

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FIFTH SESSION

Thursday, 26th August, 2021

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

(The Temporary Speaker (Hon. Caren Muga) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Muga): Hon. Members, pursuant to the provisions of County Assembly Standing Orders No. 32 (2) I want to request that the Serjeant-at-Arms rings the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Muga): Madam Chief Whip, can you please confirm if we have quorum.

Chief Whip (Hon. Misachi): Madam Speaker, yes there is quorum.

The Temporary Speaker (Hon. Muga): Madam Clerk, please take us through the Order Paper of today.

NOTICE OF MOTION

ENHANCEMENT OF AQUACULTURE DEVELOPMENT THROUGH INCREASED
BUDGETARY ALLOCATION TO 3% OF THE TOTAL ALLOCATION FROM THE
DEPARTMENT OF AGRICULTURE

BY

HON. SALLY OKUDO

The Temporary Speaker (Hon. Muga): Yes, Sally Okudo.

Hon. Okudo: Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 45, I wish to give a Notice of Motion on the boosting Aquaculture Development through increased Budgetary Allocation to 3 per cent of the total allocation from the Department of Agriculture. Thank you.

The Temporary Speaker (Hon. Muga): Thank you. Next order!

MOTION

LIAISON COMMITTEE REPORT ON THE APPORTIONMENT OF THE COMMITTEES' ANNUAL OPERATION BUDGET FOR FINICAL YEAR 2021/2022 IN ACCORDANCE WITH THE PROVISIONS OF THE COUNTY ASSEMBLY STANDING ORDERS NO. 194

(2) (B)

BY

HON. JOACHIM OKETCH

CHAIRPERSON, LIAISON COMMITTEE

The Temporary Speaker (Hon. Muga): Yes, Hon. Joachim Oketch.

Hon. Oketch: Mr. Speaker and Hon. Members, the Liaison Committee is established pursuant to the provisions of Standing Order 194 of the County Assembly of Kisumu which provides that there shall be a House Committee to be known as the Liaison Committee which shall consist of the Chairperson of Committee and the Chairpersons of all House Committees of the County Assembly.

The Liaison Committee is one of the House Committees being classified as a Housekeeping Committee and has a Supervisory Role on other House Committees of the Assembly. The Liaison Committee sorts out issues at peer level, ensure that Funds meant for Annual Operating Budget are equitably apportioned amongst other Standing Committees similarly set Standards and Benchmarks for House proceedings.

This Committee is also miniature Legislature and agents of the County Assembly with the mandate of receiving Reports from House Committees with a view to scrutinize and collate information in order to enable the County Assembly makes informed decisions which is explicitly enumerated in the Standing Orders.

COMMITTEE MANDATE

The Committee bestows its mandate pursuant to the provisions of the Standing Order 194(2), the Liaison Committee shall among other supervisory duties:-

1. Guide and co-ordinate the operations, policies and mandates of all Committees;
2. Deliberate on and Apportion the Annual Operating Budget among the Committees;
3. Consider the programs of all Committees, including their need to travel and sit away from the precincts of County Assembly;
4. Ensure that Committees submit reports as required by these Standing Orders;
5. Determine, whenever necessary, the committee or committees to deliberate on any matter; and
6. Give such advice relating to the work and mandate of select committees as it may consider necessary.

Other auxiliary mandates include;

- Giving such advice relating to Committee work and mandate of select committees as it may consider necessary,
- Determining the order in which the house shall consider the Annual Estimates and votes of various departments.

Core Mandate of the Committee

Mr. Speaker and Hon. Members, the Liaison Committee shall consider reports and agendas of Committee that have not been deliberated by the County Assembly and shall report to the County Assembly on the consideration of such reports as provided in Standing Orders No. 194 (2) (d) and identify interventions and mechanisms to address these discrepancies to ensure that the Assembly business is undertaken optimally.

The Liaison Committee's Mandate can be summarized in a nutshell as follows in relation to other committees to include and not limited to:

- (a) A first among equals.
- (b) Enjoys leadership status and performs pertinent mandate and roles of provision of legislative advisory matters.
- (c) Highly regarded as in the echelons of leaders and advisors/decision makers in the County Assembly Leadership hierarchy.

Composition of the Committee

The Liaison Committee as currently constituted comprises of 24 (Twenty-four) Members as shown here below;

- | | | |
|------------------------|---|-------------------------------------|
| 1. Hon. Joachim Oketch | - | Chairperson, Liaison Committee |
| 2. Hon. Steve Owiti | - | Vice-chairperson, Liaison Committee |

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3. Hon. Elisha Oraro - Chairperson, Appointment/House Business, House Powers and Privileges and General Oversight
 4. Hon. Kenneth Onyango - Chairperson, Selection
 5. Hon. Jacktone Ogendo - Deputy Majority Leader
 6. Hon. Priscah Misachi - Chief Whip
 7. Hon. Benny Pete - Minority Leader
 8. Hon. Seth Kanga - Chairperson, Public Works, and Transport
 9. Hon. Seth Okumu - Chairperson, Administration of Law, Justice and Constitutional Affairs and Governance Committee
 10. Hon. Vitalis Otura - Chairperson, Agric, Livestock & Fisheries
 11. Hon. Paul Okiri - Chairperson, Co-operatives, Finance, Trade and Enterprises Committee
 12. Hon. Maurice Ngeta - Chairperson, Culture, Children, Youth and Community Services
 13. Hon. Inviolata Adhiambo - Chairperson, Delegated County Legislation
 14. Hon. Hon. Pst. David Arao - Chairperson, ECD and Vocational Training
 15. Hon. Vincent Jagongo - Chairperson, Health Services and Sanitation
 16. Hon. Erick Agolla - Chairperson, Implementation
 17. Hon. Rashid Miruka - Chairperson, Labour and Social Welfare
 18. Hon. Maurine Otiang - Chairperson, PIC/PAC
 19. Hon. George Olwal - Chairperson, Planning, Industrial. and ICT
 20. Hon. Julius Genga - Chairperson, Procedure and Rules
 21. Hon. Habil Nyasuna - Chairperson, Tourism, Wildlife and Heritage
 22. Hon. Joseph Olale - Chairperson, Ward Development
 23. Hon. Samson Ameso - Chairperson, Water, Env. & Natural Resources
 24. Hon. Pamela Odhiambo - Chairperson, Welfare and Equal Opportunities

