

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – FIFTH SESSION

Wednesday, 05th May, 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): Good afternoon Hon. Members. Pursuant to the provisions of County Assembly Standing Orders No. 32 (2), I want to request the Serjeant-at-Arms to ring the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Okumu): Hon. Members, Since we have not attained the required quorum, Pursuant to the provisions of County Assembly Standing Orders No. 32 (2), I want to request the Sergeant-at-Arms again to ring the quorum bell for another five minutes.

(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Okumu): Chief 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. Mr. Clerk take us through the Order Paper of today.

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

MOTION

2ND READING OF THE PROPOSED KISUMU COUNTY LAKEFRONT DEVELOPMENT CORPORATION BILL, 2021

BY

HON. GEORGE OLWAL

CHAIRPERSON, PLANNING, INDUSTRIALIZATION AND ICT COMMITTEE

The Temporary Speaker (Hon. Okumu): Yes, Hon. George Olwal.

Hon. Olwal: Thank you Mr. Speaker. I wish to request the Clerk to read the Bill for the second time.

(The Clerk taking the House through the 2nd Reading of the Kisumu County Lakefront Development Corporation Bill, 2021)

THE KISUMU COUNTY LAKEFRONT DEVELOPMENT CORPORATION BILL, 2021

A Bill for

AN ACT of the County Assembly of Kisumu to make provision for the establishment of Kisumu Lakefront Development Corporation as a Special Purpose Vehicle (SPV), to develop and manage economic and social activities of the lakefront, mobilize resources and for connected purposes.

The Temporary Speaker (Hon. Okumu): Yes, Hon. George Olwal.

Hon. Olwal: Thank you Mr. Speaker. May I request the House to revert to the Whole House Committee?

(The House reverting to the Whole House Committee)

The Temporary Speaker (Hon. Okumu): Honourable Members, we are reverting to the Committee of the Whole House to enable us proceed with the 2nd Reading of the Kisumu Lakefront Development Corporation Bill 2021. I want to request the Deputy Speaker to chair the session.

(The Temporary Speaker, Hon. Okumu exits the Chair as The Deputy Speaker Hon. Oketch takes over)

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. Honourable Members, I want to welcome you to the Committee of the Whole House. We shall be guided by the Standing Order No. 126 and allow me to read;

In considering a Bill in Committee, the various parts thereof shall be considered in the following sequence –

- (a) clauses as printed, excluding the clauses providing for the citation of the Bill, the commencement, if any, and the interpretation;*
- (b) new clauses;*
- (c) schedules;*
- (d) new schedules;*
- (e) interpretation;*
- (f) preamble, if any;*
- (g) long title; and*
- (h) the clauses providing for the citation of the Bill and the commencement.*

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Chair. You have offered good guidance. However, as we proceed Clause by Clause, I would propose that we go the guillotine way unless there are amendments in a given part. I would wish to ask the Committee Chair to second.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal George.

Hon. Olwal: Thank you Chair. I second the proposal made by the Leader of the Majority.

Chairperson, Committee of the Whole House (Hon. Oketch): We shall go Part by Part as suggested.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Olwal.

Hon. Olwal: Thank you Chair, under Part I, Preliminaries, I wish to propose for amendment in Part I, Clause 2. That the interpretation of term “member institutions” shall be as follows;

“Member Institutions” means the County Government of Kisumu (CGK), Lake Basin Development Authority (LBDA), Kenya National Chamber of Commerce and Industry (KNNCI) Kisumu Chapter, Kenya Railways Corporation (KRC), Kenya Ports Authority (KPA), Africities Kenya, Beach Management Unit, and County Executive Committee Member for Environment and Kenya Fisheries. “Nyanza Club Trustees” is therefore expunged from Members Institutions.

Chairperson, Committee of the Whole House (Hon. Oketch): Proceed.

Hon. Olwal: Thank you Chair. That the interpretation of term “lakefront” shall be as follows; “Lakefront” means the area or land one hundred meters (100 meters) from the lake. The term “edge of the lake” is expunged and replaced with “one hundred meters” from the lake.

Chairperson, Committee of the Whole House (Hon. Oketch): Chair, just for the purposes of clarity, in what we have “lakefront” means the area or land at the edge of the lake. So, tell us what to delete and what to substitute.

Hon. Olwal: Thank you Chair. We propose that...

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Erick Agolla.

Hon. Agolla: Allow me to inform the House that as per the discussions yesterday which was adopted in the House, the House Committee recommendations was not specific on how many meters from the Lake and that is why the Chair Planning is proposing that it should be 100 meters from the lake. That was not clear but initial coverage of the Lakefront was 40 kilometers.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Arao, I will give you a chance. I want to make clarification on the information given by Hon. Erick Agolla. I don’t believe that we disagreed on that issue but, for the purposes of capturing facts, we would want the Chairperson to be very clear.

Hon. Olwal: Thank you Chair. We delete “edge of the lake” and insert “100 meters” from the Riparian Land.

Chairperson, Committee of the Whole House (Hon. Oketch): What is it Hon. Arao?

Hon. Arao: The length from the lake needs a lot of consultation. It was not there yesterday but today it is being proposed for amendment. Let us consult the experts on that matter as we deal with the rest of clauses.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. I would want to have a very clear picture. Are the proposed amendments resolution of the Chair or the Sectoral Committee? That has to come out very clearly.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Chair. There seems to be very loud consultations but I believe that lakefront to me would substitute the word “edge” means the area or land that “adjoins” the lake. That gives a lot of room for maneuver. But when you say “100 meters” or “the edge”, “the edge” means there is no space for development at all. When you say, “adjoin” it means immediately neighboring the lake.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you very much. The Leader of Majority is making suggestion and I want to say that these amendments are not for the Chair alone. You are allowed to propose your amendment. Chair, if you are not in agreement, we can skip it so that we look at it later.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Erick Agolla.

