

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FIFTH SESSION

Wednesday, 11th 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 Orders No. 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. Okumu): The Deputy Majority Whip, could you please confirm if we have quorum.

The Deputy Majority Whip (Hon. Obonyo): 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): Honourable Members, I still wish reiterate that we still have Covid-19 amongst us and I want to request that you wear your mask and ensure that you use the sanitized microphone.

Secondly, we a visitor in the chambers. Prof. Francis Owino Reu. Formerly of the Jaramogi Oginga Odinga University. Professor, we want to welcome you to this Assembly. We acknowledge your participation and contribution to the development of this nation and this County.

(Applause)

The Temporary Speaker (Hon. Okumu): Hon. Members, in recognition of the same, I want to give the opportunity to a few Members to welcome professor in the House.

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

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Allow me also to welcome Professor to this Assembly and state here that he taught me at the university. We must also recognize the tremendous work he has done to the development of academics in this country. So, Prof. feel at home. Thank you.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Roy Samo.

Hon. Samo: Thank you Mr. Speaker. I remember when we became the MCAs in 2017 and he took us through processes of making a Bill. He has done a lot to this country. I want to say that the Honourable Leader of Majority is misleading the House when he said that Prof. taught him at the university. We know the subjects he took at the university and they are not the ones the Professor is teaching.

(Laughter)

Hon. Samo: He should withdraw that. Thank you and I welcome the Professor.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Samo. I wish to make it clear that the Leader of Majority knows what he did in school and who taught him.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Judith Ogaga.

Hon. Ogaga: Thank you Mr. Speaker. I would like to join you in appreciating and welcoming Professor. He was my English language lecturer at Maseno University. I am proud of him because whom I am today. We are still working very closely to promote education in the County. Welcome to the Assembly.

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

Hon. Muga: Thank you Mr. Speaker. I also want to join my colleagues in welcoming the Professor in chambers. We appreciate your work in the society. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Honourable Members. Prof. Francis Owino Reu, we thank you very much and your name will remain in the annals of history of this House and in the archives of this House. Thank you.

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

PAPER LAID

ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY COMMITTEE REPORT ON THE MEMORANDUM OF AMENDMENT OF THE KISUMU COUNTY ADMINISTRATION VILLAGE UNITS ACT 2019

BY

HON. PAUL OKIRI

The Temporary Speaker (Hon. Okumu): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 192 (6), I wish to table today Wednesday 11th August, 2021, Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Committee Report on the Memorandum of Amendment of the Kisumu County Administration Village Units Act 2019. Thank you.

(Hon. Okiri tables the report before the House)

The Temporary Speaker (Hon. Okumu): Honourable Members, I wish to acknowledge the Committee on Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Report on the consideration of Kisumu County Administration Village Units Amendment Bill, 2021. I want to direct the House Business Committee to schedule this report for debate.

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

NOTICE OF MOTION

ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY COMMITTEE REPORT ON THE MEMORANDUM OF AMENDMENT OF THE KISUMU COUNTY ADMINISTRATION VILLAGE UNITS ACT 2019

BY

HON. PAUL OKIRI

The Temporary Speaker (Hon. Okumu): Yes, Hon. Paul Okiri.

Hon. Okiri: 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 Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Committee Report on the Memorandum of Amendment of the Kisumu County Administration Village Units Act 2019. Thank you.

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

STATEMENTS

The Temporary Speaker (Hon. Okumu): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. I am rising on a Personal Statement. I was visited by three parents this morning at my rural home and they were asking me to find a way of helping their children to go to school. They were making inquiries about the Bursaries and Scholarships. I promised them the County Government will pay for all the students who applied for bursaries. There is always a delay in the issuance of cheques and I am afraid that this might even reach the next Financial Year. I am of the view that...

The Temporary Speaker (Hon. Okumu): Order!! Honourable Member. You stood on a Personal Statement but you have raised issues that touches on the County Government, the parents, bursaries, scholarships and you still consider that a Personal Statement. I need that clarity from you.