Secretariat

- 1) Peter Anditi – Principal Clerk Assistant
- 2) Mark Imbula - Fiscal Analyst
- 3) Allan Otieno - Committee Clerk
- 4) Zablon Otiende - Senior Hansard Reporter
- 5) Silas Kapesa - Serjeant-at-Arms

Acknowledgment

Hon. Speaker, on behalf of members of the Liaison Committee, I wish to extend my gratitude of the invaluable support accorded to the committee by the office of the Speaker and Clerk of the County Assembly towards ensuring that the committee mandate is achieved within the time.

Further, I wish to thank the members of the Select Committee for their commitment and participation during the whole process and wish to assure them that the observations and recommendations therein agreed upon by all members will be implemented as practicable as possible owing to availability of Resource Envelop and allocations for the year under review.

In addition, Hon. Speaker, it is worth noting that during the Committee Sessions, Members complied with the WHO and the Ministry of Health directives regarding the COVID-19 where the Committee ensured that sessions were conducted in strict adherence to Ministry of Health protocols and guidelines notable keeping Social Distance, Wearing of Masks, regularly washing of hands using soap and water or use of Sanitizers where necessary to ensure that safety of both members and staff is observed.

Finally, the Committee wishes to take the pleasure to table before this House the report from the Committee and pursuant to the provisions of the Kisumu County Assembly Standing Order No. 194 (2)(b) the Apportionment of House Committee Annual Operation Budget for the Financial Year 2021/2022 for deliberation.

COMMITTEE SITTINGS

Mr. Speaker and Hon. Members.

The Liaison Committee held a retreat from Friday, 9th July, 2021 to Tuesday 13th July, 2021. The objective of this retreat was to enable the County Assembly House Committee Chairpersons plan and allocate Committee Annual Operation Budget to enable these House Committees undertake their legislative, oversight and representation roles by ensuring the House agendas run smoothly and effectively. Consequently, since Committees are the drivers of House Businesses, House business runs seamlessly without impediments which could otherwise jeopardize its activities.

Further, this also gave the Committee Chairs the platform and forum to share experiences and challenges and highlight milestones achieved so far from previous financial years at the same time setting out targets that will enable these House Committees execute their mandates as enshrined in the Constitution of Kenya 2010, the County Government Act 2012 the PFM Act, 2012 and the respective core mandates as spelt out in the County Assembly Standing Orders.

ANALYSIS OF COMMITTEE ALLOCATION FYs 2020/2021 visa-vie 2021/2022

Finally, the Members of the Committee were informed of the effects of the COVID-19 Pandemic in relations to FY 2021/2022 Committee Annual Operation Budget allocations against that of FY 2020/2021 where it was noted that the allocations for House Committees for the period under review had increased as follows;

Vote-heads	FY 2020/2021	FY 2021/2022	Variance	% Change
Committee Allocations	49,995,774.00	92,000,000.00	42,004,226.00	+82.02%

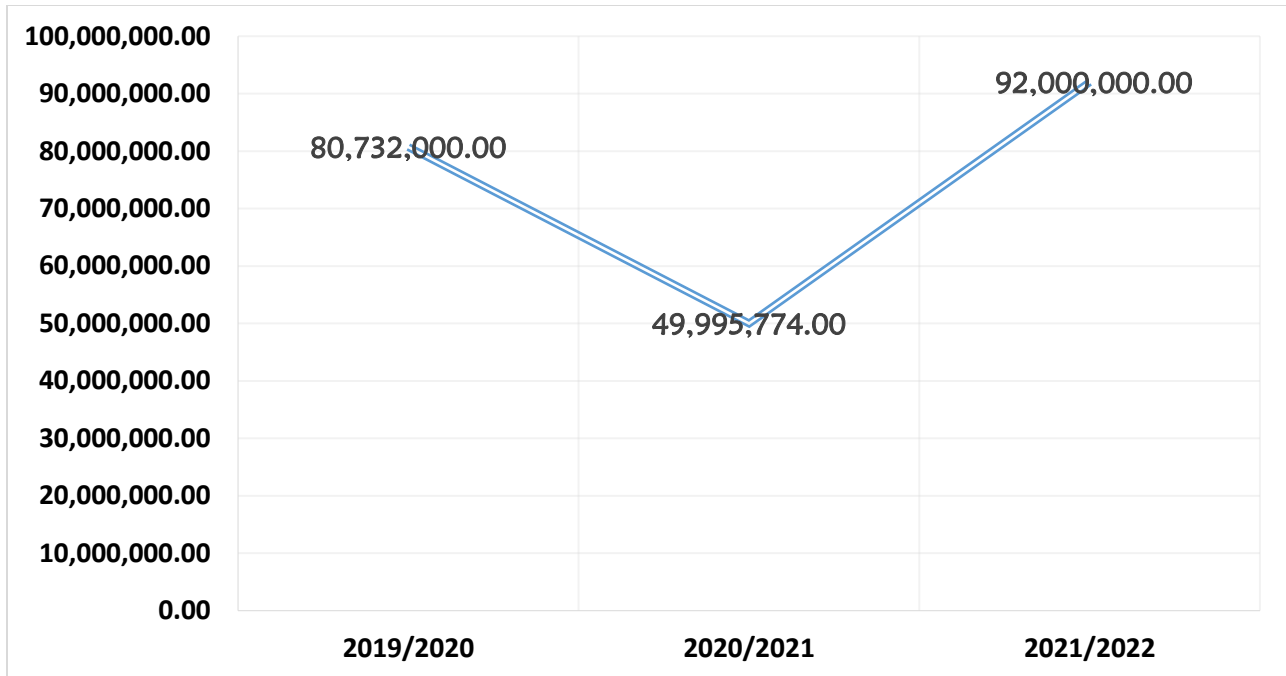
Mr. Speaker and Hon. Members, the Committee further undertook an analysis of Committee Allocation for FY 2019/2020, 2020/2021 and 2021/2022 and noted the following;

