

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FIFTH SESSION

Tuesday, 17th August, 2021

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

(The Temporary Speaker (Hon. Seth Okumu) in the Chair)

PRAYERS

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

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(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Okumu): The Majority Whip, could you please confirm if we have quorum.

The Majority Whip (Hon. Misachi): Mr. Speaker, we have quorum. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you. Madam Clerk, kindly take us through the Order Paper of the day.

The Temporary Speaker (Hon. Okumu): Next order!!

COMMUNICATION FROM THE CHAIR

The Temporary Speaker (Hon. Okumu): Thank you Honourable Members and welcome to this session. I want remind you that we still have Covid-19 and I want to request that you wear your mask and ensure that you use the sanitized microphone.

The Temporary Speaker (Hon. Okumu): Next order!

PAPERS LAID

THE DELEGATED COUNTY LEGISLATION COMMITTEE REPORT ON THE
BENCHMARKING EXERCISE WITH SISTER COMMITTEE OF HOMABAY COUNTY
ASSEMBLY

BY

HON. INVIOLETE ADHIAMBO

CHAIRPERSON, DELEGATED COUNTY LEGISLATION COMMITTEE

AND

THE JOINT COMMITTEES OF ADMINISTRATION OF LAW, JUSTICE,
CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY AND LABOUR
AND SOCIAL REPORT ON THE PAYMENT OF GRATUITY TO THE FORMER COUNTY
EXECUTIVE STAFF

BY

HON. SETH OKUMU

CHAIRPERSON, ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS,
GOOD GOVERNANCE AND SECURITY COMMITTEE

The Temporary Speaker (Hon. Okumu): Yes, Hon. Vitalis Otura.

Hon. Otura: Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 182 (6), I wish to table today Tuesday 17th August, 2021, Delegated County Legislation Committee report on the Benchmarking Exercise with sister Committee of Homabay County Assembly. On behalf of Hon. Inviolante Adhiambo. Thank you.

(Hon Otura lays the paper before the House)

The Temporary Speaker (Hon. Okumu): Honourable Members, I wish to acknowledge the receipt of Delegated County Legislation Committee report on the Benchmarking Exercise with sister Committee of Homabay County Assembly as read by Hon. Vitalis Otura on behalf of Hon.

~~Inviolate~~Inviolate Adhiambo. I want to direct the House Business Committee to schedule this report for debate.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Rashid Miruka.

Hon. Miruka: Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 182 (6), I wish to table today Tuesday 17th August, 2021, the Joint Committees of Administration of Law, Justice, Constitutional Affairs, Good Governance and Security and Labour and Social report on the Payment of Gratuity to the Former County Executive staff on behalf of Hon. Seth Okumu. Thank you.

(Hon. Miruka lays the paper before the House)

The Temporary Speaker (Hon. Okumu): Honourable Members, I wish to acknowledge the receipt of the Joint Committees of Administration of Law, Justice, Constitutional Affairs, Good Governance and Security and Labour and Social Welfare report on the Payment of Gratuity to the former County Executive Staff as read by Hon. Rashid Miruka on behalf of Hon. Seth Okumu. I want to direct the House Business Committee to schedule this report for debate on the Floor.

The Temporary Speaker (Hon. Okumu): Next order!

NOTICE OF MOTION

THE DELEGATED COUNTY LEGISLATION COMMITTEE REPORT ON THE
BENCHMARKING EXERCISE WITH SISTER COMMITTEE OF HOMABAY COUNTY
ASSEMBLY

BY

HON. INVIOLETE ADHIAMBO

CHAIRPERSON, DELEGATED COUNTY LEGISLATION COMMITTEE

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THE JOINT COMMITTEES OF ADMINISTRATION OF LAW, JUSTICE,
CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY AND LABOUR
AND SOCIAL REPORT ON THE PAYMENT OF GRATUITY TO THE FORMER COUNTY
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CHAIRPERSON, ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS,
GOOD GOVERNANCE AND SECURITY COMMITTEE

The Temporary Speaker (Hon. Okumu): Yes, Hon. Vitalis Otura.

Hon. Otura: 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 Delegated County Legislation Committee report on the Benchmarking Exercise with sister Committee of Homabay County Assembly on behalf of Hon. Inviolata Adhiambo. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you. Yes, Hon. Miruka.

Hon. Miruka: 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 Joint Committees of Administration of Law, Justice, Constitutional Affairs, Good Governance and Security and Labour and Social Welfare Report on the Payment of Gratuity to the Former County Executive Staff on behalf of Hon. Seth Okumu. Thank you.

STATEMENTS

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

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I still want to plead with the different Chairpersons of House Committees and especially to House Committees where different businesses ~~were have been~~ committed. That sometimes we really feel let down when critical documents are committed to ~~Committees~~House Committees and nothing is forthcoming from these reports....

The Temporary Speaker (Hon. Okumu): Order!! Honourable Leader of Majority. We are on Statement Hour and we have got a Standing Order that guides how we conduct that business.

Leader of Majority (Hon. Onyango): Honourable Speaker, I am not sure

The Temporary Speaker (Hon. Okumu): Honourable Leader of Majority, I am guiding you.

(Laughters)

Leader of Majority, like I was guiding you, that yes we are on Statement Hour but we have the Standing Orders that ~~are-is~~ guiding this House on this segment and how you give Statements in this House. So, I don't know which Standing Orders you want to apply in this scenario so that Hon. Members are at peace with your Statement.