Hon. Okiri: That is what happened today and I would request the Committee of Education to look into the matter to enable our children to go to school.

The Temporary Speaker (Hon. Okumu): Honourable Member, if you knew you had such a genuine issue then you know all the procedures of bringing such kind of Statement. It is very hard for me to make a decision given that you brought it as a Personal Statement.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Guya.

Hon. Guya: Thank you Mr. Speaker. I am rising on Standing Order No. 41 (1) (b) of the County Assembly Standing Orders. I wish to seek for a Statement from the Chairperson, Committee of PIC/PAC.

Aware that, that the Department of Education, HR and Capacity Building in the FY 2015 undertook Phase I Recruitment ECD Teacher on a Fixed Three Years Contractual Terms whose Contracts lapsed in the Year 2018. Consequently, in the year 2018 the Department correspondingly

undertook Phase II recruitment of another batch of ECD Teacher for the same Contractual Terms as above whose terms is to expire in the year 2022.

Mr. Speaker and Hon. Members, It is a requirement of the Labour Laws that employees are upon lapse of their contract entitled to Gratuity.

Mr. Speaker and Hon. Members. I would like to seek a Statement from the Chairperson, House Committee of PIC/PAC to investigate, interrogate and provide this House with the following information;

- a) How many ECDE Teachers were recruited in Phase I of year 2015?
- b) Was Gratuity paid to the ECD Teachers recruited in FY 2015 upon lapse of their Three-Year Contractual Terms?
- c) Have funds been set aside to pay the current ECDE Teachers whose terms is to expire this year?
- d) The Department needs to provide proof/evidence of payment of ECD Teachers who's Fixed Three Years Contractual Term lapsed and how much?
- e) If Gratuity pay was not paid, the Department needs to furnish this House with reasons as to why it was not paid?

Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members, I wish to acknowledge the receipt of statement made by Hon. Johnson Guya to the Investigative Committee of PIC/PAC. I want to direct that the Chairperson of the PIC/PAC Committee gives us a report on this statement within the next 21 days. Honorable members, I want to direct the Select Committee while undertaking your research, do not go beyond the questions or leave other questions unanswered on the statement raised. Please stand guided.

The Temporary Speaker (Hon. Okumu): Yes Hon. Erick Agolla.

Hon. Agolla: Thank you Mr. Speaker, pursuant to the provisions of Kisumu County Assembly Standing Orders No. 41 (2) (d), which allows the Leader of Majority, Leader of Minority or Chairperson of a Committee to give a report, allow me to present a statement...

The Temporary Speaker (Hon. Okumu): Hon. Agolla can you finish reading the Standing Order you were referring to?

Hon. Agolla: Mr. Speaker, Standing Order No. 41(2)(d) reads '*The Leader of Majority, the Leader of Minority, or the Committee Chairperson as the case may be or their designee may make a statement relating to their responsibility to the County Assembly or the activities of the committee.*

The Temporary Speaker (Hon. Okumu): Proceed honorable Member.

Hon. Agolla: Mr. Speaker, as the Chairperson of the Committee on Implementation, we have concerns on what Hon. Paul Okiri stated earlier. We are in a new financial year as well as a new education year, and many kids have gone back or joined school. We appropriated funds for Scholarships and Bursaries and our concerns as a House Committee is the way the execution and the implementation of scholarship process as per the scholarships and bursaries' Act, which was enacted in this House.

Mr. Speaker, I want to raise it as a matter of concern that in liaison with the relevant committee pursuant to Standing Orders of this House, I want to plead with you chair, to direct the Chairperson of the Standing Committee of Education to ensure that the execution of bursaries is done according to the Act. We have been facing several challenges in our wards when you find the needy students that had already been considered for the bursaries stranded when they want to join various schools because arrangements from the relevant offices haven't been made.

Mr. Speaker, immediately we came back from our trip to Arusha, we learnt that some of these kids are stranded with no communication informing these kids...

The Leader of Majority (Hon. Onyango): A point of order Mr. Speaker

The Temporary Speaker (Hon. Okumu): What is your point of order Leader of Majority?