Vote Description	FY 2019/2020	FY 2020/2021	FY 2021/2022
Committee Operation Budget	80,732,000.00	49,995,774.00	92,000,000.00
Variance	-	(30,736,226.00)	42,004,226.00
% Change		-38.07	84.02

Committee Observations

- a) That, there has been a steady increase in allocation of Committee Annual Operation Budget with a decrease noted in the FY 2020/2021 which was as a result of the order by H.E. the President directive the Counties reduce on travel costs to assist in the management of the COVID-19 Pandemic.
- b) That, as a result of the partial lifting of COVID-19 containment measures, this has triggered the allocation for Committees was Kshs 80,732,000 in the FY 2019/2020. In the FY 2020/2021 it reduced to Kshs 49,995,774.00 later in FY 2021/2022 increased to Kshs 92,000,000.00 translating to 82.02% increase.

Allocation Trend of Proposed Allocation FY 2020/2020 to FY 2021/2022



Terms of Reference of the Committee (TOR)

1. Review of the Actual Allocations of House Committee Operation Budget for FY 2020/2021 visa-vie FY 2021/2022.
2. Proposed Allocation to House Committee Budget Allocation FY 2021/2022.
3. Rationale of Apportionment of Annual Committees Operation Budget FY 201/2022.

1. REVIEW OF THE ACTUAL ALLOCATIONS OF HOUSE COMMITTEE OPERATION BUDGET FOR FY 2020/2021 VISA-VIE FY 2021/2022.

In the Financial Year ended June, 2020, as a result of the Order issued by H.E. the President on Travel Costs the County Assembly amended Committee Allocations consequently appropriated as follows;

- a) Foreign Travels - Nil
- b) Domestic Travels – Kshs 49,995,774.00
- c) Subsistence/Transport Cost – Kshs 47,995,774.00
- d) Domestic Travels (Airline/Bus) – Kshs 2,000,000.00

In the Budget Estimates FY 2021/2022 the County Assembly appropriated Kshs 92,000,000.00 as follows;

**COMMITTEE RESOLUTION ON APPORTIONMENT OF ANNUAL OPERATION
BUDGET FY 2021/2022**

Budget Provision FY 2021/2022			92,000,000.00
1	Daily Subsistence Allowance (Domestic Travels)	71,800,000.00	
2	Travel Cost (Airline/Bus)	20,200,000.00	
	Total	92,000,000.00	
Less Transfers to the following Activities:			
1	General Oversight Committee	40,000,000.00	
2	Devolution/CAF Conference	5,000,000.00	
3	Bonding/Team Building Retreat	7,000,000.00	
4	Leadership	2,000,000.00	54,000,000.00
Balance for Apportionment to House Committees			38,000,000.00

Committee Analysis of the Apportionment of Kshs 92,000,000.00

- a) In the FY 2021/2022 Kshs 20,200,000.00 has been allocated to Airline and Bus up from Kshs 2,000,000.00 representing an increase by Kshs 18,200,000.00 allocated in the FY 2020/2021 representing 910% increase.
- b) Kshs 71,800,774.00 was allocated for Subsistence Allowance up from Kshs 47,995,774.00 representing an increased allocation of Kshs 23,805,000.00 allocated in the FY 2020/2021 representing 201.6% increase.
- c) General Oversight Committee has an increase allocation of Kshs 40,000,000.00 up from Kshs 5,538,847.90 representing a positive variance of Kshs 34,461,152.00 translating to 622.17%
- d) Devolution Conference/County Assembly Forum has an allocation of Kshs 5,000,000.00
- e) Special Consideration has been given to Bonding of Members of the Assembly/ Staff and Leadership which has a consolidated allocation of Kshs 12,000,000.00 respectively.

2. PROPOSED ACTUAL EXPENDITURE VERSES THE COMMITTEE BUDGET ALLOCATION FY 2021/2022 MATRICES.

Mr. Speaker and Hon. Members, the Committee prepared a Draft Apportionment of House Committee Annual Operation Budget for FY 2021/2022 for House Committees which was tabulated within universally acceptable applicable Standards and parameter with specific reliance

on the Resource Envelop of 92,000,000.00 less Kshs 54,000,000 allocated to the following proposed activities;

- a) General Oversight Kshs 40,000,000.00
- b) Devolution/CAF Conference Kshs 5,000,000
- c) Bonding and Team Building Kshs 7,000,000.00; and
- d) Leadership at Kshs 2,000,000.00.

