

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

#### **THE HANSARD**

*Official Report*

#### SECOND ASSEMBLY – FIFTH SESSION

Tuesday, 06<sup>th</sup> April, 2021

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

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

#### **PRAYERS**

**The Speaker** (Hon. Oraro): Madam Clerk, take us through the Order Paper of the day.

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

#### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oraro): Honourable Members, today the Tuesday, 6<sup>th</sup> April, 2021, I received the communication from the Committee In-charge of COVID-19 in Kisumu and there is confirmation of three cases of COVID-19 at the County Executive and possibly three cases of COVID-19 cases at Kisumu County Assembly. I therefore want to advise that you be cautious. Take precautions and follow the Ministry of Health Guidelines and Protocols as we consult on the next course action that should be taken. The pandemic is real and you have realized that the Third Wave is more rampant as compared to the second wave.

So, I want to direct that in the Assembly as we debate, you put on your mask especially those using the shared microphones, sanitize before and after using it.

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

**MOTION**

RESUMPTION/CONTINUATION OF INTERRUPTED BUSINESS PURSUANT TO THE PROVISIONS OF STANDING ORDERS NO. 30.

BUDGET AND APPROPRIATION COMMITTEE REPORT ON ITS CONSIDERATION OF THE KISUMU COUNTY FISCAL STRATEGY PAPER 2021/2022

BY

HON. STEVE OWITI

CHAIRPERSON, BUDGET AND APPROPRIATION COMMITTEE.

**The Speaker** (Hon. Oraro): Honourable Members, I am aware that the Chairperson then when this motion was being moved was Hon. Seth Okumu and report was presented in the Assembly. The motion was moved, seconded and the debate was carried out and the mover replied. What was remaining was putting of a question.

Hon. Members, I want to bring to your attention that the CFSP is the last document before the Budget Estimates is tabled before this House on 30<sup>th</sup> April, 2021 for appropriation purposes. I therefore want to put a question and I want to clearly state that if you are disagreeing with the Budget and Appropriation Committee Report on its Consideration of the Kisumu County Fiscal Strategy Paper for Financial Year 2021/2022 then, you are agreeing with the CFSP the way it was brought. That must be clearly understood. I want to put a question.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Hon. Members, the Kisumu County Fiscal Strategy Paper 2021/2022 as presented with the recommendation and comments therein have been adopted today Tuesday 6<sup>th</sup> April, 2021 at 14:50 hrs. I direct that the Clerk to effect communication of the same to the Executive for action. Thank you.

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

**MOTION**

WELFARE AND EQUAL OPPORTUNITY COMMITTEE REPORT ON THE BENCHMARKING EXERCISE WITH SIAYA COUNTY ASSEMBLY

BY

HON. PAMELA ODHIAMBO

---

## CHAIRPERSON, WELFARE AND EQUAL OPPORTUNITY COMMITTEE

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

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker. The Select Committee on Welfare and Equal Opportunities during the 10<sup>th</sup> December to 15<sup>th</sup> December, 2020 undertook a visit to Siaya County. From the visit, the committee thereafter compiled a comprehensive report touching on various thematic areas covered during the deliberations.

Mandate of the Committee.

Mr. Speaker Sir,

The committee on Welfare and Equal Opportunity is mandated to look into the Welfare of Members of the County Assembly and Staff to ensure Equal Opportunity to all and promote healthy working environment.

### OBJECTIVE OF THE BENCHMARKING.

The objective of the Benchmarking with Siaya County Assembly Committee was to compare the achievements and challenges experienced by the two Committees.

### EXECUTIVE SUMMARY

Mr. Speaker Sir,

The Committee on welfare and Equal Opportunities resolved to undertake a bench marking tour to Siaya County, having done background research and getting to know how the County Assembly of Siaya have worked tirelessly under the Committee on Welfare to develop programs and activities aimed at improving welfare of Members and Staff of the County Assembly of Siaya.

### MEMBERSHIP OF THE COMMITTEE

Mr. Speaker Sir,

The committee on Welfare and Equal Opportunity is currently constituted comprises of the following Members: -

- |                         |   |                  |
|-------------------------|---|------------------|
| 1. Hon. Pamela Odhiambo | - | Chairperson      |
| 2. Hon. Sally Okudo     | - | Vice Chairperson |
| 3. Hon. Olga Aoko       | - | Member           |
| 4. Hon. Judith Ogaga    | - | Member           |
| 5. Hon. Julius Genga    | - | Member           |
| 6. Hon. Joachim Oketch  | - | Member           |
| 7. Hon. Victor Rodgers  | - | Member           |
| 8. Hon. Prisca Auma     | - | Member           |

- 
- |                           |        |        |
|---------------------------|--------|--------|
| 9. Hon. George Ogutu      | -      | Member |
| 10. Hon. Maurice Ngeta    | -      | Member |
| 11. Hon. George Abaja     | -      | Member |
| 12. Hon. Caren Oguok      | -      | Member |
| 13. Hon. Philemon Ojuok - | Member |        |
| 14. Hon. Ken Ooko         | -      | Member |
| 15. Hon. Caleb Omoro      | -      | Member |

#### Secretariat

- |                   |   |                    |
|-------------------|---|--------------------|
| 1. Benard Abuodha | - | Committee Clerk    |
| 2. David Ayieko   | - | Secretariat        |
| 3. Dominic Muinde | - | Legal              |
| 4. Dennis Onyango | - | Hansard            |
| 5. William Ogada  | - | Serjeant- at- Arms |

During the said visit, the following members represented the Committee;