The Leader of Majority (Hon. Onyango): (*On a point of order*) I am standing on Standing Order No.89 which calls for Statement of Facts. Mr. Speaker, I am wondering whether the honorable member is keenly listening to himself because as far as I am concerned, all those students that were offered scholarships were in schools and the County did make arrangement the give them letters of commitment to show that the fees will be paid.

Mr. Speaker, the process for the bursaries is on, and we are certainly aware of how the Integrated Financial Management Information system (IFMIS) works. I want to reiterate that it is very important that indeed our children are going back to school but this commitment belongs to both the County Government of Kisumu and the parent. The parent should surely also have some preparation for the children, thank you.

The temporary Speaker (Hon. Okumu): Thank you Hon. Leader of Majority. I want to guide Hon. Eric Agolla that under the Standing Order on which you wanted to give your information was to tell your committee what you intend to do as a House Committee or what you were doing as a Committee and where you are, and the like. It is not in order to rise and cite that Standing Order to instruct the Speaker to tell another House Committee to do something. If you want the Standing Committee on Education to do something on the bursaries issue, you know the Standing Order and the procedure on which to bring the statement. I don't want to rule you out of order but I want to request that you rest that case and bring the statement through the correct Standing Order rather than sneaking it through the unorthodox way.

Hon. Agolla: Thank you Mr. Speaker, I am well advised and I want to thank the Leader of Majority on the point that he is trying to put across but my only concern is that if you read this Standing Orders keenly, you will find that the roles of the Implementation Committee isn't to interfere with the Sectoral Committees' work. My concern as a member is that...

The Temporary Speaker (Hon. Okumu): Order!! Hon. Agolla, if you rose on that Standing Order then you were Standing as the Chairperson of that House Committee and only talks about the concerns and the activities of the House Committee but not of the other Committee. Thank you,

The Temporary Speaker (Hon. Okumu): Yes, Hon. Ogotu do you still want to give information to the House or is it overtaken by events?

Hon. Ogotu: Mr. Speaker, that information is still valid.

The temporary Speaker (Hon. Okumu): Proceed Hon. Member.

Hon. Ogotu: *(On a point of information)* Thank you Mr. Speaker, I want to inform the House that, as we are talking about the Bursaries and Scholarships that is intended for the needy and vulnerable students...

The Temporary Speaker (Hon. Okumu): Hon. Member, we are not talking about Bursaries and Scholarships, we are on Statement time.

Hon. Ogotu: Then I want to give a Statement Mr. Speaker.

The Temporary Speaker (Hon. Okumu): Under which Standing Order?

Hon. Ogotu: Mr. Speaker while citing the provisions of Standing Order No. 42.

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

Hon. Ogotu: Mr. Speaker, I am personally concerned as an elected ward representative. There are some complaints coming to me directly about the previous bursary allocations.

The Temporary Speaker (Hon. Okumu): Hon. Member, if you have a problem about the bursaries then you need to follow the right channel so that you can bring up the matter in this House for discussion. But if we just allow Hon. Members to vent about the bursaries, we will just vent and not find a solution to the problem. Thank you.

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

MOTION

LIAISON COMMITTEE REPORT ON ITS CONSIDERATION OF THE APPROPRIATION OF THE COMMITTEE ANNUAL OPERATIONS BUDGET IN ACCORDANCE WITH THE

PROVISIONS OF STANDING ORDERS NO. 192 (2B) OF THE KISUMU COUNTY
ASSEMBLY STANDING ORDERS.

BY HON. JOACHIM OKETCH – CHAIRPERSON

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

The Temporary Speaker (Hon. Okumu): Order!! What is it Hon. Leader of Majority?

The Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. The Liaison Chairperson is unwell and he has asked me to withdraw the motion on his behalf because there are some issues that are still being dealt with before the report is brought to the House. I wish to ask the Majority Whip, Hon. Misachi to second that withdrawal motion.

Hon. Misachi: Thank you Mr. Speaker. I second.