Mr. Speaker and Hon. Members, the balance of Kshs 38,000,000.00 (thirty-eight million only) was appropriated as Annual Committee Operation Budget/Committee Share FY 2020/2021 as indicated below;

COMMITTEE SHARE OF ANNUAL OPERATION BUDGET FY 2021/2022

S/No.	COMMITTEE NAMES	POPULATION	COMMITTEE SHARE (KSHS)
1	Administration, Justice & Constitutional Affairs	15	1,500,000.00
2	Agriculture, Livestock & Fisheries	15	1,500,000.00
3	Budget & Appropriations Committee	15	3,794,701.99
4	Co-Op, Finance, Trade & Enterprises	15	1,500,000.00
5	Culture, Children, Youth & Community Services	15	1,500,000.00
6	County Delegated Legislation	11	1,220,198.68
7	ECD & Vocational Training	15	1,500,000.00
8	Health Services, Housing & Sanitation	15	1,500,000.00
9	Implementation	15	1,220,198.68

10	Labour, Welfare & Social Services	15	1,500,000.00
11	PIC/PAC	10	1,109,271.52
12	Planning, Industrialization & Ict	15	1,500,000.00
13	Procedure & Rules	11	1,220,198.68
14	Public Works, Roads & Transport	15	1,500,000.00
15	Tourism, Wildlife & Heritage	15	1,500,000.00
16	Ward Development Fund	15	1,500,000.00
17	Water, Environment & Natural Recourses	15	1,500,000.00
18	House Powers & Privileges	13	1,442,052.98
19	Selection	12	1,331,125.83
20	Welfare & Equal Opportunity	15	1,500,000.00
21	Appointment	11	1,220,198.68
22	House Business Committee	13	1,442,052.98
23	Liaison Committee	24	4,500,000.00
	TOTAL		38,000,000.00

RATIONALE OF APPORTIONMENT OF ANNUAL COMMITTEES' OPERATION BUDGET
FY 2021/2022.

Apportionment of Annual Operation Budget to Committees was based on the following parameters;

The Liaison Committee in exercising the powers bestowed to it in line with the provision of Standing Orders No. 194 (2) (b) of the Kisumu County Assembly Standing Orders, resolved to be undertaken to House Committees and apportionment of Annual Operational Budget for FY 2021/2022 based on the following parameters;

- a) Annual Recourse Envelop for the FY 2021/2022 of (Committee Share) Kshs 38,000,000.00
- b) Population Members to House Committees
- c) Other Statutory Duties which brings it to Kshs 3,794,701.99: which has been noted in the Select Committee of Budget and Appropriation with statutory timelines attached to the Budget Making Process. (ADP, Finance Bill, CFSP, CBROP, Estimates)
- d) Sectoral Committee: Sector Priorities to enable these Departmental Committees undertake their oversight, legislative and representation role as enshrined in the Constitution of Kenya
- e) House Keeping Committees: to assist in the seamless running of the Assembly House businesses

COMMITTEE OBSERVATIONS

1. The Committee noted that the gainers in this allocation for FY 2021/2022 is the House Committee of General Oversight with proposed allocation of Kshs 40,000,000.00. This was necessitated by that fact that Members resolved to the Committee has a constitutional role to hold the government accountable through legislative oversight which have been found to work effectively when all the Members pull together. (Notably the Scholarship and Bursary Fund Allocations)
2. That in the FY 2021/2022 Committee resolved not to allocate funds to Special Committees (Ad hoc) comparative to FY 2020/2021. This is to ensure that tasks are handled as per respective Committee mandates.
3. The Committee in reviewing the proposed allocation for Operation Budget for FY 2021/2022 thought it prudent and made a consolidated provision for Kshs 54,000,000.00 to enable the Assembly undertake key events as listed below;
 - a) Devolution/CAF Conference with a consolidated allocation of Kshs 5,000,000.00.
 - b) Team Building/Bonding Retreat for both Members of the Assembly and the staff to acquaint and establish connection, improve moral, cohesion and coexistence. This is a new entrant in the FY 2021/2022 with a proposed allocation of Kshs 7,000,000.00
 - c) Facilitation for Leadership meeting which has been allocated Kshs 2,000,000.00.

COMMITTEE RECOMMENDATIONS

- (a) THAT, House Committees to endeavor to always have programmed activities of Seven (7) days outside the County when undertaking Committee duties.
- (b) THAT, the Department of Finance should endeavor to furnish the Committee with Annual Actual Expenditure for all Committees for analysis and ascertain the Absorption Rates and budget utilization of House Committees for performance review.
- (c) THAT, House Committees to prepare and submit Annual Work-plans in-line with the planned Committee Activities and committee meetings schedules to guide in their funding and operations to efficiently and effectively execute their mandates in accordance with the provisions of the Standing Orders and other relevant laws. Note: The Liaison Committee will not approve any Committee activity that is not supported by Schedule Committee Annual Workplan.
- (d) THAT, as stipulated in Standing Orders No. 194 (4), respective House Committees should prepare and submit their Bi-Annual Quarterly Reports to the Liaison Committee every Quarter to guide their Committee Annual Operation allocations.

CONCLUSION

THAT, pursuant to the provisions of Standing Order No. 182 of the County Assembly of Kisumu, I implore this Assembly to consider adopting the Liaison Committee Report on the Apportionment of Annual Committees Operation Budget FY 2021/2022 with the following allocations;

Budget Provision FY 2021/2022			92,000,000.00
1	Daily Subsistence Allowance (Domestic Travels)	71,800,000.00	
2	Travel Cost (Airline/Bus)	20,200,000.00	
	Total	92,000,000.00	
Less Transfers to the following Activities:			
1	General Oversight Committee	40,000,000.00	
2	Devolution/CAF Conference	5,000,000.00	
3	Bonding/Team Building Retreat	7,000,000.00	
4	Leadership	2,000,000.00	54,000,000.00
Balance for Apportionment to House Committees			38,000,000.00

Further, Committee request that this House approves the Committee Share of Kshs 38,000,000.00 as proposed below;

