hon. Beatrice.

**Hon. Beatrice Odongo:** Thank you Mr. Speaker. Mr. Speaker, I rise to support what my Vice Chair has said that you grant us a little more time. Requesting for more time does not mean that the Committee is unable to do its work. I believe that the Committee is more than able owing to its composition. Both our Chair and deputy have ability. What we need is a little more time taking a period of one week as requested by the Vice Chair. Mr. Speaker, the Vice Chair was lucid clear that the Executive promised to get back by the end of today. Let us extend a benefit of doubt to them that they will respond before the day ends.

As a Committee, I am certain that we shall get the report latest by tomorrow. I humbly request you as a Member of the Education committee that you grant us more time probably a week and we shall be able to submit a report before this House. The department did not indicate that they have failed due to COVID-19. What they have stated is that they are ready to give the report. Therefore, I humbly request that we be given more time. Thank you.

**The Speaker** (Hon. Oraro): Hon. Khan

**Hon. Khan:** Thank you Mr. Speaker. Mr. Speaker, as you may be aware, the issue of bursaries among others is a thorn. On the other hand, we had a lot of challenges in the Education department and you will remember that the new CECM was sworn in just the other day. I want to request that the committee be given the time they have requested. This is because we need a thorough report with detailed answers which will guide us going forward. Therefore, I think it would be prudent to allow the committee work on it within the requested period instead of working on it in a hurry. Let us get a thorough report and examine it accordingly. Thank you.

**The Speaker** (Hon. Oraro): I had noticed Hon. Vitalis Otura. Did you want to say something Hon. Ogaga?

**Hon. Ogaga:** Mr. Speaker I wanted to correct Hon. Okiri over the statement he made. By asking for more time, it does not mean as a Committee, we are not competent. I want to correct him by asking him not to underrate my powers as the Vice Chair. I have tenacity and I would like to inform the House that when I was the Chair Education, I moved a motion for the bursary allocations to be increased from Kshs. 2 Million to Ksh4 million. We did benchmark and a resolution was made but the Implementation Committee never took any action.

Mr. Speaker, When I got the opportunity to chair the Budget Committee, I made sure it was implemented. I am happy that we are now having bursaries at Ksh4 million and not Ksh2 million. By requesting for more time, we want to get more information and do what we are sure of. We know what is happening in that Department like the Hon. Aslam Khan has said. We need to be patient with them. But I want to assure you that if they don't communicate by the end of today as they had promised then as a Committee, through the Speaker and the able leadership of the House will take action and ensure a report is brought here and our children taken care of.

We have a big problem with our youth; it is like we are not supporting them well in terms of education. That is our mandate as a county government. By asking for more time we are not pampering the Education Department. We are working hand in hand with them. We want things to be done correctly without rushing to bring a report which will not help us in the long run. We know we are behind schedule but it is important to do things the right way. In future, let him not underrate our powers. As Hon. members, we are capable. That is why we were brought here to represent our people. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable members, I want to say that this matter of ECDE, Vocational training and Adult Education report, more so on the bursaries and scholarship is a matter that has been raised in this House several times. I have just perused the records and learnt that it is me who directed that this matter be presented today. As I had ruled before, any time a Committee has been given some work to do within a given period, whether they have completed or not, the Committee ought to report back to the Assembly either as a progress report or as a complete report. On the same note, if there hitches that are realized in the course of a Committee work, it is important to note the hitches and when the time to report back to the Assembly comes, that is exactly what to report. Like in this case, the Vice Chair is stating that the Department has not responded.

As a Committee you are required to come up with resolutions and present to the Assembly as report that we tried to get information from the executive; we have failed and we recommend the following actions. We are not supposed to wait up to the end of the year. Assume that there were no Covid-19 issues and that children were going to school, what would have happened? It could have been tricky. And therefore, before I make the ruling, I can see Hon. Genga's hand up. Yes, Hon. Genga, proceed.

**Hon. Genga:** Thank you Mr. Speaker. I echo what you have said that we don't have to wait up to the end of the year for us to address the issues of bursaries and scholarships. My concern, which is a substantive issue and that I have already brought to the attention of the CEC is that as they struggle to get the cheques for the other wards, I want to tell you that the final list of applicants for the bursaries and scholarships for my ward has not been done because there was interference with the Committee. We sat down with the Director of Administration and harmonized the list. As a county, we are still struggling with the Covid-19 issue. We are



remaining with few weeks to the end of the financial year. I ask you to direct the Committee to move with speed and resolve the issues of bursaries and scholarships.

**The Speaker** (Hon. Oraro): Thank you Hon. Genga. You were breaking a bit but we got your message that the Chair should move with speed to resolve the issue. Hon. Omoro, you can switch on your microphone. Yes, proceed.