The Temporary Speaker (Hon. Okumu): A motion on the withdrawal of the Liaison Committee report on the Apportionment of the Committee Annual Operations Budget for the FY 2021/2022 in accordance with the provisions of Standing Orders No. 192 (2b) of the Kisumu County Assembly Standing Orders has been moved by the Leader of Majority, seconded by the Majority Whip. I want to propose that we open the report for debate.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Johnson Guya.

Hon. Guya: Thank you Mr. Speaker. I want to refer you to Standing Order No. 49 (1) which states that a Notice of Motion may be withdrawn by the member who gave the notice...

If my memory serves me well, the Hon. Leader of Majority did not bring a notice for this motion. Therefore, for this motion to be withdrawn, it must be by the same person who moved the notice of motion. Thank you.

The Temporary Speaker (Hon. Okumu): What is your point of order, Hon. Agola?

Hon. Agola: Mr. Speaker, you have allowed the Hon. Member to mislead the House by reading the Standing Order halfway. The Hon. Leader of Majority has stated very clearly that the Mover of the Motion is unwell. Should he be taken from the hospital bed to come and move a motion?

The Temporary Speaker (Hon. Okumu): Thank you Hon. Member. Hon. Guya I believe that you had concluded giving your submission.

Hon. Guya: I have been mentioned and I would wish to respond.

The Temporary Speaker (Hon. Okumu): That is not in the Standing Order.

Hon. Guya: I wish to request to clear my name.

The Temporary Speaker (Hon. Okumu): Kindly resume your seat as I consult, then I will give you time.

Hon. Guya: Kindly.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members. Hon. Eric Agola, you mentioned that Hon. Guya was misleading the House but he referred to the provisions of the Standing Orders and interpreted the way he understand it. Hon. Member, it is upon you now to argue your case on whether the motion should be withdrawn or we proceed with it.

Hon. Members, my role will only be to put a question so that you vote either by acclamation or by secret ballot or by a show of hands and I believe that is where we are going. So, Hon. Members...

Hon. Guya: Mr. Speaker, I was mentioned and I want to clear my name. If you allow me.

The Temporary Speaker (Hon. Okumu): Hon. Guya I have guided on the same. I believe that we proceed.

The Temporary Speaker (Hon. Okumu): Hon. Chief Whip, I believe that you had contributed on the motion as the seconder. So, I don't believe that I will allow you to again contribute.

Chief Whip (Hon. Misachi): Mr. Speaker, I seek your indulgence to shed more light on this matter.

The Temporary Speaker (Hon. Okumu): Hon. Chief Whip, I believe you should have shed more light while you were seconding the motion of withdrawal and I believe that is the procedure. Whip, you spoilt it by not expounding. So, if allow you to contribute again, we shall be in breach of the rules of this House.

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

Hon. Okiri: Thank you Mr. Speaker. This is a report that is generated by a House Committee. The report itself, either the Chairperson, the Vice Chairperson or any other Member of that Committee can read it. In that regard, the Leader of Majority is a Member of this Select Committee of Liaison. So, it is in order for the Leader of Majority to give direction and not defer this matter to a later date because he is a Member of this Committee and he should either move the report or second it or offer input. So, the Leader of Majority is totally in order to raise this matter. Thank you.

The Temporary Speaker (Hon. Okumu): Hon. Member, are you in support of the withdrawal or not?

Hon. Okiri: Mr. Speaker, I am in support of the withdrawal.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Member. That is what I want to hear as to whether you are in support of the withdrawal or not.

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

Hon. Muga: Thank you Mr. Speaker. As a Member, I do hear and do see. Mr. Speaker, according to what the Leader of Majority has raised, it can be approached on two-fronts. One, he stated that the Chairperson of the Select Committee on Liaison is unwell. I believe that Members heard that. Secondly, he stated that, there are issues that needs to be ironed out that prompted the report not to be tabled before the House. Mr. Speaker, what are the issues that can make this House support or reject this report. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Member. Hon. Pamela Odhiambo, MCA, Manyatta “B” Ward.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I want to say that I believe that the Leader of Majority is in order and I am in concurrence with the motion of withdrawal of the report. This is because it has been stated here clearly that the report must be withdrawn because there must be issues in the report that needs to be ironed out. So, I support the withdrawal of the report. Thank you.

