

## COUNTY GOVERNMENT OF KISUMU



## COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

*Official Report*

### SECOND ASSEMBLY – SIXTH SESSION

Thursday, 16<sup>th</sup> June, 2022

House met in the Main Chamber at 02:30 p.m.

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

### PRAYERS

**The Temporary Speaker** (Hon. Muga): Good afternoon Honourable Members. I want to refer us to the provisions of County Assembly of Kisumu Standing Orders No.32 (1) and request the Serjeant-at-Arms to ring the quorum bell for the first five minutes.

*(Quorum bell rung for the first five minutes)*

**The Temporary Speaker** (Hon. Muga): The Leader of Minority, please confirm if we have quorum in the House.

**Leader of Minority (Hon. Oiko)**: Thank you Madam Speaker. Yes there is quorum in the House.

**The Temporary Speaker** (Hon. Muga): Thank you. Madam Clerk, please take us through the order of the day.

**COMUNICATION FROM THE CHAIR**

**The Temporary Speaker** (Hon. Muga): Honourable Members, you all requested to attend the General Oversight Committee Meeting that is scheduled to take place from 16<sup>th</sup> to 21<sup>st</sup> June, 2022 at the Vicmark Hotel, Nakuru County.

The following House Committees with pending works are as follows;

1. Select Committee of County Budget and Appropriations;
2. Select Committee on Committee on Appointments;
3. Standing Committee of Labour and Social Welfare;
4. Select Committee of County PIC/PAC.

The aforementioned House Committees will commence their sittings as from 09:00 a.m. to clear all pending works. Thank you.

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

**MOTION.**

COMPELLING THE COUNTY EXECUTIVE MEMBER FOR FINANCE AND ECONOMIC PLANNING TO DEVELOP AND SUBMIT TO THE COUNTY ASSEMBLY THE EQUITABLE DEVELOPMENT POLICY STATEMENT.

BY

HON. RASHID MIRUKA, MCA, NORTH NYKACH WARD.

**The Temporary Speaker** (Hon. Muga): Yes Honourable Rashid Miruka.

**Hon. Miruka:** Thank you Madam Speaker. Madam Speaker and Honourable Members, Aware that the provisions of Article 220 and 224 of the Constitution of Kenya provides for the budgeting and spending of public funds by a County Government as well as the procedures, form and contents of the preparation of and presentation of County Appropriations Bills.

Further, aware that, the provisions of section 117 and 118 of the Public Finance and Management Act of 2012 provides for the responsibility of a County Government with respect to County Budgeting Process but not limited to the provisions of preparation of the County Fiscal Planning tool.

Noting that, provisions of Chapter 12 of the Constitution of Kenya, section 102 (g) of the County Government Act of 2012 and section 103 of the Public Finance and Management Act 2012 provides for the equitable distribution of resources as one of the principles of public finance, planning and facilitation of development across the County.

Concerned that, since the advent of devolution, the County Government of Kisumu has been deliberately allocating development funds equally and uniformly across all the 35 electoral wards irrespective of the differences in the status of development, poverty indices, geographical size/vastness, population index, topographical challenges and other indications for development.

Noting that, there are areas within the County which have previously experienced enhanced rates and status of development to urbanization and associated development benefits.

Noting further that, some very low and high altitudes areas within the County have unique geographical and topographical challenges that negate ordinary development planning thus requiring enhanced and special planning, technical and budgetary considerations.

Concerned that, if deliberate effort are not put in place by the County Government to facilitate equity in development planning and budgeting, rural areas of this County may continue to lag behind in terms of development and delivery of services thus the risk of the objectives of devolution contrary to the provisions of Article 174 (g) of the Constitution of Kenya 2010.

Madam Speaker and Honourable Members, it is my prayer that this House resolves that the County Executive Committee Member for Finance and Economic Planning develops and submits before this House within a period of 90 days an Equitable Development Policy Statement for consideration in order to ensure equity in distribution of development budgets while factoring in various development and economic indicators unique to the 35 electoral wards within Kisumu county.

