

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FIRST SESSION

Thursday 03rd November, 2022

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

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

PRAYER

The Speaker (Hon. Oraro): Mr. Clerk, 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 you to this session and I want to do a reminder to the committees that has been given work during the discussions in the House or the ones that are generated by the committees. Kindly let us adhere to the timelines. It is very key. I also want to direct that the committees which have been given work through Statements or commitments based on reports and targeting Sectoral Departments at the County Executive, find a way of communicating the same so that when you are inviting the County Executive Committee Members, then you do it at once.

It is very important that we ensure that there is coordination amongst and within the House Committees. That should be the responsibility of the Liaison Committee in consultation with the Office of the Clerk.

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

PAPER LAID

THE KISUMU COUNTY BUDGET REVIEW OUTLOOK PAPER FOR THE FY 2021/2022BY

HON. KENNEDY OUMA OOKO

LEADER OF MAJORITY.

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

Leader of Majority (Hon. Kennedy Ooko, MCA, Ahero Ward): Thank you Mr. Speaker. Pursuant to Section 118 (4) (a) of the PFM Act 2012, I wish to lay today Thursday 03rd November, 2022. The Kisumu County Budget Review Outlook Paper for the FY 2021/2022. Thank you.

(Leader of Majority lays the policy document before the House for consideration)

The Speaker (Hon. Oraro): Honourable Members, I confirm the receipt of the County Government of Kisumu County Budget Review and Outlook Paper for the FY 2021/2022 as presented by Hon. Leader of Majority. I want to commit this report to the Budget and Appropriations Committee. Look at it and give us a report in the next Twenty-One working days. Honourable Members, as you aware, this document gives us a review of a Financial Year. So, I want to request that it should be the interest of each and every Member to look at this report and give your concerns to the Budget and Appropriations Committee before they bring a report. The Kisumu County Budget Review Outlook Paper will inform our next budget.

The Speaker (Hon. Oraro): Next Order!

STATEMENTS

The Speaker (Hon. Oraro): Hon. Jenipher Obonyo.

The Deputy Majority Whip (Hon. Jenipher Obonyo, MCA, South West Ward): Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 41 (2) (b), I wish to seek for a Statement from the Chairperson Health Housing and Sanitation Committee regarding Chulaimbo Sub County Hospital.

It is extremely sad and unbelievable that a Sub-County Hospital that Chulaimbo is, has no power back up in case of blackout. I was visiting a patient at the facility when power went off and close to ten minutes later, the facility was still engulfed in total darkness. Upon enquiry, I was made to understand that the facility of that stature has no stand by electric generator. I was also informed

of several instances where power is off during the deliveries and nurses are forced to use their mobile phone flash lights to carry out such crucial process.

Honourable Speaker, it is in this regard that I seek a statement from the Chairperson, Health, Housing and Sanitation Committee to investigate and report on;

1. Why there is no power back up plan at the Hospital?
2. The measures the Health Department is putting in place to ensure that there is either, solar or generator to salvage that the already soiled reputation of the hospital.

Thank you.

The Speaker (Hon. Oraro): The Chairperson, any response regarding the matter from the Health, Housing and Sanitation Committee?

The Speaker (Hon. Oraro): Yes, Vice Chairperson, Health, Housing and Sanitation Committee.

Hon. Emily Oginga (Specially Elected): Thank you Mr. Speaker. I wish to respond on behalf of the Health Committee on the concerns raised by Hon. Jenipher Obonyo regarding Chulaimbo Sub County Hospital. I wish to inform this House that as a committee, we shall visit the facility and engage the personnel in charge of the facility on the prayers of the Honourable Member.

The Speaker (Hon. Oraro): Thank you Vice Chair, Health, Housing and Sanitation Committee. There are prayers of the Honourable Member and I want to direct that this statement be handled by the Health, Housing and Sanitation Committee and you report back within Two weeks.

The Speaker (Hon. Oraro): Yes, Hon. Benny Pete Oiko.

Hon. Oiko (MCA, Kabonyo Kanyagwal): Thank you Mr. Speaker. You have advised that the Kisumu County Budget Review Outlook Paper is out and Members should take keen interest on it because it is a review of the budget of the last Financial Year. My request is that, the hard copies should be made available to the Honourable Members. There are documents which are very important which cuts across and that all the Members should access to.

The Speaker (Hon. Oraro): Thank you. That will be sorted. Mr. Clerk also ensure that a scanned copy is available on our website so that both the Members and the public can access it.

The Speaker (Hon. Oraro): Hon. Benson Ambuti Adeg, MCA, Kajulu Ward.

Hon. Adeg (MCA, Kajulu Ward): Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Order No. 41 (2) (b), I wish to seek for a Statement from the Chairperson, Public Works, Roads and Transport on the status of the Osiepe-Jamna-Thuol-Ongadi-Soi Road in Kajulu Ward.

The road has been cut off by the over flowing storm water completely destroying section of the road. Thus, rendering it impassable. If not immediately repaired, the impassable road shall jeopardize the upcoming National Examinations in the following schools which are directly and only served by the said road. Ongadi Primary School, Obuolo Primary and Secondary Schools, Rae Primary School, Okok Primary and Secondary Schools, Bukna Primary and Secondary Schools.

Mr. Speaker, this may also hamper the transportation of farm produce from Kajulu to town. The pathetic state of the road and the urgency of its repair and maintenance is within the knowledge of the Department given that it had been adequately inspected by the relevant officers from the Department on 18th July, 2022, a report which is within their custody for implementation.

Mr. Speaker, in their response, the Chairperson should give the details of the plan of immediate and urgent repair or maintenance of Osiepe-Jamna-Thuol-Ongadi-Soi Road considering the importance and urgent logistical arrangement.

(Laughter)

The Speaker (Hon. Oraro): What is it Hon. Majority Whip?