Leader of Majority (Hon. Onyango): Mr. Speaker, you know the Hon. Olale has been heckling in Nyalenda until....

The Temporary Speaker (Hon. Okumu): Order!! Honourable Leader of Majority. Could you please restrict yourself to your statement and which Standing Order you want to use?-

Leader of Majority (Hon. Onyango): Mr. Speaker, the provisions of Standing Orders No. 41 (2) (c).

The Temporary Speaker (Hon. Okumu): Hon. Leader of Majority, could you please read it so that Hon. Members are at par with ~~what you want to say.~~ your submissions.

Leader of Majority (Hon. Onyango): Mr. Speaker, the provisions of 41 (2) (d) states as follows;

“The Majority Leader, the Leader of Minority or a Committee Chairperson as the case may be or their designees may make a Statement relating to their responsibilities in the County Assembly or the activities of a Committee”

The Temporary Speaker (Hon. Okumu): So, you ~~have~~ are resorting to Standing Orders No. 42 (2) (d) and not (2) (c)?

Leader of Majority (Hon. Onyango): Yes, of course Standing Orders No. 42 (2) (d).

The Temporary Speaker (Hon. Okumu): Okay, please proceed.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I hope that Hon. Olale is now informed. Mr. Speaker I was saying that, there are very critical reports that were committed to various House Committees that ought to have been brought back to the House. Some were committed in the month of June, 2021 and other in August, 2021.

Mr. Speaker, I only want to plead with the Chairperson and I don't want to go in the details that please some of those reports are critical for this House. This is because the House needs to know the operations of the County Executive and we can only do so when those reports are brought into the House and interrogated. So, please I want to plead with the Chairpersons of different House Committees and the technical persons, please speed up those exercises.

Again, we are all aware that the Devolution Conference is coming up by the end of this week. We do hope that we shall travel. I was talking to the Leader of Majority of Makeni County, and it is imperative that we make prior arrangements so that we don't reach Makeni County and we find that we can't get accommodation. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Leader of Majority. I just want to make a ruling on your Statement. I want to advise that the House Committee of Chairpersons has their Chairperson who is the Liaison Chair who needs to be giving Statements. Leader of Majority, I

would have preferred if you gave Statements with regards to the Party and what the ODM Party is saying because I know the Party is guided by the provisions of the reports of the House.

The Temporary Speaker (Hon. Okumu): Order!! Order!! Hon. Members.

Leader of Majority (Hon. Onyango): Hon. Speaker, with tremendous respect please allow me to remind you that I am the Leader of Majority and a lot of documents that emanate from the County Executive, I lay them in this House. Therefore, it is my prerogative to remind the Chairpersons of these House Committees that those reports are very pertinent. Otherwise, why should I lay them as the Leader of Majority in this House? Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Leader of Majority. Again, I want you to liaise with the Liaison Chairperson to enable you work with the Committee Chairpersons so that they bring those reports into the House because if you are working the way you are doing, then that is the challenge as to why we cannot get these reports on time. And we don't want to do the same thing repeatedly and expect to get different results. So, I want to humbly guide you that please liaise with the Chairperson, Liaison Committee and let him convene a meeting of the Chairpersons and it is in this meeting that you convey that information that you have been bringing reports in this House, and they are committed to various House Committees but they don't get back to the House in time for Members to discuss. That is my guidance Hon. Leader of Majority of the ODM Party in this House.

Hon. Members, we are still on Statements.

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

Hon. Agolla: Thank you Mr. Speaker. With the due respect, it is Statement Hour and I want to ask for your advice and to give this House direction, because the provisions of Standing Orders No. 41 in particular 41 (2) (d),

And I particular 41 (2) (d) which the Leader of Majority has referred to. I have not seen a any provision where the Speaker should rule the Leader of Majority or the Chairperson out of order. This is because the Leader of Majority is the Leader of Government Business in this House. The two Arms of Government are interdependent and the only key person that represents the County Executive with the Government system that we have in this House is the Leader of Majority and the Majority Whip. Mr. Speaker, I am a little bit disturbed concerned with your ruling because this ruling goes in Hansard Reports.

The Temporary Speaker (Hon. Okumu): Hon. Member if you were keen enough you could see have noticed the two reports that were laid here today. Some of the The two are Committee reports and I want to give example of the Benchmarking Trip that the Delegated Committee did. I don't believe that think that came from the Executive and the Leader of Majority is requesting the

Chairpersons of all the House Committees to bring the reports before the House so that they can be discussed

Hon. Members, ~~and~~ I was guiding him that it is just okay that ~~we can~~ he liaises with the Liaison Chairperson so that they can have a meeting and do the same. I don't know why we are going back to that! I thought you ~~are standing~~ rose to give a statement but if you are not giving a statement then I want to go to the next order.

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

Hon. Muga: Hon. Agolla was very right by referring you to Standing Orders No. 41 (2) (d). We need to read our Standing Orders and be guided. If in any case we go by this, we will make each and everyone know what is necessary in this House. My statement is that I wish all of us the best.

(Loud laughter)

The Temporary Speaker (Hon. Okumu): Thank you.

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

ADJOURNMENT

The Temporary Speaker (Hon. Okumu): There being no any other business to transact, the House stands adjourned to 18th August 2021 at 9.00 a.m.

(House rose at 2.56 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