- |                         |   |                    |
|-------------------------|---|--------------------|
| 1. Hon. Pamela Odhiambo | - | Chairperson        |
| 2. Hon. Sally Okudo     | - | Vice Chairperson   |
| 3. Hon. Elisha Oraro    | - | Speaker            |
| 4. Hon. Olga Aoko       | - | Member             |
| 5. Hon. Judith Ogaga    | - | Member             |
| 6. Hon. Julius Genga    | - | Member             |
| 7. Hon. Joachim Oketch  | - | Member             |
| 8. Hon. Victor Rodgers  | - | Member             |
| 9. Hon. Prisca Auma     | - | Member             |
| 10. Hon. George Ogutu   | - | Member             |
| 11. Hon. Maurice Ngeta  | - | Member             |
| 12. Hon. George Abaja   | - | Member             |
| 13. Hon. Caren Oguok    | - | Member             |
| 14. Hon. Habil Nyasuna  | - | Co-opted           |
| 15. Hon. Ken Ooko       | - | Member             |
| 16. Hon. Caleb Omoro    | - | Member             |
| 17. Benard Abuodha      | - | Committee Clerk    |
| 18. David Ayieko        | - | Secretariat        |
| 19. Oliver Radet        | - | Librarian          |
| 20. Dennis Onyango      | - | Hansard            |
| 21. William Ogada       | - | Serjeant- at- Arms |

22. Roseline Amondi - Admin

## ACKNOWLEDGEMENT

Mr. Speaker Sir,

Special appreciation goes to Speaker, Kisumu County Assembly, members of the Committee on Welfare and Equal Opportunities, and the staff who participated in the exercise. The Committee wishes to extend its gratitude to Siaya County Assembly for the warm reception they accorded to them.

Mr. Speaker Sir,

On behalf of the Select Committee on Welfare and Equal Opportunities, pursuant to the provisions of the County Assembly Standing Orders no. 163 (c) and 182; it is my pleasant pleasure and privilege to present to this House the Report on Benchmarking exercise by the Committee with the Siaya County Assembly counterparts and other sectors from 10<sup>th</sup> December to 15<sup>th</sup> December, 2020.

## VISIT TO SIAYA COUNTY ASSEMBLY

Interactive session with the Counterpart

Mr. Speaker Sir, the Committee was privileged to have a joint sitting with the secretariat of the counterpart committee of Siaya County Assembly chaired by Mr. Erick Ogenga, Clerk of the County Assembly of Siaya. The deliberations focused on the major areas that the two Committees have ventured into as part of their mandates. Challenges faced by the two Committees in the process of executing of their mandates.

## COMMITTEE FINDINGS

During deliberations, the committee came out with the following findings.

1. Siaya County Assembly has a total of 42 Members of which 30 are elected Members while 12 are nominated Members.
2. All the leadership of the Assembly have well-furnished, enclosed offices including Committee chairs. The offices were done to provide a conducive environment for the Members to carry out their work.
3. County Assembly of Siaya has 4 boardrooms and Members' lounge. All the boardrooms are well equipped with public address system and projector system for purposes of effective communication during meetings.
4. The Committee on Welfare has 9 members and the mandate of the Committee is clearly stipulated in the Standing Orders of Siaya County Assembly.

5. County Assembly provides Members with Diaries, Phones, laptops and Ipad as tools to make their work efficient. The County Assembly is in the process of going fully paperless hence provides electronics to Members.
6. Siaya County Assembly uses iCAS Management System, software that helps in fair allocation of committee membership and scheduling of meetings. This enables Committees get equitable share as far as allocation of Committee meetings are concerned.
7. Siaya County assembly has a total number of 24 Committees. Each Committee meets at least twice a week. All the 42 Members are fairly distributed in the Committees and the leadership of the Committees.
8. Siaya County Assembly has a well-equipped Library. The Library is well stocked with essential documents used in the assembly for research. The department has a total of 5 staff members who manage the department. The library provides Members and Staff with an environment to research, explore and experience new ideas.
9. The Committee also established that Siaya County Assembly has a total of 89 (eighty-nine) staffs. Out of the total number of staff, 83 (eighty-three) are permanent employees, 1 (one) staff is on contract and 10 (ten) interns. Staff training is done every Financial Year to enhance the improvement of workmanship and also encourages adaptability in the revolution in modern management.

#### COMPARISON BETWEEN SIAYA COUNTY ASSEMBLY AND KISUMU COUNTY ASSEMBLY

	SIAYA	KISUMU
No. of Members of the County Assembly.	42 Members	48 Members
No. of employees.	Permanent employees- 83 Contractual employees- 1 Interns- 5 Total - 89	Permanent employees- 45 Contractual employees- 26 Interns- 9 Total - 80

No. of committee rooms.	Four committee rooms fully equipped with public address system	Two committee rooms without public address system.
No. of committees.	24 committees	24 committees
Committee sitting allocation	Uses iCAS software	Uses manual

### COMMITTEE RECOMMENDATIONS

From the mentioned findings, the Committee hereby recommends the following to the Honourable house.

1. That the Assembly of Kisumu County needs to have sufficient well-equipped boardrooms/committee rooms to enable Members have their meetings without interruptions. The Committee rooms should also be equipped with public address system for audibility and projectors for visual communication.
2. That the Assembly should also consider Integration of ICT both hardware and software in committee works, this will help in streamlining operations and having proper way of scheduling of meetings, good record keeping and cut cost by going paperless. The committee recommends software for the Assembly. The software will enable Committee services to be carried out efficiently and effectively.
3. That the assembly should consider having staff employed on permanent terms. This encourages continuity in workmanship hence increases the productivity of the employees and further enables the workers to be secured in terms of job security.
4. That the assembly should consider developing enclosed offices for the Committee chairs and Board Members to encourage revising the working environment.

### CONCLUSION

Mr. Speaker Sir. Human Labour is well utilized when laborer's welfare is well looked into. This motivates individuals to fully carry out their mandates hence increases production in the area of specialization. It is therefore important to create a healthy environment for the Honourable Members and the staffs of this County Assembly to enable them carry out their respective mandates efficiently.