Hon. Agolla: Thank you Chair. What I would like to put across is that, as we make laws as the County Assembly, we should not contravene laws. You know there are statutes that guides the lakes and rivers and there is a provision of 50 meters for the rivers and 100 meters protecting the lake. So, any development cannot be done in riparian area. So, when the Chair, proposes “100 meters” that is very clear. We cannot do any permanent structure within the riparian land.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you Hon. Agolla. Back to you Chair, Hon. Olwal.

Hon. Olwal: Thank you Chair. I believe that we can have as many suggestions as possible to enable us to settle on one. My proposal as a Member of this House Committee is that we give it “100 meters”. I made this proposal after consulting other stakeholders.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Arao.

Hon. Arao: I now concur with the Chair having said that he consulted the various stakeholders. I believe my concerns are now taken care of. Thank you.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. Chair are we done with Clause 2?

Hon. Olwal: That the interpretation of term “member institutions” shall be as follows;

“Member Institutions” means the County Government of Kisumu (CGK), Lake Basin Development Authority (LBDA), Kenya National Chamber of Commerce and Industry (KNNCI) Kisumu Chapter, Kenya Railways Corporation (KRC), Kenya Ports Authority (KPA), Africities Kenya, Beach Management Unit, and County Executive Committee Member for Environment and Kenya Fisheries.

Mr. Chair, “Nyanza Club Trustees” is therefore expunged from Members Institutions and to be substituted with Africities Kenya, Beach Management Unit, and County Executive Committee Member for Environment and Kenya Fisheries.

Leader of Majority (Hon. Onyango): Chair, I don’t know where the Chair is getting Africities from and again when you talk about CEC Member for Environment, we already have as part of interpretation the institution mentioned. I don’t know the logic of bringing the CEC for

Environment. That is already part of the County Government of Kisumu. That is already taken care of. I am worried about Africities, Kenya Fisheries. Where are they coming from?

Chairperson, Committee of the Whole House (Hon. Oketch): That is very important. Yes, Chair.

Hon. Olwal: Thank you Chair. Remember we adopted a report yesterday and whatever views I am giving are what we discussed as a House Committee. I will not be rigid on other deliberations. I am open to any suggestions as long as we come up with a good Bill that will help our people. During our fact finding, we realize that Africities Kenya came up because it is going to be used to develop our city. Thank you.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Joseph Olale.

Hon. Olale: Chair, we are not making a new document. We had a discussion yesterday and we made amendments. Africities is coming in because it's a development partner.

Chairperson, Committee of the Whole House (Hon. Oketch): I will allow the Leader of Majority to respond.

Leader of Majority (Hon. Onyango): We are only allowed by law to make amendments to a Bill during the 2nd Reading. I want to urge Members that as we discuss this document, let us not be constricted in our mindset. Let us agree that at the end of the day, we are going to pass the document but it has to be solid. Let the suggestion that we are giving enrich this Bill.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Chair.

Hon. Olwal: Mr. Chair, I believe that we have received a lot of guidance from the Leader of Majority and I believe that we don't need to have the "CECM Environment" because we already have the County Government. We also need to drop the "Africities" but we must include the Beach Management Units (BMUs) to look into the interest of the local fishermen.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. My proposal is, let the Chair read all the amendments from the House Committee then, we shall be able to put a question.

Hon. Olwal: Thank you Chair. We must give a clear definition on the lakefront. We are all aware of what the riparian land is and would propose that we leave it as "100 meters" from the lake shore as proposed by the Standing House Committee.

Chairperson, Committee of the Whole House (Hon. Oketch): What is it Hon. Olale?

Hon. Olale: Thank you Chair. It has been stipulated in the Bill how compensation shall be done to the people affected. The County Government is not going to remove people from their lands. Let us not mix these issues. Thank you.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you, Members, we aren't discussing this bill again.

Hon. Arao: Put the question Chair.

Chairperson, Committee of the Whole House (Hon. Oketch): Hold your horses Hon. Arao. When you stand up and think that Hon. Arao or the Chair's position isn't what you agree with, kindly do so with a suggestion. Let us not get into the chapter of discussing the bill afresh. Just give your suggestion, we get a seconder and move on. So, the Chair had made a proposal of adding the "100 meters". So, I am proposing for the last time if there are any proposed amendments with regard to Clause 2.

(Consultation between the Leader of Majority and the Chair of the committee of the whole House)

Chairperson, Committee of the Whole House (Hon. Oketch): I am just being reminded by the Hon. Leader of Majority that he also had a different proposal which reads; "the lakefront means the area or land adjacent to the lake". Isn't that so Hon. Leader of Majority?

The Leader of Majority (Hon. Onyango): "Adjoining to the lake".

Chairperson, Committee of the Whole House (Hon. Oketch): Could you please identify a Hon. Member to second your proposal?

The Leader of Majority (Hon. Onyango): I would like to call upon Hon. Rashid Miruka to second the proposal.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Miruka.

Hon. Miruka: I second.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you very much. Hon. Olwal's proposal was that the area or land to be "100 meters" from the lake. Isn't that so?

Hon. Olwal: Yes Mr. Chair.

Chairperson, Committee of the Whole House (Hon. Oketch): Can you get a Member to second that proposal?

Hon. Olwal: Hon. Arao.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Arao

Hon. Arao: I second the proposal.

Chairperson, Committee of the Whole House (Hon. Oketch): So, let us look at the two positions then I put a question. The Standing Committee gave a proposal read by the chair, Hon. Olwal and seconded by Hon. Arao reads that; “Lakefront means the area or land 100 meters from the Lake”.

