

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

#### *Official Report*

#### SECOND ASSEMBLY – SIXTH SESSION

Thursday 30<sup>th</sup> June, 2022

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

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

### **PRAYERS**

**The Speaker** (Hon. Oraro): Mr. Clerk please take us through the Order Paper of today.

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

### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oraro): Honourable Members, I welcome to this afternoon session which is Session No. 601. You are aware that this could be our last day unless there is anything urgent. I just want to wish each and every Member good luck and the best in life. I know there are some of you who are running for different positions and in different areas like Hon. George Ogutu. God willing, we shall meet. It doesn't mean that the relationship that we have built is over. We didn't know each other when we met here Five years ago.

Honourable Members, the biggest agenda that we have is the adjournment even though I am aware that there are some pending activities with a number of House Committees. However, it shall be the responsibility of the next Assembly to carry out those activities and take this County to the next level. Thank you.

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

## MOTION

ADOPTION OF A REPORT BY THE SELECT COMMITTEE ON PROCEDURE AND RULES ON AMENDMENTS TO THE KISUMU COUNTY ASSEMBLY STANDING ORDERS

BY

HON. JULIUS GENGA, MCA, MUHORONI/KORU WARD.

(CHAIRPERSON, SELECT COMMITTEE OF PROCEDURE AND RULES)

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

**Leader of Majority** (Hon. Onyango): Thank you Mr. Speaker. The Chair of this Committee is not in the House and since this motion is on the Order Paper and being a Member of this Committee, I believe that it is prudent that we dispense with it because it is a requirement that this matter be dispensed before the Assembly is adjourned “*Sine Die*”. I will proceed if you allow me.

**The Speaker** (Hon. Oraro): Please proceed.

**Leader of Majority** (Hon. Onyango): Mr. Speaker and Hon Members. PURSUANT to Standing Orders No. 194(4) and No. 243 the Committee on Procedures and Rules on Friday 4<sup>th</sup> February, 2022 sought leave of the House to table its Report on the Amendment of the County Assembly Standing Orders within February, 2022 in order to beat the procedural timeline imposed by the Standing Orders on amendment of the Standing Orders.

Consequently, the Committee presented before this Hon. House a Progress Report on 24<sup>th</sup> February, 2022 in which it further prayed for more time to extensively conclude its review.

Mr. Speaker and Hon. Members, the Standing Orders of the County Assembly codify much of the procedures and practices of the House and provide a mechanism for regulating County Assembly business, therefore it is important that they are kept up to date.

Pursuant to Article 185 of the Constitution, the County Assembly has complete authority concerning its procedure so far as it is not limited by constitutional provisions, in addition to this inherent power; the constitution of Kenya read in tandem with Section 14 of the County Governments Act, 2012 contain substantially the provision that "*the County Assembly shall determine the rule of its proceeding.*" Therefore, the first aim in commissioning this review of the Standing Orders is to remove anomalies and make the Standing Orders easier to use and in harmony with the Constitution, Statutes and relevant parliamentary law.

This review is thus done in recognition that the Standing Orders are subordinate rules of procedure for the conduct of business in the County Assembly and that any interpretation and application is herein done only in the context of procedure, and not substance.

#### Committee Establishment and Mandates

Mr. Speaker and Hon Members, Standing Orders No. 190(1) establishes the Select Committee on Procedure and Rules mandated to;

- a. *Consider and report on all matters relating to these Standing Orders.*
- b. *Propose amendments to these Standing Orders and any such amendments shall upon approval by the County Assembly, take effect at the time appointed by the County Assembly and,*
- c. *Rules Committee may propose rules for the orderly and effective conduct of Committee business and any such rules shall, upon approval by the County Assembly, continue in force until amended or repealed by the County Assembly.*

Standing Orders No. 190(4) of the Kisumu County Assembly further provides that the Committee on Procedure and Rules may at any time propose amendments to these Standing Orders.

#### Composition

The Committee on Procedure and Rules is composed of the following;

##### Hon Members

- |                            |   |                  |
|----------------------------|---|------------------|
| 1. Hon. Julius Genga       | - | Chairperson      |
| 2. Hon. Carren Muga        | - | Vice Chairperson |
| 3. Hon. Prisca Misachi     | - | Member           |
| 4. Hon. Inviolata Adhiambo | - | Member           |
| 5. Hon. Pamela Odhiambo    | - | Member           |
| 6. Hon. Elisha Oraro       | - | Member           |
| 7. Hon. Kenneth Onyango    | - | Member           |
| 8. Hon. Benny Pete         | - | Member           |
| 9. Hon. Ken Ageng'o        | - | Member           |
| 10. Hon. Beatrice Odongo   | - | Member           |
| 11. Hon. Seth Okumu        | - | Member           |

## Secretariat

1. Annebelle Wabuge - Senior clerk Assistant
2. Allan Otieno - Committee clerk
3. Jackline Otieno - Hansard
4. Risper Wayua - Sergeant-at-arm

## ACKNOWLEDGEMENT

Mr. Speaker and Hon Members, the committee wishes to extend its gratitude to the offices of the Speaker and Clerk of the Kisumu County Assembly for the logistical and technical support accorded to it in the entire time of the making of this report.

Finally, may I express utmost appreciation to the Committee Members, Members of the General Oversight and the technical team who played an invaluable role in the preparation and production of this report?

It is my pleasure to report that the Committee has completed its analysis and has the honour to present before this House, its report on the proposed amendments to the Kisumu County Assembly Standing Orders with a recommendation that this Honorable House passes it with the herein proposed amendments.

## LEGAL FRAMEWORK

Mr. Speaker and Hon. Members. The Standing Orders is established *in accordance with the Law* and in pursuit of a *legitimate aim*. This does not merely require that the Standing Order should have a basis in domestic law but also refers to the quality of the order in question. In particular, the order must be sufficiently clear in its terms and afford a measure of procedural protection against arbitrary application.

The following statutory provisions therefore guided the Committee in its review;

- a) County Governments Act, 2012
- b) The Public Finance Management Act, 2012
- c) Public Appointments (County Assemblies Approvals) Act, 2017
- d) County Assembly Powers and Privileges Act
- e) Statutory Instruments Act.
- f) County Assembly Services Act
- g) The Elections Act

- h) Interpretation and General Provisions Act
- i) Petition to the County Assembly (Procedures) Act, 2020

Mr. Speaker and Hon. Members, take notice that the County Assembly is controlled in its procedure by any provision of the above mentioned laws which directly, or by necessary implication, governs its procedure. In general, the County Assembly is governed in accordance with the recognized principles of parliamentary law subject to any special provisions of the constitution, statutory or charter provisions and any rules it adopts and the Standing Orders.

#### Procedure of Amending the Standing Orders

Mr. Speaker and Hon. Members, the Standing Orders provide three avenues through which they can be amended, namely: -

- i. The Procedure and Rules Committee can propose amendments anytime;
- ii. Amendment on the Initiative of a Member; and,
- iii. Periodic Review by the Procedure and House Rules Committee.

#### Commencement of proposed amendments

Proposed Amendments to the Standing Orders take effect at the time appointed by the House, after approval.

#### OUTLINE OF PROPOSED AMENDMENTS TO THE STANDING ORDERS

Mr. Speaker and Hon. Members. On September, 2021, the Speaker issued a communication to the Procedures and Rules Committee notifying it to initiate a review process of the Standing Orders. The Committee was to proffer amendment and or review on areas such as:

- i. The subsisting committee system focusing on areas such as size composition, operations, effectiveness and efficiency of our committees;
- ii. Areas of improvement in the general legislative oversight focusing on any aspects or areas that may not have received due attention, including but not limited to oversight mechanisms;
- iii. Establishment of the Bunge Mashinani
- iv. Consideration of the various Speaker's rulings, as well as judicial decisions that have a bearing on the procedures of the House.

#### PROPOSALS FOR AMENDMENT

Mr. Speaker and Hon. Members, following the review process, the Committee proposes the following orders be amended.

#### 1. STANDING ORDER 82: POINTS OF ORDER

THAT Standing Order No. 82 (points of order) be amended to require that a Member wishing to raise a point of order should rise in his/her place rather than rising and calling out to the Speaker.

In the present scenario, a Member raises a point of order by rising and calling out the words ‘point of order’ to catch the ‘*Speaker’s eye.*’

The Committee observed that while Standing Order 82 provides for the raising of points of order by Members the practice of rising and calling out to the Speaker that the ‘Member rises on a point of order’ to catch the Speaker’s eye breaks decorum in the House.

Recommendation: The Committee propose that Standing Order 82 be amended by inserting the words “*by rising in the Member’s place*” immediately after the words “Any Member may” in paragraph (1).

## 2. STANDING ORDER 136: LAPSE AND RE-INTRODUCTION OF BILLS

THAT Standing Order No. 136 (3) be amended to require that a Bill, the consideration of which has not been concluded at the end of the term of the Assembly should not lapse but may be taken over by a committee of the House or any Member at the stage at which the Bill had reached with the approval of the House, and subject to its republication.

Recommendation: The Committee propose that Standing Order No. 136 (4) be amended by introducing the words ‘*may with approval of the House in the new session be re-introduced by a relevant Committee of the House at the stage at which the Bill had reached*’ immediately after the words “A Bill the consideration of which has not been concluded at the end of the term of a County Assembly” and by deleting the word “*lapse*”

## PROPOSAL ON IMPROVING THE EFFICIENCY OF COMMITTEES

Mr. Speaker and Hon. Members, the Committees form an important avenue through which the House executes its duties. Therefore, effective committees translate to an effective House. In this regard the Committee propose that:

- a) The streamlining of the mandates of Committees especially where the mandates are broad. This will ensure specialization and hence enhancing efficiency;
- b) The membership of the Committees be reconsidered; and
- c) Additional committees be established to deal with emerging issues

Specifically, the Committee propose:

## 3. STANDING ORDER NO. 160

THAT Order No. 160 be rephrased to read as follows;

### Composition of Committees

160.(1) *Subject to any written law, these Standing Orders or a resolution of the County Assembly, a Committee shall consist of an odd number of Members, not being less than five and not more than seven except for Committees with Members of the leadership which may have a maximum of 9 Members.*

(2) *In case of a membership of seven, the Members MUST be considered each from the seven sub counties.*

4. STANDING ORDER NO. 189(2)(e)

THAT Order 189(2)(e) be amended by deleting the words ‘tax estimates’ to read as follows;

*Examine economic and budgetary policies and programmes with direct budget outlays.*

5. STANDING ORDER NO. 195 TO 206

THAT Order 195 to 206 be expunged;

*Justification – the Committee on General Oversight is usurping powers and limiting other Committees from exhaustively carrying out their mandates.*

6. SECOND SCHEDULE

THAT Second schedule be amended by including the words ‘and all matters of tax estimates’ at the end of the paragraph against ‘Cooperatives, Finance, Trade and Enterprise Development’ to read as follows;

*All matters relating to Cooperative movement, micro finance institutions, empowerment of registered women and youth groups, insurance, proposed loans and advances by the Executive, trade development and regulations including markets; trade licenses (excluding regulation of professions); fair trading practices and all matters of Tax estimates.*

THAT the Sectoral Committee on the Administration of Law, Justice, Constitutional Affairs, Good Governance and Security should be split to establish a Sectoral Committee on Justice and Legal Affairs and Sectoral Committee on Administration and County Security.

Committee on Administration and County Security: All matters related to the mandate, management and administration of County Governance, Enforcement services and coordinating the participation of the people in governance and county security.

Department: Governance and County Administration

Subjects to consider;

- i. County Security
- ii. County Administration

Committee on Justice and Legal Affairs: All matters related to constitutional affairs, human rights, ethics integrity and anti-corruption and administration of law.

Department: Office of the County Attorney and matters related to legal affairs in departments.

7. STANDING ORDER NO.60: Instances where the Constitution Requires a Fixed Majority  
Mr. Speaker and Hon. Members, the Committee noted that there was need to allow the Speaker discretion to determine when a further vote should be taken in instances where the constitution required a fixed majority of the House for approval of a matter.

Recommendation: In paragraph (2), insert “*Or such other time that the Speaker may determine*” immediately after the words “*first vote was taken.*”

8. STANDING ORDER NO. 164: Notice of Meetings

The committee observed that there was need to include use of electronic means of communication as a mode of issuing notices to Members.

Recommendation: Amend paragraph (2) by deleting the words “*through the email addresses of a Member*” appearing immediately after the word “*circulation*” and substituting therefor the words “*by electronic means to a Member’s official communication address or number*”

9. STANDING ORDER NO. 183: Progress Reports for Select Committees

The Committee proposes that the half yearly report by Select Committees on their activities be revised to quarterly. This is to allow committees to make more regular reports to the Liaison Committee on their activities.

Recommendation: Amend Standing Orders No. 183 (1) by deleting the words “half yearly” appearing immediately after the word “*submit*” and substituting therefor the word “*quarterly*”

10. STANDING ORDER NO. 183A: Exit Reports

The Committee notes that there is need to provide for continuity on the functions of Committees on matters under their mandate. It would be important for succeeding Committee to be apprised of key achievements by preceding Committee and also of any pending matters of concern.

Recommendation: Amend by introducing a new paragraph 183 (3) as follows:

*183 (3) The chairperson of a Committee shall table an Exit Report to the Assembly at the expiry of its term.*

OTHER PROPOSED AMENDMENTS TO THE STANDING ORDERS.

Mr. Speaker and Hon. Members, the Committee further proposes the following amendments to the Standing Orders.

11. STANDING ORDER NO. 2

THAT, Standing Order 2 be amended -

- a) by deleting the definition “Majority Whip” and substituting therefor the following new definition;

*“Majority Party Whip” means the member elected as the Party Whip by the Majority Party.*

- b) by deleting the definition of “Minority Whip” and substituting therefor the following new definition;

*“Minority Party Whip” means the member elected as the Party Whip by the Minority Party.*

- c) by introducing a new definition of Party Whip as follows:

*“Party Whip” means a member designated by a parliamentary party as its party whip for the purposes of the transaction of the business in the House and includes the Whip of the Majority Party and the Whip of the Minority Party.*

#### NEW STANDING ORDER 61A, 175A, 175B, 175C, 243A

##### 12. STANDING ORDER NO. 61A

1. THAT a new Order No. 61A be introduced to include ‘*procedure for removal of a member of the County Assembly Service Board appointed from the members of the County Assembly*’ to read as follows;

62. (1) Procedure for removal of a member of the County Assembly Service Board appointed under section 12(3) (c) of the County Governments Act (No. 17 of 2012).

Such member, on grounds provided for in Section 10 (1) of the County Assembly Service Act (No. 24 of 2017) may be removed from the office by the political party which nominated him/her and through a resolution supported by simple majority of the members present.

62. (2) A vacancy occasioned by (1) above shall be filled within fourteen days of vacancy.

##### 13. STANDING ORDER NO. 61B

- THAT a new Order No. 60A be introduced to include ‘*procedure for removal of Chair of Committees*’ to read as follows;

63. (1) Procedure for removal of Chairperson of Committees.

*Standing Orders 176 (Vote of no confidence in the Chairperson or Vice-Chairperson) shall apply, with necessary modifications, to the removal of the Chairperson of Committees.*

63. (2) A vacancy occasioned by (1) above shall be filled within seven days of vacancy.

## 14. STANDING ORDER 152A

2. THAT the Standing Orders be amended by inserting the following new Standing Orders immediately after Standing Order 152A –

Limits on consideration of matters by Committee

*152A. A committee shall not consider any matter other than a matter which has been referred to it or which it is required by these standing orders to consider.*

Committee of the Whole House may not adjourn

152B. A Committee of the Whole may not adjourn its own sitting or the consideration of any matter to a future sitting, but the Chairperson may by a motion be directed notwithstanding that all matters referred to the Committee have not yet been considered, to report progress to the House and ask leave to sit again.

152C. (1) When a Motion is made in Committee to report or to report progress and ask leave to sit again, the question shall be put forthwith and decided without amendment or debate and if the question is agreed to the Chairperson shall forthwith leave the Chair.

(2) Except as otherwise provided by these standing orders, every report under paragraph (1) shall be made without question put and may, by Motion, be agreed to or negative by the House or re-committed to the Committee, or postponed for further consideration.