COMMITTEE SHARE OF ANNUAL OPERATION BUDGET FY 2021/2022

S/No.	COMMITTEE NAMES	POPULATION	COMMITTEE SHARE (KSHS)
1	Administration, Justice & Constitutional Affairs	15	1,500,000.00
2	Agriculture, Livestock & Fisheries	15	1,500,000.00
3	Budget & Appropriations Committee	15	3,794,701.99
4	Co-Op, Finance, Trade & Enterprises	15	1,500,000.00
5	Culture, Children, Youth & Community Services	15	1,500,000.00
6	County Delegated Legislation	11	1,220,198.68
7	ECD & Vocational Training	15	1,500,000.00
8	Health Services, Housing & Sanitation	15	1,500,000.00
9	Implementation	15	1,220,198.68
10	Labour, Welfare & Social Services	15	1,500,000.00
11	PIC/PAC	10	1,109,271.52
12	Planning, Industrialization & Ict	15	1,500,000.00

13	Procedure & Rules	11	1,220,198.68
14	Public Works, Roads & Transport	15	1,500,000.00
15	Tourism, Wildlife & Heritage	15	1,500,000.00
16	Ward Development Fund	15	1,500,000.00
17	Water, Environment & Natural Recourses	15	1,500,000.00
18	House Powers & Privileges	13	1,442,052.98
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21	Appointment	11	1,220,198.68
22	House Business Committee	13	1,442,052.98
23	Liaison Committee	24	4,500,000.00
	TOTAL		38,000,000.00

Mr. Speaker and Hon. Members, we only put a figure that was able to accommodate the payments of the travels that are to be paid by the Select Committee and after that the Liaison Committee shall remain without a single cent. That should be very clear to the Members.

Mr. Speaker, I want to urge the Members to support this report. I know we took a lot of time to bring the report on the Floor of this House because had initially prepared the report without the arrangement we made with the Speaker and the Whole House. It also came to our knowledge that there were some agreements that were made between the Speaker and the Members regarding the

reallocation so that we have a lot of money put in the General Oversight Committee. That is why we had to re-do or amend the report to accommodate the wishes of the Hon. Members and that is what necessitated the two weeks delay. May I call upon the Chief Whip to second?

The Temporary Speaker (Hon. Muga): Yes, Majority Whip.

Chief Whip (Hon. Misachi): Thank you Madam Speaker. I support the report as read by the Liaison Committee Chairperson.

The Temporary Speaker (Hon. Muga): The report by the Liaison Committee on the Apportionment of Committee Annual Operation Budget for the Fiscal Year 2021/2022 has been tabled by the Select Committee Chairperson and seconded by the Chief Whip. I now want to open it for debate?

The Temporary Speaker (Hon. Muga): Yes, Hon. Beatrice Pamela.

Hon. Beatrice Pamela: Thank you Madam Speaker. I stand to oppose the report as it is and I recommend that it be amended. The reason why I reject this report is, House Committees have work to do. When I was going through the calculation for the House Committees, it seems that the Liaison Committee based their calculation based on the number of the Members of the Select Committee. If you do that calculation, you will realize that every Member is allocated Kshs. 100,000 for the whole Financial Year. What is the leadership doing than the mandates that this House is supposed to do?

Madam Speaker, PIC and PAC is an Investigative Committee that is always castigated in this House for not doing their work properly or for not bringing the report. That Select Committee has been experiencing a lot of challenges in writing their report because there is no money for the House Committee. The Liaison Committee felt it prudent to reduce its allocation to Kshs. 1,109,271.52. That can only enable them write one report for the whole financial year and yet currently there are three Auditor Generals Reports that are before the House Committee. You may be wondering why I am raising this issue.

Madam Speaker, if you look at the Liaison Committee, it has a membership of twenty-four Members and it has been allocated Kshs. 4,500,000. What other mandate does this House Committee have apart from doing apportionment of Budget to other House Committees? The Chair rightfully stated that the committee already went out for five days. They still have a lot of money that should be given to the House Committees. I would request this House to amend this report by giving the remaining amount to PIC and PAC. Otherwise, there would be no oversight in the County.

Madam Speaker, I also support the leadership that they should also go out at time because they represent us but there should be equity. The extra Kshs. 250,000 per person should be reduced to

Kshs. 150,000 per person. The Kshs. 800,000 can be redirected to other key House Committees. My desire is to see House Committees working. Thank you.

The Temporary Speaker (Hon. Muga): Hon. Roy Samo.

Hon. Samo: Thank you Madam Speaker for giving me the opportunity to contribute on this matter. I support the report as tabled and I also support the sentiments of Hon. Beatrice Pamela that amendments should be done. The General Oversight Committee has been allocated more money and it has been a trend that certain House Committees are going out more than others and it is time that has been cured by what is in the report.

Madam Speaker, as you can see, twenty-four Members has gone to Uasin Gishu to prepare this report and they are only coming with a 11 paged document...

The Temporary Speaker (Hon. Muga): Hon. Samo, how many pages were you expecting from them to come up with?

Hon. Samo: Madam Speaker, you are not supposed to debate in this House. Give time to put across my case. The Chairperson should be able to explain to the House, why there is an allocation of Kshs. 4,500,000 in a House Committee that travels once a year. PIC and PAC has a lot pending work and nowadays we don't write our reports outside because there is lack of funds. I beg to support but let him amend the report as requested. Thank you.

The Temporary Speaker (Hon. Muga): Hon. Gard Olima.

Hon. Olima: Thank you Madam Speaker. I stand here to support this report fully without amendment. The people who are talking about single committees are selfish and they don't want the unity of this House. When money is put in a General Oversight Committee it means everybody is going to work. The General Oversight Committee is a Select Committee like any other House Committee. We can only do an amendment to take all the moneys to the General Oversight Committee. If somebody wants to advocate for a single committee then, I oppose that totally. We can only do amendment that would take all the money to the Committee on General Oversight, and the committee is given work with respect to their areas of expertise that is; Budget, Delegated Legislation, Health, etc. It is therefore very wrong for somebody to purport that if you are given Kshs 100,000 in the General Oversight report writing, you only do one report. Madam Speaker, I want to bring another perspective to this discussion...