The Leader of Majority, Hon. Onyango has a different opinion which reads; “Lakefront means the area or land that adjoins the Lake”.

The “ayes” will be supporting the committee’s proposal, which is “100 meters from the Lake” whereas those who will say “nay” will be supporting the Hon. Leader of Majority’s proposal, which is “land adjoining the lake”. Is that clear?

Hon. Arao: Chair repeat it, the Leader of Majority wants to confuse the House.

Chairperson, Committee of the Whole House (Hon. Oketch): For the amendment for Clause 2, the part that gives the definition of the Lakefront and the committee gave a proposal read by the chair, Hon. Olwal and seconded by Hon. Arao reads that; “Lakefront means the area or land 100 meters from the Lake”.

The Leader of Majority, Hon. Onyango has a different opinion which reads; “Lakefront means the area or land that adjoins the Lake”, which was seconded by Hon. Miruka.

The “ayes” will be supporting the committee’s proposal, which is 100 meters from the Lake whereas those who will say “nays” will be supporting the Hon. Leader of Majority’s proposal, which is “land adjoining the lake”.

I just want the Leader of Majority to confirm whether that is the right English used in his proposal.

The Leader of Majority (Hon. Onyango): Quite clear.

Chairperson, Committee of the Whole House (Hon. Oketch): I believe that the Leader of Majority is the mover of the amendment so, we have to get it from him.

Hon. Olale: A point of information Mr. Chair.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Hon. Olale

Hon. Olale: (On a point of information) I want to inform this House that the development in the lakefront region as we are going to narrow it to “100 meters or adjacent to the Lake”, is going to affect a lot of development. When we agree to pass and amend the bill on lakefront, we are talking about development that is going to come in the lake region. Let us not see it as though the government is going to grab land from us but to see it as though the government is going to compensate. We should have a wide perspective of development and lakefront. Thank you.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you, Hon. Ogotu you wanted to say something before I put a question?

Hon. Ogutu: Thank you Chair, I believe that this proposal given by the Leader of Majority is like giving a blank cheque to this particular organization, and we don't want that. Usually when a blank cheque is given, it is prone and open to abuse and I believe that the amendment from the chair is quite specific and seems to be the best. Thank you.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. So, if you support the chair's proposal, you say "aye", and if you are in support of the Leader of majority's proposal you say "nay".

(Question put but the verdict not clear)

Hon. Guya: Let's vote.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, I am trying to consult because we are almost on a balancing scale. So, want to put the question for the last time? This is a very delicate matter and I do not want be unfair to anyone.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): So, we go to Clause 3 which is amendments proposed by the Hon. Chair.

Hon. Olwal: Clause 3 under the Object of the Bill, reads; the objects of Kisumu County Lakefront development shall be carried out in consultation with the County Government of Kisumu. The City Board. I propose that we amend the bill by adding "and the national land commission".

Chairperson, Committee of the Whole House (Hon. Oketch): At what point do we add that?

Hon. Olwal: After City Board.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Chair, Planning, can you please read it in full including the proposed amendment?

Hon. Olwal: Mr. Chair, It should read; "the object of Kisumu County Lakefront Development shall be carried out in consultation with the County Government of Kisumu, the City Board and the national land commission. That is for the purposes of allocating land".

I will jump to part 2...

The Leader of Majority (Hon. Onyango): Point of order Chair!! I would wish to disagree with the Chair on that because it is only on part (d), where that consultation with the National Land Commission comes in. Otherwise, I don't believe that consultation would be necessary in all other aspects of this board. If you look at part (d), approved land allocation development plans, that is where the consultation comes in. However, when you say that the object of Kisumu County Lakefront Development shall be carried out in consultation with the County Government of

Kisumu, City Board and the National Lands Commission, there are issues that do not touch on the National Land Commission and therefore that consultation wouldn't be necessary.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you for that insight Leader of Majority. I believe that I suggested a different opinion that we allow the chair to read the proposed amendment on Clause 3, then we give our reactions.

Hon. Arao: Mr. Chair, if we are not careful, then I am afraid because when I read the mood of this bill, the Chair is having the position of the government but the Leader of Majority who should also lead in the position of the government, is showing some kind of contention. They are going to confuse the House, hence suggest that the Leader of Majority to find how he can work together with the Chair so that we minimize wasting of time.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Chair

Hon. Olwal: We aren't in a parliamentary system and I am not a CECM of Kisumu County government. I am an MCA, and I represent a ward.

Chairperson, Committee of the Whole House (Hon. Oketch): That is clear, kindly proceed.

Hon. Olwal: The purpose of roping in the National Land Commission is because of land approval, which is their Constitutional mandate. I am open to any other suggestions by the Hon. Leader of Majority.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Chair, I don't believe that you have to use a lot of energy responding because you have given the proposal. So, we'll allow the Leader of Majority to give a contrary proposal if he has one, and then vote and move on. So do you have any proposed amendment on Clause 3?

Hon. Olwal: No, Mr. Chair.

Chairperson, Committee of the Whole House (Hon. Oketch): So, you are only amending the part that has an inclusion of "National Land Commission".

Hon. Olwal: Yes, Mr. Chair.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you, Yes, Leader of Majority

Leader of Majority (Hon. Onyango): Mr. Chair, let me reiterate something to Hon. Arao that I am not in any disagreement with the Hon. Chair. If you look at part 3, you will realize that in section A; create a master plan for the lakefront development. The national land commission doesn't have anything to do with that as well as the developed policy framework. That's why I was suggesting to the Chair, Planning Committee that when we come to (d), approved land

allocations and development plans in consultation with the national land commission because that is where the national land commission comes in.

