

## COUNTY GOVERNMENT OF KISUMU



## COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

#### *Official Report*

#### **THIRD ASSEMBLY – FIRST SESSION**

**Tuesday 11<sup>th</sup> October, 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, please take us through the Order Paper of today.

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

#### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oraro): Honorable Members, I wish to take this opportunity to welcome you back from the short break. I had adjourned this House for two weeks to allow Members attend the Induction Training which was organized by the Transition Committee in conjunction with the office of the Clerk.

Honourable Members, I am pleased that we have had a very fruitful engagement while attending this workshop and I believe that we are now in a better position to carry out our duties. I am pleased that all Members were present and actively participated in the workshop, this is a sign of commitment that this Third Assembly has set from the onset, and may we keep up that spirit.

Honorable Members, Section 10 of the County Governments' Act No. 17 of 2012 provides. *There shall be in each County Assembly a Leader of the Majority party, and a Leader of the Minority party. The Leader of the Majority party shall be the person who is the leader of the largest party or coalition of parties in the County Assembly. Sub-section 3, the Leader of the Minority party shall be the person who is the Leader of the second largest party or coalition of parties in the County Assembly.*

Honorable Members, the provisions of Standing Order 16 stipulated as follows: Section 16 (a) *the largest party or coalition of parties in the County Assembly shall elect a member of the County Assembly belonging to the party or coalition of parties to be the Leader of the Majority party. Additionally, Sub-section 2, in electing members under paragraph 1, the largest party or coalition of parties in the County Assembly shall take into account any existing coalition agreement pursuant to the Political Parties' Act.*

Honorable Members, Further, the provision of Standing Order No 16 (b), stipulates that; *the largest party or coalition of parties in the County Assembly shall elect a Member of the County Assembly belonging to the party or Coalition of parties to be the Chief Whip of the Majority Party whose removal from that office shall be handled by the Majority Leader as stipulated in Standing Orders 16 (a) and the Majority Leader informing the Speaker accordingly. Standing Order No. 17 has similar provisions for the Minority Party.*

Honorable Members, I hereby make a determination that there is no Minority Party in the County Assembly of Kisumu as currently constituted since there is no other party represented in the House other than the Orange Democratic Movement Party (ODM). Although, the Assembly recognizes the presence of Hon. Bill Oliver as an Independent Candidate and not elected from a Minority Party as recognized by our Standing Orders and the Registrar of Political Parties. This position is well stipulated in the interpretation section of our Standing Orders, where 'County Assembly party' means a party or a coalition of parties consisting of not less than 5% of the membership of the County Assembly.

Honorable Members, having stated the above, I therefore wish to notify the members that on 08<sup>th</sup> September 2022, I received a communication from the Orange Democratic Party (ODM) in line with Standing Order No 16(a) and 16(b), notifying the Speaker of the Election of the Leader of Majority, Deputy Leader of Majority, Majority Whip and Deputy Majority Whip. I have indeed verified that this communication which indeed is authentic. Therefore, in line with this communication the party has nominated the following members to serve in the Leadership of the County Assembly from the Majority Party.

They are as follows;

1. Hon Ooko Kennedy Ouma (MCA, Ahero Ward) – Leader of Majority
2. Hon Owade Patrick Lumumba (MCA, South East Nyakach Ward) - Deputy Leader of Majority
3. Hon Ochieng’ Seth Kanga (MCA, Market/Milimani Ward) - Majority Whip
4. Hon Obonyo Jennipher Akeyo (MCA, South West Kisumu Ward) - Deputy Majority Whip.

Honorable Members, Standing Orders No.14 provides that *at the commencement of every session, the speaker shall nominate three members to serve in the Speakers panel.* Standing Order No. 14(2) provides as follows;

*As soon as practicable, after the election of the Chairperson of Committees following a general election, the List of Members nominated in accordance with paragraph (1) shall be submitted for consideration by the County Assembly business committee for appointment to the Panel.*

In view of the above, I hereby nominate the following Members alongside the Deputy Speaker, to serve as Members of the Speakers Panelist and thus forwarded to the House Business Committee for consideration.