## 15. STANDING ORDER NO. 242A

3. THAT a new Order No. 242A be introduced after renumbering to include ‘Bunge Mashinani’ to read as follows;

Bunge Mashinani

*243. The Assembly in the spirit of promoting public outreach, may from time to time as necessary hold its plenary sittings at ward level and all the provisions of parts VII, XV, XVI, XVII, XVIII, XXVIII of the Standing Orders and any other related provisions of this Standing order and other related laws.*

## 16. STANDING ORDER NO. 13(1);

THAT a new Order no. 13A be introduced as follows;

13. (2) *As soon as practicable after the election of a Speaker following a General Election, a Chairperson of Committees shall be elected by the County Assembly.*

## 17. STANDING ORDER NO. 23

THAT Order No. 23(1) be rephrased to read as follows;

Address by the Senator, Visiting dignitaries or members of National Assembly

23 (1) *The Speaker may, in consultation with the Leader of the Majority Party and the Leader of the Minority Party, allow the Senator of the County, a visiting Governor, Member of the National Assembly or other such visiting dignitary, to address the County Assembly on such occasions as may be appropriate.*

## 18. STANDING ORDER NO. 113. (6)

THAT Order No. 113(6) be rephrased to read as follows;

*A Bill shall be signed by the Member in charge of it and laid on the table of the County Assembly and introduced by way of First Reading in accordance with Standing Order 122 (First Reading of Bills).*

*Justification - Tabling/Laying of Bills initially not provided for and ought to come at 'Introduction of Bills.'*

## 20. STANDING ORDER NO. 50 (j)

THAT Order No. 50(j) be amended by deleting '230' and replacing therefore with '237' to read as follows;

*motion made under Standing Order 237 (Exemption of business from Standing Orders).*

*Justification - Wrong Order No. quoted.*

## 21. STANDING ORDER NO. 50(k)

THAT Order No. 50(k) be amended by deleting '96' and replacing therefore with '95' to read as follows;

*motion made for limitation of debate under Standing Order 95 (Limitation of debate);*

*Justification - Wrong Order No. quoted.*

## 22. STANDING ORDER NO. 173

THAT Order No. 173 be amended by deleting '222' and replacing therefore with '229' to read as follows;

*The minutes of the proceedings of a select Committee shall be laid on the Table of the County Assembly with the report of the Committee and may, subject to Standing Order 229 (Custody of Journals and Records), be published.*

## 23. STANDING ORDER NO. 193(6)

THAT Order No. 193(6) be deleted and replaced therefore with a new paragraph to read as follows;

*A report of a Sectoral Committee including any minority report, together with the minutes of the proceedings of the Committee, and with such note or record of any evidence by the Committee as the Committee may deem fit, shall be laid on the Table of the County Assembly by the Chairperson of the select Committee, or the Vice-Chairperson or by a Member authorized by the Committee and may subject to Standing Order No. 229 (Custody of Journals and records), be published.*

*Justification - Deleted: Membership of Committees already taken care of by 5 (Cl. 160) above. Tabling of reports from Sectoral Committees was missing.*

24. STANDING ORDER NO. 225 (3)  
THAT ORDER NO. 225(3) be expunged.

*Justification-* The item referred to herein (Procedure in Committee of Supply) does not exist anywhere within the Standing Orders.

25. STANDING ORDER NO. 237 (2)  
THAT Order No. 237 (2) be amended by deleting '207' and replacing therefore with '220' to read as follows;

*No Motion for the exemption of business from the Standing Orders shall be made to exempt any business from Standing Order 119 (Publication), Standing Order 120(Not more than one stage of a Bill to be taken at the same sitting) or Standing Order 220 (Restriction with regard to certain financial measures).*

*Justification - Wrong Order No. quoted.*

26. STANDING ORDER NO. 244(6)  
THAT Order No. 244(6) be amended by deleting '129' and replacing therefore with '131' to read as follows;

*Standing Order 131 (Procedure on Bills reported from Committee of the whole County Assembly) shall apply to a Motion to approve the report of the County Assembly Procedure and Rules Committee on the amendments proposed to the Standing Orders.*

*Justification - Wrong Order No. quoted.*

## CONCLUSION

Mr. Speaker and Hon Members, in making the recommendations, the Committee considered the practice in comparative legislatures such as the National Assembly and the Senate as well as emerging trends in the conduct of the business of the House during this term of the Assembly. It is hoped that this review of the Standing Orders will assist the Third Assembly to effectively and efficiently discharge its mandate of legislation, representation and oversight.

NOW THEREFORE, in line with the provisions of PART XXVIII (*Amendment of the Standing Orders*), the Committee on Procedures and Rules recommends –

- i. THAT, pursuant to the provision of Standing Order No. 243 (5), the House approves the proposed amendments to the Standing Orders as contained in the First Schedule to the Report;
- ii. THAT, pursuant to the provisions of Standing Order 265, the House resolves that the amendments made to the Standing Orders shall commence upon the expiry of the term of the Second Assembly.

May I call upon Chief Whip to second?

**The Speaker** (Hon. Oraro): Hon. Chief Whip.

**Chief Whip** (Hon. Misachi): Thank you Mr. Speaker. I rise to second the report as read by the Leader of Majority.

**The Speaker** (Hon. Oraro): Honourable Members, a report on the Adoption of Select Committee on Procedure and Rules on Amendments to the Kisumu County Assembly Standing Orders have been presented by the Leader of Majority on behalf of the Chairperson of the said Committee, Hon. Julius Genga and seconded by the Chief Whip who is a Member of the Committee, as per our Standing Orders, I want to propose a question this report is open for debate.

**The Speaker** (Hon. Oraro): Hon. Aslam Khan.

**Hon. Khan:** Thank you Mr. Speaker. I rise to support this report as presented by the Leader of Majority. If you look at Standing Order No. 82 and page 9 of this report, it offers a solution to this problem which Honourable Members are facing. I also want to talk about Standing Order No. 132 that gives direction on how Bills can be handled. Amendments also addresses the issue of “Bunge Mashinani”. It will also be able to explain to the people the roles of the Members. I also want to thank this committee for the good work they have done. Thank you.

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

**Hon. Beatrice Pamela:** Thank you Mr. Speaker. I rise to oppose this report. My first point for opposing this report is on page 9 on Standing Order No. 82 which seeks to amend that anyone who has a Point of Order should not shout a Point of Order but rise with hope that the Speaker will notice them and quote his name. We have been in this House and Speaker can choose to be blind. If his attention is not drawn by Member that he has a Point of Order, then there are very high chances that such a Member may be ignored and their Point of Order may not be accepted.

Mr. Speaker, it is a parliamentary practice both in the Senate and the National Assembly that when a Member wants to rise up on a Point of Order then he or she must draw the attention of the Speaker by shouting Point of Order. Mr. Speaker, the County is growing. What happen when an Assembly has Three Hundred Members? The Speaker cannot see Three Hundred members at the same time. However much we should amend our Standing Orders, we should adhere to the traditions and practices of the parliaments.

Mr. Speaker, I also want to oppose this report also because of what is captured inn page 12 concerning the Party Whips and Majority Leaders. We have to accept that now we have the Independent Candidates amongst us. Just by the word that these candidates are independent means that they do not belong to any party, so when we come up and say that someone must be a Majority Leader, Majority Whip, Minority Leader or Minority Whip they must belong to a party then we are discriminating against Independent Members who will be joining to this Assembly. The Independent Candidates who will be coming to this Assembly are also representing their

constituents. What happens if they are the majority in the House? Do you deny them the opportunity to be Leader of Majority and Leader of Minority in the House because they are independent? We have to cognizant to the fact that the National Assembly passed in their sitting that Independent Candidates can form their own caucus. They also have the rights to leadership.

Mr. Speaker, I am also opposing this report because of what is captured in page 13 on Standing Order No 152 (a). Where House Committees are limited to matters that are have been referred to them. This goes against parliamentary practice where most of the parliamentary work is done at the committee level. Not everything has to reach the Floor of the House. There are some issues that House Committees can deliberate and dispense with at committee levels by limiting what they do, you will have a situation where motions are not brought to the House because the committees do not have work to do and yet it is in this Assembly that we kept hearing the Speaker urging the respective House Committees to generate work. How do they generate work and their hands are tied? Mr. Speaker, I believe that this is an insult to the Honourable Members, who have been elected to this Assembly to come and represent their constituents.

Mr. Speaker, I also reject this report because of what is captured in page 14 on Standing Order No. 242 (a) on the “Bunge Mashinani”. Other than representing, oversight and legislation, we have to be prudent and accountable when it comes to use of public resources. Our pilot of “Bunge Mashinani” was a flop. A lot of resources were used and nothing come out of it. Some venues had no facilities. Members were finding it difficult to go to “Bunge Mashinani” because the transport available that was to take them from their Wards to the Assembly premises was not there. There is nowhere in the County Assembly of Kisumu Budget that captures the provision of Members with the transport to go to other Wards for the Assembly sitting. Even organize for that, just organizing it turned out to be expensive and it did not give much.

Mr. Speaker, if there is need that Assembly needs to conduct “Bunge Mashinani” then Assembly can decide from time to time and that should not be captured in the Standing Orders. This is not right and I cannot support it.

Mr. Speaker, the law is very clear on Public Participation and there are guidelines that runs the Assembly. As a Member of the County Assembly and as a stakeholder in this Assembly, I do not remember any single day we were called or invited for public participation to consult on what rules would enable us work better. The fact that we are bringing this at the tail end is because most of us are exiting, it should dawn on us that it doesn’t matter and try not to stop the next Assembly from doing their work. Whatever we are doing here should make their work better. We should learn from the challenges we faced as Second Assembly and make the operations of the Third Assembly much smoother. It is even worse that such important report is being brought on the last day of the Second Assembly.

Mr. Speaker, I do not think that this Assembly would so selfish to pass a document that is going to make work difficult for the next Assembly just because they are not there. With those remarks, I oppose.

**The Speaker** (Hon. Oraro): Honourable Members, I have noticed Hon. Roy Samo. Hon. Leader of Majority, I hope you are taking notes. On the issue of Public Participation, I want to make it very clear that we did go to Nakuru where we organized for a five days retreat and one of the agendas was this report. It is quiet unfortunate on your side that you did not honour the Committee invitation.

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

**Hon. Samo:** Thank you Mr. Speaker for granting an opportunity to debate on this motion. Hon. Beatrice Pamela has touched of various issues which must give Hon. Leader of Majority a food for thought. I have two conflicting theories towards this. There are very good provisions brought by this report for consideration.

Mr. Speaker, page 9 of the report, the Standing Order No. 136. Hon. Erick Agolla did bring a wonderful Bill in this House and certain issues came up from the Executive when we were about to pass it. If the provisions of Standing Order No. 136 is amended to read as it is then I would be a happy person for the next Assembly. If you look at the Notice of the Meetings, it is a good provision because sometimes we may not be there to get the Notice but if it is done electronically then chances are very high that almost all Members will have it. That may also give Members an opportunity to vote electronically. I witnessed that during the COVID-19 pandemic.

Mr. Speaker, I also have a few areas which I must highlight that needs to be looked into before this kind of report is adopted. Something happened a few minutes ago when we walked in. Hon. Maureen Otiang' wanted your attention and she stood for several seconds. I believe that you were on the phone. If that can happen when a Member want to rise on a Point of Order then we should be allowed to shout Point of Order. We have visited to various Assemblies that have made bold steps digitally where you can get the attention of the Speaker by pressing a button on the desk. We should be allowed to shout Point of Order to get the attention of the Speaker because our Assembly is still analogue. Hon. Leader of Majority Should respond to that while replying.

Mr. Speaker, I oppose the recommendation on page 12 of the report. When we came to this Assembly and read the Standing Order then, it was only limited to the Assembly Parties and that gave us a lot of headaches on how we were going to make Hon. Philemon Ojuok the Minority Leader and the Standing Orders was very explicit. Several Independent Candidates are coming to this House. What if they are more than the Azimio La Umoja affiliated parties? Are we not going to treat them as the Minority? We must provide for that in our Standing Orders.

Lastly, let us move to page 13 of the report. I may have some interest to that because I was once a Chairperson of Committees. If we are going to amend the Standing Order No. 176 to mean A vote

*of no confidence shall apply with necessary modification to the removal of the Chairperson of the said committees* then we are coating for problems. If you look at the election of the Chairperson of House committees, it is similar to the removal of the Chairperson of a Committee or Vice Chairperson of a Committee.

Mr. Speaker, when we are going to consider the removal, we will subject that office holder let me take for instance Hon. Omieno to that removal just the same as that of the Chairperson or a Vice-chairperson of a House Committee then that may be a little bit extreme. This is because according to the threshold requires a simpler majority votes and this suffices. Mr. Speaker, in this report, that should also be looked into.

Otherwise, in the Third Assembly they are going to encounter a myriad of problems. This is because one Honourable Member may wake up one day and allude that because he/she dislikes Honourable Oraro, he has to be removed today. The next morning, because he/she dislikes Hon. Omieno, we are going to eject him from that position with only a simple majority of votes. Mr. Speaker, this and amongst other and I don't want to belabour much because our time to depart from this House is coming in the motion but I would like to leave it at that. Mr. Speaker, as I had said to the Honourable Leader of Majority, please allow us not to adopt this report in its current form because this will enable you to convene another session in the next few days and be able to pass it after thorough consultations because we still have that latitude until the 08<sup>th</sup> August, 2022. Thank you.

**The Speaker** (Hon. Oraro): The Leader of Majority, what is it, I thought that you were taking notes?

**Leader of Majority** (Hon. Onyango): No!! Mr. Speaker, I am just a little bit concerned because if you read the provisions of Standing Orders No. 244 (6). Some of these issues can be canvased when we are in the Committee of the Whole House. Honourable Members, please refer to the provisions of Standing Orders No. 244 (6).

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

**Hon. Atieno:** Thank you Mr. Speaker for according me this rare opportunity to contribute to this motion.

Mr. Speaker, a lot of things that I wanted to say have been ably raised by the Hon. Samo and Hon. Beatrice Pamela. It is known all over that, Members of County Assemblies are people that are rowdy and they don't reason and that has been the assumption outside there. Mr. Speaker, when these proposed amendments to our Standing Orders which are regulations that guide this House was brought to this House, I was keenly interested and I commenced reading of the report from page one to the last page. This is because I know the genesis why a majority of these Assemblies and where there is an issue that they need to seat down and iron out and come up with amicable

solutions normally degenerates into chaos. Mr. Speaker that is what I wanted captured in this report. Mr. Speaker, if you look at the last page...

**The Speaker** (Hon. Oraro): Order!! Hon. Atieno. Please resume your seat. Honourable Members, I believe that I have accorded chance to three or four Honourable Members notably Hon. Samo, Hon. Beatrice Pamela and the Member on the floor is Hon. Atieno. I want to refer you to the provisions of Standing Orders No. 244 that the Leader of Majority did highlight to and to be specific Standing Orders No. 244 sub-section (6).

Honourable Members, these are proposed amendments to the Standing Orders. Honourable Members, the provision of Standing Orders No. 244 (6) which provides that Standing Order 129 which touches on Procedure on Bills on the Committee of the Whole County Assembly shall apply to a motion to approve the Report of the County Assembly Procedure and Rules Committee on the Proposed Amendments to the Standing Orders. In other words, the only difference is that it comes in totality but, as you deliberate you cannot oppose or support the report in totality. Like what Hon. Samo has raised which are concerns on a number of issues likewise with Hon. Beatrice Pamela on a number of bills. So, the most appropriate thing is to pick which issue that you are opposed to and the one you are in support of. That is as per the provisions of Standing Orders No. 244 (6). This applies to the procedure we usually work on the Bills and it is the same manner we should work on the amendment to the Standing Orders.

So, Hon. Atieno, I want to propose that by the leave of the House, the Clerks are here the Leader of Majority who is presenting the amendments on behalf of the Select Committee of Procedure and Rules to take note so that areas that require amendments on the report be captured. So, that when we will be making resolutions, we make them based on the proposed amendments and the ones agreed upon. Hon. Atieno, the floor is yours.