Mr. Chair, how is it relevant on this other part? If we want to consult with the national land commission to mobilize for funds? In addition, on part (c) we write; mobilize for funds' and note *oblique*, I think we can correct that as well.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you Leader of Majority. Hon. Members, I want to bring to your attention so that you understand clearly. The House Committee proposes that we add "national land commission" after 'City board' and the Leader of Majority on the other hand has proposed that the only part that concerns the national land commission is part (d), and therefore proposes that part (d) to read that; "approved land allocations and development plans and the lakefront in consultation with the national land commission".

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Chair

Hon. Olwal: Mr. Chair, I believe that I get the gist of the argument of the Hon. Leader of Majority, and I think it is right that we only consult during allocation of land and we can adjust that.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you very much Hon. Chair, Planning. I believe that both the Leader of majority and the Chair, Planning are now in agreement that we add "the national land commission" on part (d) of Clause 3 so that it reads; "approved land allocations and development plans at the Lakefront in consultation with the national land commission". Is that right Chair?

Hon. Olwal: Yes, Sir.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you, Hon. Chair, I propose to put a question that we adopt Clause 3, with the proposed amendments.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 3 stands adopted with the proposed amendments and becomes part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Chair we move on to Clause 4.

Hon. Olwal: Thank you Hon. Chair, we jump to part II of Clause 8 (b), under Establishment of Kisumu Lakefront Development Corporation...

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Chair, we are on Clause 4; Guiding Principles. Any proposed amendments on that?

Hon. Olwal: Mr. Chair, I thought you said we should not go by clauses. And remember the Leader of Majority identified a particular typographical error.

Chairperson, Committee of the Whole House (Hon. Oketch): Exactly, that's why we put a question on the proposed amendments. So, we will just be moving very fast per Clause. Remember, initially you were reading the amendments but you didn't have the original copy of the Bill and that's why I resorted to taking you per Clause but I believe that now you have a copy of the bill. For the purposes of members also having their contribution, allow me to move very fast per clause.

Hon. Olwal: No amendment on Clause 4

Chairperson, Committee of the Whole House (Hon. Oketch): Any member with an amendment on Clause 4?

I propose that we put a question on Clause 4; that we pass it without any amendment.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 4 stands adopted without any amendments.

Chairperson, Committee of the Whole House (Hon. Oketch): Let's go to Clause 5 Hon. Chair.

Hon. Olwal: Mr. Chair, the committee didn't propose any amendments on Clause 5.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. To the floor, is there any proposed amendments on the Obligation of the County Government of Kisumu on Lakefront Development?

(Silence)

If there isn't any proposed amendment then I propose that we put a question on Clause 5; that we pass it without any amendment.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, before we move to Part 2, remember we were to put a question for the entire part for clarity to the Hon. Members because we are moving per clause. So, I want to put a question for the whole of part 1; Preliminaries that we adopt part 1. That we adopt part 1 with the said amendments as we had made earlier.

Hon. Arao: Hon. Chair, I don't know where the issue of Compensation falls because I wanted us to put amendment that we also consult with the government valuers.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Member, I believe when we get to that Clause we will surely amend it. So, I propose that we put a question on part 1, which we had amendments made on them and that we adopt part 1; Preliminaries with the said amendments.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, Part 1 stands adopted with the said amendments.

Chairperson, Committee of the Whole House (Hon. Oketch): Let's go to part 2, Clause 6.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Hon. Chair

Hon. Olwal: We didn't have any proposed amendments on part 2, Clause 6.

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 7?

Hon. Olwal: None but members can check if they have any.

Chairperson, Committee of the Whole House (Hon. Oketch): To Hon. Members, does anyone have any proposals on Clauses 6 and 7? Clause 8, Hon. Chair?

Hon. Olwal: Mr. Chair, the House committee suggested that; under Establishment of Kisumu Lakefront Development Corporation, the deal stipulates "4 nominated by the County government of Kisumu, and 3 nominated by shareholders, bringing the total to 7". Amend the figure by deleting "6" and substituting it with "7" both in words and figures. Then Section 8 under Establishment of Kisumu County Lakefront Development Corporation, introduce Section 8 (i) (d) to read the "appointment to the board shall observe the one third gender rule".

Leader of Majority (Hon. Onyango): Mr. Chair, I believe that there is the issue of numbering so that we have "8 (i) (a)".

Hon. Olwal: Yes, "8 (i) (a)" is missing, it should be introduced.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal, can you propose how you want part (d) to read?

Hon. Olwal: It should read; "the appointment to the board shall observe the one third gender rule". After (d) we can introduce (e) to take care of persons with disabilities in terms of inclusivity.

Chairperson, Committee of the Whole House (Hon. Oketch): So how will you want it to read?

Hon. Olwal: The "appointment to the board shall observe inclusivity of people living with disabilities".

Chairperson, Committee of the Whole House (Hon. Oketch): What is it Hon. Leader of Majority?

Leader of Majority (Hon. Onyango): Mr. Chair, I believe that we are congesting the Bill too much. I would agree with the Committee Chair on the introduction of part “(d)”. Procedurally, once an amendment is suggested, we need to adopt before we go to the next. When we bring other issues then we will be congesting the Bill too much.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal, before we proceed, is it “one third gender rule” or “two thirds? What does the Constitution say?

Hon. Olwal: Perhaps the Leader of Majority can help us on that.

Leader of Majority (Hon. Onyango): There is a Constitutional provision for the “two thirds gender rule”. When we introduce it here, we are not in conflict with any Constitutional provision – “the appointment should not be more than two thirds of the same gender”.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. Yes, Hon. Philemon Ojuok.

Hon. Ojuok: Thank you Chair. I believe that the Hon. Leader of Majority is misleading this House. He says it is within the Constitutional provision and at the same time complaining that we are congesting the Bill.