1. Hon Seth Okumu (MCA, East Seme Ward) - 1st Panelist
2. Hon Emily Oginga (MCA, Nominated) - 2nd Panelist
3. Hon Caren Odhiambo (MCA, Kaloleni Shaurimoyo Ward) - 3rd Panelist

Secondly, the following Members will represent the County Assembly at the County Assemblies Forum;

1. Hon Kennedy Ouko (MCA West Kisumu Ward)
2. Hon Mickey Awuor Ochieng (Nominated MCA)

Finally, Section 12 (3) (a) of the County Governments Act No.17 of 2012 provides and I quote; The Board consists of -

*Two members of the county assembly nominated by the political parties represented in the county assembly according to their proportion of members in the county assembly;*

In this regard. The following Members have therefore been nominated to be the part to serve as Members of the County Assembly Service Board;

1. Hon. Othuthu George Abaja (MCA, West Seme Ward)
2. Hon Pamela Oyoo (MCA, Migosi Ward)

Honourable Members, I also want to communicate that the Governor will give his First State of the County Address either in the last weeks of this month or the first week of next month and that shall be communicated appropriately. Thank you.

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

### ADMINISTRATION OF OATHS

*The Oath of Allegiance/Affirmation of Office was administered to following Members;*

1. Hon Ooko Kennedy Ouma (MCA, Ahero Ward) – Leader of Majority
2. Hon Owade Patrick Lumumba (MCA, South East Nyakach Ward) - Deputy Leader of Majority
3. Hon Ochieng’ Seth Kanga (MCA, Market/Milimani Ward - Majority Whip
4. Hon Obonyo Jennipher Akeyo (MCA, South West Kisumu Ward) - Deputy Majority Whip.

*(Applause)*

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

### MESSAGES

**The Speaker (Hon. Oraro):** Hon. Members, as I indicated during the Communication from the Chair, the Governor of Kisumu County Prof. Peter Anyang’ Nyong’o shall be making a request to make the First State of the County Address in the Third Assembly either in the last week of October or during the first week of the month of November, 2022. The Governor has requested that I convey the same to you because it is normally a practice that this should be undertaken during the first sitting, after gazettelement and subsequently swearing in of the Members; that is when the Governor gives the First State of the County Address. However, it is not illegal to give the State of the County Address at a time that shall be convenient to him when he shall be ready. Thank you.

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

### NOTICES OF MOTION

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

**The Leader of Majority (Hon. Ooko, MCA, Ahero Ward):** Thank you Mr. Speaker, I rise to give a Notice of Motion. Pursuant to the Standing Order No. 154, the County Assembly approves Members nominated by the Party to serve in the County Assembly Business Committee in addition to the Speaker of the County Assembly who pursuant to the Standing Order No. 154 part (1) (a) shall be the Chairperson of the Committee.

FURTHER, pursuant to Standing Order No. 155, the County Assembly approves Members of nominated by the Party to serve in the Selection Committee in addition to the Leader of the Majority Party in the County Assembly who pursuant to Standing Order No. 155 (1) shall be the Chairperson of the Committee.

FURTHER, pursuant to Section 12 part (3) (c) of the County Government Act 2012, the County Assembly approves two Members nominated by the Party to serve in the County Assembly Service Board, thank you.

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

## STATEMENTS

**The Speaker** (Hon. Oraro): Honourable Members, it is Statement time.

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

**The Leader of Majority** (Hon. Ooko, MCA, Ahero Ward): Thank you Mr. Speaker Sir, I rise to make my Maiden Speech.

Hon. Speaker, I take this opportunity to thank the Almighty God for bringing me this far in my political career. I want to thank my electorates, the good people of Ahero Ward for giving me another chance to represent them in this August House. I have immense conviction that I will not let them down and I will at all times be their voice in all matters that affect them.

Hon. Speaker, allow me to congratulate you together with your Deputy for having been elected to serve as Speaker and the Deputy Speaker of this great County. Taking into consideration the fact that you were seeking for re-election for the second time and won the seat; meaning that Hon. Members and the Party still have faith in your leadership. We therefore believe that you will steer this Assembly to much greater heights. In addition to that, I also wish to congratulate all the Hon. Members who have been elected across the County in all our Thirty Five Wards plus all other Members who have been nominated by our party.