Chief Whip (Hon. Kanga, MCA, Market Milimani Ward): Thank you Mr. Speaker. The Honourable Member on the Floor is complaining that the farm produce, that is “*jamna*” (*Blue berries*) will not reach town.

(Laughter)

The Speaker (Hon. Oraro): Hon. Adegwa.

Hon. Adegwa (MCA, Kajulu Ward): You are aware that my Ward produces a lot of fruits like the one mentioned by Hon. Kanga. You remember this song in mother tongue and I quote “*Mon ma Kajulu enoromne gi kotingo jamna.*” and the road is called Osiepe-Jamna-Thuol-Ongadi-Soi. The details of immediate plans on the repair and maintenance of Osiepe-Jamna-Thuol-Ongadi-Soi Road considering the importance and urgent logistical arrangement around the upcoming National Examination that may be jeopardize the process. Thank you.

The Speaker (Hon. Oraro): Chair Roads Committee, do you have anything to say.

Hon. Rakwach (MCA, Kolwa East): Thank you Mr. Speaker. I will liaise with the County Executive Committee Member so that something can be done about the matter. I would also wish to encourage Members that you focus on the roads during budgeting. The conditions of roads are in bad state. So, you may consider which is important between ECD classrooms and roads.

Hon. Okumu (MCA, East Seme Ward): On a Point of Order! Mr. Speaker, I just want to ask for your guidance if it is right for the Chair of Roads to insinuate to the House that education is not important in this County and ECD forms part of education system in Kenya. Thank you.

The Speaker (Hon. Oraro): Hon. Reuben Rakwach.

Hon. Rakwach (MCA, Kolwa East): Thank you Mr. Speaker. I used ECD as an example. It is also important but roads are more important.

(Laughter)

Hon. Rakwach (MCA, Kolwa East Ward): Because you cannot take exams to students if the roads are impassable. Exams can even be taken under trees but you must use roads to reach the examination centers. Unless, you use choppers. Thank you.

The Speaker (Hon. Oraro): Honourable Member (Hon. Okumu), I believe that you are guided.

The Speaker (Hon. Oraro): Yes, Hon. Onditi.

Hon. Onditi (MCA, Ombeyi Ward): Mr. Speaker, I want to inform the Honourable Member that for you to become an engineer like him, you must go to the classroom.

(Laughter)

The Speaker (Hon. Oraro): Hon. Rakwach.

Hon. Rakwach (MCA, Kolwa East): I have been informed by the Honourable Member and I want to inform too that for you to go school also you must use a road. So, we must work on the roads first.

The Speaker (Hon. Oraro): What is it Hon. Moses Ochele?

Hon. Ochele (MCA, East Kano Wawidhi Ward): Mr. Speaker, I take offence with the assertions of Eng. Hon. Rakwach that, I think I can speak some words in English but the school I attended had no roads until I became Honourable Member when they saw road. What is important is going to school, getting educated so that the road can come later. You cannot inform the House that the road is the most important thing in our society. Education first. If you can accept that Hon. Rakwach, then we will give your road number two but what is important to the residents is education.

(Laughter)

The Speaker (Hon. Oraro): Hon. Rakwach.

Hon. Rakwach (MCA, Kolwa East Ward): I accept, but you have heard Hon. Adega lamenting on the status of his roads. I will liaise with department to ensure that the issue is addressed.

The Speaker (Hon. Oraro): What is it Hon. Moses Ochele?

Hon. Ochele (MCA, East Kano Wawidhi Ward): Mr. Speaker to summarize his concerns, when a statement has been raised, it is important for the Chair to concentrate on his docket. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Adega.

Hon. Adega (MCA, Kajulu Ward): The Honourable Member who has just resumed his seat is naked. Are we allowed to put on t-shirts in the House? Kindly guide the House on that.

(Laughter)

The Speaker (Hon. Oraro): I have noticed Honourable Deputy Leader of Majority. Sergeant-At-Arms you can confirm for me if that is true so that we can assist the Honourable Member.

(Laughter)

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach): Mr. Speaker I take offence when Honourable Member for Kolwa East underrates education. I expected him to urge the sector to embrace e-learning. I believe education is more important. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I want to give direction on that Statement. The Honourable Members are in order to contribute on this matter. Hon. Adega is looking for the road to the school. Therefore, it means the school came first. Hon. Rakwach requested that we give him more time to liaise with the Department of Roads so that the issue raised by Hon. Adega can be addressed. Chairperson Committee of Public Works, what duration do you need to report back?

Hon. Rakwach (MCA, Kolwa East Ward): Mr. Speaker, two weeks will be enough.

The Speaker (Hon. Oraro): Honourable Members, I direct that this Statement be committed to Roads, Transport and Public Works and you report back within Two weeks. Clerks, I hope you have noted that. Hon. Tom Nyaoke. Let me consider gender and give Hon. Millicent Omuya of North Seme Ward.

Hon. Omuya (MCA, North Seme Ward): Honourable Speaker, pursuant to the provisions of the Kisumu County Assembly Standing Order No. 41 (2) (b),...

The Speaker (Hon. Oraro): Hon. Omuya, it is Statement time and you are giving your statement under Standing Order No. 41 (2) (b).

Hon. Omuya (MCA, North Seme Ward): Yes Mr. Speaker.

The Speaker (Hon. Oraro): Meaning it is a Statement of topical concern.

Hon. Omuya (MCA, North Seme Ward): Yes.

The Speaker (Hon. Oraro): Honourable Members, I wish to inform you that, I don't have your Statement.

Hon. Omuya (MCA, North Seme Ward): I engaged one of the officers of the Assembly and she promised to work on it.

The Speaker (Hon. Oraro): The Standing Order is very clear. It should be at least an hour to the sitting.

Hon. Omuya (MCA, North Seme Ward): Mr. Speaker, I presented this Statement for approval last week.

The Speaker (Hon. Oraro): Mr. Clerk approach the Chair.