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

Hon. Agolla: Thank you Mr. Speaker...

Hon. Guya: On a Point of Order. Thank you Mr. Speaker. Just a while ago we appreciated the English Professor. Mr. Speaker, I am rising while citing the provisions of Standing Orders No. 49 (1) and the title of that Standing Order states that; *“Motions withdrawn may be moved again” and it states;*

“A Notice of a Motion may be withdrawn by the Member who gave the Notice, but Notice of the same motion may be given again either by the same Member or by any other Member”

Mr. Speaker, this implies that, the way the Leader of Majority was stating here and the way Hon. Ogaga and their Professor is here. Mr. Speaker, giving a Notice of Motion may be given. Mr. Speaker, I am not objecting the withdrawal of the motion, but I am on the procedures of withdrawing the same motion. The motion may be withdrawn by the Member who gave the Notice and I am just stating here that the records are there because the Leader of majority did not give the Notice of the Motion and that is all.

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

Hon. Guya: Mr. Speaker, I am not against the withdrawal of this motion but the procedures...

The Temporary Speaker (Hon. Okumu): Order!! Leader of Majority I want to make a ruling on Hon. Guya’s point of order.

Hon. Guya, you had referred to the same Standing Order while making your submissions and the House understood you. Now, please accord them time...

Leader of Majority (Hon. Onyango): Mr. Speaker, before you make your ruling...

The Temporary Speaker (Hon. Okumu): Order!! Leader of Majority. Hon. Guya, you made your submissions while making reference to that Standing Order and the Hon. Member lent you their ears and that are still contributing. So, please give them time to ventilate. I want to give Hon. Agolla to contribute.

The Temporary Speaker (Hon. Okumu): Please proceed Hon. Agolla.

Hon. Agolla: Thank you Mr. Speaker. I am on my feet to support the motion on withdrawal of the report. Mr. Speaker, it was stated clearly by the mover Hon. Leader of Majority on behalf of the Liaison Chairperson that, there are some grey areas that must be addressed by the Committee before the report is tabled. This is not the first time that the Chair or a Member of a Committee has requested for more time. So, the reasons as to why the Leader of Majority was asking for more time on behalf of the Chairperson, Liaison Committee is because the Chairperson is unwell and that is reason number one.

Secondly, is that there are some grey areas that the House Committee wants to thrash out before the report is tabled. Thank you Mr. Speaker, I support the withdrawal of the report.

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

Hon. Ngeta: Thank you Mr. Speaker. It is quite embarrassing that my fellow colleague Hon. Guya is mis-interpreting the provisions of the Standing Orders. Mr. Speaker, it is very clear where the Standing Orders stated that it “may” and not “shall”. I repeat it “may”. So, there is nothing wrong when the Leader of Majority withdraws the report...

(Applause)

Mr. Speaker, the Leader of majority can equally bring the same motion before the House on a later date. So, let us stick to the Standing Orders and we have our traditions and we are guided by the rule of law. So, let us support the withdrawal of this report and I support it. Thank you.

(Applause)

The Temporary Speaker (Hon. Okumu): Thank you Hon. Ngeta. I have seen you emphasis on the word “may” especially when it is legally applied.

The Temporary Speaker (Hon. Okumu): Hon. Guya, what is your point of order?

Hon. Guya: Thank you Mr. Speaker. I believe that you should not allow anybody to mislead this House. The standing Orders clear states that and I want to re-read it again. Please be keen.

“A Notice of a Motion may be withdrawn by the Member who gave the Notice, but Notice of the same motion may be given again either by the same Member or by any other Member”

Mr. Speaker, it is the Notice that may be withdrawn but by who? Simple English. By the same person who moved the motion. Mr. Speaker, I am beginning to doubt....

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

Hon. Guya: Mr. Speaker, I am just reading what is written in the Standing Orders.