Mr. Speaker Sir, the House Committee wishes to inform the Members of the House to adopt the report and the recommendations therein so that the County Assembly of Kisumu may consider borrowing of best practices from the sister Assembly of Siaya County and apply the same at Kisumu County Assembly to improve the welfare of both members and the staffs to higher standards. Thank you. May I call upon Hon. Judith Ogaga to second?

**The Speaker** (Hon. Oraro): Hon. Judith Ogaga.

**Hon. Ogaga:** Thank you Mr. Speaker. I want to thank you Mr. Speaker. I want to thank my committee led by our able Chair. The Committee undertook a trip to Siaya because of the good job being done there and we wanted to witness what they are doing differently that we could also emulate as Members of Kisumu County Assembly. As read in the report, we saw that they are performing well and remember even the BBI was first passed by the Siaya County Assembly because they are motivated Assembly.

Mr. Speaker, I want to request that we adopt the report and also try and borrow one or two things that are being done because if we have motivated Members then work will go on well. I urge the Members to support the report. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, now that the report on the Welfare and Equal Opportunity Report on its Benchmarking with its sister County Assembly of Siaya has been moved and seconded by Hon. Pamela Odhiambo and Hon. Judith Ogaga respectively, I now want to propose a question that it be opened for debate.

**The Speaker** (Hon. Oraro): Yes, Hon. Seth Kanga.

**Hon. Kanga:** Thank you Mr. Speaker. I rise to support this report with few reservations. Kisumu as a County cannot be compared with Siaya County and I wonder how the Committee of Welfare and Equal Opportunity found it necessary to go to Siaya which is a village county for benchmarking.

Mr. Speaker, sometimes it is a disgrace, even if you go to Siaya as a county, it is just a market place where the people of Alego, Ugenya, Gem, Asembo and Bondo meet for their market days. With due respect, Siaya as a county does not appear anywhere in the league of Kisumu County. Kisumu is a county with diverse background. We have the Asian Community, the Arab Community and you are aware in this House, we have Hon. Aslam Khan who represents the minority group in this House.

Mr. Speaker, Kisumu presently is in the league of African cities. This year, we are going to host Afri-cities where several cities in Africa will come to Kisumu to see what Kisumu offers in terms of leadership, infrastructure, and social amenities including legislative aspects.

Mr. Speaker, it is very disheartening that today the Committee on Welfare and Equal Opportunities...

**Hon. Pamela Odhiambo:** On a Point of Order!!

**The Speaker** (Hon. Oraro): Hon. Pamela, you are the Mover of the Motion and you will have all the time to reply. In the meantime, kindly take notes. By the way, you are the only person allowed to speak twice on that Motion.

**Hon. Kanga:** Mr. Speaker, she should ask me if I would like to be informed. I don't see any information I can get from Hon. Pamela. Mr. Speaker, I want to disassociate myself with this report not because it is coming from Siaya, I respect Siaya very much. The Governor of the great County of Siaya Mr. Cornell Rasanga is a friend of mine; the Speaker of that County Assembly is equally a friend of mine in addition to several Members of that County Assembly.

However, there is nothing to be borrowed from Siaya Assembly

**The Speaker** (Hon. Oraro): Just a minute Hon. Seth. Hon. Roy, I directed that each Member must put on their mask. Put on your mask please.

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

**Hon. Kanga:** Mr. Speaker, Kisumu as a County should be rated in the league of Nairobi and Mombasa which are cities and, probably Nakuru. These are city counties with diverse backgrounds. Mr. Speaker, Kisumu has got great history in terms of leadership among others. It is the Headquarter of former Nyanza Province where counties like Migori, Siaya and Homabay would converge. Therefore, borrowing from Siaya County which has 42 Members...

**The Speaker** (Hon. Oraro): Sorry to interrupt you Hon. Seth. Hon. Olima, I directed that each Member should have a mask. Kindly have your mask then come back.

**Hon. Kanga:** Mr. Speaker, Kisumu has 48 elected Members. You cannot compare Kisumu and Siaya. Kisumu has International Airport and several amenities which makes Kisumu incomparable to Siaya, which is rather a village county. Therefore, you cannot compare Kisumu with Siaya at any level.

Mr. Speaker, I am of the view that this report should not be adopted. Thank you Mr. Speaker.

**The Speaker** (Hon. Oraro): Let me give the Chief Whip, Hon. Misachi. I have noticed you Hon. Ooko, Hon. Ngeta and Hon. Otura.

**Chief Whip** (Hon. Misachi): Thank you Mr. Speaker. Mr. Speaker, the Committee on Welfare and Equal Opportunities did not go to Siaya to benchmark on the duties of Assemblies. We went to benchmark on how their welfare is being treated within the Assembly. Mr. Speaker, the people

born and bred in Siaya including me are much better than even some people who are bred in Kisumu.

*(Applause)*

Mr. Speaker, you cannot say that a city welfare differs from that of someone staying at Madiany, in Uyoma. We can compare the normal running of Assembly and the committees. However, when we go to benchmark on the welfare of the MCAs, I believe that, we did a very good thing and our report is a good one compared to others which have been received in this House.

Mr. Speaker, I want to say that when you are looking down upon a community or a county, it is very bad for an Honourable Member whose voters, some of them, come from Siaya. I'm sorry to say that Mr. Speaker because at times you get annoyed when someone looks down upon a place where you were born and bred until adulthood. It is very sad and I want to say that my friend you lost the debate. You are a good debater but today, you lost they debate.

*(Applause)*

**The Speaker** (Hon. Oraro): What Order Hon. Seth Kanga

**Hon. Kanga:** On a Point of Information. Mr. Speaker, when we contribute on Reports or Motions in this House, we should not confine our arguments to the character of a leader who has contributed. The Honourable Senior Member has cast aspersions on the words I spoke while contributing.