(The Speaker consulting with the Clerk)

The Speaker (Hon. Oraro): Hon. Millicent Omuya, I am told that your Statement has not been received. Let me have a look at your copy.

(The Speaker going through Hon. Omuya's Statement)

The Speaker (Hon. Oraro): Hon. Nyaoke Tom, in the mean time you can proceed.

Hon. Nyaoke (MCA, North Nyakach Ward): Thank you Mr. Speaker. I did make Statement pursuant to Standing Order No. 41 (2) (b). So, far I haven't received any response yet one of the victims is being laid to rest tomorrow and the other one is scheduled for next week. In the Statement, I requested for the waiver on the mortuary and hospital bills. It was committed to Health, Housing and Sanitation Committee. The affected persons are really on my neck. I request for your interventions. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I heard waiver. The statement was committed to Health Committee. The communication was made to County Executive Committee Member for Health and Sanitation, the timeline given was two weeks.

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

Hon. Okumu (MCA, East Seme Ward): Thank you Mr. Speaker. I am a Member of Health Committee. It's true that we were given two weeks and the Member who raised the statement did not specify that a response should come before burial dates. We just had the CEO of JOOTRH and we can liaise with Chairperson so that those waivers can be effected immediately. Thank you.

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

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach): Thank you Mr. Speaker. One of the victims is being buried, meaning they have already cleared the bill.

The Speaker (Hon. Oraro): Hon. Nyaoke Tom.

Hon. Nyaoke (MCA, North Nyakach Ward): Mr. Speaker., I want to make a clarification that I did make a request for waiver and even for the one being buried tomorrow. So, if we can still have it effected then, we can be very grateful. Thank you.

The Speaker (Hon. Oraro): Honourable Members, there things that are of emergency. It is in my knowledge that the County Government can grant waivers. They have done so in many occasions. I want to advice that a number of these issues must follow due process. If there are such urgency then it requires you to directly engage the Chair of Health Committee. You can engage the CEC Health and normally it is about writing to the facility for the waiver with an explanation why you want the waiver. You also must specify the services you want to be waived.

As it is, the committee will have to wait for the response from the CEC and the burial dates are nearing. On behalf of the Assembly and the House Committee, I say sorry for the delay. To the Chair Health, please do not wait for the time to elapse. Kindly, liaise with Hon. Nyaoke after the session so that you see what can be done.

To Hon. Millicent Omuya, this Statement has not been approved. We can allow you to present it in the next meeting.

Hon. Omuya (North Seme Ward): I oblige.

The Speaker (Hon. Oraro): Thank you. Next order!

MOTION

THE LIAISON COMMITTEE REPORT ON THE APPORTIONMENT OF COMMITTEES
ANNUAL OPERATIONS BUDGET FOR THE FINANCIAL YEAR 2022/2023

BY

HON. NEREAH AKOTH OKOMBO

CHAIRPERSON, LIAISON COMMITTEE.

The Speaker (Hon. Oraro): Honourable Deputy Speaker.

The Deputy Speaker (Hon. Okombo Nereah, MCA, Manyatta “B” Ward): Thank you Mr. Speaker. I rise to move a Motion on the Liaison Committee report on the Apportionment of Committees Annual Operations Budget for the Financial Year 2022/2023.

The Speaker (Hon. Oraro): What is it Hon. Benny Pete Oiko?

Hon. Oiko (MCA, Kabonyo/Kanyagwal Ward): Mr. Speaker, copies of the report has not been availed to the Members.

Deputy Speaker (Hon. Okombo Nereah, MCA, Manyatta “B” Ward): Mr. Speaker, the copies are available online.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): This tendency of Members coming to the Floor without copies of the reports should stop. Reports being posted on the website few minutes before the House commences may be embarrassing.

The Speaker (Hon. Oraro): Let me confirm from the presenter of the motion. Do Members have the copies of the report?

The Deputy Speaker (Hon. Okombo Nereah, MCA, Manyatta “B” Ward): Mr. Speaker, I can confirm that Members already have the copies of the report.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Mr. Speaker, let us be very sincere. It has just been sent at 02:45 p.m.

The Speaker (Hon. Oraro): Hon. Oiko, let us not have the habit of speaking without the authority of the Chair. Let the Member complete giving her side of the debate then you will have time to give us your side.

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

The Deputy Speaker (Hon. Okombo Nereah, MCA, Manyatta “B” Ward): Mr. Speaker, I can confirm they have copies and my neighbor Hon. Adegwa is willing to share his.

The Speaker (Hon. Oraro): Hon. Oiko, do you have your copy?

Hon. Oiko (MCA, Kabonyo/Kanyagwal Ward): Honourable Speaker, the problem is the time the copy of the report is being sent to us. These are copies that should have been sent to us so that we go through them so that when we come here, we had already internalized them. But, if the copies are being sent to us at 02:30 pm. We enter here and we are being informed that the copies have been sent, we do not even know that the copies are. Again, we do not have enough time to go through the report. That is also becoming a practice in this House Mr. Speaker Sir. During the time of Selection Committee report, we complained because it was contentious. This one is also

contentious and the practice continues. Mr. Speaker, give us time to go through this report before we continue.

The Speaker (Hon. Oraro): Hon. Bennie Pete Oiko, I ask you, do you have a copy of the report? Your concern was that...

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Mr. Speaker sir, favour me with a hard copy of the report.

The Speaker (Hon. Oraro): Hon. Bennie Pete Oiko, your concern was that there was no report while the mover was moving the motion. The mover of the motion is saying that the report has been sent and uploaded in the County Assembly website. That is why I was also concerned that are you confirming that you are having the report?

Hon. Oiko (MCA, Kabonyo/Kanyagwal Ward): Mr. Speaker, favour me with a hard copy of the report.

The Speaker (Hon. Oraro): Honourable Member, I do not know because it is going to be difficult since you raised two concerns; one is the delay in giving the report and the other thing that you raised that I gave Hon. Nereah to respond to was lack of report. Those are two different things. There is lack of report, there is also delay and now you are introducing the third one; a hard copy. I wanted to deal with the first one that do you have the report?