Hon. Arao: Allow me to stand on a point of information.

The Temporary Speaker (Hon. Muga): Whom do you want to inform?

Hon. Arao: The House.

The Temporary Speaker (Hon. Muga): Please proceed.

Hon. Arao: *(On a point of information)* Madam Speaker, My point of information to the House has been necessitated by Hon. Guard Olima's earlier statement. If Hon. Roy Samo and the team feels that the money that they have in their committees is little then let us mop up what they have and reallocate it in the General Oversight Committee so that they feel equity and fairness, thank you.

The Temporary Speaker (Hon. Muga): Yes, Hon. Gard Olima

Hon. Olima: Thank you Madam Speaker, having seen the appropriated budget of the County Assembly of Kisumu, and compared to what was approved by this Assembly, we have like Kshs. 950 million. The budget we are talking about, which part of it is distributed by the Liaison Committee was Kshs. 843 million, hence giving an additional Kshs. 107 million that has been uploaded in our County Assembly Budget Estimates. I want to bring to the attention of members to look into a way in which we can best appropriate the additional Kshs. 107 million because we can't leave it as so yet we are here crying for less funds allocated to House Committees to do their work. I want to propose that the Kshs. 107 million be used to first pay our taxes (Kshs. 30 million) then the remaining (Kshs. 77 million) to be allocated to the General Oversight Committee.

Madam Speaker, I want to commend the Select Committee in recommending that more money should be put in the Committee on General Oversight so that these pertinent issues of various House Committees can be discussed by all the members. It gives us as Members of the County Assembly an opportunity to learn what goes on in different House Committees unlike the case in singular committees handling their own issues. Nevertheless, I support the report fully, thank you.

The temporary Speaker (Hon. Muga): Yes, Hon. Johnson Guya

Hon. Guya: Thank you Madam Speaker, I have a few issues to raise before I lay my stand on the report. First, is on the Composition of the Committees, where there is the position of the Deputy Leader of Majority and that of the Chief Whip. We know that in this House, leadership involves both the Majority and the Minority but why is the Minority Leadership sidelined in the Liaison Committee if at all people should be in committees by virtue of their positions?

Secondly, I want to stress on what Hon Gard has just said, that there is a variation in the Approved Budget Estimates FY 2021/2022 against the one that was passed in this House. I have the exact figures and there is an additional Kshs. 50 million for the Construction of the Assembly, which I don't have an issue with because it's for development.

Madam Speaker, there is an additional Kshs. 34 million, which I don't know where it has been taken to. I propose that it be taken to the General Oversight Committee. Nobody has the mandate to appropriate even a shilling but if you look at the Department on Administration of the staff, their cumulative allocation for travels is totaling to almost Kshs. 35 million. Whatever we are talking about here is both for the members and the staff. So, where is the fairness? I wish that the Kshs. 34 million that wasn't appropriated in this House be taken to General Oversight Committee.

Madam Speaker, I am quite pleased looking at this report because as one of the people who often champion for clustering, it has been tackled here and this will give me sound sleep henceforth. We are moving towards the right direction and if it were up to me, I would put all these money to the General Oversight Committee so that we enjoy the money as a team, through Bonding/Team Building and the like. We cannot pretend that on one side you want to bond whereas on the other side you want to travel more than the others.

Madam Speaker, my recommendation therefore is that the additional Kshs. 34 million shouldn't be appropriated to any other vote-head other than the General Oversight Committee and I want to request Hon. Atieno to second my proposal. That would be the Kshs. 40 million already appropriated on the same plus the Kshs 34 million, making the total to the general oversight be Kshs. 74 million. If possible, even all the money allocated to various House Committees be mopped up and reallocated to the select Committee of General Oversight....

The Temporary Speaker (Hon. Muga): Hon. Joachim Oketch, can you please approach the Chair?

Hon. Arao: A point of information Madam Speaker

The temporary Speaker (Hon. Muga): What is your point Hon. Arao?

Hon. Arao: *(On a point of information)* Madam Speaker, I would like to inform the House that on page 10, number 2 of this report, talks about Devolution Conference/CAF, which has a consolidated allocation of Kshs. 5 million. I want to inform my fellow member Hon. Guya that he should consider that we didn't go to the conference hence he should include the amount to his list, thank you.

The Temporary Speaker (Hon. Muga): What is it Hon. Eric Agola?

Hon. Agola: Madam Speaker, I want to inform the House that the Council of Governors did communicate that the conference that was to be held in Makueni was deferred and not cancelled.

The Temporary Speaker (Hon. Muga): Hon. Guya, can we get proof of the Kshs 34 million you are talking about?

Hon. Guya: Madam Speaker, I have the proof. I am talking from the point of information. Hon. Arao. I don't want to comment on it further because whether it is Devolution Conference or CAF, it still under General Oversight.

Everybody in this House knows that we have the Approved Budget Book for FY 2021/2022. If you look at the Approved Estimates, there is variance of almost Kshs 2 billion that we did not appropriate in this House. Nobody else has got that mandate and the power to appropriate any monies apart from us seated here today. It is criminal even to change one shilling in the things that

we appropriate in this House. If there was any additional money, bring it here in the House so that we can appropriate it and that money should go to the General Oversight Committee.

This is our final year. Being our last year, as a House we need to Bond so that next year when we meet, we meet as friends. We can only bond when there is money. Thank you Madam Speaker, I support the report.

The Temporary Speaker (Hon. Muga): Hon. Members, I believe that Hon. Joachim Oketch who is trying to balance the funds and we have has taken note of the money not appropriated and will tackle the same when replying.

The Temporary Speaker (Hon. Muga): Hon. George Ogotu.