It would be prudent that when one contributes, he or she confines to the mater being discussed instead of casting aspersions on the contributions of a Member.

**The Speaker** (Hon. Oraro): I want to direct that it is the Chair who is being addressed. We are debating but you address the Chair.

**The Speaker** (Hon. Oraro): Hon. Ooko. Kindly sanitize the microphone before you hand it to Hon. Ooko

**Hon. Ooko:** Thank you Mr. Speaker. As a Member of this House Committee, I rise to support the Report. Mr. Speaker, looking at the deliberations we got from Siaya, we went to benchmark as a Committee on welfare of Members. Siaya has a well-equipped library that helps them in undertaking research as compared to our Assembly that does not have a library. That's a plus for Siaya.

Secondly, Mr. Speaker, if you look at recommendation number five, you realize that Members in Siaya County Assembly are given dairies, phones and laptops. In this Assembly, we have only been given iPads. Mr. Speaker, Siaya Assembly is way ahead of us in matters welfare of members.

Mr. Speaker, I want to address you as Chair. I have heard contributions in this House and would say that it is an insult to the people of Alego yet, most of them are voters in Kisumu. Mr. Speaker, even the Member himself is a villager from Kolwa. Therefore, everyone is a villager. Mr. Speaker, this is a good report and I urge Members to support it. Thank you

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

**Hon. Ngeta:** Thank you Mr. Speaker, Sir. I am a Member of this Committee. However, I wish to say that this was not a comparison between the two counties, per se. it was benchmarking on the welfare of Members of this Assembly vis-a-vis those of Siaya.

Mr. Speaker, Siaya Assembly has made strides compared to Kisumu. For example, they have better structures. It is not prudent for a Member of this Assembly to rise just to compare Kisumu and Siaya. You can have a well fenced home with no peace! We may be lost if we go that direction.

We need to do comparison on matters welfare as we look forward to enhancing our welfare. In that regard, we need to benchmark with counties who are ahead of us in such matters. Therefore, I support the report. Thank you

**The Speaker** (Hon. Oraro): Hon. Vitalis Otura

**Hon. Otura:** Thank you Mr. Speaker. First, let me applaud the work done by the Committee on Welfare. Mr. Speaker, the Committee on Welfare as established under our Standing Orders majorly looks into the welfare of Members of this County Assembly. Mr. Speaker, this committee does not look at the general welfare of residents of Kisumu County.

Mr. Speaker, in this regard, I want to take note of the fact that Siaya County Assembly has 42 Members whereas Kisumu County Assembly has 48 Members. Also, it is important to note that the composition of House Committees is the same in both counties. When it comes to committee rooms, Siaya County Assembly takes the lead by having four well equipped rooms with public address systems. Kisumu on the other hand, despite having more members, have only two non-equipped committee rooms. Another important issue highlighted in this report is on the number of staff that support the work of honorable Members of this Assembly. Siaya County has 83 employees whereas Kisumu only has 45 employees on permanent and pensionable terms, which translates to quite an alarming ratio. We are indeed understaffed, and this is an issue that should be taken into account and by adopting this report, the management can consider a number of factors to this effect.

Mr. Speaker, the continued disregard in comparison of senior and junior counties doesn't help much and I believe that it is important to compare notes with all cadres. Otherwise, I support this report and request members to join hands in supporting it as well so that we can realize some change in this County.

**The Speaker** (Hon. Oraro): Let me give chance to Hon. Seth Okumu, Hon. Eric Agolla and then Hon. Atieno Atieno.

**Hon. Okumu:** Thank you Mr. Speaker, I want to support the adoption of this report by the Committee of Welfare and Equal Opportunities. As an Assembly, we cannot succeed if we do not have anyone to compare ourselves with. Our deliveries will be dependent on the comparison to other county Assemblies that are doing better. A report from Siaya County has made us realize that there are so many things that they have but we lack. It is the first county to have passed the Constitutional of Kenya (Amendment) Bill, 2020 (BBI document).

Mr. Speaker, it is important to address the welfare of both staff and Members as brought up in this report and for honorable Members to deliver as Hon. Members of the County Assembly of Kisumu. However, I want to remind my friend Hon. Kanga, representing Market Milimani Ward, that Siaya is a great county and the members of the Siaya County Assembly are great people which we can learn from. Need I inform him that, the first black American president has his origin from Siaya County and that the first female Mayor of Kisumu also comes from Siaya County as well as most great academicians we have in our Luo land? Let us not compare the county assemblies with just structures that we see. I want to remind Hon. Kanga in Martin Niemoller's speech in Post-world War II when he said that; "They first came for the socialists but I kept quiet because I wasn't a socialist, then they came for the trade unionists but I kept quiet because I wasn't a trade unionist. They came for the Jews but I kept quiet because I wasn't a Jew. Then when they came for me, there was no one else to speak for me." In a similar case in this House, last time it was about people from Seme, and today is an issue about people from Siaya.

*(Laughter)*

I want to request that this doesn't continue in this House...

**Hon. Kanga:** A point of Order Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Kanga, what is your point of order?

**Hon. Kanga:** Mr. Speaker, I should not be the subject of discussion because I made my contribution based on the report that was read by Hon. Pamela Odhiambo. The discussion has turned towards the character of Hon. Seth Kanga who made a statement last week and it is quite disheartening that we are discussing our welfare here in the House on how to live well and get good allowances, yet there are no drugs in hospitals. Not so long ago, there were disruptions in town, where nobody wanted to talk about, but, I did but now Hon. Okumu is disowning me despite being my friend as he says. Mr. Speaker, I will not shy away from telling people what I mean because we cannot discuss our welfare in this House when there are several contentious issues affecting this county that need immediate address. Currently people are planting crops yet seeds and fertilizers are scarce...