**Hon. Atieno:** Thank you Mr. Speaker. The Standing Orders is a very serious document for a House as this. Mr. Speaker, it is like the Bible.

Mr. Speaker, what I was trying to bring fore in this report is the draconian Standing Order and just to be precise the provisions of Standing Order No. 1 which accords the Speaker the powers of the Alpha and Omega to make rulings on anything and it becomes law. Mr. Speaker, I would have been the happiest person if that was the first section of this Standing Order to be considered for a purge. Mr. Speaker, the reason as to why some of these assemblies all over degenerates into fist fights is because the provisions of Standing Order No. 1 which has usurped the freedom of speech from the Honourable Members and allocated it to one person who is immortal. This provision of this Standing Order has created the Speaker as an immortal being that he/she is a jack of all trades and the words of the Speaker becomes law. Mr. Speaker, I will disassociate fully myself from this committee report until such a time that the provision of Standing Order No. 1 is proposed for amendment so that it captures the aspirations and wishes of members that have been elected by the great people of Kisumu County.

Mr. Speaker, another issue of great importance is the timing of this report. The Standing Orders is the Bible of this House and it has been brought at the tail end of the term of this County Assembly. Having said that, it becomes suspect, why was this report not brought to this House two or three weeks ago so that this Honourable House can have ample time to peruse discuss and come up with possible areas that are required for amendment. Mr. Speaker mark you, you stated that public participation on this amendment was conducted to Members while in a retreat in Nakuru County. Mr. Speaker, I cannot recall where I was because I believe that I have been attending all House Committee meeting whether in Nakuru or in Mombasa. Mr. Speaker, this kind of crucial document like the Standing Orders of this House that affect literally each and every Member of this House that includes the independent candidates. Mr. Speaker, it is my prayer that we are accorded ample time and give this document adequate thought so that when we come up with a document, it is going to shape the discourse in the Third County Assembly, then even the new members that are going to join us because with us, we are still in the war because some of us with the Lord's Grace will be lucky to be elected back into this House other will not make it but it is my prayer that the Almighty gives all of us the Grace to be re-elected back.

Mr. Speaker, it is my prayer that we suspend the adoption of this report so that the Third County Assembly should be able to make amendments to the Standing Orders on behalf of the great people of Kisumu. Otherwise, I want to thank you for according me this opportunity to air my views on this key report. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, it is my belief that you are talking the wrong direction. I have already given a reference to the provisions of Standing Orders No. 244 (6). I want to suggest that there are two options we can chose to apply to assist us navigate through this process. If you don't want to adhere to the reference that I have made, then, I want to propose that, we can take time and go through the amendments one by one so that we put questions as we proceed on each clause. Honourable Members, by the leave of the House, I had accorded the Leader of Majority to move the whole report so that Members can debate on those that don't required amendment to be adopted and those that required amendments be debated upon.

Honourable Members, I just want to propose amendments to be geared towards Members who are present in the House because this is a matter that will affect even the Members who are coming. We have made reference to one case where a Standing Order was giving reference to the wrong Standing Orders. We have made reference to the issue of the General Oversight Committee alongside other House Committees plus any other amendment that has been proposed. A case in point Hon. Atieno is making reference to the provisions of Standing Orders No. 1 which in my belief is very clear. Probably the Member who was using that provisions is the one who was ultra-vires. The provisions of this Standing Order is very clear that the Speaker can only make a ruling on matter that are not provided for explicitly in the Standing Orders and any other statute. If you look at the issues raised, almost all of them are provided for in the Constitution of Kenya 2010, County Government Act, 2012, Standing Orders and in the traditions of parliament that have been

there. So, probably, whoever was using the Standing Orders misused it. So, let us not discuss amendments with emotions. So, please while discussing the report, let us endeavour to adhere and make reference to the provisions of Standing Orders No. 244 (6) and I suggest that if we agree, we go through the amendments one by one or the way I had suggested that Members propose their amendments.

**Hon. Guya** (On a Point of Order): Thank you Mr. Speaker. It is my belief that we have been in this House long enough and I don't believe that it is in order for us both the Leader of Majority to mislead this House by quoting the provisions of Standing Orders No. 244 (6).

Mr. Speaker, provisions of Standing Orders No. 244 (6) talks about amendments on the initiative of a Member. I want to state here that, this amendment was not an initiative of any Honourable Member of this House but what we are doing here is stipulated in Standing Orders No. 243 that stipulated that and I quote;

*“The County Assembly procedure and rules Committee may at any time propose amendments to this Standing Orders”*

Mr. Speaker, when we go to the provisions of Standing Orders No. 244 is very specific that, it only applies to amendment on the initiative of a Member. Maybe the Leader of Majority can make things clear on the provisions of Standing Orders No. 244 before we proceed further.

**The Speaker** (Hon. Oraro): Thank you Hon. Guya. If you keenly look at your Standing Orders, the provisions of the Standing Orders you are making reference to on a members personal initiate is one of the amendments that is proposed in the report that was erroneously referred to and it is supposed to make reference to Standing Orders No. 131. So, if you keenly look at it and please read it because it is supposed to make reference to the provisions of Standing Orders No. 131. So, it is one of the amendments that has been proposed. Please let us be very clear on what we are doing.

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

**Hon. Otura:** Thank you Mr. Speaker. Our main objective here is have the Select Committee report presented to us, interrogate, adopt it as is expected of us. Mr. Speaker, in a case we disassociate ourselves with what is contained therein them, I would advise so.

Mr. Speaker, the provisions of Standing Orders No. 244 (6) that you are making reference to is very good but then, it also constitute part of the Standing Orders which ought to have been amended for this simple reason. If we were to make reference to the procedures of introducing bills into this House, it is explicit to the extent that we have first reading, second reading, we revert to the Committee of the Whole House where we are allowed to do amendments and then we move to the third reading where we are again given the latitude to make the final amendments. Mr. Speaker, on the report from the Select Committee of Procedure and Rules, if it is to go by the

procedure of making amendments to the Bills, then, the Select Committee of Procedure and Rules should also take us through the same path where we are provided with an option of going through the proposed amendment and if there is an option of the third reading, then we undertake the finale amendments. Mr. Speaker, in this case, if we are denied that, then it beats the logic as to why the report is presented to us. If it is presented to us in a manner in which we should process bills, then we should endeavour to comply with all the procedures of introducing a bill into the House and that alone ought to have been considered to accommodate the same procedures used in introducing Bills into the House.

Mr. Speaker, I hope I am contributing...

**The Speaker** (Hon. Oraro): Hon. Otura, I did not want you to contribute, because I thought you were on a Point of Order. Please remember that, this is not a Bill...

**Hon. Otura:** Mr. Speaker, I am in concurrence with that and through my Point of Order I believe that my point is understood and something needs to be done on the provisions of Standing Orders No. 244 (6). Mr. Speaker, if accorded time, I will make my contributions later. Thank you.

**The Speaker** (Hon. Oraro): Hon. Otura, you want to make you contributions later but, there is a point I am still trying to drive home. So, before we proceed with the deliberations, we need to agree on how do we debate the report.

**The Speaker** (Hon. Oraro): Honourable Pamela Odhiambo, are you on a Point of Order or you want to make your contributions.

**Hon. Pamela Odhiambo:** Mr. Speaker, I want to debate if you allow me.

**The Speaker** (Hon. Oraro): Then, I will give you time to do so. Honourable Member, I want us to first agree on how we debate. Honourable Beatrice Pamela, you have caught my eyes, but I just want to guide Hon. Pamela Odhiambo because she has been on her feet for a long time. If you want to debate, I have two Point of Orders, one from Hon. Beatrice Pamela and the other from Hon. Eric Agolla. Please let me first listen to them then I will give direction.

**The Speaker** (Hon. Oraro): Yes Hon. Beatrice Pamela.

**Hon. Beatrice Pamela:** Thank you Mr. Speaker...

**The Speaker** (Hon. Oraro): Order!! Order Honourable Members. Leader of Majority and Hon. Okumu please be orderly.

**Hon. Beatrice Pamela:** Thank you Mr. Speaker. Based on the guidance that you are giving the House and I am informing the House that your guidance is contradictory. Mr. Speaker, if you propose that we can go either point by point and amend, then, that implies that the House should revert to the Committee of the Whole House and we cannot do that while you are seated there.

Mr. Speaker, I would equally wish to inform the Leader of Majority that, the Standing Orders are not his personal documents and they are for this House. So, he should stop pushing Members into adopting what they do not want and let him give us time to deliberate on this matter and further a Standing Order that is going to serve this County Assembly and it is not for his home but for Kisumu County and the Third County Assembly.

**The Speaker** (Hon. Oraro): Hon. Pamela, I am in total concurrence with you. If we are going to revert to the Committee of the Whole House, I will not be seated here, I am aware of that.

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

**Hon. Agolla:** Thank you Mr. Speaker. With due respect, when this motion was being moved, it was done procedurally and it was seconded by Senior Member Hon. Priscah Misachi and we have been debating as usual as a normal motion.

Mr. Speaker, the proposals that you are putting across I am afraid to say that, they are Out of Order. Mr. Speaker, when there is a way that we want to deviate or change the manner that we debate, it should be a proposal that emanates from the floor and seconded by a member then we deviate and change our manner of debating a motion. Mr. Speaker, this motion must be debated as it was presented by the Leader of Majority and seconded by Senior Member Hon. Priscah Misachi. If there is a way that we want to change it, any member but not the Chair should come up with a proposal for amending how we debate. Thank you.

*(Honourable Members rise on their feet with Point of Orders)*

**The Speaker** (Hon. Oraro): Honourable Members, please resume your seats, I want to make a ruling on the two Point of Orders raised by Hon. Beatrice Pamela and Hon. Eric Agolla. Honourable Members, I stated that if we agree that we go the Committee of the Whole House, then, that means that somebody will occupy this seat and guide the House so that we go through the amendments one by one. Further, I stated that by the leave of the House, I proposed that we debate the report and my expectation was that amendments could be proposed as appropriate and when we are making resolutions and do so based on what has been discussed.

Honourable Members, I want to propose that we proceed and let me accord Hon. Pamela Odhiambo time to contribute.

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker for allowing us debate on this report. First, I am a member of this Select Committee and I want to oppose this report in totality.

Mr. Speaker, I have my reasons for opposing this report. One is, it is not a must that when the term of a County Assembly is coming to an end we amend the Standing Orders. Mr. Speaker that is how it was done by the First County Assembly...

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

**Hon. Agolla:** (On a Point of Order) Thank you Mr. Speaker. It is not in order for a Member of a House Committee to rise up before the House and oppose the same report that she has appended her signature. Mr. Speaker, if you have a dissenting report, then you should first present that report. Mr. Speaker, from the signatures appended to this report disqualifies you opposing this report...

**Hon. Pamela Odhiambo:** Mr. Speaker, you are not supposed to sit in a Committee and concur with all the recommendations in that report.

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

**Hon. Pamela Odhiambo:** Mr. Speaker, you can sometimes agree to disagree...

**The Speaker** (Hon. Oraro): Order!! Hon. Pamela Odhiambo be aware that you are addressing the Speaker and not the Member. So, when making your contributions, please always endeavour to address the Speaker and not the Honourable Members.

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker...

**The Speaker** (Hon. Oraro): Hon. Guya, what is it?

**Hon. Guya:** Thank you Mr. Speaker. Maybe just to make thing clear, could the Member on the floor just clarify that the last page of this document is signed by Hon. Pamela Odhiambo. Is this her signature or the signature does not belong to Hon. Pamela Odhiambo. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, I believe that it is the signature of Hon. Pamela Odhiambo and she can confirm that.

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker. Members have appended their signatures to the attendance list when they were coming in. Some will support the report while other will oppose while other will leave. Mr. Speaker, does that mean that when I append my signature to a report, I concur with the report?

**The Speaker** (Hon. Oraro): Hon. Pamela Odhiambo, I rule you out of order!!

**Hon. Pamela Odhiambo:** Mr. Speaker, I am not going to be intimidated because I don't support this report...

**The Speaker** (Hon. Oraro): Hon. Guya, Hon. Pamela Odhiambo has responded to your question. I have made my ruling that she is out of order for stating that she appended her signature to the report and left but I believe that this report was signed after it had been completed which is at the tail end of the Committee meeting. So, I rule her out of order.

**The Speaker** (Hon. Oraro): Hon. Ogutu, who do you want to inform?

**Hon. Ogutu:** Mr. Speaker, it is my belief that we are not being fair to Hon. Pamela Odhiambo. First, I believe that it is only a fool who cannot change her/his mind. If Hon. Pamela Odhiambo has deemed it wise to change her mind on that report, I believe that this is within her constitutional right...

**The Speaker** (Hon. Oraro): Hon. Ogutu, I rule you out of order!! Hon. Pamela Odhiambo has the mouth to defend herself. So, if she decided to change her mind, let her declare. Hon. Ogutu, I have made a ruling on that and the Assembly has not adjourned and Hon. Pamela Odhiambo is here in the House.

**Hon. Ogutu:** Hon. Pamela, you can now change your mind.

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

**Hon. Okumu:** Thank you Mr. Speaker. I arise to support this report. Mr. Speaker, all of us are in agreement that we need to amend our Standing Orders. Mr. Speaker, anybody who comes and says that there is no need to amend this Standing Orders while even the numbering of sections in the Standing Orders was erroneously done...

**The Speaker** (Hon. Oraro): Order!! Order!! Hon. Members. Hon. Pamela Odhiambo, please learn to speak using the microphone provided.

*(Loud consultations)*

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker. I believe that I should be accorded time to state the reason why I chose to oppose this committee report.

One, the provisions of Standing Orders No. 1 was supposed to be amended and I have not seen that in the report. Mr. Speaker, when I made a request to the clerk to furnish me with the report to enable me go through before it is brought to the House, he is here and she can attest to that...

**The Speaker** (Hon. Oraro): Hon. Okumu, what is it?

**Hon. Okumu:** Mr. Speaker, is it right for the Honourable Member to come into the House the way she is dressed...

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

*(Loud consultations)*

**Hon. Okumu:** Mr. Speaker and Honourable Members, the Member is not allowed to put on that hat in this Assembly and she needs to dress with decorum.

*(Loud consultations)*

**The Speaker** (Hon. Oraro): Order!! Honourable Members, I believe that we are discussing a very serious issue and from my observation it seems like Members are taking this matter for granted. So, if you are not taking this matter for granted let us debate this matter as is expected of us. Honourable Members, when a matter is brought to the House, it is upon Members to debate against it or for it. The matter is not for us to carry home, rather it is for the posterity of this Assembly. I therefore request that we debate soberly. If you feel that we should handle the matter in the Whole House committee, then a Member will propose that followed by a seconding from another Member and the procedure follows.

Yes, Hon. Pamela Odhiambo

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker, I was opposing the report because I wanted to check the amendments that were made to it but I couldn't get them. I requested for them but I was told to wait and couldn't understand why I had to wait much longer. Mr. Speaker, I don't think we need to hurriedly amend the Standing Orders for the incoming Members, who I believe I will be part of. Allow Members to go home in peace and when we shall be back, we will happily amend the Standing Orders.

**The Speaker** (Hon. Oraro): Yes, Hon. Seth Okumu. I've also noticed Hon. Eric Agolla who will speak after you.

**Hon. Okumu:** Thank you Mr. Speaker, I arise to support this report that recommends the amendments of the Standing Orders. I want to tell Members that what we are doing isn't to change but to amend the Standing Orders, and any Member who still believes that the Standing Orders cannot be amended simply needs prayers. Even if you look at the numbering alone, several anomalies are evident and yet somebody is still asking why the amendment is done now. I want to take them back to Standing Order No. 244 which we have used in this Assembly for the last several months, it states in 244(1); *' A member may with support of at least two other members, request the County Assembly procedure and Rules to consider an amendment to this Standing Order.* Those who are adamantly asking why the Standing Order is being amended now, refused to support the previous time the amendment motion was brought forth. We want to amend the Standing Orders now because we cannot leave Standing Orders that even its numbering is erroneous.