Mr. Speaker and Honourable Members, campaigns have come to an end let us roll our sleeves and start working for our people. I urge Members to be on the fore front to champion for better service delivery to our electorates. Let us work together to ensure that Kisumu County grows to become a model County in this region and beyond.

Mr. Speaker and Honourable Members, I am really grateful to our Party Leader the Rt. Hon. Raila Amollo Odinga and the entire Party Leadership for the trust that they have accorded me to serve as the Leader of Majority of this Third Assembly. I will strive to ensure that I represent the interest of the Party to the best of my knowledge, belief and ability.

Mr. Speaker and Honourable Members, as I conclude, I wish to congratulate our Governor His Excellency Prof. Peter Anyang' Nyong'o and his Deputy Dr. Mathews Owili for being re-elected with a resounding victory. This shows that the people of this County still have faith in the leadership of the Governor. I wish them all the best as they endeavor to achieve on the promises they made to the residents of Kisumu during the campaign. As the Leader of Majority, I will work to ensure that the Assembly approves all legislations and policies to enable the Governor to deliver his Manifesto.

Finally, I thank my family for the support and being there for me during these tough times of campaigns, thank you, and may God bless this Third Assembly. Once again, thank you very much.

**The Speaker** (Hon. Oraro): Hon. Patrick Lumumba, the Deputy Majority Leader.

**The Deputy Majority Leader** (Hon. Lumumba, MCA, South East Nyakach): Thank you Mr. Speaker, I stand to give my Maiden Speech. First and foremost, I thank my Party (ODM) and its Leadership for having a lot of trust and confidence in me. I hereby promise that I will not let them down by doing my best to serve the interest of my Party in this House.

Secondly, I take this opportunity to thank you for having been re-elected as the Speaker of this House. I believe and trust that you are equal to the task. Thirdly, I take this opportunity to thank the people of South East Nyakach Ward who elected me to come and serve them in this Honourable House. I promise that I will deliver as per their expectations. I also take this opportunity to thank my family led by none other than my wife for having stood with me during campaign times and also supported me to the end; I will not forget them.

Mr. Speaker and Honourable Members, I take another opportunity to thank this honourable House-fellow Honourable Members who have been elected to serve, I extend my congratulatory message to their electorates. Mr. Speaker Sir, it is my request that I appeal to Members of this Third Assembly to deliver to the expectation of the electorates. Let us be honorable as we are in this House and show maturity in this House and outside.

Finally, I thank all the staff of the County Assembly who have given us the support, done us induction and shown us the best house one would wish to go to but must go to because it is unavoidable, thank you.

**The Speaker** (Hon. Oraro): Hon. Members, Hon. Joachim I have noticed you. I wanted to give guidance and I wanted us to agree that tomorrow we allow members to prepare their maiden speech then, we will give time and all Members will have an opportunity to give their maiden speech and as you do that, please refer yourselves to Standing Order No. 79. I know each and every Member has a Standing Order, make your maiden speech then, from tomorrow we will agree on the limitation of time so that at least as many as possible if not all get an opportunity during the morning session then the afternoon session to give their maiden speech.



Hon. Joachim, I noticed that you are on your feet, if it's about the maiden speech I would request that you do it tomorrow so that we go into other business but if it's something else then proceed.

**Hon. Joachim** (MCA, Kondele Ward) : Thank you very much Mr. Speaker, it would have been my wish to make a maiden speech but it seems that today is not my day because you know I was seated here waiting for you to announce what the party has offered me, but you have not announced my name today.

*(Laughter)*

Mr. Speaker, I believe mine is coming because the party is working on loyalist so I am praying that the next time names shall be read will be mine there, otherwise thank you.

Mr. Speaker this is a General Statement a Matter of County Concern. There has been a viral news that has been going around which featured in the NTV yesterday about a bracket of some health officers that are selling young ones in our hospitals. It would be very sad if it goes unmentioned in this House

Mr. Speaker, the reason why I am standing here, first, is to condemn this in the strongest term possible and also to urge you so that we quickly reconstitute this House fully. This is because from the look of things the County admits the MCAs and we are back and we need to look at the root cause of this matter and therefore I am calling on my fellow Members because a lot of things are happening here and Mr. Speaker we need to put our differences aside so that we go back to work and expose these people.