Hon. Oiko (MCA, Kabonyo Kanyagwal/Ward): Mr. Speaker, I do not have a copy.

The Speaker (Hon. Oraro): You do not have a copy?

The Speaker (Hon. Oraro): Yes Hon. James Omollo. MCA, West Nyakach Ward.

Hon. Omollo (MCA, West Nyakach Ward.): Thank you Mr. Speaker. I believe that all of us have been served with a soft copy and right now, everyone has it. Maybe for some reason, if Hon. Pete does not have his, that one is his own problem. All of us have a copy and we are reading it and the motion should continue.

(Hon. Adega rises on his feet)

Hon. Adega (MCA, Kajulu Ward): On a point of order!

The Speaker (Hon. Oraro): What is the point of order?

Hon. Adega (MCA, Kajulu Ward): Mer. Speaker, we know that we can help our colleague. With his age, we can supply him with the hard copy next time Mr. Speaker.

(Laughter)

The Speaker (Hon. Oraro): Thank you so much Hon. Adeg. Serjeant-at-arm, get my copy and give it to Hon. Oiko.

Honourable Members, on the second matter that he has raised, let us make it a practice that when we are having a report, let us give Members ample time to go through it earlier enough so that they are prepared as they debate. Let us make it a practice that whenever a Notice of Motion is given, the motion that is coming should reach the Member earlier so that they do their research so that when they are coming to the House, they are prepared to debate on it. But, as it stands now, if you have confirmed that each and every member has the report. I want to request that the mover of the motion to go slowly through the report with the Members so that they absorb it and they get to debate. However, it is my directive that the report should be given to the Members early enough before the debate. So, proceed Hon. Nereah.

(Hon. Onditi rises on his feet)

Hon. Onditi (Ombeyi): Mr. Speaker!

The Speaker (Hon. Oraro): Yes Hon. Tom Onditi.

Hon. Onditi (MCA, Ombeyi Ward): Mr. Speaker, the word ‘early enough’ is relative. It is important for us to be definite in terms of time span within which the document is circulated so that Members have ample time to go through the document before we come to the House. So, if it is 48 hours, I believe that it is important to make it as that.

The Speaker (Hon. Oraro): Thank you so much Hon. Tom Onditi. I used the term early enough because if you look at the Standing Order, there are some motions that do not even require notice. They are discussed as they come. In that manner, yes I agree that the term early enough is relative and what may be early to me may not be early to you. That is why I used that term taking in mind that it can accommodate most of the Members.

The Standing Order also provides the timelines for different reports; at what time they should be brought to the House. Nevertheless, by leave of the House, I have directed that we allow Hon. Nereah to proceed with the reading of the report but, slowly so that Members go alongside with you as you read it to allow them be able to contribute. So, proceed Hon. Nereah

Mr. Speaker and Hon Members, in Parliamentary democracy, committees are essential in the legislative process and assume great importance since the Assembly by its very corporate nature, cannot exercise effective oversight over the Executive arm of Government. Committees are therefore essential tools in the legislative process and for enforcing accountability hence assume great importance. A well-structured Committee system, properly managed by Members in a purposeful manner is critical in assisting the County Assembly to achieve its legislative and oversight roles as stipulated in Article 185 of the Constitution of Kenya 2010.

The Committees of the County Assembly are established under the County Government Act, 2012 Section 14 and also the Kisumu County Assembly Standing Orders which provides for structure, composition and mandate of all committees. Committees undertake tasks on behalf of the Assembly and are thus an extension of the Assembly from which they derive authority on delegated basis. Committees are governed in their proceedings by procedures and practice which reflect those that prevail in the Assembly. The County Assembly Committees are expected to develop/prepare Work plans in line with their mandates for the activities they intend to undertake during the year and prepare sitting programmes from which they schedule their weekly meetings. After preparing their work plans and submitting to the liaison committee, pursuant to the provisions of Standing Orders No.194 (2) (b) the Liaison Committee is mandated to deliberate on and apportion the annual operating budget among all Committees;

Mr. Speaker and Hon Members, after the composition of all committees by the House, the liaison Committee scrutinized the sectoral and select Committee work plans in an exercise carried from 24th October 2022 to 27th October 2022. This was with a view of acknowledging the activities that all committees propose to undertake and the total amount required to fund these activities.

Mr. Speaker and Hon Members,

During the Committee sitting on Tuesday 25th October, 2022 the Committee unanimously resolved to retreat for purpose of apportioning budget for all Committees to enable them carry out their operations. This report has endeavored to apportion all Committees' with funds that will enable them to undertake critical activities in line with each Committees work plan as was presented to Liaison Committee.

Committee Mandate

Mr. Speaker and Hon Members, the Liaison Committee is established pursuant to the provisions of Standing Orders No. 194 of the Kisumu County Assembly Standing Orders which provides that;

- 1) There shall be a select Committee, to be known as the Liaison Committee which shall consist of the Chairperson of Committees as the Chairperson and all Chairpersons of all other Committees of the County Assembly.

- 2) The Liaison Committees shall-

- a) Guide and co-ordinate the operations, policies and mandates of all Committees;

- b) Deliberate on and apportion the annual operating budget among the Committees;

- c) Consider the programmes of all Committees, including their need to travel and sit away from precincts of County Assembly;

- d) Ensure that Committees submit reports as required by these Standing Orders;

- e) Determine, whenever necessary, the Committee or Committees to deliberate on any matter; and

f) Give such advice relating to the work and mandate of select Committees as it may consider necessary.

3) The Liaison Committee shall consider reports compiled by other Committees which reports have not been deliberated by the County Assembly and shall report to the County Assembly on the consideration of such reports.