Hon. Ogotu: Thank you Madam Speaker. I support the report although I have issues on certain pages especially page 2. Hon. Guya has talked about the Composition of the Committee and it not good to have discrimination in this committee year in year out. The leadership on both sides should be treated equally. In that list, there is the Deputy Leader of Majority but on the side of Minority, there is nil apart from the Leader of Minority.

I concur with Hon. Guya that there is an additional money in the Assembly – almost Kshs 34 million which was not approved in this Assembly. If you go to the County Executive side, there is a variance of Kshs 2 billion not approved in the Assembly. I don't believe that it is fair for somebody somewhere to sit and amend the budget as we watch. We want the additional money for the Assembly to go to the General Oversight. I support the report. Thank you.

The Temporary Speaker (Hon. Muga): Hon. Atieno Atieno.

Hon. Atieno: Thank you Madam Speaker. I believe that, following the allegations by some Hon. Members that there is some additional money which was not appropriated, we need to doubt the veracity of this report.

I want to request the Hon. Chair of Liaison to withdraw the report for us to dig deeper into it so that by the time we will converge to discuss the report, we shall have built consensus...

The Temporary Speaker (Hon. Muga): What is it Hon. Guya?

Hon. Guya: If you allow me, I want to respectfully inform Hon. Atieno. I just want to inform Hon. Atieno that a motion that has been brought here and we have started debating on cannot therefore be withdrawn. The only thing that can be done is to suspend the voting on the resolution of the debate to another date but we cannot withdraw the motion. Thank you.

Hon. Atieno: Thank you for the information that has been given by the Hon. Member. Madam Chair I believe that if that is how it is supposed to be done, then I would request the Chairperson Liaison Committee that we go in that direction. That is because, we cannot operate on rumour and

hearsay. When this kind of report is tabled in this House, we need to discuss it from the point of veracity and knowledge, thank you chair.

The Temporary Speaker (Hon. Muga): Hon. Maurine Otiang’

Hon. Otiang’: Thank you Madam Speaker, I am request if we can revert to the Committee of the Whole House to enable us discuss this matter. I can see a lot of gray areas in this report and Hon. Members may wish to discuss further this issue before the motion mover replies...

The Temporary Speaker (Hon. Muga): Order!! Order!! If Hon. Erick Agola is in the House, can he please approach the chair?

Hon. Otiang’: I would also wish Hon. Ogutu to second, thank you.

The Temporary Speaker (Hon. Muga): Hon. Ogutu is already done with his contribution.

Hon. Ogutu: If I am called to support, then there is nothing wrong with that. It is not about contributing.

The Temporary Speaker (Hon. Muga): Hon. Ogutu, can you second?

Hon. Ogutu: I second the suspension of the House.

The Temporary Speaker (Hon. Muga): Hon. Johnson Guya, can you please approach the chair.

(Hon. Members consulting with the speaker on the chair)

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

Hon. Agolla: Thank you, Madam Speaker, if you allow me to refer this Honourable House to two Standing Orders 89;

Madam Speaker, Standing Order No. 89 part (ii) which talks of the Responsibility of Statements of Facts. I have heard Hon. Guya referring Hon. Members to the Approved Budget which maybe in the public domain but it has not been presented in the House. So, I am pleading with this Honourable House that if you clearly read this Standing Order which stipulates that,

“...If a member has sufficient reason (s) to convince the speaker that a member is unable to substantiate the allegation instantly, the speaker...”

(Hon. Samo is consulting loudly)

The Temporary Speaker (Hon. Muga): Hon. Agola is on a point of information, so, can you give him time to complete first.

(Hon. Samo is consulting loudly)

The Temporary Speaker (Hon. Muga): Hon. Samo, what I am saying is that can you give him other Members time to complete then I will give you time.

Hon. Samo: Madam Speaker!

The Temporary Speaker (Hon. Muga): I will give you time. Let Hon. Agolla conclude.

(Loud consultations)

The Temporary Speaker (Hon. Muga): Hon, Joachim Oketch, can you please approach the speaker?

(Loud consultations)

(Members consulting the speaker on the chair)

The Temporary Speaker (Hon. Muga): Thank you, Hon. Otiang' brought an issue of suspension of the House. Who seconded that proposal?

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

Hon. Ogutu: I did!

The Temporary Speaker (Hon. Muga): What do you mean by "I did", what did you do?

Hon. Ogutu: I seconded.

The Temporary Speaker (Hon. Muga): You seconded what?

Hon. Ogutu: Madam Speaker, the Suspension of the Debate.

The Temporary Speaker (Hon. Muga): Yes, I wanted it to come clear like that. So, the issue of the Suspension of the House has been brought by Hon. Maurine Otiang' and seconded by Hon. Ogutu. Can we now debate on it and see if it is necessary?

The Temporary Speaker (Hon. Muga): Yes Hon. Agolla.

Hon. Agolla: Madam Speaker, I am still on a point of order if you allow me?

Hon. Atieno: It has been overtaken by events.

Hon. Otiang': Madam Speaker, put the question.

The Temporary Speaker (Hon. Muga): What are trying to say Hon. Otiang'?

(Hon. Agolla consulting loudly)

The Temporary Speaker (Hon. Muga): No, No. give her time. Why are becoming so unruly?

Loud consultations

The Temporary Speaker (Hon. Muga): What? Who is speaking? Hon. Agola, what is it?

Hon. Agolla: Madam Speaker, even if I am being gagged, I am on my feet. I want the entire House together with me to adhere to the Standing Orders. A member should also be given time to air his/her views even if we do not support. So, my point is very clear and I was just supporting what other members have said. In the Standing Orders No. 89, it says “if something is not clear to other members and it cannot also be proven by statements of facts or documents, it should be brought in the next sitting”. That is Under Standing Order No. 89. That is why I was proposing that rather than suspending this House, will we do that and get the facts? Because, this is a Select Committee report. So, our facts must inform the committee to go and sit and bring our concerns because...