Mr. Speaker, some Honorable Members including Hon. Roy Samo were asking if we can amend this Standing Orders to suit those Members who will be coming in on an independent candidates' ticket. I would want to say that we do not make Laws out of our emotions but we make them based on Laws, and would like to refer you to article 85 of the Constitution of Kenya (CoK), which talks about the Independent Candidates. The article 108 of the CoK talks about the Party Leadership in the Assembly, and the party leadership in the Assembly does not factor in Independent candidates as is in the Constitution of Kenya. We can therefore not display our emotions while presenting our arguments just because we have various friendships and likings to some of us say, Hon. Ogotu, who are vying on independent candidate's ticket. I think we need to make Standing Orders...

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

**Hon. Ogutu:** Mr. Speaker, I think Hon. Seth Okumu should apologize for mentioning my name because he is well aware that I am the Chairperson of Independent candidates' committee in Kisumu, and my members are here.

*(Laughter)*

That is a fact that cannot be disputed and you should compel him to withdraw my name from his submissions.

**The Speaker** (Hon. Oraro): Thank you Hon. Ogutu, I want to say that maybe he used your name as a reference but first let me allow him to finish his submissions.

**Hon. Okumu:** Thank you Mr. Speaker.

**The Speaker** (Hon. Oraro): Wait a minute Hon. Seth Okumu. Hon. Pamela, is it about the same thing or a different issue because you already requested for attention from Hon. Seth Okumu.

**Hon. Beatrice Pamela:** I have a point of information Mr. Speaker.

**The Speaker** (Hon. Oraro): Whom do you want to inform?

Serjeant- at- arms can you assist Hon. Beatrice Pamela with the microphone?

**Hon. Beatrice Pamela:** Thank you Mr. Speaker, I would like to inform the House.

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

**Hon. Beatrice Pamela:** *(On a Point of Information)* There was an amendment that was done at the National Assembly that recognizes Independent Candidates, who are further allowed to form a caucus to agitate for their positions. Once a Law is passed in the National Assembly, there is no way a lower parliament such as Kisumu County Assembly can purport to stand above that Law. As at now, the independent candidates are recognized almost like any other recognized parties.

**The Speaker** (Hon. Oraro): Hon. Beatrice Pamela, I think you need to go and recheck the amendment properly. You understand that a caucus isn't a party, and I request that as we debate, let's not mislead the House. Kindly recheck what was provided for in the amendments. Otherwise, Hon. Seth Okumu can you conclude?

**Hon. Okumu:** Thank you Mr. Speaker for that guidance. I think Hon. Beatrice Pamela thinks that we can argue in this House of Law based on emotions. If she wants to refer to a Law, she can simply state the reference to Acts and Sections of the Acts she intends on laying out.

*(Loud consultation)*

**The Speaker** (Hon. Oraro): Wait a minute Hon. Okumu. Hon. Beatrice Pamela, you stood here earlier when you were making your submissions on the report and one of the references that you made was on the Point of Order, and your concern was that if you stand, I may not notice you. You even said that someone should stand and say a Point of Order. How then do you start talking with the microphone off?

**Hon. Beatrice Pamela:** Thank you Mr. Speaker, the Hon. Leader of Majority has been allowed to the floor

**The Speaker** (Hon. Oraro): Just a minute, Leader of Majority. Hon. Philemon Ojuok, let me get to hear what Hon. Beatrice Pamela is saying then I give you the chance to submit.

**Hon. Beatrice Pamela:** Mr. Speaker, I am agitated because Hon. Seth Okumu mentioned my name alleging that I am debating based on emotions. I want to say that I am the most sober woman in this House, who always speaks based on factual information. So, Hon. Seth Okumu should withdraw that statement and apologize.

**The Speaker** (Hon. Oraro): Hon. Beatrice Pamela I understand that but you realize that you cannot blow your own trumpet rather let others do it for you. In addition, I've heard you make reference to the Hon. Leader of Majority and others. Nevertheless, I still request humbly that let's debate soberly.

Hon. Ogutu, I have given you several chances of submissions let me give this chance to Hon. Seth Okumu to conclude so that we dispense with this matter.

**Hon. Okumu:** Thank you Mr. Speaker, I just received information from Hon. Beatrice Pamela's earlier submissions that we changed a Law in Parliament and was requested that to make it easier for us, she should have made a reference to that Law as well as the Section of the referred law. I have the Constitution of Kenya here with me, and in Article 108 of the Constitution, it talks about party leadership in the Assembly. It also talks about there being of the Leaders of Majority and Minority. The Section further describes the Leader of the majority party as the person who is the leader of the National Assembly of the largest party or coalition of parties. Mr. Speaker, we have not changed our Constitution as at now and we recognize the independent candidates. However, the independent team however big it can be in number, it can never form a party and will never have party leadership in the Assembly.

We as the County Assembly of Kisumu, who are sponsored by the Orange Democratic Movement, (ODM) party, and I will not sit here and make changes in the Standing Orders to create room for independent candidates. Mr. Speaker, on matters of amending this Standing Orders, a report has been brought before this House, and we are debating on the report that has been brought by the Committee on Procedure and Rules.

**Hon. Ogutu:** Mr. Speaker...

**The Speaker** (Hon. Oraro): Order!! Hon. Seth Okumu. Hon. George Ogutu, I have noticed several other Members and giving them opportunities makes them take very limited time.

**Hon. Ogutu:** Mr. Speaker, what I want to say is something that Hon. Seth Okumu should observe.

**The Speaker** (Hon. Oraro): Hon. Ogutu have you contributed to the discussion?

**Hon. Ogutu:** No.

**The Speaker** (Hon. Oraro): Well then, note them down so that when your chance reaches you will be able to do so. Hon. Seth Okumu can you continue

*(Loud consultation)*

**Hon. Okumu:** Thank you Hon. Speaker, because Hon. Ogutu doesn't know the House Rules when to contribute, interject or raise a Point of Order. That is reason enough for us to make amendments on this Standing Orders.

**Hon. Pamela Odhiambo:** Mr. Speaker, Point of information.

**The Speaker** (Hon. Oraro): Order!! Hon. Seth Okumu. Yes, Hon. Pamela Odhiambo whom do you want to inform?

**Hon. Pamela Odhiambo:** Mr. Speaker, I want to inform the House.

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

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker, it is not in order for Hon. Seth Okumu to say that he cannot sit and make Laws for Independent candidates. We have independent candidates who were sworn in in this Assembly and represent various wards within the County of Kisumu. The Standing Orders is to guide the House but not...

**The Speaker** (Hon. Oraro): Hon. Pamela Odhiambo have you contributed?

**Hon. Pamela Odhiambo:** Mr. Speaker, I have contributed but just giving information that the Standing Orders is like a Bible that guides the House and Hon. Seth Okumu should apologize ...

**The Speaker** (Hon. Oraro): What you are doing is debating on the issue but not a Point of Information. Please resume your seat as Hon. Seth Okumu concludes his submissions.

**Hon. Okumu:** Thank you Mr. Speaker, I want to guide Members that a report has been brought to the House and that Members can make as many changes as we want in this report regarding our Standing Orders. Some of you can also object to these changes. I want to agree with Hon. Samo; that we don't need to change Standing Order No. 82, and we can propose that, because a motion was moved and it reads the way it did in this report. A proposal can be made to have it retained as

is in our Standing Orders, and that kind of proposal is even captured in our Standing Order No. 52, which guides on what to consider if a report is brought to the House and changes need to be made to it. We should not cluster emotions or act as though we don't know what's happening. Otherwise, Hon. Speaker, those are my submissions in support of the report, thank you.

**The Speaker** (Hon. Oraro): Hon. Leader of Majority I believe that you are taking notes and yours will be to reply to these issues raised.

**Leader of Majority** (Hon. Onyango): Mr. Speaker mine is very short.

*(Loud consultations)*

**The Speaker** (Hon. Oraro): Order!! Please just takes notes and summarize as you will be replying.

**The Speaker** (Hon. Oraro): Yes, Hon. Philemon Ojuok.

**Hon. Ojuok:** Thank you Hon. Speaker, I want to oppose this motion on the basis that the timing of the motion is extremely wrong because it's making far reaching changes that needs thorough scrutiny.

Mr. Speaker, the timing clearly shows that a good number of Members aren't taking what we are doing seriously. It is fortunate that at the moment, if we feel that those proposing this report feel that it's important and that it has to be changed then, I suggest that they extend the time for the sitting so that we get adequate time to scrutinize this report. Once the discussion and oversight is not taken up then everything is lost in this County. I am actually seeing that there is an intention to gag members in the way this discussion is being done. One of the proposals that is being made here and the noise about independent candidates is not pleasing. I am sitting here as a Member of Ford Kenya- Party but I am not the Leader of Minority and yet that who holds the position of the Leader of Minority is actually sitting on an independent candidate's ticket. So, what's the fuss about the issue of independent candidates?

Mr. Speaker, I want to humbly say that we should get time...

**Hon. Okumu:** Mr. Speaker, Point of Order!!

**The Speaker** (Hon. Oraro): What's your Point of Order?

**Hon. Okumu:** *(On a Point of Order)* Thank you Mr. Speaker, I know people dislike facts but I just heard Hon. Ojuok complaining that he didn't get a chance to sit in the Leader of Minority position. However, he's forgetting that by the time we were forming this Assembly, we were in a NASA coalition that included Ford- Kenya, Orange Democratic Movement, and Wiper- party among others. This means that they were all under the leadership of ODM and therefore it couldn't have made sense if a Minority position would be given to a member party in the coalition. Those are facts that cannot change just because we are closing the Assembly.

**Hon. Ojuok:** Hon. Speaker, those are arguments that would go on for hours. Once you have a conflicted mind then it becomes very difficult to be objective. This whole issue is clouding his objectivity, which is the problem.

**The Speaker** (Hon. Oraro): Hon. Philemon Ojuok just go to the discussion because I believe that we cannot go on with that debate.

**Hon. Ojuok:** Mr. Speaker, I want to say that the timing of this discussion is wrong and my honest opinion is that some people believe that they have a future in the next Assembly and they are beginning to manage that Assembly now, which is very wrong.

*(Laughter)*

God works in different ways from how human beings work. I mean who on earth would have known that the Leader of Majority, Hon. Kenneth Onyango would not be a member of this Assembly in the next Assembly.

*(Laughter)*

Let us leave God to work His ways as He always does and not plan ahead of Him. By that I request that we defer this matter for the next Assembly to pick it up from where we have reached, and discuss it soberly, thank you.

*(Applause)*

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

**Hon. Agolla:** Thank you Mr. Speaker, I will try and be as sober as I can while contributing to the discussion on this final day of the Second Assembly. I want to oppose this report. I have often been nicknamed as a walking Standing Orders. Mr. Speaker, Standing Orders is like a Bible which not only guides this Assembly but also the County, so by rushing to change some of the gray areas which is felt that might interfere with the running of the Third Assembly is a misguided notion.

*(Applause)*

Mr. Speaker, the same Standing Orders that we want to amend has been guiding this House throughout the season in passing many motions and Bills. What could be so wrong with it today? Mr. Speaker let us pray for those who will come back pass a Standing Orders that will guide them. Moreover, there are good proposals to this motion that should be adopted but other proposals not so much. I got this report when I got to the Assembly today, but I haven't had a chance to carefully scrutinize it. It's in order for Members to be given time to do so but now that the time has run out as the Assembly comes to a close today, I want to plead with us to defer this motion. It will allow the new Members to carefully evaluate what to amend and come up with a revised copy of the

Standing Orders that will guide them henceforth. We shouldn't end this Assembly by causing chaos in the Standing Orders. Otherwise, thank you and God bless you.

**The Speaker** (Hon. Oraro): Yes, Hon. Majority Whip, Priscah Misachi.

**The Chief Whip** (Hon. Misachi): Thank you Mr. Speaker, I want to support the sentiments of Hon. Eric Agolla.

*(Applause)*

Mr. Speaker, I want to do so by saying that after much soul searching and because we wouldn't want to be remembered as the team that wanted to gag the coming Assembly. Procedurally the Committee on Procedure and Rules is a docket that should be chaired by the Speaker but on humanitarian grounds, you donated the position to Hon. Genga, who is an absentee chairperson. Absenteeism makes us question whether or not he worked on this report. Mr. Speaker let us observe several things that might happen after our departure that would compromise our dignity, and in doing so we should withhold and defer this report to the next Assembly. The will enable the would be Speaker and Clerk get an opportunity to invite experts in Law and Policies making and this will be read in tandem with the Standing Orders to assist with the changes needed to be made in the Standing Orders. Thank you.

**The Speaker** (Hon. Oraro): Honorable Members, I believe you have just noticed what has happened; Hon. Eric Agolla has proposed the deferment of this discussion on the amendment to the Standing Orders and the proposal has been seconded by Hon. Priscah Misachi, the Chief Whip, as is provided in the Standing Orders. When this happens, we are required to dispense with that proposal and therefore in the next three minutes I want us to have a discussion on the same for us to reach an agreement. I will then put a question to it. If the consensus is on the nays, then we will carry on from where we left.

**The Speaker** (Hon. Oraro): Yes, Hon. Pete Oiko, and Leader of Minority.

**Leader of Minority** (Hon. Oiko): Thank you Mr. Speaker, the report has been brought to the House but reading on the mood of the House, it's evident that a majority don't want to discuss the matter and I also believe that we should defer it to the next Assembly sitting. When you look at the membership of the Select Committee on Procedure and Rules as echoed by the Senior Member, Hon. Misachi, one would certainly doubt whether the chairperson is a party to this report. You can also see that only two members from the Committee are in support of this report. We should therefore defer it without acrimony in the House, thank you.

**The Speaker** (Hon. Oraro): Hon. Maureen Otiang'

**Hon. Otiang'**: Thank you Mr. Speaker and Honorable Members, I would wish to support that the report be deferred to the next Assembly sitting. There are a lot of gray areas and as I stood earlier,

I mentioned that I didn't have access to the report and it has just been brought to me. So, I cannot discuss something that I have no deeper understanding of. Mr. Speaker, today is the day we are closing the Assembly and I don't believe that this should be the way to do it by arguing, pushing and pulling as well as agitation, thank you.

**The Speaker** (Hon. Oraro): Hon. Carren Linet Muga

**Hon. Muga:** Thank you Mr. Speaker, I was forced to come to the Assembly to witness this closing. The Committee clerk called me at around 11.00 a.m. to come and sign the sheet attached to the report as you can see that I am the vice chairperson for the Committee on Procedure and Rules. However, I could not append my signature to something I didn't quite comprehend. Procedure and Rules Committee is an important committee of this House and I want to support a couple members who have proposed the deferment of this motion because we want to go home peacefully and give room to those who are coming to work on its amendment. The Leader of Majority could be so much for the amendment to materialize because he knows that he might not be back here and therefore wants it to be expedited before we exit. Nevertheless, let us allow the coming Members to carefully scrutinize and make changes to the Standing Orders that will guide them through their term. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, I want a member with a contrary opinion.

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

**Hon. Okumu:** Thank you Mr. Speaker, I wouldn't want the discussion to be deferred because the stipulated amendments on the Standing Orders are quite simple. As I mentioned earlier, it would be so sad that we cross over to the next Assembly with a Standing Orders that we could not even amend its numbering. If Members have the belief that this Standing Orders served us for five years, then they must be forgetting that when we got here, revised it and have since done so at least twice. I feel that the amendment such as numbering is quite minimal to be done now but those other alterations on Committee compositions and other gray areas can be deferred for the new Members to work on amending. Thank you.

**The Speaker** (Hon. Oraro): Any other member with a contrary opinion?

**The Speaker** (Hon. Oraro): Yes, Hon. George Ogotu, Hon. Agolla proposed deferment of the motion which was seconded by Hon. Misachi and would want to know if apart from Hon. Okumu, you also have a contrary opinion on the deferment.

**Hon. Ogotu:** Mr. Speaker, that is where I am headed so please give me time. I want to agree with the sentiments on the proposal of deferment of the motion on the amendment to the Standing Orders.

**The Speaker** (Hon. Oraro): No! No! I want someone with a contrary opinion.

**Hon. Ogutu:** Mr. Speaker, but isn't this contrary to what the last Member on the floor opined?

**The Speaker** (Hon. Oraro): Hon. Ogutu please let us save time.

**Hon. Ogutu:** Mr. Speaker I have been standing here since the debate began so, you cannot just wish me away because today is our last day in this House.