Committee Membership

Mr. Speaker and Hon Members, the following are members of the Liaison Committee as constituted by the House;

Liaison Committee Members

S/No.	Names	Position
1.	Hon Nereah Okombo	Chairperson
2.	Hon Vincent Jagongo	Vice Chairperson
3.	Hon Elisha Jack Oraro	Member
4.	Hon Kennedy Ooko	Member
5.	Hon Reuben Rakwach	Member
6.	Hon Boitone Ratib	Member
7.	Hon Moses Ochele	Member
8.	Hon Alice Wajewa	Member

9.	Hon Samuel Dedeh	Member
10.	Hon Kennedy Ouko	Member
11.	Hon Zacharia Okoyo	Member
12.	Hon Carren Odhiambo	Member
13.	Hon Seth Okumu	Member
14.	Hon Eunice Alandoh	Member
15.	Hon Mariam Abeid	Member
16.	Hon Henrietta Bodo	Member
17.	Hon Nancy Matara	Member
18.	Hon Vitalis K'omudho	Member
19.	Hon Joachim Oketch	Member
20.	Hon Mildred Ajumbo	Member

Methodology

Mr. Speaker and Hon Members, in coming up with this report, the Committee relied on the following methodology;

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1. Examined work plan submitted by all House Committees
2. Held a meeting in order to build consensus on such issues as identifying best method to be used while apportioning funds to various House Committees.
3. Held a retreat to compile a report.

Acknowledgement

Mr. Speaker and Hon Members. On behalf of the Liaison Committee, I wish to thank the office of the Speaker and the office of the Clerk for the support accorded to this Committee during the processing of this report. I also wish to thank the Members of this Committee for their tolerance and objectivity in the entire process and not forgetting the Committee secretariat for the immense support during the production of this report.

It is therefore my pleasant duty and privilege, on behalf of this Committee, to table this report by Liaison Committee on the apportionment of Committees annual operating budgets for FY 2022/2023 and recommend the same to this House for Consideration and subsequent adoption.

Apportionment of Budget to Committees

Committees' Proposed Budgets Estimates

Mr. Speaker and Hon Members, All Committees presented their work plans which had their proposed budgets to the Liaison Committee for consideration. This was as per the provisions of Standing Orders No. 194(b) and (c). The table below illustrates the total proposed budgets per committee as obtained from the various committees work plans.

Proposed Committees' Budget

S/NO	Committee	Proposed Budget
1.	Budget and Appropriations Committee	27,348,000
2.	Liaison Committee	8,910,000
3.	Health, Housing and Sanitation Committee	8,300,000
4.	House Business Committee	4,180,000
	Public Accounts and Investments Committee	9,870,000

5.		
6.	Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Committee	8,674,000
7.	Appointment Committee	4,000,000
8.	Agriculture, Livestock and Fisheries Committee	9,067,900
9.	Planning, Industrialization and ICT Committee	24,600,000
10.	Public Works, Roads and Transport Committee	8,174,420
11.	Water, Environment and Natural Resources	8,180,000
12.	Children, Culture and Community Services Committee	5,300,000
13.	ECDE, Adult Education and Vocational Training Committee	8,200,000
14.	Cooperatives, Finance, Trade and Enterprise Development Committee	18,930,000
15.	Implementation Committee	11,254,000
16.	Labour and Social Welfare Committee	8,750,000
17.	Welfare and Equal Opportunities Committee	8,250,000
	Delegated County Legislation Committee	5,445,000

18.		
19.	Selection Committee	6,400,000
20.	Tourism, Wildlife and Heritage Committee	8,230,000
21.	Ward Development Committee	9,700,000
22.	Powers and Privileges Committee	4,280,000
23.	Procedure and Rules Committee	5,430,000
TOTAL PROPOSED BUDGET		221,473,320

Apportionment of Committees' Budget

Mr. Speaker and Hon Members, the Committee examined the activities proposed to be undertaken by all the committees, and while determining the budget to be apportioned to each committee, the committee was guided by the following:

1. Constitution of Kenya, 2010
2. Kisumu County Assembly Standing Orders
3. The Approved Kisumu County Assembly Budget FY 2022/2023
4. Committees work plans
5. Precedence from previous Financial Years
6. The Membership of Committees
7. Availability of Funds to be appropriated in Supplementary Budget

For this current financial year 2022/2023, the total budget allocation sharable amongst Committees is Kshs 39,936,000. The committee noted with great concern that this amount could not be sufficient to fund the committee activities for the rest of the financial year. It is on this strength that the committee looked at the current approved budget and proposed that Plenary Allowance for Members of County Assembly and the Speaker be moved to the Committee Services. This is because these funds might not be used as approved by the County Assembly since the Salaries and

Remuneration Commission (SRC) has abolished the Plenary Allowance for both Members and the Speaker. In view of the above the total Resources Available for committees in the Approved Budget FY 2022/2023 is as follows:

1. Domestic Travel Allowance and Transport for Committees – 39,936,000
 2. Plenary Allowance for 48 MCAs (to be supplemented) – 23,961,600
 3. Plenary Allowance for Speaker (to be supplemented) – 1,040,000
- TOTAL AVAILABLE RESOURCES: 64,937,600

Mr. Speaker and Hon Members, in view of the above, the committee went ahead to apportion a total sum of Kshs. 64,937,600 to all the 23 committees as approved by the House. The Committees' budget as apportioned by the Liaison Committee for the financial 2022/2023 is as follows;
Approved Committees' Budgets for FY 2022/2023

S/NO	Committee	Approved Budget
1.	Budget and Appropriations Committee	10,037,600
2.	Public Accounts and Investments Committee	2,500,000
3.	Liaison Committee	4,500,000
4.	Health, Housing and Sanitation Committee	2,500,000
5.	Agriculture, Livestock and Fisheries Committee	2,500,000
6.	Public Works, Roads and Transport Committee	2,500,000
7.	Cooperatives, Finance, Trade and Enterprise Development Committee	2,500,000
8.	Planning, Industrialization and ICT Committee	2,500,000