Leader of Majority (Hon. Onyango): Mr. Chair, I believe that the Hon. Member didn’t get me well. I said the two thirds gender rule is anchored in the Constitution but cautioned that we should not congest the Bill by bringing many other issues.

Hon. Olwal: Hon. Chair, I believe that there will be no harm if we add the issue of inclusivity to the Bill. When we were dealing with the legal background of this Bill especially with formation of Special Purpose Vehicles (SPVs), the same Act stressed so much on inclusivity. There is nothing wrong with the Assembly including people with disability in the formation of this SPV.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you Hon. Olwal. I will propose that you put your suggestion and you allow members to ventilate then we put a question on adoption.

Hon. Olwal, you say part (d) to read; “the appointment to the board shall observe two thirds gender rule”. I am inclined to believe that, we can put a question for adoption of Clause 8 part (d) then we move to part (e) on persons living with disability.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal.

Hon. Olwal: We insert “8 (i) (e) to read the appointment to the board shall have at least one member representing persons living with disability”. I ask the Leader of Majority to second.

Leader of Majority (Hon. Onyango): Chair, Hon. Olwal is putting me in a very difficult situation. Anyway, because he has insisted, I second.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, I am aware that passed the Kisumu County Persons with Disability Act; I don’t know what it says in relation to this.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Chair, Planning.

Hon. Olwal: This will be a Development Corporation and if we ignore the issue of inclusivity as stipulated in the PFM Act then we wouldn’t be fair. In regards to the Act, as long as what we are doing is complementing the Act then there is nothing wrong, unless there was conflict.

Chairperson, Committee of the Whole House (Hon. Oketch): So part (e) will read; “the appointment to the board shall have at least one member representing persons living with disability”. I propose we put a question on adoption of part (e).

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal.

Hon. Olwal: 8 (iii) (b) under Establishment of the Lakefront Development Corporation, amend to read; “holds a Bachelors degree from a recognized university and relevant to the object and spirit of Lakefront Development Corporation”.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Leader of Majority.

The Leader of Majority (Hon. Onyango): Hon. Chair, I don’t know how that is important. What would be the work of this Chairman? What is the relevance in qualifications in spirit and letter of lakefront development? I believe the kind of person we are looking for is one with impeccable records and able to steer this organization to achieve its objectives. I don’t know whether Hon. Olwal is saying that there are people who have special qualification on matters Lakefront Development. The inaugural chairperson – the one who is on acting capacity, the one who has steered this organization from its infancy up to now has got qualifications in Finance but he has solid management capability. I believe that is the most important aspect.

Hon. Olwal: Hon. Chair, just two weeks ago, a University in Machakos introduced a Course of Witchcrafts. I don’t believe that we can have someone having a Degree in Witchcraft heading an SPV in Kisumu. If at all Finance is relevant to the spirit of this SPV then I don’t see why Hon. Leader of Majority fears.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal, to reduce so many words, if we just say holds a relevant degree from a recognized University? I think a simple thing like that will be okay.

Hon. Olwal: I am just representing the House Committee's view, but we are very open to any other change.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Hon. Chair, you are not supposed to suggest. The amendment should read; "holds a relevant Bachelors degree from a recognized university". I call upon the Chair, Planning to second.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you for the amendment.

Hon. Olwal: I second.

The Chair, Committee of the Whole House (Hon. Oketch): So I put a question on adoption of the amendment in Clause 8 (iii) (b).

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal.

Hon. Olwal: Mr. Chair, with your permission, allow me to jump to Clause 14...

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Chair, before I allow you, any amendment on Clauses 9 -13?

Hon. Olwal: Clause 11, there was also relevance of degree for the Managing Director. Amend it by inserting a "relevant degree from a recognized university".

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you Hon. Olwal. Any other proposed amendment? Then I propose we put a question on adoption of Clause 11 (iii) (b) as amended.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): The chairperson to continue. Hon. Arao, you said you have some proposed amendment on clause 11?

Hon. Arao: I withdraw Hon. Chair.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you very much. We now move to clause 12 Staff of the Corporation. Hon. Chair.

Hon. Olwal: From our side, there is no amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): To Hon. Members? Clause 13 The Common Seal of the Corporation? The chair, any proposed amendments?

Hon. Olwal: No amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Chair, Planning, any proposed amendment on clause 13 from the floor of the House?

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 14 Protection from Personal Liability. Chairperson, any proposed amendments?

Hon. Olwal: On clause 14 (a), amend the Bill by deleting the phrase “*no matter or thing done*” and insert “*any acts or conduct*”.

Chairperson, Committee of the Whole House (Hon. Oketch): So we delete ‘*no matter...*’ and insert?

Hon. Olwal: And insert “*any act or conduct*”

Chairperson, Committee of the Whole House (Hon. Oketch): “Any act or conduct done by a member”, right?

Hon. Olwal: Yes.

Leader of Majority (Hon. Onyango): Chair, if I got him right, you delete “*no matter or thing*”

Chairperson, Committee of the Whole House (Hon. Oketch): Yes.

The Leader of Majority (Hon. Onyango): Is that what is supposed to be deleted?

Chairperson, Committee of the Whole House (Hon. Oketch): Yes. So, to read “*any act or...*”

Leader of Majority (Hon. Onyango): “*Or conduct*”

Chairperson, Committee of the Whole House (Hon. Oketch): “*Any act or conduct...*” thank you very much Mr. Chair. Any other amendment on clause 14 (a) before we put a question?

Hon. Arao: Mr. Chair, as you carry on with the same statement, it further reads “if the matter or thing is done”. So, you have to also amend it as well as the first one.

The same clause 14 (a) as you read further, “*if the matter or thing is done*’, *that is after you have amended ‘no matter...*’

Chairperson, Committee of the Whole House (Hon. Oketch): So you propose we say “*if the act or the conduct...*”...