**The Speaker** (Hon. Oraro): Hon. Ogutu, can you respect the Chair and resume your seat. You have said that you are supporting the proposal of the deferment of the discussion on the amendment to the Standing Orders. Therefore, I want any other member with a contrary opinion other than Hon. Seth Okumu.

**The Speaker** (Hon. Oraro): Yes, Hon. Johnson Guya.

**Hon. Guya:** Thank you Mr. Speaker, I believe that looking on the mood of the House, it is evident that there's nobody who wouldn't want the Standing Orders to be changed. However, what missed prior to this discussion was proper timing for this discussion and lack of adequate consultation. If I look at the report that has been brought here, still, it has some errors.

**The Speaker** (Hon. Oraro): Hon. Guya, let us not go towards that direction...

**Hon. Guya:** Mr. Speaker, I am still building on my contribution.

**The Speaker** (Hon. Oraro): If the members agreed that we differ it, let us dispense off with that motion first...

**Hon. Guya:** That is what I am bringing Mr. Speaker, I have got you and I am coming to that direction.

**The Speaker** (Hon. Oraro): Are you for deferment or for continuity?

**Hon. Guya:** Mr. Speaker, if you look at this, I want to justify...

**The Speaker** (Hon. Oraro): Hon. Guya, I believe that is not right. Let us just confine ourselves to the motion that has been withdrawn.

**Hon. Guya:** Mr. Speaker, I want to justify as to whether I am for deferment or not.

**The Speaker** (Hon. Oraro): I would appreciate if you start...

**Hon. Guya:** Or if I had any other contrary opinion. Just give me two minutes.

**The Speaker** (Hon. Oraro): Hon. Guya, I would prefer if you are in concurrence with Hon. Agolla or not. If not, I will put a question.

**Hon. Guya:** Mr. Speaker, if you allow me, I will be done in two minutes.

**The Speaker** (Hon. Oraro): Are you on the contrary opinion or in support?

**Hon. Guya:** Mr. Speaker, I have a contrary opinion.

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

**Hon. Guya:** Thank you Mr. Speaker. If you look at the motion and dealing with both Hon. Agolla and Hon. Seth with reasons; First, I want to agree with Hon. Seth that in this Standing Order, there are simple things that we should dispense with for instance, the numbering.

When you refer me to Standing Order No. 63(1) in this report on page which talks about Removal of the Governor 13 yet in this report, it talks about procedure for removal of a Chairperson of a House Committee. Those are very simple things that we can deal with.

Because of all those issues we still have time up to when the new County Assembly Members will be gazetted. I want to plead that we still have time so that we reorganize this report so well with these corrections that even if we approve the report, it is something that does not have same errors that we have been having in this House. Mr. Speaker, with all that, I want to go with the idea of Hon. Agolla that we suspend this report for the time being as we correct...

**The Speaker** (Hon. Oraro): Hon. Guya, allow me give the last person a chance.

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

**Hon. Otura:** Thank you Mr. Speaker. I have a contrary opinion. I know that we are talking about deferment of this report to a later date. However, I want to refer all of us to a Standing Order which is going to guide us through so that we do not defer this report. That Standing Order is very clear. It is only that we have been overtaken by emotions that we do not want to understand its interpretation. It is the provisions of Standing Orders No. 129 which talks of procedures of bringing a Bill to this House. From the report of the Procedures and Rules Committee, we should just follow the same path that if we divert, we are going to dispense off with this report right now so that we do the right thing.

You can also read Standing Order No. 244 (6) it is very clear that we use the procedure of introducing Bills into this House to dispense off this report and it is there.

**The Speaker** (Hon. Oraro): Hon. Members, the second report of the Procedure and Rules Committee on the Amendment of the Standing Orders Pursuant to Standing Order No. 244 (5) was presented by the Leader of Majority on behalf of the chairperson of the committee, seconded and debated. However, in between, a proposal has been made on deferment on the said discussion of the said report to a later date by Hon. Erick Agolla, seconded by Hon. Prisca Misachi and debated upon. So, as per our Standing Order, I want to put a question on that motion within the motion “*The motion of deferment on discussion of this report*”. So, as I put a question, if you say ‘Aye’

by agreeing with Hon. Erick Agolla, we defy it but if you say ‘Nay’, we proceed with the discussion.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable Members, the report has been deferred to a later date. Thank you.

**The Speaker** (Hon. Oraro): Mr. Clerk, next Order!!

## MOTION

ADJOURNMENT FOR *SINE DIE* RECESS PURSUANT TO THE HOUSE CALENDAR  
NOTICE ISSUED ON 16<sup>TH</sup> FEBRUARY, 2022 AND HOUSE RESOLUTION OF  
WEDNESDAY 15<sup>TH</sup> JUNE, 2022.

BY

HON. KENNETH ONYANGO, MCA, MIWANI WARD.

(LEADER OF MAJORITY).

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

**Leader of Majority** (Hon. Onyango): Thank you Mr. Speaker. I want to move a motion that this House Adjourns “Sine Die” pursuant to the House Calendar that was issued on the 16<sup>th</sup> February, 2022.

Mr. Speaker, as we adjourn “sine die”, allow me to say that, first, I have been very grateful to my Political Party ODM that nominated me to be the Leader of Majority of this Assembly. I also want to say that I am so grateful to the members of this Assembly because they have worked seamlessly for five good years.

Mr. Speaker, in a journey just like any other, there are occasions that you do not agree and in other occasions when we agree. However, the most important thing is that we always made progress. Mr. Speaker, in this County, through the cordial working environment, we have managed to pass so many Bills. There is a booklet that you have been furnished that contains what we have been able to achieve. It is also important to note that during that period, we have been able to construct the Speaker’s resident which is a constitutional requirement and more importantly is that we are now constructing an Ultra-modern County Assembly.

Mr. Speaker, I want to inform the members that during this Financial Year’s budget, a lot of money were allocated towards the completion of that Assembly and I do believe that when the Assembly is complete then the efficiency and effectiveness of members shall be enhanced.

Mr. Speaker, I also want to add that some of the mundane issues that we were dealing with here for instance, the issue of whether we should amend our Standing Order so that when you ‘stand’, you just do it in silence or you quote the speaker’s name, I want to believe that the Ultra- modern County Assembly shall be equipped with gadgets that are able to notify the speaker that so and so is on his/her feet. Those are the kind of progress that we have made and as we depart, I want us to continue with that collaboration; I want us to continue networking equally, I want us to continue with the kind of brotherhood that we have seen for the last five years. May God be with us as we work on different career paths and for those who will have the opportunity to make it back into this Assembly, we want to wish you the very best of luck.

I want to inform members that personally I am at peace with myself and I am not bothered at all. So, please do not be so merciful for me

*(Applause)*

Thank you Mr. Speaker and may I ask the Hon. Majority Whip to second the adjournment motion.

**The Speaker** (Hon. Oraro): Yes Hon. Majority Whip.

**Chief Whip** (Hon. Misachi): Thank you Mr. Speaker and Honourable Members. I want to support the sentiments of adjournment “sine di”e and I want to wish all of us a happy family that we have been here. Even though wherever there are more than five or ten people, differences do occur but we did not take them seriously. We are not enemies, we are leaving here when we are all friends and we are all “*Nyawanas*” and “*oches*”. Therefore I take this opportunity to thank you for giving me the job. We have done it so well and if I wronged anybody, I want to say that you forgive me and we move on so that when we meet in the streets of Kisumu or one of the towns in Kisumu County such as Maseno or Ahero, let us all wish one another better life. May God bless this Assembly as we close it today? Thank you.

**The Speaker** (Hon. Oraro): Hon. Members, now that the adjournment motion has been moved by the Leader of Majority and seconded by our Chief Whip as per our Standing Order No. 26. I want to propose a question that the motion is opened for debate. However, the same Standing Order provides that we cannot debate on this motion for more than three hours. So, whoever wants to debate, I will be looking at the time so, please, you limit your contribution to allow other members to contribute.

**The Speaker** (Hon. Oraro): Honourable Members, I will start with senior member Hon. Pamela Odhiambo.

**Hon. Pamela Odhiambo**: Thank you Mr. Speaker. I want to thank the Almighty God for giving me the opportunity to serve in this House for ten good years and I am still hoping to serve here as an independent candidate for the next five years. I am happy because when I get elected as an independent candidate, I will be speaking out my mind. Mr. Speaker, I want to thank some of the

committee members especially the Planning, Housing and ICT Committee. We are elected to represents our electorates and to pass good laws that when you go back to the community, you are embraced as their own.

Secondly, I am happy that there are some amendments that we did in this Assembly that protected our people from future loss. The Chairperson, Planning, Housing and ICT Committee is not around but I want to specifically thank him for the work well done for this County.

In addition, I want to confirm that I stood with my people and we are allowed to lay our departed relatives within our wards and that is Kisumu City. I just want to pray that when I got re-elected, I will still stand firm with our people so that they still bury their people (corpse) at home but not in the cemeteries.

Mr. Speaker, my Political Party ODM gave me an opportunity to serve my constituents for ten years. I am on ODM member who has been saved and joined independent recently but have to thank my party for the previous ten years opportunity given to serve my constituents. To everyone who will be re-elected to come here, next time please, do not elect the leaders in positions like Leader of Majority or Whip because she/he is related to somebody...

*(Applause)*

We have not carried out our duties smoothly the way we should have because we were being gagged in some way. That should not be the case, we should be free to interrogate the County Executive and sometimes may be we were afraid of the oncoming nomination certificates which some of us did not get anyway.

*(Applause)*

So, when you members will be coming back to this House, you should think twice. I am happy that I have managed to channel many projects in my ward. When we go back, people will be able to see that legacies that we have left in our wards which I believe is so good.

Mr. Speaker, sometimes people tend to praise the Governor who does not pass Bills or does Budgetary Allocations in this Assembly. We do them together with the people in our wards. In that manner, we have to appreciate all the members who passed the budget so that the projects can be done in this County. We are supposed to be praised. In the morning someone was heard saying that members of the County Assembly are very stupid people and he could only award us a performance rating of 2%. I do not know where he was coming from or rather from which ward, he should blame his Member of County Assembly (MCA) but not all of us here. Thank you Mr. Speaker, I am praying for you so that you get re-elected. However, when you come to my ward, tell the people that Hon. Pamela has been speaking her mind; she has also been defending you in the County Assembly of Kisumu and now elect Pamela as she is not as ODM member. Thank you once again and may God bless you.

*(Hon. Olale and Hon. Ogutu arise on their feet)*

**The Speaker** (Hon. Oraro): To Hon. Olale, allow me give Hon. Ogutu chance to speak first. I noticed him first.

**Hon. Ogutu:** Thank you Mr. Speaker...

**The Speaker** (Hon. Oraro): Hon. Ogutu, before you proceed; Hon. Members, because of the timing, maybe I should have proposed limitation of time. How many minutes per person? That is because I just want us to agree on that so that we give as many members time as possible to talk.

**Hon. Ogutu:** Mr. Speaker, you can extend time even up to the middle of the night because you know that we are going home, so, we can at least...

**The Speaker** (Hon. Oraro): Okay, proceed Hon. George Ogutu, the floor is yours.

**Hon. Ogutu:** Mr. Speaker and Hon. Members, foremost, allow me to thank God so much because I know today we are marking our five years in this honourable House. You are all aware of what we went through. Especially during the advent of the Covid-19 pandemic which came and some of us became victims I included. However, through God's Grace, we narrowly survived. One thing which is also important to remember is that we joined this House as 49 members including the nominated ones. All of us survived and we praise God for that.

Mr. Speaker, we know that some of our senior staff members whom we found in this Assembly passed on and we can only sympathize with their family and the Assembly as an institution.

Mr. Speaker, when we joined this Assembly, some of us were not aware of the wayforward and even their identities. We have gone through various trainings and some of us are now going home well equipped with the knowledge acquired in the Standing Orders. I am aware that some of us will get re-elected but some will go forever while others will be at the executive courtesy of the elected Governor. I want us to embrace each other. We have passed through some very rough tests. I know that even you the Speaker when you came into this honourable House, you came as a mere or elected MCA. Today we are leaving you in this Assembly as the Speaker of this Honourable House.

Mr. Speaker, things happened to us in different ways and I can only say that because we are departing today, some of us will meet somewhere else while others through God's intervention will be able to come back into this Honourable House. Mr. Speaker let us remember one another in prayers and also putting aside the differences we had in this House. I pray that even if we do not make it back as an individual but, let those who will succeed to come back here continue with the good relationship that we had.

Today, some of our Members like Hon. Pamela who ditched ODM and crossed over to my party which I now know that it is going to bring members like Hon. Olale to this House. The last time I

checked, he is doing well. Let us pray so that we can embrace the independent candidate who would get chance to be elected into this House.

Mr. Speaker, when we were debating, I believe you know what Hon. Seth Okumu said about independent. However, independent ticket is just a vehicle which facilitated us to come here. Even the ODM ticket is also a vehicle which facilitate our coming here but when we come here, let us consider one another as brothers and sisters so that we work in harmony. I am working hard and praying as well because if the chairman of independent candidates cannot come back to this House, it will be very unfortunate. I am also urging Hon. Members who knows my ability to also pray and even donate some funds for me so that I may be re-elected back into this House. When elections are done with, Hon. Ogotu should be one amongst the elected Members. Therefore, I need your prayers so that I can make it back to this House to enable me continue with the good debate which I initiated here.

Mr. Speaker, I believe that I came here as an ordinary person but I am leaving as one of the Assembly leadership. It is an honour and I believe I will continue carrying it throughout my life and I am praying that I come back to continue doing so. May God bless you too? I am also praying for you; if you are re-elected back as the Speaker, I believe we will be together because I am seeing a possibility of you coming back to this House. When that happens, consider others, since I know you will have some authorities especially the ones from independent parties, do not neglect us. Mr. Speaker, with those few remarks, bye everybody and may God bless you all.

**The Speaker** (Hon. Oraro): Hon. Members, I had noticed Hon. Olale.

**Hon. Olale:** Thank you Mr. Speaker. First of all I would like to...

**The Speaker** (Hon. Oraro): Hon. Florence, I have noticed you, I will give you chance.

**Hon. Olale:** Thank you Mr. Speaker. Notable, I would like to thank God for giving us this opportunity of being together. Secondly, I would wish to thank our able Chairperson of the Select Committee of County Budget and Appropriations Hon. Steve Owiti who has managed to bring the Budget Committee together to enable the Committee allocate funds for each and every ward for development. When I joined this Assembly, it was not so since there were some wards which were getting a little bit more funds than others. However, in this Assembly, the Chairperson of the County Budget and Appropriations Committee managed to ensure that at least each and every ward receives developments funds compared to others.

Mr. Speaker, I would also wish to thank the Budget and Appropriations Committee and this House for passing the budget that could allow the projects be implemented in our wards. In addition, I want to thank the donors who gave funds to Kisumu, moreso for the City, the Kisumu Urban Project (KUP) and Kenya Informal Settlements Improvement Project (KISIP) whereby all those funds plus the ones that had been passed in this Assembly have been used to develop the wards including mine.

Nevertheless, Mr. Speaker, I would like to urge the Hon. Members that this is not the end of life but the beginning of good things. It is the time for us to stand tall and tell the general public that we made it and the development that they see in the wards are as a result of the deliberations we made in this Assembly.

Lastly, as the Speaker of this Assembly, you should have organized for us a small get together party that brings all of us together as a family. This would have united us more. I am going to be a member of the Third Assembly as an independent candidate representing Nyalenda “B” Ward. Thank you.

**The Speaker (Hon. Oraro):** Let me consider gender balance by giving Hon. Maurine Otiang’.

**Hon. Otiang’:** Thank you Mr. Speaker. I want to be very brief since I do not have much to say but just to thank the Almighty God for the opportunity given to serve Chemelil/Tamu Ward for the first time. I also want to thank this Assembly for bestowing me with the prestigious seat as the Chairperson of the PIC/ PAC Committee. Mr. Speaker, it has been quite challenging since most of the time when you are heading such positions, you become an enemy of the people. So, that is one of the reasons which made it impossible for me to clinch the ODM Nomination Ticket. However, I do not regret since I did my work and stood my ground and I am so proud of what I did. On that matter, I would wish to request my fellow women that even as we are exiting, more of you should still come back into this House, stand firm, represent and give your views.