**Hon. Omoro:** Thank you Mr. Speaker. First, I want to tell you that I was sick but now feeling well and I can participate in the debate through this new technology. On the issue of bursaries, we are coming to the end of the financial year. This money was appropriated in the budget of the current financial year. It seems it has not been used. My greatest worry is that if this money is used for the unintended purpose, how will we appropriate again? Our children are suffering. They applied for bursaries, they have not received them and there seems to be no communication from the Department of Education. Thank you.

**The Speaker** (Hon. Oraro): Thank you so much. Honourable members you have heard the concerns of the members who have spoken. I said I am going to make a ruling. This is a matter that has been discussed severally and it is a matter of topical concern to every electorate in Kisumu County. As I said earlier, whether you are through with the Committee work or not, there ought to be a progress report. And whatever the hitches you get, please recommend action points, present to the Assembly. The members will agree or disagree with you but please provide action points for the next level of involvement in the matter.

Therefore, I want to direct that let this be the last time that I allow the Committee of Education to consult further. Let this matter be presented on Thursday 11<sup>th</sup> June, 2020, so that the Members know the way forward on whether you have succeeded in getting the information or not. Kindly present the matter to the Assembly with the recommendations and the way forward. I have agreed on Thursday because the Vice Chairperson has said that they are expecting the response from the Executive by close of business today. You will either present the report through statement or motion as shall be directed by the House Business committee.

Next Order!

## MOTION

COMMITTEE FOR HEALTH, HOUSING AND SANITATION COVID 19 PANDEMIC  
PREPAREDNESS SURVEILLANCE REPORT

BY

HON. VINCENT JAGONGO

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



**Hon. Okiri:** Mr. Speaker on behalf of the Chairperson and the committee of Health I would like to say that the committee is still in a closed-door meeting compiling its report. I believe that before the end of today we might get the report.

**The Speaker** (Hon. Oraro): Hon. Members I direct the same as I directed to the issue of ECD. Yes Hon. Khan.

**Hon. Khan:** Mr. Speaker I am just amazed to hear what Hon. Okiri is saying. Just a few minutes ago he was talking a different thing about Education and now he is talking a different thing on the issue of Covid-19.

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

**Hon. Okiri:** Mr. Speaker I want to inform the House that I am not a Member of the Health committee but owing to the fact that I am in this House and it is a report that is meant for this House I stand to be corrected on whether I am supposed to respond since I am not a Member.

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

**Hon. Khan:** Mr. Speaker it is really sad to note that by making presumptions into this House of rules and regulations and saying that a report is being discussed somewhere which means he is privy to that information.

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

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker. I am a Member of Health committee and when I heard Hon. Okiri talking of what we were discussing I really got amazed. You have to be concerned even if you are not a Member of a committee.

**The Speaker** (Hon. Oraro): Thank you. Hon. Pamela now that I have noticed that you are a Member of the Health committee; please inform your Chairperson and the other members that just like I made a ruling on the Education matter that on Thursday either through statement or motion, that report should be brought to the Assembly. This was not an investigation report and I believe that the Health committee went out with the response team, walked in all the health facilities within the County to check on the preparedness of the County in regards to response in Covid-19 issues. This matter is long overdue and the public would want to know how the County is prepared as per the Assembly oversight and as per the team that went out to look at this matter. Yes Hon. Omoro.

**Hon. Omoro:** Mr. Speaker the Covid-19 Pandemic is something that is seen as not to be fading anytime soon. We have been waiting for this report from the committee on Health for a very long time. Mr. Speaker I would like to suggest that given that this virus is changing and evolving every single day, I would like to request that an Ad Hoc committee be formed that will keep on reviewing and making surveillance on how the virus is evolving and the level of preparedness

that the County has. We have realized that one of the things that the President said on why he could not fully open up the economy is because we are not prepared yet to any worse situation that might emerge.

**The Speaker** (Hon. Oraro): Thank you Hon. Omoro. You are just repeating what I had earlier directed that any committee that fails to do its work will resort us to forming Ad Hoc committees. It will be unfortunate when the committees start complaining that their work has been taken away from them. So, I am directing that the committee bring their work on Thursday this week and failure to which we will go to the direction that is being suggested by Hon. Omoro and the committee should not complain that their work has been taken. The report is long overdue and we need to move forward. It is the mandate of the Assembly to follow up on the preparedness of the County and you are aware that there is a Covid-19 response team that we need to look into what they are doing and how prepared they are in regard to fighting Covid-19 Pandemic which is currently reported to be in Kisumu County.

Next Order!

### ADJOURNMENT

**The Speaker** (Hon. Oraro): As I had indicated earlier the Ad Hoc committee that is dealing with the nurses' issues is meeting after the session. The other communication that I was to give is that we are going to be conducting screening at the gate.

Hon. Members there being no any other business to transact, the House stands adjourned to tomorrow Wednesday 10<sup>th</sup> June 2020 at 2.30 p.m.

*(House rose at 3.27 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*