Leader of Majority (Hon. Onyango): How would the chair want it to read?

Hon. Arao: I propose we only put “*if the act is done*”

Chairperson, Committee of the Whole House (Hon. Oketch): So, if we were to read the clause 14 (a) “*any act of conduct done by a member of the board or any officer, member of staff or agent of the corporation is, if the act or conduct is done bona fide for executing the functions, ...*” that is if the we adopt what Hon. Arao is suggesting.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Leader of Majority.

Leader of Majority (Hon. Onyango): I believe that will change the substance of that clause because the substance of that clause is; there is absolutely nothing that a person will do in executing his role that will be helpful.

Hon. Arao: Hon. Chair, this is a grammatical; error. You do not have to put “*if the matter or thing*’ I just want us to do away with “thing” and substitute it with “act”.

Leader of Majority (Hon. Onyango): What I am saying is that we cannot remove “No”. That word is relevant to the substance of this course. So, Chair, in my opinion, there is absolutely nothing wrong with that sentence. Because it says; “*No Matter or thing done by a member of the Board or by any officer, member of staff, or agent of the Corporation is, if the matter or thing is done bona fide for executing the functions, powers or duties of the Corporation under this Act render the member, ...*” if we remove “No” then at the point of rendering, we must now bring in a word that has got some ...

Hon. Olwal: You cannot construct your own ...

Leader of Majority (Hon. Onyango): What I am saying is that the sentence is just okay the way it is because the substance of this sentence is that there will be no personal liability that will be rendered on a member while he is executing his duties as a staff or a member of the Board of this Corporation.

Hon. Olwal: Hon. Chair, as we were doing our House Committee work, especially on interrogation, we had several lawyers or rather people knowledgeable in the legal field and they had reservations. They had some reservations on the wordings especially on the legal wordings on this clause. We were being guided to use some legal terms especially on drafting of this Bill. So, I would suggest after further consultations that we amend this Clause to read;

“No commission or omission by a member of the Board or by any officer, member of staff, or agent of the Corporation, if act is done bona fide for executing the functions, powers or duties of the Corporation under this Act render the member, officer, employee or agent or any person acting on their direction personally be liable to any action claim or demand whatsoever”.

So, remember we have deleted “is”, we have substituted “matter” with “act” and we have also deleted “thing”. We have deleted “matter or thing” with “commission and omission”

Leader of Majority (Hon. Onyango): Chair, Planning, can you read it once more?

Hon. Olwal: Mr. Chair, it will read and remember, there is also “corporation is” the letter “is” is redundant. I do not know whether you have realized that so I will reread it the way it should be; “No commission or omission by a member of the Board or by any officer, member of staff, or agent of the Corporation, if the act is done bona fide for executing the functions, powers or duties of the Corporation under this Act render the member officer employee or agent or any person acting on their direction personally be liable to any action claim or demand whatsoever”

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you Chair. Yes Leader of Majority.

The Leader of Majority (Hon. Onyango): Mr. Chair, I believe that it is the wrong use of English but, we do not have “no commission or omission”. It is always; “an act of omission or commission”. That should be the correct word my brother. We cannot have a sentence being framed; “no omission or commission”.

Hon. Olwal: So, do we put “no act of commission or omission”

Leader of Majority (Hon. Onyango): We usually have “no act of omission or commission” and by the way when you say that, it presupposes, then somebody had already done a mistake either by omission or commission and that really changes the substance of the changes.

Chairperson, Committee of the Whole House (Hon. Oketch): Leader of Majority, can you please come up with your suggestion.

The Leader of Majority (Hon. Onyango): Let us just make it simple. “No act or conduct done by the member of the board”. Let us use simple English words that are straight forward to understand. Thank you.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Hon. Otura.

Hon. Otura: Hon. Majority Leader, I still insist that as we read further, we also have “if the matter or thing” that cannot be. If we amend the first...

(Loud consultations)

Hon. Arao: What is “thing”?

Chairperson, Committee of the Whole House (Hon. Oketch): I understand you Hon. Arao.

Hon. Olwal: Chair, I seek your indulgence. Can we pass this so that we are given more time so that we consult with the Leader of Majority and...?

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olwal, you have two minutes to consult; you do not have to go back and forth please.

(Hon. Olwal consults with the Leader of Majority)

Hon. Olwal: This is what we have agreed upon, that we amend clause 14 (a) to read; “*No act or conduct done by a member of the Board or by any officer, member of staff, or agent of the Corporation is, if the act or conduct is done bona fide for executing the functions, powers or duties of the Corporation under this Act render the member officer employee or agent or any person acting on their direction personally liable to any action claim or demand whatsoever*”.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you very much Chair. I believe that is now very clear so I propose we put a question on clause 14 (a).

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 14 (a) stands adopted and forms part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oketch): Proceed Hon. Chairperson.

Hon. Olwal: I do not have any other amendment up to the First Schedule.

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 15, Liability for Damages. Chairperson, any proposed amendments to this clause?

Hon. Olwal: No amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members? For the second time, any amendment from the floor?

(Silence)

Chairperson, Committee of the Whole House (Hon. Oketch): We proceed; clause 16 on Corporate Governance. Chairperson, any proposed amendments to this clause?

Hon. Olwal: No amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): Any proposal from Hon. Members?

(Silence)

Chairperson, Committee of the Whole House (Hon. Oketch): We proceed; Clause 17 on Annual Report. Any proposed amendments Chairperson?

Hon. Olwal: No amendment.

Hon. Arao: Hon. Chairperson.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Hon. Arao.