**The Speaker** (Hon. Oraro): Hon. Kanga I want to rule you out of order because you said you had information to the House but you...

**Hon. Kanga:** Mr. Speaker, there is nothing like being out of order because this is a serious issue affecting this county yet we are discussing matters on our welfare instead of addressing these issues.

**The Speaker** (Hon. Oraro): Order Hon. Seth Kanga! You are aware of how reports come to this House. When it does through House Business Schedules and looking at this report, it is a visit that was done several months ago but scheduled to be discussed today. It is upon the Members therefore to debate soberly and have a vote at the end of it. Hon. Okumu I want you to conclude your submissions.

**Hon. Okumu:** Thank you Mr. Speaker, I have listened to the information given by Hon. Kanga, and I want to tell him that the report is clearly stating that we should have equipped committee rooms where we can discuss the welfare of the people of Kisumu. The equipment includes and not limited to enough microphones but not shared as we are currently doing especially during this COVID-19 pandemic period. The welfare we are talking about is not about money but about the conditions that members and staff alike needs to be put in so that they deliver their mandate to the people of Kisumu. I am urging members to adopt this report so that we task the County Assembly of Kisumu to put up those structures that are necessary for us to deliver as members of the County Assembly of Kisumu, thank you.

*(Feet thumping)*

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

**Hon. Agolla:** Thank you Mr. Speaker, I stand to support and appreciate the work well done by this House Committee. It is true that our welfare needs to be well taken care of for us to deliver. When I was going through the Constitution of Kenya 2010, Schedule 1, all counties were promulgated as counties when the Constitution was promulgated in 2010. Therefore, there is no junior, small or big county because all of these counties belong to this Republic.

Mr. Speaker, when we get to how revenue is shared; this is why the Commission on Revenue Allocation (CRA) gives allocation to various counties to uplift all counties. On matters welfare, I want to add my voice by saying that the Chair of Welfare Committee should note that currently we are not testing our temperatures as we get into this House. I am concerned that one of the welfare that should be looked into is our health. I want to commend you, Mr. Speaker, because you have prioritized to do a new County Assembly that will accommodate members – where we can observe social distance, because it is not known worldwide when this pandemic will end.

Mr. Speaker, I saw in our communication channels the Clerk of the Assembly advising that if a member or staff of the Assembly feels unwell, then he/ she should excuse himself or herself. We are risking our lives if we don't observe COVID -19 protocols.

Our welfare touches even the staff, and I want to commend the Assembly Service Board for having recruited some staff. If we compare where we were a year ago, we were really straining. But as we speak, Kisumu is ahead of Siaya. There are some areas where we learn from Siaya, there are some areas Siaya should come and learn from us. There is a Kiswahili saying – Mgala muue na haki uumpe. There are some areas that we are doing well as an Assembly but there are some areas that we need to improve on.

If we look at our welfare properly and work in a conducive environment, then we will deliver to the people of Kisumu County. Thank you.

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

**Hon. Atieno:** Thank you, Mr. Speaker. I arise to oppose this report, on the basis of comparative analysis. You cannot compare New York City and Nairobi. They are as distinct as day and night. All of us are aware that we want to build an Ultra-modern County Assembly and preparations are underway. The report is recommending that we should employ a given number of employees. But the infrastructure that we have cannot accommodate the employees that we envision to employ until such a time that we will have our modern Assembly.

**The Speaker** (Hon. Oraro): What is it Hon Ngeta, who do you want to inform?

**Hon. Ngeta:** I want to inform Hon. Atieno.

**The Speaker** (Hon. Oraro): Hon. Atieno do you want to be informed by Hon. Ngeta?

**Hon. Atieno:** No, Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Ngeta, Hon. Atieno does not want to be informed.

**Hon. Ngeta:** I want to inform the House.

**The Speaker** (Hon. Oraro): Give him the microphone.

**Hon. Ngeta:** Mr. Speaker, Hon. Atieno is misleading the House. He says we want to build an Ultra-modern County Assembly but Siaya already has that modern Assembly as we speak. He says we want to employ more staff but Siaya already has those staff. Let's call a spade a spade.

**The Speaker** (Hon. Oraro): I believe that, it is in the public domain that Kisumu County Assembly plans to Construct an Ultra-modern Assembly so I don't think Hon. Atieno is misleading the House.

**The Speaker** (Hon. Oraro): Hon. Atieno, please proceed.

**Hon. Atieno:** Thank you, Mr. Speaker. I was reminding ourselves that we are on the verge of building a new Assembly. The kind of infrastructure that we have cannot allow us to employ the number of staff that we need. When we move to a new Assembly which is spacious, then we will be able to employ the staff that we want. Now, if we employ the staff that we require, where will they sit? We don't have space as we speak now. That is why we want to build a new Assembly.

One of the committee members who went to Siaya says that we don't have a library. I want to inform members that we have a library only that it was started last year but is not fully equipped. But it is there, it is up and running. Most members are not even aware.

Some members said that Members of Siaya County Assembly have tablets among other devices. But we were equally provided with iPads...

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

**Hon. Okumu:** Mr. Speaker, I want to request that you tell members to properly put on their masks. I am just reading that Nairobi County Assembly has closed indefinitely following cases of COVID-19 and two members of that Assembly are currently hospitalized and on oxygen. Thank you.

**The Speaker** (Hon. Oraro): Hon. Members, I directed that we put on our masks properly to cover both your mouth and nose.

**The Speaker** (Hon. Oraro): Hon. Atieno, proceed.

**Hon. Atieno:** Mr. Speaker, those are some of the disconnects which make it very difficult for us to benchmark with counties like Siaya. It would have been wise if the benchmarking was conducted in counties like Mombasa or Nairobi. Those are cities and we are in our unique class...