Madam Speaker, I want to request through your chair to allow Hon. Vitalis Otura to second this motion. Thank you.

**The Temporary Speaker** (Hon. Muga): Yes Hon. Vitalis Otura.

**Hon. Otura:** Thank you Madam Speaker. I arise to second the motion as read by Hon. Miruka. Madam Speaker, there are some obvious things that need not to be discussed in this House but because of the nature of their importance and the governance in place at time Honourable Members are compelled to move such motions.

Madam Speaker and Honourable Members, there is no way that a county can undertake its businesses without taking into consideration fundamental issues to do with equity. For instance, let us take for example the Market/Milimani Ward. This electoral ward has a representative just the same way Ombeyi Ward were I represent has a representative but going by the topography, economic activities, infrastructural development of the two wards, there is a drastic difference and in such a scenario, there must be a policy document that guides the distribution of county resources to these two unique wards.

Madam Speaker, it is my belief that it is high time that remedial action is taken. As has been requested by the mover of the motion Hon. Rashid Miruka, the CEC Member for Finance and Economic Planning should in 90 days submit even if it is not a detailed policy document but a proposal that can guide a County in delivery of services equitably in the entire County. Madam Speaker, I second.

**The Temporary Speaker** (Hon. Muga): Honourable Members. A motion compelling the County Executive Committee Member to develop and submit an Equitable Development Policy Statement to the County Assembly within 90 days has been moved by Hon. Rashid Miruka and seconded by Hon. Vitalis Otura. I now propose a question that the motion is open for debate.

**The Temporary Speaker** (Hon. Muga): Yes Leader of Minority, Hon. Oiko Pete.

**Leader of Minority** (Hon. Oiko): Thank you Madam Speaker. The motion that has been moved by Hon. Miruka is a valid one and if it is put into perspective and if all the factors are worked out it will be marvelous. Madam Speaker, the mover of the motion is calling for a Policy Paper which I believe is very much in order. The duration accorded to the CEC Member for Finance and Economic Planning which is 90 days I believe that this may not auger well. So, the mover of the motion needs to go back to the drawing board and find out, how long it will take the Department to conduct their feasibility study, formulate the policy and come up with a policy document that is workable. Otherwise, if this House passes this motion in its current form, then, we shall have passed a motion that will be challenged because this is a matter that calls for a proper paperwork and call for a feasibility study that will require the Department of Finance to source for the technocrats who will come up with this. Madam Speaker, I support this motion but the time factor given here is what will be a big hindrance. Madam Speaker that is my humble submission on this motion. Thank you.

**The Temporary Speaker** (Hon. Muga): Yes Senior Member, Hon. Khan.

**Hon. Khan:** Thank you Madam Speaker. I arise to support this motion because of the following reasons. One, the Party that I subscribe to the orange Democratic Movement (ODM) which is stated in our Manifesto puts much emphasis on Devolution. Madam Speaker, in Kenya, the father of devolution for equitable resource allocation up to the ground level is none-other than the Right Honorable Raila Amollo Odinga.

Madam Speaker, therefore, I being an ardent member of that party I support this motion because we want to ensure that there is equity for purposes of distribution of one, work development and opportunities and this will go a long way to ensure that, even the hinter lands whereby residents are not getting services, will have services rendered to them by the County Governments which are the devolved units. Madam Speaker, when you go further to the ward level and especially Kisumu County which I am proud of by stating that, it even approved the idea the Establishment of Village Councils. This will auger well with this and it will make ensure that Public Participation

is put into emphasis in village committees. It is my sincere belief that this motion will be in tandem with these and it will make sure that Public Participation input is taken into account and whatsoever the common resident wants from a given area, they be accorded what they have requested for so that there is equity. Thank you.