9.	Water, Environment and Natural Resources	2,500,000
10.	Children, Culture and Community Services Committee	2,500,000
11.	ECDE, Adult Education and Vocational Training Committee	2,500,000
12.	Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Committee	2,500,000
13.	Labour and Social Welfare Committee	2,500,000
14.	Tourism, Wildlife and Heritage Committee	2,500,000
15.	Ward Development Committee	2,500,000
16.	House Business Committee	2,700,000
17.	Selection Committee	2,700,000
18.	Appointment Committee	2,500,000
19.	Implementation Committee	2,000,000
20.	Delegated County Legislation Committee	2,000,000
21.	Procedure and Rules Committee	2,000,000

22.	Powers and Privileges Committee	2,000,000
23.	Welfare and Equal Opportunities Committee	2,000,000
TOTAL BUDGET FOR COMMITTEES		64,937,600

COMMITTEE RECOMMENDATIONS

Mr. Speaker and Hon. Members, the Committee recommends as follows;

1. THAT all committees have been apportioned funds to start off their operations and if the assembly budget ceiling will be increased by the Commission on Revenue Allocation (CRA) and the Senate, then Committee services shall be given first priority.
2. THAT Committee clerks must ensure they keep updated records of all their respective Committees' expenditures in order to keep a track of the Committees' balances.
3. THAT the Committees should operate strictly within their approved allocations. If a Committee exhausts its allocation, it should undertake their remaining activities within the Assembly precincts.
4. THAT all Committees should submit their quarterly reports to the Liaison Committee every second week of a preceding quarter.
5. THAT all Committees to submit their work plans between 15th and 20th July of every financial year after which the Liaison Committee will harmonize and apportion funds to the committees in line with the approved budget.

Conclusion

Mr. Speaker and Hon Member, it is now my humble request that this House approves this report by the Liaison Committee on the apportionment of Committees annual operating budgets for FY 2022/2023. Mr. Speaker I want to ask the Leader of Majority to second.

The Leader of Majority (Hon. Ooko, Ahero): Thank you Mr. Speaker sir, I second.

The Speaker (Hon. Oraro): Hon. Members, now that the motion on Approval of the Report of the Liaison Committee on the Apportionment of Committees' Annual Operation Budget for the Financial Year 2022/2023, presented pursuant to Standing Orders No. 194 (2) (b) by Honourable Nereah Okombo the Chairperson of Liaison Committee and Deputy Speaker. Seconded by the Leader of Majority.

As per our Standing Orders, I want to propose a question, and I propose that the Approval of the Report of the Liaison Committee on the Apportionment of Committees' Annual Operation Budget for the Financial Year 2022/2023, presented pursuant to Standing Orders No. 194 (2) (b) is open for debate.

The Speaker (Hon. Oraro): Hon. Tom Nyaoke, MCA North Nyakach Ward.

Hon. Nyaoke (MCA, North Nyakach Ward): Thank you Mr. Speaker Sir. I wish to give a lot of thanks after I have heard the motion which is before us. Actually I was almost having a problem but after looking at the posted figures vis - a - vis what has been apportioned, consequently the Committees' recommendations particularly item Number one which says that all the House Committees have been apportioned funds to start off their operations and if the Assembly Budget Ceiling will be increased by the Commission on Revenue Allocation and the Senate, then Committees shall be given first priority.

Mr. Speaker Sir, after looking at that rider, I beg to support because we have been told that the already apportioned figures is to enable us to start off our work. So, I stand to support, thank you.

The Speaker (Hon. Oraro): Yes Hon. James Omollo.

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. I stand to support this motion. I know that we did not do budget that is currently running for the FY2022/2023. However, I find it strange that the money which was allocated in this budget for committees was amounting to Kshs 39 Million.

Mr. Speaker, the core mandate of the House is achieved through the committees. So whenever we are budgeting, I believe that we should really put consideration on what committees get. That is because, apparently that money allocated for all the committees in the House to do their work for a financial year, I believe that is so low. Though we have really found some money from the plenary which is now not there for the Speaker and the MCAs which has now increased it to Kshs 64 Million. I believe that when we will be doing another budget, this will be the basic we give immense support to the Committees. That is because it is the committees which will deal with all the issues. You know what Mr. Speaker, here in the plenary, we just come to check on reports from the committees but, the core work is done at the committee level. So, whenever we are doing a budget with a ceiling of almost Kshs 700 million in this County Assembly, we should really take charge that a good percentage should go to House Committees so that when each committee request, like most committees requested so much money but they have been given very little as compared to what they requested, if you check the proposed budget and vis-a-vie what has been allocated to each committee at least most of them or all of them have gotten I believe approximately 10% or 20% or 30%.

Mr. Speaker, it is my belief that when we will be doing a budget in this House in the next financial year, let us put more effort and more money to House Committees. The chairperson has talked about precedence, Mr. Speaker, I have been a member of this House, I know committees take a big chunk of resources in terms of implementing their work because that is where the work is and not in plenary because there is small work in plenary. We really need to up our game and put money where there is value because there is money value in committees. So next time we are doing a budget, we need to consider that. Otherwise, I support and thank you.

The Speaker (Hon. Oraro): Hon. Oiko Pete, MCA, Kabonyo/Kanyagwal Ward.

Hon. Pete (MCA, Kabonyo/Kanyagwal Ward): Thank you Mr. Speaker, Mr. Speaker this budget was not done from nowhere, this budget must have come from previous records. What is a previous record of this Assembly on House Committees Allocation? That is very critical and who chairs this when it is being done before it comes out? It is the Speaker.