Actually, I would admire two ladies in this Assembly. One of them is Hon. Beatrice Pamela. She stands her ground; she speaks her mind and never gets intimidated. The other lady I also like is Hon. Pamela Odhiambo. She does not care whether you are listening or not. She will shout out whatever she wants to say and that really inspired me. For the men side, I would say that Hon. Pete Oiko is another person that I can admire so much because to him, it does not matter whether he stands alone so long as what’ve he is saying he knows that it is the right thing.

Hon. Speaker, with those many remarks, I thank the Honourable Members for showing the kind of faces that we saw. The only challenge that I have is that I came on a partying mood. When I came I thought we were going to finish very early and I did not think that we were to debate about this Bill. I thought we would just talk about ourselves as members then go sit somewhere to relax but it has not happened. So, maybe it was not the time.

Hon. Speaker, I also want to thank the Fourth Estate. They have been so supportive to us by reporting what we do and I really applaud them for that. Otherwise, thank you all, I want to wish you the best of luck and may God bless you, once again thank you.

**The Speaker (Hon. Oraro):** Let me give Hon. Muga to be followed by Hon. Guya then Hon. Atieno.

**Hon. Muga:** Thank you Hon. Speaker, I want to first thank the Almighty God who gave us this life and because of his mercy and love He has enabled us reached this far. Secondly, I must thank the Honourable Members for the good time they accorded me while I served in the Speakers Panelist position for the last 5 years. On the same note, I must thank the Honourable Speaker Hon. Elisha Jack Oraro for the wisdom he had to keep us going safe up to this time. Since I worked with Hon. Onyango Oloo in Speaker's Panel, if not for the faith and trust he had in me he would have not appointed me to work with him.

**The Speaker (Hon. Oraro):** Order!! Hon. Muga, just a minute let me make a call to the Members, I have noticed some members are contributing and leaving. It is not right when others listen to you contribute then you leave without listening to their contribution that's not in order.

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

**Hon. Muga :** Mr. Speaker, I was saying that I would request all the Members who would be able to be re-elected back into this House to please elect Hon. Elisha Jack Oraro to be the Speaker of the Third Assembly. This is because the more time you keep him in this leadership position the more time you will be able to advance in whatever you do.

Mr. Speaker, I must say we need to remain friends. I want to appreciate Hon. Agola because of his knowledge of the Standing Order as you heard him say before the House. I wanted to do some enquiries that's why you see me calling him so that he could be able to advice.

Hon. Members I want to urge you to keep on trusting in God, loving one another and working for our community members diligently. Thank you so much even to those who are talking about being independent candidates. We must say maybe it was not your wish but you were forced to go that route. I cannot forget to thank my party ODM which nominated me, even though I view it was not my turn and I believe that one day God will give me another opportunity to serve in this House once again. Thank you so much and my God keep you alive, strong and continue to love one another and may the peace and the Grace of the Lord never depart from you. Thank you.

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

**Hon. Guya:** Thank you Mr. Speaker, first allow me to thank you for seeing it fit that we have a farewell party after this. Allow me again to thank the people of North West Nyakach Ward who voted me and the party of ODM for being here.

Mr. Speaker, I want to say that for the time that we have been here I have no regrets, we have done what we could the and though the ups and downs, we have managed to achieve what we could achieve and the ones we have not done life does not end today just as Hon. Ogotu always puts it and that God is still there and He works miracles even the miracles we referred to here He works on them.

Mr. Speaker, I want to thank my colleagues here that I jopined this Assembly with. I knew not so many of the members but I knew quite a few about 10 of them at personal level but am leaving when I now know a good numbers. I want to thank all of them that we have worked with, related well with or otherwise. I know during our stay here we have stepped on each other toes which is normal so I want to thank them.

Mr. Speaker, for me am not coming back to the Assembly and I would say that I don't regret because I came knowing that my term was a contract of 5 years and the contract has ended we have to go and explore in other avenues and life must continue.

Mr. Speaker I would like to invite you visit me one day, because I am aspiring to be the best farmer in this county. I believe that is going to be my profession from the next month or so going forward. I aspire to be the best farmer in the county and would ask that when the next Assembly come in case you are there one day you will bring even the Standing Committee of Agriculture, Livestock and Fisheries to come and visit me so that I can train a few of them to be farmers in future because the contract will always end. I would like to urge even our Leader of Majority, I know going back to Nyakach Girls will be a tall order for him. Mr. Speaker you saw yesterday when the students from Nyakach Girls came here yesterday he could not even welcome them and you know why but it is going to be a tall order for him but I want to take this initiative to also train him to do farming I know he has started farming sugarcane but I will help him to expand so that we can work with him.

Otherwise, Mr. Speaker we have been here, we have made friends and we have made enemies, I don't want to say that am leaving with friends I know I also have enemies. Mr. Speaker, for the enemies when we meet in the streets we will say hi but for the friends we will be meeting somewhere to sit and dine together like I am seeing Hon. Ogutu here even though he has said he is coming back next time you will be here please, I will ask for a tag I cannot just walking in the way I have been walking in but when I come to see you please just accept that we come to visit. Mr. Speaker and Honourable Members, I want to wish all of you well in all our undertaking from today. Otherwise God bless you, the staff and Fourth Estate and everybody, bye!!

**The Speaker (Hon. Oraro):** Thank you, I said he will be followed by Hon. Atieno but am seeing he is seated next will be Hon. Ojuok then Hon. Samo. The other side I am seeing Hon. Agolla then Hon. Beatrice. Now let's start with Hon. Atieno.

**Hon. Atieno:** Thank you Mr. Speaker for this opportunity. Five years being together in this House is such a long time and I want to take this opportunity to first thank God because I cannot take it for granted the life and grace He has granted us.

I also want to thank the great people of Kobura Ward for giving me the opportunity to be their representative for the last 5 years. Further, I also want to thank them for reaffirming their support to me in the party nominations.

Mr. Speaker, the great philosopher Solomon son of David said there is a time for everything under the sun, time to sow, time to uproot, time to born and time to die. There is a time when we came here, been here and now we want to disperse and go home and hopefully some of us will be re-elected back here and some will venture in other places. I don't want to say that we have had a bad experience, I believe that we have had a great experience for the last 5years even though there were challenges but, where people encountered challenges, we have experienced a lot but we thank God because this experiences you cannot find anywhere unless you are elected by the people so that you can understand the real meaning of being peoples representative which is sometimes challenging.

Mr. Speaker, this has given me the opportunity to meet good people like Hon. Pete, this is one Member who I admire because he says it as it is whatever he feel in his heart that is right is what he will say and there is a time he was only earning Ksh. 5000 monthly because he was being frustrated for speaking his mind and for pinpointing some of the inadequacies that was being done within the system. But this Member stood his ground he refused to be compromised because he knew the truth and stood for it. I also want to thank the people of Kabonyo/Kanyagwal Ward for reaffirming their support for Hon. Pete. He is a great man that we will cherish always.

Mr. Speaker, I want to that the leadership of this House for being stable and cohesive up to the tail end of our being here. I know it has not been very rosy but in an Assembly like this, I know there must be divergent opinion and thought but the end of it all, we were able to execute our mandates.

Mr. Speaker, as sit I would seek God to continue helping us remain in unity, love and for those that we have been with here including the staff, thank you.

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

**Hon. Ojuok:** Thank you Mr. speaker, I want to say that I am really grateful for the people of Central Nyakach for bringing me into this Assembly. Similarly, I am thankful for all the members that we have met here, I know that there are times we had our differences but I know it was the wish of God we stayed that way.

Mr. Speaker, it is good that at this moment that we are leaving, we are intact and there is no single member that we have lost and indeed it is something amazing that even in the last Assembly no member was lost. Its something that we need to be grateful to God about. I know that we have had our challenges and we would wish to do more but I know God indeed will provide and bring in members that will be able to do that we did not manage to accomplish.

Mr. Speaker, I want to say that even as the Speaker you did your best in where you could but personally, I want to remember you as a colleague when we used to do real oversight. I wish that the people will be able to bring that kind of team that is able to undertake oversight. I am one person who believes that oversight is the cornerstone of every county and without it every other thing crumbles.

So many members have talked to me and have sympathized with my situation and the kind of campaigns that are going on in my ward. Even members of the Fourth Estate have shared with me on that and I want to tell people that don't really dismiss my coming back into this Assembly because I serve a living God and even the last time that I came here that was a miracle in itself. Not a single person would have imagined that a person who had not operated in a party at all would come from Sudan get straight into Ford Kenya and beat other aspirants. It is good that when I came here none other than Oburu Odinga and Ruth Odinga told me and confessed to me that the campaigns that we did there was amazing. It's something and experience that God has taught me and I know that he is the provider of gold and silver, and I know gold and silver is not more than God. Mr. Speaker, I strongly believe just like my slogan always say "Jehovah pok okwamo" and I will be coming back to this Assembly and I will be walking tall and people will be saying that money is not everything, thank you.

**The Speaker (Hon. Oraro):** Hon. Samo then Hon. Beatrice then Hon. Agolla.

**Hon. Samo:** Hon. Speaker, mine will also be very brief. Please allow me to thank you very much for having guided us through this time. I believe that it is about three years that you have been here the last two years we had a different Speaker Hon. Onyango Oloo but know that you came into the picture you have guided us so well and I would wish to say thank you so much.

Mr. Speaker, It's my honor to say that within the short time that we have served together, a lot of things have happened and we have seen very witnessed good developments in our time. As we come up with a new Ultra-modern Assembly where some of us will be able to join and interact again and if God grant the opportunity we will be able to offer the services that are needed.

Mr. Speaker, I also want to take this opportunity to thank the members we have interacted with because we have made very good friends and there are times we had a points of divergence and convergence. There are times we had very difficult times in this Assembly, I remember the Hon. Olale is not here, I wanted to say this but he is not here. Hon. Olale was very cheeky most times and I believe that there was a day I was sitting on that seat he came and gave me a big slap and you know what a big man slap is. I told him you see my friend you might be able to think that at a point like this it may be the right thing to do but when we seat for a long time together it made me realize that what I did at that point was not the right thing, but you see we still have to work together and be a family. Like I said there has to be a point of convergence and divergence and there are one or two times that bring convergence because we are one family.

Mr. Speaker, I want to say that I am a very happy man with some members like Hon. Olwal, Hon. Victor Rodgers because we did agree that we will not vie in the next election or put posters or banners because we know what people are going through. Mr. Speaker, if I say this in low tone if you know what Hon. Otura and Hon. Ogutu are going through now you would say that these guys have taken the right decision because it is not easy for them if you see how the people of Kamagaga are looking for Hon. Otura and the way they are playing cat and mouse game here in other wards

if you wanted to escape fairly is not going to be easy. Even Hon. Ojuok will tell you that it is not easy being an MCA Mr. Speaker, for that I would be able to give it to all the Members who are here both elected and represented that they have really worked so hard and it has not been easy.

When people wake up in the morning you are their first point of contact in everything. For those who want to take their children to school it's their MCA, for those who want to bury their kins and all that you are their undertaker and it very difficult Mr. Speaker, again I would like to wish to say that it is not easy to be a Speaker in Kisumu County where you are going to lead people like Hon. Guya , they wake up in the morning and they need money and that's very difficult. Being an MCA and being a Speaker in Kisumu County are almost two different things. I want to thank you that you have been very lenient at some point when some of us do not even attend Assembly, for instance my friend like Hon. Omoro has for a very long time not been attending Assembly sessions.

Mr. Speaker, I would like to say that you have played a very pivotal role in uniting this House even now that our term is coming to an end. I wish to categorically say that I thank the members who have been part of us as a team, in this House I have realized that people would mean their words when they say yes it is yes and no is no. When you talk about somebody like Hon. Pete and tell him that there is somewhere this money appears but you see this is just the wordings he will be able to tell you that there is ksh. 34 million there but know I kept on looking for the Ksh. 34 million but I could not find it. If you sit down with him and get to understand him on the matter, you will realize that he mean something in what he is saying, maybe sometimes it is not as indicated in physical terms Mr. Speaker, we found a very serious House that worked together to come up with serious bills that was not in the first Assembly.

Last but not least, I would also want to thank the people of Kajulu, they have been very good to me, they gave me an opportunity to be their councilor several years back. At the age of 23 they had seen me as a potential leader and elected me a councilor. Similarly, several years down the line they elected me as an MCA and know they are planning to make me an MP that is the reason you see I don't even move around back at home because they have promised me they are going to make me an MP. So, in this House, as i end my term I would wish to thank them that as they are thinking towards that they need to know that Hon. Roy Samo is still strong and is praying for all of them including my successor.

Finally, let me thank all the members who stood by the rule of law, several times we found ourselves losing the mark but a good number of us stood by the rule of law and were able to articulate the issues the way they were. Just to mention a few people like the Hon. Beatrice Pamela were so good when a matter was there they could be able to pinpoint the areas that needed correction and I would wish to thank them the Hon. Oguya , Hon. Olale and all of them.

Mr. Speaker, let us remember as we are going to vote let us vote wisely. I know some of us have gone to the Roots Party like Hon. Guya while some are still with the ODM and we are going to

vote wisely so that whatever God want us to see we will be able to see. Thank you so much Mr. Speaker and I wish you all the best.

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

**Hon. Beatrice Pamela:** Thank you Mr. Speaker, I would wish to say that it has been a pleasure serving in this House. I met different people with different strength, personality and thinking and I would say that I am happy because I am always of the philosophy that God bring people into your life some for a life time some for a season and some for a purpose.

There are people that God brought into my life for a season, and now that the season is over we have parted ways but I understand it was for a season. There are some who were brought for a purpose some were Peninah's in my life they push me to pray and I thank God because you know if Peninnah did not push Annah to pray she would have gotten a child. Mr. Speaker, some are just enemies you know like the Leader of Majority whom I believe holds a grudge that he had with my daughter in Nyakach Girls and he has transfered it to me. Mr. Speaker, for the last five years he kept fighting me but it is okay because even that was serving a purpose.

Mr. Speaker I can't forget the staff members. They have been very helpful especially the table clerks that came in much later, they were very professional they treated us with respect and I believe I have made some friends and a few MCAs. I thank God for that. Personally, I have had a challenge from the office of the Speaker from the time being because of my personality and the things I believe in and that is also a lesson because am leaving the Assembly much stronger than how I came in. The only thing that I would kind of regret is that when we came in the Assembly we were so much together, Members liked one another but we seem to be leaving more apart compared to when we came in but that's part of life. Otherwise, I would like to appreciate everyone as we are going our ways, wherever you will be God guide you thank you.

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

**Hon. Agolla:** Thank you Mr. Speaker. Foremost, I am aware and believe that this new County Assembly after being constructed, it will offer the Library Services where this beautiful booklet will be placed for future reference. Mr. Speaker, I just want to remind us that, there are some typos that should be corrected and especially copies that will be placed in the Library. Mr. Speaker, you will find like myself, I have served in this August House representing South West Kisumu but, in this booklet it is indicated as North West Kisumu. Similarly, you will find that Hon. Paul Okiri is listed as a Member for South West Kisumu. So, those typographical errors should be corrected.

Mr. Speaker, that notwithstanding, without forgetting, first, allow me to thank the Almighty God who has brought us this far. Mr. Speaker, I can vividly recall when I was elected to this House in Tuesday, 08<sup>th</sup> August, 2017. When I was flashing back, during the "Resist Movement" I and the Hon. Leader of Majority accompanied the Governor and the Senator of Kisumu County and we were at the Jomo Kenyatta International Airport. I can again recall that we were with Mr. Miguna

Miguna and the late Hon. Ben Oluoch Okello Senator for Migori County. This is the reason that I really want to appreciate the Almighty God for being a God who protects his people and the grace that we have received from the Almighty God has enabled us reach today as we close this Second County Assembly safe, alive and kicking.