(Loud consultations)

The Temporary Speaker (Hon. Muga): What is it Hon. George Olwal?

Hon. Olwal: Madam Speaker I believe that Hon. Erick Agola is misleading the House.

The Temporary Speaker (Hon. Muga): But he has just read the Standing Order No. 89.

Hon. Olwal: We are debating on a discussion on whether the House should be suspended or not. Any contribution should be directed towards the suspension of the House or not. So, when a Member stands up, kindly request him to give his opinion whether the House should be suspended or not.

The Temporary Speaker (Hon. Muga): What is it Hon. Agolla.

Hon. Agola: Madam Speaker which Standing Orders says that if a motion has been moved then no Member cannot stand on a point of order. That is contrary to the standing Orders.

(Loud consultations)

Hon. Agolla: Standing Orders No. 56 like the motion we are discussing on the report from the Liaison committee which stipulates that;

“After the question has been proposed on a Motion, the Motion shall be deemed to be in the possession of the County Assembly, and such Motion shall not be withdrawn without the leave of the County Assembly.”

My concern is that what we are discussing is very crucial and has many allegations which has caught the integrity of this House on the Budget Estimates FY 2021/2022 that we appropriate. So we must create time and give the Liaison Committee time to go and fact find. All that we have as facts should be submitted to the Liaison Committee so that we get the truth. This Assembly should be guided by the principles of the Standing Orders.

The Temporary Speaker (Hon. Muga): What is it Hon. Guya.

Hon. Guya: Madam Speaker I believe that maybe by the time Hon. Otiang' and Hon. Ogotu were contributing Hon. Agola was busy consulting. I believe that whatever he is trying to say is the process that we have undergone. Ideally for us to suspend the House as he is saying the motion has to be moved and seconded which we have done here. I want to agree with Hon. Olwal that anybody who now wants to contribute to the motion on the Suspension of the House you now give direction as to whether to suspend the House to allow for consultation or not. I would really plead with the House that there are issues here that we need to sit down and agree. Even if we want to agree that the Liaison Committee goes back to do some amendments, we need to consult in House to allow them that time. For me, I would support that we suspend the House for 10 to 20 minutes for further consultation then we proceed. Thank you.

The Temporary Speaker (Hon. Muga): I therefore want to put a question on the suspension of the House for 10 minutes.

(Question put and agreed to)

The Temporary Speaker (Hon. Muga): The House stands suspended for 10 minutes.

(House suspended for 10 minutes)

(Resumption of House Business after the lapse of the 10 minutes suspension)

The Temporary Speaker (Hon. Muga): Thank you Hon. Members I extended even more than 10 minutes which I gave you and I want to believe that you have reached somewhere.

Hon. Okiri: Thank you Mr. Speaker I wish to call the mover to reply.

The Temporary Speaker (Hon. Muga): Yes Hon. Joachim.

Hon. Joachim: Thank you Madam Speaker. I have to admit that we have had very lengthy and vigorous discussion and I really want to appreciate the keenness of these Members. My response will be very short because most of them were basically talking about the same thing.

First, I want to say that during the Suspension of the House, we did have a lot of explanation in as much as there were no general conclusions but I have to admit that we have been informed with regards to the same. There were a lot of queries even from Hon. Beatrice Pamela about the Liaison Committee and I really have to explain this. Madam Speaker and Hon. Members, when the Liaison Committee travelled to Uasin Gishu County, it consisted of 24 Members and the secretariat which is 5. Apart from that, we did have the entire leadership travel with us and also the Budget Office from the Assembly. It is basically a bigger team than what is appearing on this list and that is what constitutes the allocation of Kshs 4.5 million. I also want to say something on the Kshs 30 million;

I believe that the Budget Committee Chairperson has given the communication. I believe we will have further engagements with regards to the same.

Madam Speaker, I also want to explain the genesis of the allocation of Kshs 40 million to the General Oversight Committee. Remember the General Oversight is not only the 40 million. What informed the Kshs 7 million for Bonding/Team Building is also part of that and the Kshs 5 million for Devolution and CAF Conference. So this is basically Kshs 52 million allocation. We were assuming one trip of General Oversight will cost us an average of Kshs 5 million. If it is Kshs 40 million then, we have an approximately 8 trips. Madam Speaker, I believe that those were the major concerns.

Madam Speaker, I don't want to talk about the Composition of the Leadership without Minority because I was not part of those who drafted the Standing Orders. I want to say that looking at the mood I know that the Members are going to pass this report because we are actually late. By now I would be past Narok going for our trip. Otherwise, I want to thank all the Members and the Secretariat that was part of this report, the leadership, Clerk and the Speaker for giving us the opportunity to do this report plus all the Members who were part of it. Thank you.

The Temporary Speaker (Hon. Muga): Thank you. The report of the House Committee of Liaison on the Apportionment on the Annual Operation Budget for House Committees for FY 2021/2022 in accordance with the provisions of Standing Orders No. 194 (2) (b) was brought before the House by Hon. Joachim Chairperson Liaison Committee, seconded and debated on by Hon. Members. I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Temporary Speaker (Hon. Muga): The House Committee Report from the Select Committee of Liaison on the Apportionment on the Annual Operation Budget for House Committees for FY 2021/2022 in accordance with the provisions of Standing Orders No. 194 (2) (b) is hereby adopted today 26th August 2021 at 4.17 p.m.

Hon. Members, I therefore direct that the resolutions of the House be adopted appropriately. Thank you.

The Temporary Speaker (Hon. Muga): Next Order!

ADJOURNMENT

The Temporary Speaker (Hon. Muga): There being no any other business to transact the House stands adjourned to 31st August 2021 at 2.30 p.m.

(House rose at 4.19 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Denis Onyango – Hansard Reporter

Jesca Otieno – Hansard Reporter