Mr. Speaker, committee budgetary allocation in this Assembly is about one hundred million, that is the truth of the fact and if you want to ascertain the facts, please go to the previous records. So, when this time round when members were going for elections when the committees allocation comes down Kshs 39 million, one would ask what happened and who was in charge, the budget office got what instruction and from who? Was it that Members were not coming to this Assembly yet it is known that the Plenary works throw the Committees, so someone did some monkey business, that is what we would say because in a whole financial year when you allocate Kshs 39 million to House Committees, these committees will not work effectively hence there will be no business in this House. Someone prepared that to fail the current Members. Mr. Speaker, you were the Chair of the Assembly Service Board and still the Chair so, when the history of this is looked at it falls on you Mr. Speaker.

Mr. Speaker, the Budget Office cannot come from nowhere and reduce the money that relates to the function of Members drastically the way it has been done here, Mr. Speaker it is very pathetic, when you look at the proposal made by the secretariats of the various committees with someone who has been in this Assembly, you will have to ask who gave this instructions of this proposal where you look at over Kshs 200million is the proposal yet we know the allocation for the committees cannot reach over Kshs 200million. What did someone want to achieve with this, what picture did someone want to give and when the reality come it is only now Kshs 39million, We are now looking for money from the approved budget, we are going to the plenary and at the same Plenary we are fighting to come back. Members are fighting the allocation of the Plenary which form part of our salary should come back or am I lying?

Mr. Speaker, let us give respect when it come to the allocation relating to the Members. From the history of this Assembly and even you can refer to the other Assemblies, when you allocate a committee Ksh.2.5 million, how many times can they do their work outside? Once and the money

is finished. We were tagged to fail, the current Members of the Kisumu County Assembly were tagged to fail and it is good that the people who were in charge that is the Speaker and the Clerk are the ones who are still in charge. I would say that if it was the Lucifer who was making the decisions, let it be. Thank you.

The Speaker (Hon. Oraro): Thank you very much although we didn't get whether he was opposing the report or not.

The Speaker (Hon. Oraro): Yes Hon. K'omudho, MCA, Muhoroni/Koru Ward

Hon. K'omudho (MCA, Muhoroni/Koru Ward) : Thank you so much Mr. Speaker, I wish to state very clearly that I support the report, I'll bait some complaints and sentiments to myself. Being a first timer I would not wish to talk much about what I do not know but the little I know from my background is that you can only budget with what you have, under the circumstances and on the presentation and being part of the Liaison Committee as a member. I believe that there were tangible facts that were presented when we went for this meeting and there were reasonable questions that we equally raised on the same facts.

Mr. Speaker, I want to share one thing with my colleagues, let us also get to see the positive picture, If we happen to dwell so much on the negative then, we are headed nowhere and my question as I do this, is it possible where we are facing that even as we approach the other budget we will do it quite realistically. I say realistically because we realized where people budgeted for Ksh.10million guys have ended up with Ksh.2 million or ksh.2.5 million.

Mr. Speaker, if I were to put my budget, particularly for my committee together with my arrangement to be somewhere around ksh.3.5million or ksh.4 million it would be impractical to talk about the ksh.2.5 million that we are talking about but for now. Let us support the report and learn to work with the minimum resources that we have because that is the truth, let us look at the picture in a positive way with what we have as at today without looking at the bigger problems that we are going to face tomorrow. That is my input Mr. Speaker thank you.

The speaker (Hon. Oraro): Hon. Seth Okumu.

Hon. Okumu (MCA, East Seme Ward): Thank you Mr. Speaker, I rise to support the report. Mr. Speaker, as you can see, it was a daunting task, it was so hard for the committee to share what was available and what was proposed. It takes a lot of courage to tell people that even though you wanted Kshs 20 million, we can only give you Kshs 2.5 million and to explain that to all the Chairpersons to understand and come back to this Assembly having signed that report and I want to thank the Chair so much.

Mr. Speaker and Honourable Members, I just want to request the Chairs of the House Committees that any budget cannot be funded by just one source. For the chairs let us look out for other funding's for our activities and I have explained this and I have used the Health Committee as an

example. This Committee has had many stakeholders who are interested in the proper functioning of the committee in the Assembly and they are willing to fund be it induction, Bills and whatever activity that we want to do and this is soon happening in the committee of Education. We have Bills that several stakeholders are interested in and they will be willing to fund even public participation and report writing for those Bills, so please Chairs let's look beyond the Assembly for funding of this Assembly.

Mr. Speaker, I want to also talk to my brother the Hon. Oiko Pete. Mr. Speaker, I am glad we were with him in the Second Assembly and I am again glad that he was also a member of the Budget and Appropriations Committee. Mr. Speaker, I can't believe that up to now he believes that it is the Speaker who appropriate funds to House Committees. I believe that sometimes it is good to talk but if you listen, people won't know that you don't know, it is this Assembly that appropriate money including the money of the Assembly, all that come to this Assembly are proposal. I would have loved if you would have told us that in this particular meeting we appropriate this much and passed this much but it has reduced, but, that never transpired at all. Mr. Speaker, what I hear Hon. Oiko do is complaining. I believe that we need to move from that. You were here when we were appropriating money, you said yes and a budget was passed and this Assembly is just allocating money from a budget that we appropriated in this House and they did a good job. So, what we need is to applaud them for that. For the little money, I believe that it is just good for you and other people to take responsibility that we appropriated less or I was sleeping while they were appropriating I didn't take considerations of the House Committee Allocations so that we can allow this Members to take it up from there. But pretending like it is from somewhere else is misleading this House and might bring problems that should not be there.

Otherwise thank you Madam Chair for giving the House Committee an opportunity to start operating. Should there be any additional funds to the County Assembly or any Supplementary Budget brought to this Assembly, then, lets revert some funds that are not important to the proper function of the Assembly so that we can bring them back to the committees so that all the activities that are proposed we can do as much as possible so that we give good services to the people of Kisumu. Thank you, Mr. Speaker. I support.

The Speaker (Hon. Elisha J. Oraro): What is it Hon. James Omollo.