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

**Hon. Ooko:** I want to inform the House.

**The Speaker** (Hon. Oraro): Okay, proceed.

**Hon. Ooko:** Mr. Speaker, I want to inform the House that the term modern does not mean you employ more. You can have an Assembly which is not modern but with more staff. When a Hon. Member who represents Members in the County Assembly Service Board says there are preparations going on yet members are not aware! He should have talked to members and told them that we have all these preparations on Construction of an Ultra-modern Assembly. Thank you.

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

**Hon. Atieno:** Thank you Mr. Speaker. The member is talking as if he is the only stranger in Jerusalem...

*(Laughter)*

Members are aware that preparations are underway to build an Ultra-modern Assembly where we will have a swimming pool, offices, gym among others. That will make us employ more staff. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Beatrice Odongo.

**Hon. Beatrice Odongo:** Thank you Mr. Speaker. I support this report though with few reservations. Some of them have been enumerated by my colleague who serves in the Assembly Service Board as I do. It is in the public domain that the County Assembly intends to Construct an Ultra-modern county Assembly. All of us passed a budget in this Assembly and in the budget there was an allocation for Construction of a Modern Assembly and the Speaker's residence.

Mr. Speaker, on the issue of staff. They have recommended that Siaya has 83 staff permanently employed. In Kisumu Assembly, we have slightly over 40, according to the comparison of the committee. We have 45 staff permanently employed and 26 on contract and 9 interns. Even if you look at the recommendations of the Salaries and Remuneration Commission (SRC), as an Assembly we are understaffed. As we speak, the County Assembly has placed advertisement for employment of additional staff. The numbers we are employing is not even enough.

So I want to support the report and applaud the Kisumu County Assembly Service Board, headed by you Mr. Speaker as the Chair. Since you started, we have seen a lot of changes in terms of members' welfare. I want to encourage that we support the Kisumu Assembly Service Board in delivering their mandate in terms of welfare of members. I support the report and encourage the committee that now that they have gone to Siaya County, let them now go to a city county – either Nairobi or Mombasa. Thank you, Mr. Speaker.

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

**The Leader of Majority** (Hon. Onyango): Thank you Mr. Speaker. Before I make my contribution, allow me to reiterate what Hon. Eric Agolla and Hon. Seth Okumu have said – that this Third Wave of COVID -19 is very dangerous and as a matter of urgency we need to take decisive steps which I know are on the pipeline. Allow me to urge members – personally I have been a victim of COVID attack. When I was attacked, I peacefully stayed at home because I didn't want to risk the life of anybody. It is not a crime to be attacked by COVID-19 but please if it happens, please stay at home.

Sometimes we really lower the level of debate in this House. What worries me most is that one Hon. Seth Ochieng Kanga *a.k.a Adui Nyang'* has been one of the most avid debaters within the

House. But of late he has become like Fresh Prince of Bell-air and for that I urge him to again bring it up. Because then the debate become very flashy in the House.

Mr. Speaker, we have made tremendous strides in this Assembly. Just slightly within two years, the kind of transformation that has taken place here is so commendable. Of course, I am happy that some of our members are saying that indeed it would be important that we increase the number of staffs, which is actually is recommended by the Salaries and Remuneration Commission.

However, what baffles me is that when the Assembly is in the process of recruiting more staffs, then, there are a lot of discordant voices of the very same members that would want the staff sizes to be decreased. That means that we are not in sync about what we want. I want to urge members that once the decision has been made by the County Assembly Service Board that the size of staff needs to be increased, then let us support that because, those are the enablers of good performance. In that case, whenever we go to Siaya County, we do not need to complain so much.

Mr. Speaker, I also want to say that even though the size of our Assembly is small, the modernization process that has so far taken place is commendable. The other time, we could not stay in this House because it was damn hot. Today, the condition has improved and the members can now afford to put on their ties without much ado. Those are the progress that we are seeing. Even the digitization of the Assembly is so great. And these are development that when we want to compare ourselves with others, we must also appreciate that indeed, we have made good strides. We are not badly off. Initially, it was so difficult to even invite a visitor to our Assembly because there were lots of disorders. Today, even if the Assembly is small; even if the assembly compound is small, it has become so modern and we have to appreciate that.

Lastly, what our members have said is not just about money. The conditions of employment- because we are Officers. Mr. Speaker, our place of work should be somewhere which we are proud of. Today, the conditions that surround our work place have improved tremendously. So, it is not just about money but, even if we were to talk about money Mr. Speaker, and also if my memory serves me right, then the last SRC report did indicate that the County Assembly of Kisumu is one of those Assemblies that is well remunerated. That is not my report but from SRC. So I do not know what the hulla-balloo is all about. So I would wish that we continue.

Mr. Speaker, I know that plans are underway to inaugurate the Construction of a new Ultra-modern County Assembly before the end of this Financial Year (FY2020/2021). Construction of the Speaker's Residence is also getting complete. Those are developments that we must appreciate, thank you very much.

**The Speaker** (Hon. Oraro): Hon. Philemon followed by then Hon. Samo, then Hon. Rodgers. Hon. Philemon, proceed.

**Hon. Ojuok:** Thank you very much Hon. Speaker for giving me this opportunity. Standing here, I want to support the report of the Welfare and equal Opportunities Committee and I would urge

this House especially those in leadership position not to be so defensive. The same way that you are able to take compliments on what we are doing well, you also be in a position to take in when you are told that there are certain areas that are not properly addressed.

As I highlight some of the progress that I believe that have been made, Hon. Speaker, I really want to thank this Assembly for the digitization especially the live coverage. It helps us a lot since it is well known that our Assembly is small in size minus the public gallery. Actually we now have opportunity that if there are Hon. Members who cannot debate or rather display a face in the House differently from the one they show outside, they do not have a place to hide. Because the people are able to see the things that they are not doing in this House yet, when they are outside there, they do completely different things.