Secondly, please allow me to really appreciate my family who have equally assisted me physically, psychologically, spiritually to enable me serve the great people of Kisumu County and not only the people of South West Kisumu. Mr. Speaker, please allow me to also thank my party ODM. This is the party that sponsored me to this August House without forgetting the party leader the Right Honourable Raila Amolo Odinga who has championed Devolution which brought us this concept and the governance of this great Republic of Kenya.

Mr. Speaker, I solemnly want to thank the great people of South West Kisumu who in 2017 elected me with more than 9,000 votes out of 13,000 votes and that was an honour and I want to appreciate them in a very special way.

Mr. Speaker, I equally want to really appreciate you as the Speaker of this great County of Kisumu. Equally thank the former Speaker Hon. George Onyango Oloo and the Clerk of the County Assembly Mr. Owen Ojuok, the former clerks who have helped steer this County Assembly to this greater heights.

Mr. Speaker, I don't want to forget Member of the Technical Staff. Mr. Speaker, we have found it much easier to execute our day to day activities as a result of the support from the Technical Staff, the Officers of the House notably the Clerks, the Hansard Team and the Serjeant-at-Arms. May God bless you and I want to sincerely thank you.

Mr. Speaker, I want to thank Members of the Fourth Estate because since we were inducted into this House, we have been working closely with them and in a professional manner and I want to encourage them to continue working professionally because that is what is required of both of us.

Mr. Speaker, I also want to appreciate the Committee Members in various House Committees that I have served. Mr. Speaker, first I did serve as a Member of the First Speaker's Panelist in this Second County Assembly and I want to be very grateful and thank my colleagues Hon. Caren Linet Muga whom we served with in the first Speaker's Panelists and others. Mr. Speaker, I also served as the Vice-chairperson Standing Committee of Water, Environment and Natural Resources and I want to thank Members whom I served with in those respective House Committees. I also want to thank the House Committee that I chaired to date, notably, the Select Committee on Implementation. In that House Committee we have done a lot, I was even privileged to sponsor a Public Bill which was passed by this House and awaiting for the assent of the Governor to become an Act.

Mr. Speaker, the milestones and achievement that we have made collectively in the Second County Assembly even in the electoral ward that I represent, I want to appreciate God for that.

Mr. Speaker, as I conclude, it is written in the Holy Bible in the book of Ecclesiastes Chapter 7 and verses 20 that no human being is perfect. Mr. Speaker, I want to say that, if at all I have wronged any Honourable Member or any member of the Technical Staff, please find it in your heart to forgive me and let us move on. I believe that the Almighty God had a purpose to bring us together, again I want to thank members of the Staff whom we have been working together in one way or the other and looking forward to serve this great County and Country of Kenya in other various capacities that the Almighty God will allow me to serve. I am very humbled to serve as the second Member of the County Assembly for South West Kisumu and a Member who has served in this position to the end. May God bless all of us as we retreat back to our wards to campaign for the 5<sup>th</sup> President Honourable Raila Amolo Odinga who will be the next president of this great republic. God Bless you all!!

**The Speaker** (Hon. Oraro): Yes Honourable Seth Okumu, MCA, East Seme.

**Hon. Okumu:** Thank you so much Mr. Speaker. First, I arise to support the motion of adjourning this House “Sine die” (Indefinitely).

Mr. Speaker, going through the document that was furnished us, and as per the following statistics/data, we have undertaken the following;

- a) Approved over 60 (sixty) Bills;
- b) Over 70 (Seventy) Motions;
- c) Sought 69 (Sixty-nine) Statements;
- d) 5 (five) Petitions and;
- e) Discussed 170 (One Hundred and Seventy) Legislative Committee Reports.

Mr. Speaker, it is my belief that, this is adequate work to allow this House to go and rest and we will come back when an emergency arises and it is when you can recall us back. Mr. Speaker, all that we have undertaken which I have mentioned would not have been possible if the people of East Seme would not have given me the opportunity to come to this House to serve as their representative. Mr. Speaker, on the 06<sup>th</sup> of August, 2022 they made me have a perfect name in this House and so this goes also to other Honourable Members in this House. Mr. Speaker, I really want to appreciate them for according me and all the other Honourable Members an opportunity and that honour has been extended to our part ODM.

Mr. Speaker, in this House I have been privileged to meet very magnificent Honourable Members. In this row, I used to seat with Honourable Seth Kanga, MCA, Market/Milimani, the Honourable Johnson Guya, MCA, South East Nyakach, Honourable Rashid Miruka, MCA, North Nyakach very brilliant men whom I have been privileged to serve with in this August House amongst other Honourable Members.

Mr. Speaker, I want to really appreciate our Leader of Majority. You have even been abused and spewed at so many demeaning acts but in the interest of the Members of this House, you have not

displayed any characteristics that would cause division in this House. Hon. Kenneth Onyango, you are turning to be the first Leader of Majority who has served in this Assembly from the commencement to the end of your tenure. We want to appreciate you for that and I am praying for you the Almighty God open doors for you as you serve in other levels in this great Country.

Mr. Speaker, we equally want to appreciate your office and that of the Clerk and the staff fraternity and without them, all those achievements we have made would not have been made possible. Mr. Speaker, you brought sanity and leadership into this Assembly and we have witnessed serenity as Members deliberate, we have moved from a very chaotic Assembly to an Assembly where Members can have differences but can still discuss and vote and settle as democracy dictates.

Mr. Speaker, please allow me to also recognize and thank the Fourth Estate and its fraternity. Please I seek your indulgence to recognize Members of the Fourth Estate I have seen here since we began this Second August House this includes Mr. Allan Obiero, Wycliffe Odera, Rusdie Oudie, David and Faith Matete continuously broadcasting what we do in this House and keeping this House in check so that we are always in our good behaviour should we not go with what the provisions of the Standing Orders dictates. Mr. Speaker, I want to sincerely appreciate them personally as Hon. Seth Okumu and I want to thank them for showing the public in general the business that we undertake in this House so that when we go outside there, the people acknowledge and appreciate what we do in this House. So, we want to thank and pray for you that you continue with the good work in other Houses and other Sectors because what people demand outside here more than what we are doing here is Civic Education. I believe that you have assisted us do that where we could not. Thank you so much the Media Fraternity.

Mr. Speaker, as we prepare to go to "Sine Die" I want to request the Honourable Members that, this House is not closing but we are adjourning indefinitely which allows the Speaker to recall the Honourable Members anytime an emergency exists. We appreciate that we could not agree on the amendment of the Standing Orders among other issues that can come under our deliberations. I want to request Honourable Members to always stay on check and be alert that should we be...

**The Speaker** (Hon. Oraro): What is it Honourable George Ogutu?

**Hon. Ogutu:** On a Point of Order: Thank you Mr. Speaker, I want to inform you that it is already past 06:00 p.m. So, I request that we move a motion on the Extension of Time so that we continue with the debate.

**The Speaker** (Hon. Oraro): Hon. Ogutu, I believe that we are still within the stipulated time of 06:30 p.m. Again, I have been informed only one or two members have not contributed on this motion so, I believe that we are still within the stipulated time of 06:30 p.m.

**The Speaker** (Hon. Oraro): Hon. Ogutu, I believe that you know what you are supposed to do.

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

**Leader of Majority** (Hon. Onyango): Thank you Mr. Speaker. Ordinarily, we are supposed to adjourn at 06:30 p.m. and it is already 06:00 p.m. and Members that have not contributed are not more than three. So, I was imagining that, if it was for the purposes on debate, Mr. Speaker, you very well understand that extension is needed so I don't want to oppose it.

Mr. Speaker, in that case, I propose that we extend this House for one hour and call on the Leader of Minority to second.

**Leader of Minority** (Hon. Oiko): Thank you Mr. Speaker. I arise to second so that Members may get adequate time to make their contribution. Mr. Speaker, this being the last day in the House when Members are going home and their term is coming to an end and they want to express their gratitude on how well they have worked with their colleagues. So, I do second.

**The Speaker** (Hon. Oraro): Honourable Members, the Leader of Majority has proposed the extension of debating time by one hour and subsequently seconded by the Leader of Minority Honourable Benny Pete Oiko. As per the provisions of our Standing Orders, I want to propose a question that the proposal of Motion on Extension is open for debate. Further allow me to guide the House, I want a Member with contrary opinion.

**The Speaker** (Hon. Oraro): Honourable Members, then if none, I put a question. That, those Members who are of the opinion that the House extends its debate by one hour?

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable Members, we are extending our debate by one hour.

**The Speaker** (Hon. Oraro): Honourable Members, who was on the floor? Hon. Seth Okumu, please proceed.

**Hon. Okumu:** Thank you once more Mr. Speaker. We want to continue appreciating you because even during these last days you could still allow us to extend this session for a further one hour so that we can discuss this motion on "Sine Die". Mr. Speaker, as I had earlier on said, I want to thank the Honourable Members notably, the Honourable Philemon Ojuok, Honourable Carren Linet Muga, Honourable John Atieno, Honourable Senior Member Aslam Khan, Honourable Erick Agolla and Honourable Beatrice Pamela. Mr. Speaker, you can see that even on the last day these are the Members who can seat in the House until we dispense off with the last business of the day. Mr. Speaker, I cannot forget the Honourable Rashid Miruka, he is informing me that, after this he has a ram that he has invited the Honourable Members to go and eat and it will be a way of bringing these Honourable Members together.

Mr. Speaker, I am aware that, as has been alluded by some Honourable Members that we have differences and that they have enemies in this House. How I pray that, those differences be set aside so that we can remain friends and continue serving this nation.

Mr. Speaker, as I conclude, I cannot forget to mention the Honourable Senior Member for Kaloleni/Shaurimoyo Honourable Priscah Misachi. I believe that her long stay in politics and leadership and her motherly nature has always brought this House to discuss matter that we believe could not be discussed. Honourable Priscah Misachi has always guided us, bestowed us with wisdom when we dearly needed it and we want to thank her and we pray that the Almighty God continues protecting her. If the Party allows she comes back into this Assembly, if the Party does not offer her another chance to serve in this House, I believe that she will give us room to go and consult her wherever she will be. The Honourable Johnson Guya, please, you promised me that I will get avocados from the 6000 tree seedlings that you took to Nyakach. I will be visiting you accompanied with the Leader of Majority so that I create a truce between the two of you. So, that you accept that the Leader of Majority is from Kabar and not the other place that you usually allude to.

Mr. Speaker, otherwise, thank you so much and I want to thank the Honourable Members and I pray that the Almighty God grants us the opportunity to again serve in this County Assembly come 09<sup>th</sup> of August, 2022 because the party blessed us with the Certificates of Nomination and we are competing against other candidates. It is our prayer that we will again serve here to continue serving this nation again. Thank you and the Almighty God bless you all.

**The Speaker** (Hon. Oraro): Honourable Aslam Khan.

**Hon. Khan:** Thank you Mr. Speaker. I arise to support this motion but also on the other hand of “Sine Die”. Mr. Speaker, I take this opportunity to sincerely thank you and the Honourable Members for having accordingly guided us and wherever we needed you advice. Mr. Speaker, you were always there for us and you put this House in a functional manner to enable us discharge on our three core duties that were enshrined to us in accordance with the provisions of the Constitution.

Mr. Speaker, I take this opportunity to thank Allah for having given me health to represent my people who are the minorities for 10 years. I similarly take this opportunity to thank my party Orange Democratic Movement and its leader the Right Honourable Raila Amolo Odinga for having nominated me to serve in this House twice to represent the minorities in this August House of Kisumu County.

Mr. Speaker, it has been a good lesson for me, a good way of interacting with the Members of the County Assembly, though some are junior and I would only accept what they were doing since a majority of them were calculating themselves at the right time to be leaders of tomorrow.

Mr. Speaker, I want to take this opportunity to thank all the Honourable Members irrespective of their party affiliations, race and creed that what we did here was wonderful and I am in concurrence with what Honourable Joseph Olale stated about the Chairperson of Budget and Appropriations Committee and I being the Vice-chair. Members of the Select Committee did a good job to ensure that devolution was felt in every corner of this County so that equity is strengthened. Mr. Speaker,

I want to take this opportunity to thank the Fourth Estate for having positively played their role to ensure that this House is always put on its toes and deliver on our mandate.

Mr. Speaker, I similarity want to take this opportunity once more if you allow me to really appreciate the Staff of Kisumu County Assembly for being very sincere and hardworking. Mr. Speaker, there were times when we used to deliberated up to midnight or past 02:00 a.m. while preparing the Budget Estimates and other statutory documents that were actually laborious and time consuming. The staff were always there to advice and accord us time so us we could undertake our duties required out of us. Mr. Speaker, there were even hard times when we used to go around talking to our constituents so that they could get adequate reports prepared on time, our Staff were actually working under a lot of duress and pressure and they delivered when they were expected to do so.

Mr. Speaker, with those few remarks, I just want to say that God willing Inshalah Watallah we will come back if time will allow us and the party nominates us back. If we do not, we hope the Honourable Members that will make it back, will ensure that Kisumu County does what is expected out of them. Thank you.

**The Speaker** (Hon. Oraro): Honourable Rashid Miruka, MCA, North Nyakach.

**Hon. Miruka:** Thank you Mr. Speaker. Please allow me to first support this motion. This days reminds me of the day all of us took the oath of office affirming that may we do all that is required of us to deliver on what is expected in this County.

Mr. Speaker, I want to sincerely support the leadership of this House for the wonderful things that they have undertaken in this House to ascertain that all we wanted goes to success. Again, allow me to really appreciate the member of the public from North Nyakach who ensured that I represented them in this House. Today, I am bidding farewell to my fellow Honourable Members whom I have served with in this House whom I say bye until we meet again. I sincerely want to take this opportunity to really appreciate the Honourable Speaker. I must say that, it has not been very easy because we have encountered challenges but we have circumvented them. If you consider what has transpired in other County Assemblies notably, Homa Bay because two days ago you witnessed what happened but, here in Kisumu County Assembly, we have moved on well to date. Similarly, allow me to make my submission to thank friends that I have known for the time that I have served in this House as a Member of the County Assembly.

Mr. Speaker, I want to thank the Leader of Majority Honourable Kenneth Onyango, my colleague from Nyakach, Honourable Johnston Guya. I want to thank the Almighty God from above for according me the opportunity to meet Bishop John Atieno, Reverend Roy Samo and Reverend Moses Ameso and to meet the Leader of the Opposition Honourable George Ogutu. Honourable Ogutu Oluoch, I pray that God gives all of you the grace to make it back into this House. It would really painful that Hon. Ogutu being the Leader of the Opposition and you don't make it back to this House but, I pray that you make it back with your brigade the likes of Honourable Vitalis

Otura, Honourable Ameso, Honourable Paul Okiri and Honourable Pamela Odhiambo. These are Members who despite having been informed by the Party to step aside insisted that they must come back.

*(Applause)*

Mr. Speaker, I want to wish them all the best. I also want to wish the best to my colleagues who have stood with the party the Honourable Steve Owiti, MCA, Kolwa East, Honourable Kenneth Onyango, Honourable Caren Linet Muga, Honourable Erick Agolla, MCA, South West Kisumu, Honourable Roy Samo and Honourable Johnston Guya. These Members have insisted that despite the computer not having identified them during the nomination process, they still remain steadfast Members of the ODM Party. I want to pray that God willing, including I Honourable Rashid Miruka that God willing we come back in any capacity that the party or our constituents will accord us. Mr. Speaker, I want to say explicitly that, the time that we have been together has been memorable because we have acquainted with one another well. Please let us visit one another and compare notes because, this is not the end of everything, we will still meet and share.

Honourable Speaker, as I conclude, because you are the head of this leadership, I want to plead with you that, after this, kindly ensure that you take us somewhere so that we bond. May the Almighty God bless you! I support.

**The Speaker** (Hon. Oraro): Honourable Olga Atieno, Nominated Member.

**Hon. Olga:** Thank you Mr. Speaker. Looking at the mood in the House, I beg to call upon the mover to reply.

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

**Leader of Majority** (Hon. Onyango): Thank you Mr. Speaker. I have seen my friend Honourable Steve Owiti seated over there. I mean please allow me to say just a little thing in jest. Mr. Speaker, you know Honourable Beatrice Pamela, there is no bad blood between us just that little thing that did not work. I hope it will work next time.