Hon. Omollo, (MCA, West Nyakach Ward): Thank you Mr. Speaker. We have a committee which was doing the report and from the debate you can check and the last two speakers are Members of that committee. I would like to request that you allow Members who are not in that committee to at least contribute then, you can come back to members of the committee. If you allow the Members who are not members of said committee to dominate the discussions then, the debate will be on another level. Thank you and I stand guided.

The Speaker (Hon. Oraro): Thank you Hon. Omollo. I gave Hon. Seth Okumu a chance to contribute because he was the only person standing wanting to contribute. So, there is no way I would have stopped him from contributing until other members have contributed. I have the list here of members who have made their contributions and what I was doing was to give priority to Members who are not in Liaison Committee. Even the Liaison Committee Members have the right to explain to Members why they reached that decision.

The Speaker (Hon. Oraro): What is it Hon. Oiko Pete.

Hon. Oiko (MCA, Kabonyo/Kanyagwal Ward): Thank you Mr. Speaker. Hon. Seth Okumu is quoting my name that I am complaining. When I give the history of the committee allocation which was about Kshs. 100,000,000 and it is now about Kshs. 39,000,000. That is the true record and he knows that. He also knows very well what happened in the other budget when we were in Nakuru, we were to meet the County Assembly Service Board but they failed to show up and there is nothing we could do. That is not history but those could be the problems that we are facing right now.

The Speaker (Hon. Oraro): So what is the point of order Hon. Pete?

Hon. Oiko (MCA, Kabonyo/Kanyagwal Ward): Mr. Speaker, I am saying that let Hon. Seth Okumu not blame me.

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

Hon. Okumu (MCA, East Seme Ward): Thank you Mr. Speaker. I am not blaming the Hon. Member but just informing the member that if we were not serious then, he could not be complaining in this House. He was a member of the previous Budget Committee. He doesn't need the County Assembly Service Board to appropriate funds. If they came there and he feels that the funds could have gone somewhere then, the member could have convinced other members. I am just saying that sometimes it is good to keep quiet so that people know that you don't know. Thank you.

The Speaker (Hon. Oraro): Hon. Oiko, you have been a Member of this House and this is a House of order. You cannot just stand and start talking and the Chairperson doesn't know what you want to say. Why are you standing? Are you on a point of order?

Hon. Oiko (MCA, Kabonyo/Kanyagwal Ward): Mr. Speaker, please let us proceed.

(Loud laughter)

The Speaker (Hon. Oraro): You know sometime Hon. Pete amazes me.

The Speaker (Hon. Oraro): Yes Hon. Ouko, MCA, West Kisumu Ward.

Hon. Ouko (MCA, West Kisumu Ward): Thank you Mr. Speaker, I stand to support the motion. I was one of the Chairpersons who attended the Committee meeting in Nakuru. Mr. Speaker, given the role to my committee as the Chairperson of PIC/PAC I was really complaining in that committee to be allocated adequate funds so that I can oversight the Executive. The County Executive is having a budget allocation of over Kshs 10 billion and I was only given 2.5 million. I had to swallow my pride and to support because that was what we had. You know sometimes you don't need to be a hornbill; I am neither talking about Hon. Bill nor Hon. Bill. There is a bird that is always complaining in the morning.

Mr. Speaker, at times you need to sit down and see and leave others to also complain. Otherwise we will be giving you a name of hornbill. I plead that we actually have to start with what we have and I also recommended that it is prudent that we do with what we have. You cannot spend what you don't have like the 23 million which was meant for plenary; we actually don't have that money but we have the powers to relocate it to this vote head. We also have the opportunity to put our case forward because we will be doing the Supplementary Budget here. I believe that I will be seeing my friend hornbill to actually... I am not referring to a member but talking to my friend hornbill the bird.

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

Hon. Okumu (MCA, East Seme Ward): Mr. Speaker I just wanted the Hon. Member to be clear on this. Is he referring to Hon. Bill?

The Speaker (Hon. Oraro): Yes Hon. Ouko.

Hon. Ouko (MCA, West Kisumu Ward): Mr. Speaker, not actually. I am only talking about the complaint which pops up here each and every time and that person who is good at doing that is hornbill the bird. Thank you.

The Speaker (Hon. Oraro): Yes Hon. Pamela, MCA, Migosi Ward.

Hon. Oyoo (MCA, Migosi Ward): Thank you Mr. Speaker, I wish to call the mover to reply.

The Speaker (Hon. Oraro): Yes Hon. Okombo.

Hon. Okombo (MCA, Manyatta “B” Ward): Mr. Speaker, I want to give thanks to the Hon. Members for unanimously agreeing to support this report of Liaison Committee. It is worth noting that several recommendations have been made that Chairpersons may use their committees as an opportunity to seek for additional funding from interested stakeholders to complement the efforts of the Assembly in regards to committee allocations and functioning. Mr. Speaker I know committees have a lot of pending work before them and I only want to request that now that they have an allocation to jump start them, they should get down to work and make sure that the House moves. I would also like to request Hon. Members that we start with what we have with a lot of caution so that we don’t exhaust the little that we have been allocated before we can actually do the works that are before our committees. Thank you.

The Speaker (Hon. Oraro): Thank you Hon. Members now that the report of the Liaison Committee on the Apportionment of the Committees’ Annual Operation Budget for the FY 2022/2023 has been presented by the Liaison Chairperson, seconded by the Leader of Majority and deliberated by Hon. Members, I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable Members, the Report of Liaison Committee on the Apportionment of the Committees’ Annual Operation Budget for the FY 2022/2023 is hereby adopted today 03rd November 2022 at 1555 hours. I direct that the budget be implemented as have been passed.

The Speaker (Hon. Oraro): Next order!

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable Members, there being no any other business to transact, the House stands adjourned to Tuesday, 08th November 2022 at 2.30 p.m.

(House rose at 03.57 p.m.)

Addendum

Hansard Team

Zablon Otiende – S.H. Reporter (Acting Editor)

Edward Odanga - Hansard Reporter

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