At one point the number of funerals that you attend could guarantee you being re-elected. However with the digitization of debates of the County Assembly, someone is able to see the kind of work also needed to be done here. So, it is not only a matter of how you can speak on funeral gatherings and I appreciate you for initiating that. I also want you to address the issue of Hon. Members' offices...

**Hon. Kanga:** On a point of order.

**The Speaker** (Hon. Oraro): What is your point of order Hon. Kanga?

**Hon. Kanga:** Mr. Speaker, I usually speak on funeral and equally contribute in this Honourable House. So, when the Hon. Philemon Ojuok whom I respect so much talks about the issue of funerals in this Honourable House, Mr. Speaker, he should be able to tell us the Hon. Member who has been misleading people in funerals while at the same time talks about opposite issues here. This is a House of records, thank you.

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

**Hon. Ojuok:** Hon. Speaker, the languages being used here are English and Kiswahili. There is also something called hypothesis. What I am passing across is that we should be able to work on both outside and within the House. Talking on funerals is not a bad thing but I am saying that there was a time that by talking on funerals only could get me elected. With the current digitization of debates in this House, members of the community are able to know how this House works; and nowadays they are able to know that there is a member who cannot be able to contribute towards the debate. I believe that their chances of getting re-elected are getting diminished. So, that is what I wanted to appreciate.

Mr. Speaker, before I was rudely interrupted, I just wanted to say that one of the best way to ...

*(Laughter)*

**The Speaker** (Hon. Oraro): What is it Hon. Seth Kanga? I believe that Hon. Philemon replied to you?

**Hon. Kanga:** Thank you Mr. Speaker, I was elected by the people of Market Milimani Ward to speak in this Assembly. However, when you have granted me a permission to speak on a matter, and the Hon. Philemon Ojuok says that he was interrupted rudely, is it correct?

**The Speaker** (Hon. Oraro): To Hon. Philemon, you need to withdraw and apologize.

**Hon. Ojuok:** Yes, I withdraw and apologize. He has kind of interfered with my line of thinking. But, I want to say this, Hon. Speaker, if you look at the volume of the document that we are dealing with especially the County Fiscal Strategy Paper (CFSP) that we last dealt with. Some of the limitations that we have are for instance an atmosphere where we can go through the documents and make very good amendments on them. And those good amendments that we make actually go a long way in improving the welfare of our people. So that is an area of the offices that I wanted an improvement on.

People talked about Siaya County being backward as compared to Kisumu County. I want to say this; Devolution was started at the same time. Sometimes for you to make good progress in life, you have to be ruthlessly honest with yourself. We have to admit that we have been doing very badly. Because, we started at the same time yet, Siaya County has a Modern Assembly, which we do not have. I am not saying this to touch on you since some of us here apart from the three (Hon. Okiri, Hon. Misachi and Hon. Pamela Odhiambo) were not part of the other Assembly. They were not part of the management of this County.

However I want to take collective responsibility for the residence of Kisumu County that there are areas that we need to improve on. For instance; fast-tracking the issue of Construction of the Ultra-modern Assembly.

With the level of digitization, on the issue of library and the kind of work that we need to deliver here, we cannot refer that one as a library. It is very unfortunate that this comes from a Member of the Board. It is one of the areas that we really need to improve on and I know you know that. It is just something that we need to put in our line of thought that it is one of the requirements that we need to have in this particular place.

Mr. Speaker, on welfare and money issues. There is absolutely no problem on delving on the issues touching on money. Because, it is that money that help in social protection such as building houses for the vulnerable members of the society. So, I believe that as a County, there are areas that we need to improve on and when we are told of such, we do not need to be defensive about them. However, wherever we have done well, we will give you a part on the back, thank you.

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

**Hon. Samo:** Hon. Speaker, mine will be very short but...

**Hon. Kanga:** On a point of order!

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

**Hon. Kanga:** Mr. Speaker, we are live and Hon. Samo whom I respect very much to address the House in that attire, I think it is a dishonour to this Honourable House, thank you.

**The Speaker** (Hon. Oraro): Hon. Kanga, we did agree and it is a practice on at the National Assembly and the Senate that we allow African attire.

*(Applause)*

**Hon. Samo:** Mr. Speaker, today the Hon. Member is very horny and I do not know what the problem is.

*(Laughter)*

But we may just forgive him since we know him very well. I believe that he is trying to be alive on fact the he was misled to remove his...

**Hon. Kanga:** On a point of order Mr. Speaker!

*(Hon. Samo consulting loudly)*

**The Speaker** (Hon. Oraro): Hon. Roy, allow me get the point of order.

**Hon. Okumu:** On a Point of Order. Mr. Speaker is it right for the Hon. Member to refer to another Hon. Member as horny? If it is not that, he needs to withdraw and apologize because that is not parliamentary.

**The Speaker** (Hon. Oraro): Hon. Samo if that is the case then you need to withdraw and apologize.

**Hon. Samo:** Mr. Speaker the Hon. Member has not taken offence on my remarks and I don't know what the problem is with Hon. Okumu.

**Hon. Seth Okumu:** Mr. Speaker I don't want any other Hon. Member to refer the same next time because the language is not parliamentary.

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

**Hon. Samo:** I would withdraw if the Hon. Member feels offended.

**The Speaker** (Hon. Oraro): Hon. Samo make to all Members that...

**Hon. Samo:** I particularly said that it is the Hon. Member and not the Hon. Members. However I withdraw and apologize. I have been to Siaya County and I have been privileged to tour around the rural roads and they are doing well. If the committee visited Siaya and made some findings even irrespective of our welfare of Members they are also trying to do well to the welfare of the people who voted them. The same applies to what is happening to us under your leadership as it was echoed by Hon. Okumu that a lot has taken place.