Mr. Speaker, we need to know what has been happening in our absence because Mr. Speaker my second wife is about to give birth and I don't know whether I will be given a child from somebody else or they are also going to sell my child, that is why Mr. Speaker because I also love my unborn child because I really love my second wife, and that is why I really want to call this House that we rise to the occasion and go back to the ground and defend our people, thank you very much. Mr. Speaker, I want to congratulate all the Members who were given the opportunity to serve within the party and I believe we are going to work as a team.

**The Speaker** (Hon. Oraro): Honourable Members, this especially goes to Hon. Joachim that surely the Statement you issues was a Statement of Topical Concern and I allowed you to conclude but I want to refer you to Standing Order No. 41 (2) (a). I want to advice you that you get hold of the technical team and do the statement the way it's supposed to be done being it's a statement of topical concern and I believe you are advised appropriately.

**The Speaker** (Hon. Oraro): Next Order! Did I see Hon. Okumu? I hope it's not a maiden speech?

**Hon. Okumu** (MCA, East Seme): Thank you Mr. Speaker, I also need your guidance on this statement that am going to make on the same breath to what my brother Hon. Joachim has just mention...

**The Speaker** (Hon. Oraro): Hon. Okumu, I already made a ruling and direction on the same.

**Hon. Okumu** (MCA, East Seme): It's different Mr. Speaker.

**The Speaker** (Hon. Oraro): Is a Statement of Topical Concern or Personal Statement?

**Hon. Okumu** (MCA, East Seme): Mr. Speaker, you will decided after you have listened to me Mr. Speaker.

**The Speaker** (Hon. Oraro): No. Hon. Okumu resume your set. Thank you.

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

## MOTION

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

**The Leader of Majority** (Hon. Ooko, MCA, Ahero Ward): Mr. Speaker I arise to move a motion that pursuant to Standing Order No. 154, the County Assembly approves members nominated by the party to serve in the Assembly Business Committee in addition to the Speaker of the County Assembly who pursuant to Standing Order No. 154 (1) (a) shall be the Chairperson of the committee.

This Members are:

- |                               |   |                    |
|-------------------------------|---|--------------------|
| 1. Hon. Elisha Jack Oraro     | - | (Chairperson)      |
| 2. Hon. Nereah Okombo         | - | (Vice Chairperson) |
| 3. Hon. Kennedy Ooko          | - | Member             |
| 4. Hon. Seth Kanga            | - | Member             |
| 5. Hon. Seth Okumu            | - | Member             |
| 6. Hon. Patrick Owade Lumumba | - | Member             |
| 7. Hon. Vincent Jagongo       | - | Member             |
| 8. Hon. Ratib Boitone         | - | Member             |
| 9. Hon. Emily Oginga          | - | Member             |
| 10. Hon. Bill Oliver          | - | Member             |
| 11. Hon. Carren Odhiambo      | - | Member             |
| 12. Hon. Jenipher Obonyo      | - | Member             |
| 13. Hon. Eunice Alando        | - | Member             |



Further, pursuant to Standing Order No. 155 the County Assembly approves nominated Members of the party to serve in the Selection Committee in addition to the Leader of Majority party in the County Assembly in pursuant to the Standing Order No. 155 (1) shall be the Chairperson of the committee.