*(Laughter)*

Otherwise, you are my friend and you know.

*(Laughter)*

Mr. Speaker, please allow me to continue applauding Members that have given their remarks, that was a very robust debate. Mr. Speaker, please allow me to really applaud the Fourth Estate. In fact my friend Allan Obiero did some piece on me in the year 2017 and probably we did not have a repeat game that is the reason things did not go well but, I want to say, you are aware that being a Leader of Majority is a very difficult job, it is a duty that is measured by parameters that are not defined in our Standing Orders. The same applies with the Office of the Speaker. Honourable

Members, I want you to note that as we adjourn today, this House has passed 59 (fifty-nine) Bills. As we adjourn today, through that seamless working relationship that we have had in this House, an Ultra-modern County Assembly is speedily coming up.

Those are very fundamental achievements that this Assembly has had. As we adjourn today, Kisumu is the envy of everybody in this region. That could not have happened if at all we didn't mean business. Being the Leader of Majority means that at times you must balance between wider interests of the County and our sectoral interest that sometimes becomes so difficult to fulfil. Otherwise, just like my colleagues have said is that, I want to wish you the very best of luck. I want to say that God willing you may be elected as the Speaker so that you guide this Assembly and the developments that you have preceded in this County can continue. Thank you Hon. Members. I hope Mr. Speaker in your speech I hope that we are going to have an end party and members of the fourth estate are also invited. Let us not think that this is the end of life and we shall still stand strong to support one another and finally let us pray to Raila Odinga. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, now that the adjournment motion has been moved by the Leader of Majority, seconded and debated upon, it is time that we conclude and refer to the provisions of Standing Orders No. 26.

Honourable Members, allow me to also say the following; that it has been a long journey, we have been here as brothers and sisters and I want to just give some few remarks which is for the consumption of Hon. Members. As we mark the end of the Second Assembly today 30<sup>th</sup> June 2022, it gives me pleasure to present that report that you are having in your hand; the report of the State of the Second Assembly for the period 2017 to 2022. In that report you will find what we have achieved in the year 2017 to 2022, our challenges and what we think may happen from 2022 to 2027. I wish to take this opportunity to thank God for his grace and guidance that has enabled us to reach this far. I want to remind you that the document that I have referred you to highlights the various achievements that we have made since 2017 clearly indicating the milestones, challenges and way forward so that the Third Assembly can build on the strengths and prescribe solutions to the existing challenges.

Honourable Members, when you took the duty to serve as a Member of this House, a lots of legal and social obligations were placed on your shoulders just like many Members have said. Apart from the mainstream mandate of the Assembly, the communities that you all represent placed a lots of expectations on you and on this House. The socio-economic development of Kisumu County was handed to you for steering and guidance. Today as we break "sine die" all the people are looking up to you and all they are looking for is your score card and your performance in ensuring that Kisumu County has advanced in her socio-economic activities and development endeavors.

Honourable Members, today, I can confidently confirm that this House has had some challenges just like some Members have said in their debate, that during its initial years and even in the current

years, we have legislated a number of laws and annual policies that ensures that there is continuous flow and acquisition of resources necessary for development of various sectors of the County.

The Annual Appropriation Acts enacted in this House has ensured that departments of the County Executive are able to withdraw from the exchequer for purposes of initiating and fulfilling various development programs in the County. Moreover, this House has equally been able to constantly and consequently monitor appropriate and prudent expenditure and utilization of public funds through her oversight functions which is thorough the House Committees and individual Motions or legislative Statements that have been brought in this Assembly. Honourable Members, because of this dedicated and objective oversight, the entire County Government and the County Assembly have registered consistent improvement on various compliance forums including but not limited to Annual Auditing by the Office of the Auditor General. The County Assembly for example has improved from and Adverse Audit Opinion mentioned in the year 2017/2018 to Qualified Opinion in the year 2020/2021 with very limited effort, something which is a mean achievement.

Honourable Members, we urge the technical staff and the incoming leadership to build on such gains in order to ensure that the County Assembly of Kisumu obtains probably and ISO certification and Unqualified Audit Opinion in the near future.

Honourable Members, you are aware that it is a campaign period and if you walk around you will hear praises on what has been done in this County and on the other side there are complains on what has not been done.

Honourable Members, I want to focus on what has been achieved; they couldn't have been achieved if you were not there because you have created and enabling environment for all the achievement in Kisumu County. The public may not be aware that the Assembly is a driving force of all development activities within the County. Honourable Members, on the Legislative element we have successfully passed over 60 (sixty) Bills just like the Leader of Majority has mentioned, proceed several Motions, Statements, Petitions and Reports which have positively impacted on the socio-economic progress of Kisumu County. Honourable Members, I wanted to highlight just a few Bills which have been enacted into law as follows; The Kisumu County Lakefront Development Corporation Act, 2021 which provided a legal framework to operationalize the Kisumu County Lakefront Corporation which is basically a Special Purpose Vehicle (SPV) for the County Government of Kisumu to oversee the Lakefront development projects. Honourable Members, we are going into record for having passed this Bill. I have heard most Members praying for the 5<sup>th</sup> Hon. Raila Odinga that he be the President of Kenya after the 9<sup>th</sup> August General election. This Special Purpose Vehicle is going to be a game changer in Kisumu County. As we are speaking you have heard what the Governor has reported on a number of investors who have come to invest in Kisumu purposely riding on this special purpose vehicle which you as an Assembly pass and goes into record for passing.

Secondly, and notably is the Kisumu County Health Facility Improvement Fund Act, 2021 (FIF) that established a fund to provide adequate and timely financing for hospitals, health centers and dispensaries and to ensure residents of Kisumu County access quality health services. You shall also go into record for passing this Bill. You are aware that health is a very critical service for the residents of Kisumu County and the neighbouring Counties. You have also heard of the challenges in various sectors especially Health centres and the dispensaries. With the FIF Bill, they will be able to run the facilities without relying 100% on the Exchequer Releases or the Treasury provisions because the funds collected within the facilities would be ploughed back to run the facilities. The funds that are allocated for health would be ring-fenced for purposes of holding. You are aware that currently, all the collections goes to the National Treasury and when they go to the County Treasury, you cannot separate which one comes from the Health Sector and which one goes to the other sectors. The treasury has to wait for the approval from different sections.

Thirdly, is the Kisumu County Project of Implementation Management Bill, 2021 which provides for the framework for effective and efficient management of implementation of County Government projects as well as strengthening citizen management in efficient and effective management of projects within the County? You are also aware that the biggest challenge that Kisumu County has is delay in project implementation and the delay has led to occurrence of Pending Bills and even dissatisfaction on the citizens towards service delivery. We hope that the Third Assembly will be able to create regulations for operationalizing this Bill and I believe that project implementation will be 100% achieved in any occasion.

Honourable Members, again the Kisumu County Revenue Administration Amendment Bill, 2022 which we passed last week. It provides for the establishment of Kisumu County Revenue Board as a body for the assessment of collection of County revenue. We hope this move will boost our Own Source Revenue (OSR). This is a replica of what KRA does and you know the levies and the taxes that are charged by the County. Other Counties like Kakamega have done it and it has proved to be successful. This is an amendment of the existing Bill and I hope that the Third Assembly will be able to work on the regulations as appropriate and that the Executive will be able to establish this Board so that we improve on the own source revenue.

Honourable Members, other Bills that have been approved by this House include;

- i. Kisumu County Emergency Fund Act 2018 which provided a legal framework for the establishment of an Emergency Fund for the County to deal with emergencies such as floods and natural disasters.
- ii. Kisumu County Administration Village Unit Act 2018 provided a legal framework which enabled the service of the County to be devolved to the lowest level that is the village. You are go into record that having passed this Bill not less than 12 members of wards were employed and earning from the County Government.

- iii. Kisumu County Climate Change Act, 2020 which provided a regulatory framework which enhanced response to climate change and provided for the mechanism and measures to achieve low carbon development as well as financial mechanism for the implementation of climate change adaptation activities. This is something that is a global discussion on climate change and we are in record for being among the first Counties to enact Climate change Act alongside its regulations. This will serve the County a long way.

Honourable Members, those Bills along many other Bills like the Kisumu County Community Health Services Act, 2021 which deals with the community Health workers. The Bill is trying to empower them and ensure that much attention is given to the lowest level of health services along other Bills that have been passed. I can say you did great.

Honourable Members, remember also that we have ensured that the citizens is part and parcel of our deliberations and decisions making through active public participation. We referred to “*Bunge Mashinani*” here that is an initiative where the Assembly undertakes its sittings at the ward level on rotational basis. However, it could not proceed due to emergence of Covid-19 pandemic. I would like to encourage the next Assembly that “*Bunge Mashinani*” is a very critical point where the citizens can air their views and also enable the Assembly showcase what they are doing. To be sincere, most residents don’t understand what the Assembly does. I remember when we went to both Nyakoko in Miwani Ward and East Seme the feedback was very positive. I heard a Member was worried about the costing, I believe that it is important to go to the records and check what was spent. I know there are Members who can raise any concern that can create misunderstanding among the Members but like any other Public Participation such an event is guided and I want to encourage those who will be in the Third Assembly that you should encourage “*Bunge Mashinani*” to proceed.

Honourable Members, on Capital Development. The Assembly successfully acquired land within the city for the Construction of Ultra-modern Assembly and the Speaker’s Resident. The process of title deeds for these two parcels is currently underway. I am happy to report that the construction of the Speaker’s resident is currently complete while the construction of the ultra-modern Assembly is ongoing. We have also done renovation in the existing Assembly infrastructure to improve the working environment for the members and staff. You know how the Assembly looked like initially. You are aware that in terms of the welfare of Members you could not even visit the toilets. You are aware that even in this chambers it was not possible to sit here for one hour. Those are the achievements that you ensured in this second Assembly. I also want to say that the Construction of the Speaker’s resident will be a saving to the Third Assembly and the other Assemblies that shall be coming. You are aware that there were expenditures on renting residents for the Speaker. Those funds have been diverted to other activities which will ensure that the Assembly meets its objectives and the same applies to the Debating Chamber.

Honourable Members, right now we are renting one floor at Mega plaza for a number of staff at a cost of around Kshs. 600,000 per month. That will be a saving once the Ultra-modern Assembly is done because everybody will be hosted in Assembly facility.

Honourable Members, personally as Elisha Jack Oraro and as Speaker, when I took over the mantle of leadership of this Assembly in an acting capacity in September 2019 and later on Friday, 24<sup>th</sup> January, 2020 during a Special Sitting, Members overwhelmingly voted me in as the Substantive Speaker, we collectively made a conscious decision to streamline our operations in order to be more efficient in service delivery. We also changed our tactic of oversight and promoted consultation and engagement as a way of doing or oversight. We reached this very vital decision coming at the backdrop of lessons learnt during the regime of my predecessor that is from 2017 to September 2019 in which I served in this Assembly as a Member of County Assembly representing Kisumu North.

Honourable Members, from what used to be perceived as a rough relation between the Executive and the Assembly, we have built a close working relationship with the two levels of the County Government to improve efficiency and effectiveness in service delivery. We have done this as we guard the independence of the Assembly and effectively discharge our oversight role to ensure that the County Executive remains accountable to the people. I want to go on record that in the whole of Kenya it is only in Kisumu County where 5 (five) County Executive Committee Members have been dismissed without impeachment basically through consultation and presentation of facts. If anybody can challenge me please quote any County within Kenya which has done so. We did not do that one because we never liked the County Executive Committee Members but we wanted to improve the service delivery in Kisumu County.

Honourable Members, to this end allow me to congratulate you as Hon. Members for the hard work to ensure that the County Assembly achieved its mandate of legislation, representation and oversight. I wish to single out some Members for example Hon. Ogutu for his regular attendance of the plenary and the committee sittings and being an active debater in the House. Not just Hon. Ogutu alone; Allow me to congratulate Hon. Agolla who goes in the History of the Second Assembly as the only legislator who has sponsored a private Bill that is the Kisumu County Project Implementation Management Bill, 2021. I also wish to further recognize the Leader of Majority Hon. Kenneth Onyango who presented the highest number of motions during this period. Hon. Miruka, Hon. Philemon Ojuok, Hon. Guya and Hon. Pamela Odhiambo for the more statements for this House. I am not saying the others didn't raise but I just wanted to mention a few. I can also not forget Hon. Kanga for being a robust debater and most importantly a Party loyalist. I am here courtesy of ODM and I have noticed that he is a strong Party loyalist. The Members of the Speakers' Panelists; Hon. Inviolata, Hon. Seth Okumu and Hon. Muga for the presence and guidance as appropriate.

Honourable Members, I also don't want to forget the House Committees notably the Standing Committee of Health led by Hon. Jagongo, Committee of Water and Environment, Committee of Planning and Industrialization, Committee of Agriculture, Livestock and Fisheries specifically for presenting most reports. I am not going to forget the Select Committee of Budget and Appropriation led by Hon. Steve Owiti for the kind of work and for always standing firm with the members. I remember in the last Budget Estimates for FY 2022/2023, he still stood firm that there should be funds channeled to the wards despite not having been nominated to carry the flag for his Party ODM. I cannot fail also to mention some of our Members like Hon. Genga and Hon. Omoro who are serious absentees in the House. They take the record for being the most absent Members of the County Assembly in the second Assembly.

*(Loud Laughter)*

Honourable Members, I cannot also fail to mention how we greatly benefitted from the institutional memory from our senior members like Hon Priscah Misachi, Hon. Aslam Khan, Hon Paul Okiri and Hon Odhiambo. From what used to be perceived as the normal Assembly, we gathered a lot from those members and actually I thank everyone for their contribution. Hon. Roy Samo played a religious role, being a mediator whenever an issue arose between members. I cannot miss to mention Hon. Beatrice Pamela for her robust debating. The list continues and I am able to mention each and every member with their strengths and weaknesses, but I believe that this is the best Assembly that we have had and I hope that the Third Assembly will have the opportunity to challenge what the Second County Assembly achieved.

Honourable Members, at this juncture, I want to thank the staff of the Assembly, led by the Clerk; Mr. Owen Ojuok, for the technical support they offered to ensure that we achieved our mandate and I equally appreciate some of the stakeholders with whom we have partnered during this period as a parliament/assembly in Kenya.

Such partners include; The National Parliament of Kenya, Westminster Foundation for Democracy (WFD), CAF, UNICEF, USAID, Ombudsman among other partners who collaborated with us and helped us in the capacity development of both the members of the Assembly and the staff that ensured that we improved on our service delivery.

Honourable Members, as I conclude, in September, 2021, we launched the County Assembly Strategic Plan 2020-2024. The rationale behind the development of this Strategic Plan was to ensure that the County Assembly is focused on its mandate as it delivers services to the people of Kisumu, in the ever changing environment. As we now warm up for the Third Assembly, we can proudly say that the roadmap for the Assembly into the future has been drawn. Therefore, there is a road to follow up to 2024, where after they may probably develop a new roadmap.

We are not closing the Assembly. We are only going to adjourn and you remain members of Kisumu County Assembly until the 08<sup>th</sup> of August, 2022. So I want to plead with you that should

there arise any occasion where you are requested to come, please, we'll do the gazette; avail yourselves. I also invite all the stakeholders and members of staff of the Assembly to further build on the milestones that we have endeavored to achieve and I just want to wish you all God's blessings and good luck in your endeavors.

Finally, Hon. Guya whispered to me here, that as things are done differently, so must we do ours. So, the Member has instructed that when we conclude the Assembly, we follow him. You said you have organized a party for us today? The Member said we follow him. So please, we are going to bid the goodbye at Hon Guya's get-together party. Honourable Members, as I said, I reiterate that we are not concluding. The rest of our plan will be communicated to you as appropriate in the forum where we communicate, but for now we are in the hands of Hon Johnson Guya. Thank you.

### **ADJOURNMENT**

**The Speaker** (Hon. Oraro): Honorable Members, with those few remarks pursuant to the provisions of Standing Order No.26, the House stands adjourned "sine die".

*(House rose at 6.43 p.m.)*

*Addendum*

**Hansard Team**

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