The Temporary Speaker (Hon. Okumu): Order!! Hon. Members. I know there is going to be contention on the words “may” and “shall” especially when they are used in a sentence that has legal interpretation. Hon. Members, we are discussing whether to withdraw the motion of today or to proceed with it. I want us to conclude so that we make a decision. I can see Hon. Ojuok is on his feet to contribute over the same.

Hon. Ojuok: Thank you Hon. Speaker. I want to support the withdrawal of that particular motion for a deeper look for the whole of that work which was done. Thank you.

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

Hon. Ogutu: Thank you Mr. Speaker. I stand to support the withdrawal of that particular motion. I don't believe that Hon. Members would doubt the Leader of Majority who belongs to the league of County Leaders and if he says that there is a problem with a certain motion or anything then it means that the Leader of Majority must have sat down with the leaders of this House and saw to it that there is something which needs to be adjusted. For that reason I support the withdrawal of that particular report.

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

Hon. Okiri: Mr. Speaker I want to inform Hon. Ogutu.

The Temporary Speaker (Hon. Okumu): Hon. Ogutu do you want to be informed?

Hon. Ogutu: Mr. Speaker I completed my statement.

The Temporary Speaker (Hon. Okumu): Thank you. Hon. Ogutu does not want to be informed. Hon. Members we are discussing on whether to withdraw the motion on the Liaison Committee report or to proceed with it.

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

Hon. Samo: Thank you Mr. Speaker, I support the withdrawal but before that we have a Professor in the House. Maybe you can give him the opportunity to explain Standing Orders No. 41 so that we can see the difference of “may” and “shall”.

(Laughter)

The Temporary Speaker (Hon. Okumu): Hon. Members I would love to do that but this is a House of Members. So, I believe that in the next General Oversight Committee meeting, we will invite him so that he can help us understand the difference of the two words when used in a statement that has a legally interpretation and the words are “may” and “shall”.

Hon. Members we are discussing whether to withdraw the report and if we have finished with the discussion then one of the Members should volunteer and call the mover to reply.

The Temporary Speaker (Hon. Okumu): Yes Hon. Otiang’.

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

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

Leader of Majority (Hon. Kenneth Onyango): Thank you Mr. Speaker. First of all, I want to thank my good professor at least his presence here today has made many of us try to dance to the gallery even those who ordinarily are usually very mute.

Mr. Speaker you know sometimes the problem of going to “*gumbaru*” schools is that we don’t understand simple things and my good friend Hon. Guya whom I respect so much has not underlined the weight of the word “*may*” and “*shall*”. Mr. Speaker, the word “*may*” gives you that leeway to do it or not to do it. So, when the operating word is “*may*” then it means the Chairperson can do it or any other person can do it. If you had met us in the corridors where people usually meet then you would not have had that kind of problem.

That as it may be I want to thank the Members and I want to say the withdrawal is for good intention because therein is contained pertinent issues that I would not want to say here because we are online. It is good for the Assembly and the leadership is going to meet after this so that we can have a relook to it and ultimately we shall bring it to the Assembly when we are satisfied that it is going to meet our needs. Thank you.

The Temporary Speaker (Hon. Seth Okumu): Thank you Hon. Members. A motion withdrawing the Liaison Committee Report for the Apportionment of Annual Committee Operation Budget for the FY 2021/2022 in accordance with the provision of Standing Orders No. 194 (2)(b) of the County Assembly Standing Orders has been moved by the Leader of Majority, seconded by the Majority Whip and debated by Hon. Member. I therefore want to put a question on the adoption of the same?

(Question put and agree to)

The Temporary Speaker (Hon. Okumu): The motion withdrawing the Liaison Committee report for the Apportionment of Annual Committee Operation Budget for the FY 2021/2022 in

accordance with the provision of Standing Orders No. 194 (2) (b) of the County Assembly Standing Orders has been withdrawn. I want to direct that this motion be taken back to the House Business Committee so that they slot it again for discussion on the floor of the House. 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 Thursday 12th August 2021 at 2.30 p.m.

(House rose at 3.35 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