Hon. Arao: Hon. Chair I withdraw.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you very much Hon. Arao. I believe that put the end of Part II of the Bill. Therefore, I propose to put a question on part II of the Bill so that we adopt all the amendments that were read by the chair and adopt the part as whole.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, Part II becomes part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oketch): We move to part III - General Provisions. Chairperson, Planning Committee, any proposed amendments?

Hon. Olwal: Mr. Chair, no amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. From the floor?

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 19 on Agreement. Any proposed amendment Chairperson?

Hon. Olwal: Mr. Chair, no amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, any proposed amendment on clause 19?

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 20, Regulations? Any proposed amendment Chairperson?

Hon. Olwal: No amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): From the floor? Hon. Members, any proposed amendment on Clause 21 Consequential Legislation, Chairperson?

Hon. Olwal: No amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): From the floor? Thank you very much Hon. Chairperson. We are done with the Clauses. As guided by our Standing Order No. 26, after the Clauses we were now move to any new proposed clause which none has been proposed.

We now move to FIRST SCHEDULE of the Bill on page 11. So, Hon. Chair,

Hon. Olwal: On the First Schedule, we had a proposal to introduce a Clause under Articles and Definition. On page 12, we have up to “P”. So, “Q” shall read; *“provide channels for compensation to privately owned properties that are along the lake front space if cases of compulsory acquisition arose”*.

Chairperson, Committee of the Whole House (Hon. Oketch): Kindly repeat that proposal Hon. Chairperson.

Hon. Olwal: We had a clause on page12 after “P” which should read *“provide channels for compensation to privately owned properties that are along the lake front space if cases of compulsory acquisition arose”*.

Chairperson, Committee of the Whole House (Hon. Oketch): Is it after (p)?

Hon. Olwal: Yes. Insert to read *“Provide the channels for compensation for privately owned properties that are along the Lake front space if cases of compulsory acquisition arose”*.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Chair for purposes of recording, can you repeat!

Hon. Olwal: *“Provide the channels for compensation for privately owned properties that are along the Lake front space if cases of compulsory acquisition arose”*.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you Hon. Chair.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Leader of Majority.

Leader of Majority (Hon. Onyango): Chair, on page 11 under the first Schedule; now therefore County Government of Kisumu, Kenya Ports Authority, Kenya National Chamber of Commerce and Industry Kisumu County, Kisumu County Railways Corporation, Lake Basin Development Authority and the Beach Management Unit. So we delete “Nyanza Club” and substitute it with “Beach Management Unit” because there was an amendment that had been done earlier on. I therefore ask the Chair, Planning to second the said amendment.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Chair.

Hon. Olwal: I second.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. Hon. Chair are there any amendments on the First Schedule before I put a question?

Hon. Olwal: Part 3, clause 20... sorry I believe that there was an error in numbering of my pages. I was being guided by my report. I believe that we are done with the Schedule but remember there are other amendments that were in the report that we did not capture.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Olale, approach the chair!

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Chair, please continue.

Hon. Olwal: I just want to take you back on Part 3, clause 20; there was this clause on Regulations that read; *“The Kisumu Lakefront Development Corporation may make regulations for carrying into effect the provisions of the agreement”*. We suggested that we delete *“agreement”* and substitute it with *“Act”* to read; *“The Kisumu Lakefront Development Corporation may make regulations for carrying into effect the provisions of the Act”*.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you Chair.

Hon. Olwal: We also had on section 3 (d) which the Leader of Majority dealt with on the issue of National Land Commission.

Chairperson, Committee of the Whole House (Hon. Oketch): Though we have to put a question on clause 20 because remember we put a question that you had not amended clause 20.

Hon. Olwal: I therefore ask the Leader of Majority to second.

The Leader of Majority (Hon. Onyango): I second.

Chairperson, Committee of the Whole House (Hon. Oketch): I now put a question on part 3 clause 20 with the said amendment for adoption.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): Clause 20 stands adopted and becomes part of the Bill with amendments therein.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Leader of Majority.

The Leader of Majority (Hon. Onyango): The Chair did approach earlier and told me that he was having some change of thinking about the interpretation under Part 1 that is preliminary. I don't know if you would want us to proceed with his thinking about the definition of *“Lakefront”*.

Chairperson, Committee of the Whole House (Hon. Oketch): Majority Leader, I thought we had already put a question on that.

Leader of Majority (Hon. Onyango): Yes but consultations can be done and we can expunge.

Chairperson, Committee of the Whole House (Hon. Oketch): The Clerk wanted to say something.

The Deputy Clerk (Mr. Sagwe): Mr. Chair and Hon. Members. Since that is a bit contentious and a question had been put, I would wish because tomorrow in the afternoon we will still have the 3rd Reading of this Bill, if you can actually agree and refer to the Environmental, Management and Cordination Act to get the exact measurement from the edge of the lake to where the demarcations is supposed to be done. There is still provision for further amendments to be done in the 3rd reading.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Leader of Majority.

The Leader of Majority (Hon. Onyango): We are guided but it is only that we wanted to remove that contention and that is why further consultations were being carried out.

Hon. Olwal: Mr. Chair, I believe that we go with the Clerk's advice.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you very much Clerk for the advice. Chair, are you done with the First Schedule?

Hon. Olwal: We are done with the First Schedule and the only amendment that we have is on page 35.

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, before we proceed please allow me to put a question on the amendments proposed by the Leader of Majority of replacing the "Nyanza Club Trustees" with "Beach Management Unit".

Further the insertion of "Part (q)" read by the Chair to read "*providing the channels of compensations to privately owned properties that are along the lake if cases of compulsory acquisition do arise*". I want to put a question on the First Schedule so that we adopt them with the said amendments as read by the Chair and also proposed by the Leader of Majority.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): The schedule stands adopted with the said amendments forms part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oketch): Proceed Hon. Chair.