**The Temporary Speaker** (Hon. Muga): Honourable Seth Okumu, please approach the chair.

*(Hon. Speaker consults with Hon. Seth Okumu)*

**The Temporary Speaker** (Hon. Muga): Yes Hon. Samo.

**Hon. Samo:** Thank you Madam Speaker. Looking at the mood of the House, may I call upon the mover to reply?

**The Temporary Speaker** (Hon. Muga): The mover Hon. Miruka, you have been called upon to reply.

**Hon. Miruka:** Thank you Madam Speaker. Madam Speaker and Honourable Members, please allow me to sincerely applaud Honourable Members who have contributed towards this motion. I want to state that, I am surprised that my friend Hon. Samo has just called me to reply yet his area which is Kajulu Ward is worst hit. If this policy is put in place, then Kajulu will be a very wonderful place to live in and a developed ward. Madam Speaker and Honourable Member, I tell you that, if these policies were developed earlier you will not be lamenting that, why am I going to relax at home.

Madam Speaker, I want to say that, particularly on an item which is an example that was raised by Hon. Vitalis Otura. He gave us a comparison of two wards notably Market/Milimani and Ombeyi ward. You recall that since we joined this Assembly, the budgetary allocation that we have been allocated to our Ward across the board is Kshs 10,000,000.00. Let us look at the development indicators of these two wards, in Market/Milimani verses Ombeyi Ward, the former has clean water, electricity, infrastructure development (roads). In Ombeyi ward, the Kshs 10,000,000.00 allocated to that ward, they will go for the priority projects like clean water, better roads and these will be channeled to other numerous projects. I am crying for my brothers and sisters Honourable Members e.g. Hon. Vitalis Otura. The Member is struggling to come back to this August House as a result of such gaps.

Madam Speaker, if the Member (Hon. Otura) had adequate funds allocated to his ward, he would not have struggled, it would have been easy for him to be elected back. Hon. Rashid and Hon. Roy Samo, we are here struggling because the funds that we have been allocated has never been adequate to support development in our respective wards. It is the reason why I want to plead and request that, as we depart, a Policy Blueprint be prepared that puts emphasis and that we consider population, rate of development, poverty indices, topographical challenges and others. Madam Speaker and Honourable Members, if that is not put in place, I tell you Members will come and

go and no tangible development will be seen in some of our electoral wards. Madam Speaker, I want to say and beseech you to sympathetically, help me to support this motion. Help me to call for these policy documents to be brought here in this House.

Madam Speaker, the Leader of Minority Hon. Oiko Pete stated that, 90 days is not adequate. I want to say that, 90 days is enough because in the County we have Researchers and this information that we are requesting for is already with the departments and they are just denying the common residence their fundamental rights. Madam Speaker, I still insist that, 90 days is adequate, my prayer is good enough and that will help develop our County.

Honourable Members, I plead with you that kindly okay this motion for the betterment of this County. Thank you.

**The Temporary Speaker** (Hon. Muga): Thank you Honourable Rashid Miruka. Honourable Members, I now want to put a question for the adoption of this motion compelling the County Executive Committee Member for Finance and Economic Planning to develop and submit before this in 90 days an Equitable Development Policy Statement?

Honourable Members, I now want to put a question that for those of the opinion that we adopt this motion compelling the County Executive Committee Member for Finance and Economic Planning to develop and submit before this in 90 days an Equitable Development Policy Statement?

*(Question put and agreed to)*

**The Temporary Speaker** (Hon. Muga): Honourable Members, today Thursday, 16th June, 2022, at 15:00 p.m. this House has adopted the motion compelling the County Executive Committee Member for Finance and Economic Planning to within 90 days develop and submit before this House an Equitable Development Policy Statement. Thank you.

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

## ADJOURNMENT

**The Temporary Speaker** (Hon. Muga): Honourable Members, there being no any business to be transacted, this House stands adjourned until Tuesday, 21<sup>st</sup> June, 2022 at 02:30 p.m.

*(House arose at 15:05 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*

*Jesca Otieno – Hansard Reporter*

*Vallery Achieng’ – Hansard Reporter*