However, we need to go back to the other side and that our ‘give direct’ has been lagging behind and I believe that, it should be looked into because it is also part of our welfare. Now that the financial year is coming to an end and if that matter is looked into then I think I will be over to the moon.

Lastly, the Leader of Majority did allude to the fact that he did substantiate that the COVID-19 situation is becoming alarming and that something should be happening to Kisumu. Maybe he has something that we don’t know because I believe that, he is not wiser than the President of this Republic. How would he say that five Counties are seriously affected and he omitted Kisumu? It means that we are within the baseline so we should not be made to feel alarmed at the fact that this pandemic is really catching up with the rest of the Country such that he may allude to even closing this Assembly. If he does that I believe that, we will take it as an offence because there are a lot of activities that are still pending that we have not handled. I am very much aware that we should go for holiday but then we should not be able to take the Assembly to that direction because we are elected to represent the people. Thank you.

**The Speaker** (Hon. Oraro): Hon. Samo before I give Hon. Rodger to debate, it is me who made a communication and probably you came late. I did make a communication on the information that I received from the COVID-19 Steering Committee in Kisumu County. The strain is alarming especially for the Assembly and the Executive. So kindly refer to the Hansard and check my communication.

**Hon. Ojuok:** Mr. Speaker I believe that, this being a House of rules that when such kind of things are brought then there needs to be facts on the same.

**The Speaker** (Hon. Oraro): Hon. Ojuok, I did make a communication and if you are not there then you need to refer to the Hansard.

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

**Hon. Samo:** Then The Leader of Majority did reinforce your statement and I would wish to say that he should be able to let us know.

**The Speaker** (Hon. Oraro): I did get you well Hon. Samo.

**Hon. Samo:** Mr. Speaker it seems like the Leader of Majority is alluding to the fact that he wants to close this Assembly indefinitely.

**The Speaker** (Hon. Oraro): Hon. Samo, you know the rules and procedures. There is no way the Leader of Majority can close the Assembly. I believe that, let us not listen much to propaganda.

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

**Hon. Rodgers:** Thank you Mr. Speaker. I want to support the adoption of this report and to also thank this committee for having chosen Siaya County to benchmark with. Mr. Speaker I also want to bring to the attention of the House that Hon. Kanga has contacted me and confirmed that Siaya County is one of the best Counties in this Country and this was confirmed when we recently had the BBI Consultative Forum at Siala Resort where each speaker who spoke congratulated Siaya County.

Mr. Speaker, recently I had the privilege to visit Kobura Ward where I paid a visit to my friend who had some function and one of our senior journalist would confirm to you that Siaya has got the best road network in the whole of Kenya. So, it is indeed a good County to benchmark with even us the people that we represent we can be able to bring something good to them.

Mr. Speaker, please allow me to add and with your permission what was not captured because I am one of the committee Members that benchmarked with Siaya County Assembly. You find that in times when they do the advertisements for these positions they told us that they don't allow the Members through the Leader of Majority to come up with names so that people could just be given jobs in rewards as girlfriends and boyfriends. We also learnt why they did construct a Modern Assembly. Mr. Speaker when we appreciate the developments like the one that is happening in our Assembly and those who are given the job to do it are allowed and Members are nowhere to supervise the jobs that the contractors are doing. As we ask for the adoption of this report, I want to ask that we emulate our friends from Siaya County. Thank you.

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

**Hon. Nancy Owiti:** Thank you Mr. Speaker. I wish to call the mover to reply.

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

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker. I wish to take this opportunity to thank Members who robustly contributed to this report. We have taken note of everything that has been said. The mandate of this Committee is to look into the welfare of the Members and staff of this County Assembly. I would like to say that this committee is a working committee. We went to Nairobi and after reading our report, you can see the transformations in our Assembly now. It was our effort that we bring the report and good things that we saw in Nairobi County. We said that we don't need to go to Nairobi County because when you go there, you will use a lot of money.

Mr. Speaker and Hon. Members, Siaya County is just near and we also needed to visit Siaya because we can at least see how they are doing things differently because their Speaker has been there all along. We found out that, all the things that we have put in this report; Siaya is just a town and Kisumu is the city. You have seen the number of permanent employees they have compared with ours. We still need to do a lot so that the welfare of both Members and Staff is effectively met. Thank you.

**The Speaker** (Hon. Oraro): Hon. Members now that the Committee on Welfare and Equal Opportunity Report on Benchmarking Exercise with its sister Committee of Siaya County Assembly has been presented by the Chairperson, seconded by Hon. Ogaga and debated. I therefore want to put a question on the adoption of the same.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): The report from the Committee on Welfare and Equal Opportunity report on Benchmarking exercise with its sister Committee of Siaya County Assembly is hereby adopted today Tuesday 06<sup>th</sup> April 2021 at 1610 hours with the recommendations therein.

Hon. Members, I do direct that the said recommendations be communicated to both the County Assembly Service Board and the Implementation Committee follow up on the implementation of the same as appropriate.

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

### **ADJOURNMENT**

**The Speaker** (Hon. Oraro): There being no any other business to transact, the House stands adjourned to tomorrow Wednesday 07<sup>th</sup> April 2021 at 9.00 a.m. Thank you.

*(House rose at 04.14 p.m.)*

*Addendum*

**Hansard Team**

*Zablon Otiende* - *Senior Hansard Reporter (In-charge)*

*Edward Odanga* - *Reporter*

*Fanuel Okode* - *Reporter*

*Patrick Okoyo* - *Reporter*

*Jesca Otieno* - *Reporter*

*Dennis Onyango* - *Reporter*

*Jacklyne Otieno* - *Reporter*