#### SELECTION COMMITTEE MEMBERS

- |     |                             |   |               |
|-----|-----------------------------|---|---------------|
| 1.  | Hon. Kennedy Ooko           | - | (Chairperson) |
| 2.  | Hon. Seth kanga             | - | (Vice Chair)  |
| 3.  | Hon Nereah Okombo           | - | Member        |
| 4.  | Hon. Patrick Lumumba Owade- | - | Member        |
| 5.  | Hon. Seth Okumu             | - | Member        |
| 6.  | Hon. Moses Ochele           | - | Member        |
| 7.  | Hon. Jenipher Obonyo        | - | Member        |
| 8.  | Hon. Abaja Othuthu          | - | Member        |
| 9.  | Hon. Vincent Jagongo        | - | Member        |
| 10. | Hon. Ratib Boitone          | - | Member        |
| 11. | Hon. Caren Odhiambo         | - | Member        |
| 12. | Hon. Habil Nyasuna          | - | Member        |

Further pursuant to the provisions of section 12 (6) (d) of the County Government Act 2012 the County Assembly approves 2 Members nominated by the Party to serve in the County Assembly Service Board, these Members are;

- |    |                        |   |        |
|----|------------------------|---|--------|
| 1. | Hon. George Abaja      | - | Member |
| 2. | Hon. Pamela Oyoo Awuor | - | Member |

Hon. Speaker, we have a lot of emerging issues in this County which require that this Assembly to operate. We have a Supplementary Budget that is coming up very soon and that means that we must put in place the County Budget and Appropriations Committee.

Honourable Members, just the other day the Governor appointed Members of his Cabinet that this House needs to vet and approve after the constitution on the Appointment Committee which is mandated to vet and approve. I know that we have come from the campaign and we have to approve the two Members of the Service Board because it is this Service Board that takes care of the welfare of Members and I know the Members need Car and Mortgage Loan which this Board will approve. Honourable Members, I would like to urge you to approve these House Committees and ask the Majority Whip to second.

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

**The Chief Whip** (Hon. Kanga, MCA, Market Milimani): (Bows)

**The Speaker** (Hon. Oraro): Honourable Members, now that the Leader of Majority has moved a motion on the approval of members to serve in the County Assembly House Business Committee, Selection Committee and the County Assembly Service Board, seconded by Hon. Kanga, I propose that the motion is opened for debate.

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

**Hon. Adegga** (MCA, Kajulu Ward): Thank you Mr. Speaker I stand to support the motion.

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

**Hon. Joachim** (MCA, Kondele Ward): Mr. Speaker, I thought my name is going to pop up somewhere but I hope it is soon going to be read by the Leader of Majority. I would wish to congratulate the Members that have been nominated and I believe that they are up to task. What I normally say is that once you are in this House, we are all equal Members and as a person, I normally believe that if you cannot accept to be led then you cannot make a very good leader. So it is my humble request that we support the team that has been nominated and we hope that they are going to serve the interests of the Members in whatever they do. I support.

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

**Hon. James Omollo** (MCA, West Nyakach): Thank you Mr. Speaker. Reading by the mood of the House I wish to call the mover to reply.

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

**Leader of Majority** (Hon. Ooko, MCA, Ahero): Thank you Mr. Speaker. I want to thank Members for the overwhelming support to this motion and therefore I reply.

**The Speaker** (Hon. Oraro): Honourable Members, now that the Motion on Approval of Members to serve in the House Business Committee, Selection Committee and County Assembly Service Board has been moved by the Leader of Majority, seconded by the Majority Whip and debated upon 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): The Members to serve in the House Business committee, Selection committee and County Assembly Service Board as presented by the Leader of Majority has been approved today 11<sup>th</sup> October 2022 at 1516 hours.

Honourable Members, I want to direct that the House Business Committee sits immediately after this session for purposes of discussing the House Business Calendar. Consequently, I direct that the Selection Committee proceeds immediately to constitute the various House Committees and

the Assembly Service Board Members proceeds to take oath as shall be communicated by the Chairperson of the Board and the secretary of the Board.

Honourable Members, I initially indicated that we will be having a *Kamukunji* and so the House Business Committee will proceed after the *kamukunji*. Thank you.

**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 Wednesday 12<sup>th</sup> October 2022 at 9.00 a.m.

*(House rose at 3.29 p.m.)*

*Addendum*

**Hansard Team**

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

*Edward Odanga - Hansard Reporter*

*Fanuel Okode Odanga - Hansard Reporter*

*Patrick Okoyo Odanga - Hansard Reporter*

*Jesca Otieno - Hansard Reporter*

*Jacklyne Otieno - Hansard Reporter*

*Valery Ochieng' - Hansard Reporter*