Hon. Olwal: I am a bit tired. Our amendments only go up to page 35 and it is on the last bit that we delete the name "*Paul Okiri*" "*Chairperson Cooperatives, Finance, Trade and Enterprise Development*" and substitute it with "*Hon. George Olwal, Chairperson, Planning, and Industrialization ICT*"

Chairperson, Committee of the Whole House (Hon. Oketch): Hon. Members, before you proceed, we are just confirming because we adopted the First Schedule as a whole with the amendments. So, we are just checking if at all there is any other Second Schedule which the Clerk is confirming there is none.

Chairperson, Committee of the Whole House (Hon. Oketch): Proceed Hon. Chair.

Hon. Olwal: On page 35 we delete the name “Hon. Paul Okiri and the Chairperson cooperatives, Finance, Trade and Enterprise Development” and substitute it with that of “*Hon. George Olwal, Chairperson, Planning, Industrialization and ICT*”

Chairperson, Committee of the Whole House (Hon. Oketch): I now want to put a question on the proposed amendment that Hon. Paul Okiri and the Chairperson cooperatives, Finance, Trade and Enterprise Development” and substitute it with that of “*Hon. George Olwal, Chairperson, Planning, Industrialization and ICT*”

(Question put and agreed)

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. Are there any other amendments on the Memorandum and Objects of Reason from the floor?

(Loud consultations)

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Hon. Olale.

Hon. Olale: Hon. Chair, as we have gone through the Bill my concern is that we should insert exactly what we passed in this Assembly because there are a lot of concerns about that in this Assembly.

Chairperson, Committee of the Whole House (Hon. Oketch): I understand. I remember all our deliberations are on Hansard and I don't think we are in a position to change anything.

Mr. Clerk, can you please read to us the long title of the Bill!

The Kisumu County Lakefront Development Corporation Bill, 2021. A Bill for an Act of the County Assembly of Kisumu to make provision for the establishment of Kisumu Lakefront Development Corporation as a Special Purpose Vehicle (SPV), to develop and manage economic and social activities of the lakefront, mobilize resources and for connected purposes. Enacted by the County Assembly of Kisumu as follows – This Act may be cited as the Kisumu County Lakefront Development Corporation Act, 2021 and shall come into operation upon Publication in the Kenya Gazette.

Chairperson, Committee of the Whole House (Hon. Oketch): Thank you. The Clerk has read to us the long title and the short title of the Bill. Are there any amendment to title of the Bill? We want

to put a question if there are no amendments on the long and short title of the Bill. I therefore put a question for the adoption of the long and short title of the Bill without any amendment.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oketch): The long and short title of the Bill stands adopted without any amendment and becomes part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oketch): Yes Hon. Chair.

Hon. Olwal: Thank you Chair. I request that we revert back to plenary and I call upon the Leader of Majority to second.

Leader of Majority (Hon. Onyango): I second.

(House reverting to plenary)

(Hon. Okumu resumes the position of Temporary Speaker)

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

The Leader of Majority (Hon. Onyango): Mr. Speaker I know that the Chair would wish to report back to the House on the findings from the Committee of the Whole House but I would wish to request that we defer this to tomorrow so that we enjoin it with the 3rd Reading of the Bill because we have had quite a long evening and the discussions have been quite intense. I therefore request the Chairperson Liaison to second. Thank you.

Hon. Joachim: I beg to second.

The Temporary Speaker (Hon. Okumu): Thank you. The Leader of Majority has moved a motion to defer hearing the report from the Committee of the Whole House to tomorrow Thursday, 06th May, 2021 at 2.30 p.m. which has been seconded by Hon. Joachim. I therefore propose to put that motion for debate.

The Temporary Speaker (Hon. Okumu): Yes Chief Whip.

The Chief Whip (Hon. Misachi): Mr. Speaker I believe and I would say that the Leader of Majority is right because it has been a hectic day with very long deliberations during the 2nd reading of the Bill.

The Temporary Speaker (Hon. Seth Okumu): Yes Leader of Minority.

Leader of Minority (Hon. Pete): Thank you Mr. Speaker I wish to call the mover to reply.

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

The Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I wish to thank the Members and I would wish that tomorrow at 2.30 p.m. when we shall be in the right frame of mind to get back the Report from the Committee of the Whole House and to also conduct the 3rd Reading of the Proposed Kisumu County Lakefront Development Corporation Bill, 2021 with any other amendment that may be there. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you. Hon. Members the Leader of Majority has moved a motion to defer getting the report from the Committee of the whole House to tomorrow Thursday, 06th May, 2021 at 2.30 p.m. which has been seconded by Hon. Joachim and debated by Hon. Members. I therefore want to propose to put a question on the adoption of the same.

(Question put and agreed to)

The Temporary Speaker (Hon. Okumu): The report from the Committee of the whole House for 2nd Reading of the Kisumu County Lakefront Development Corporation Bill, 2021 by Hon. Olwal Chairperson, Planning, Industrialization and ICT shall be given tomorrow Thursday, 06th May, 2021 at 2.30 p.m. and this will go together with the 3rd reading the Kisumu County Lakefront Development Corporation Bill, 2021.

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 tomorrow 6th May 2021 at 2.30 p.m.

(House rose at 5.05 p.m.)

Addendum

Hansard Team

<i>Zablon Otiende</i>	-	<i>Senior Hansard Reporter</i>
<i>Edward Odanga</i>	-	<i>Reporter</i>
<i>Fanuel Okode</i>	-	<i>Reporter</i>
<i>Patrick Okoyo</i>	-	<i>Reporter</i>
<i>Jacklyne Otieno</i>	-	<i>Reporter</i>
<i>Jesca Otieno</i>	-	<i>Reporter</i>
<i>Dennis Ogolla</i>	-	<i>Reporter</i>