

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

#### *Official Report*

#### THIRD ASSEMBLY – FIRST SESSION

Wednesday 02<sup>nd</sup> November, 2022

House met in the Main Chamber at 9:00 a.m.

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

#### **PRAYER**

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

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

#### **PETITION**

**The Speaker** (Hon. Oraro): Honorable Members, I wish to communicate to you a Petition that was received on 31<sup>st</sup> October, 2022 by the Office of the Clerk, forwarded to my office and I want to confirm that it meets the threshold. Allow me to read it.

Petition to the County Assembly of Kisumu concerning perennial delays in payment of salaries to the employees of the County Government of Kisumu. We the undersigned citizens of the Republic of Kenya and Nyanza Branch officials of Kenya Medical Practitioners, Pharmacists and Dentists Union, draw the attention of the County Assembly to the following;

That employees of County Government of Kisumu have had to endure perennial delays in payment of salaries. That the salaries of August, 2022 were paid on 26<sup>th</sup> September, 2022 while salaries of the month of September, 2022 were paid on 19<sup>th</sup> October, 2022.

That these unrepresented delays owned to employees were unheard of in Kisumu County close to a decade of devolution. That those delays have occasioned a lot of anguish and embarrassment to the employs of the County Government of Kisumu including our members Medical Practitioners, Pharmacists and Dentists who offer essential services to the people of Kisumu.

That due to the delay of payment of salaries, go slows have become common and this has delayed the service delivery to the people. Efforts have been made to address this matter by the Executive but they have failed to give a satisfactory response. That the issues in respect to which this petition is made are not pending before any court of law, constitution or any legal body.

Aware that the County Assembly cause the Executive to put in place mechanisms to ensure that salaries and emoluments due to the employees of the County Government and in particular the Medical Practitioners, Pharmacists and Dentists are paid on or before 5<sup>th</sup> of every month at no extra cost to the employees. Make any laws that are incidental in the effective execution of the prayer above as enshrined in Article 185(2) of the Constitution of Kenya. Make any other order that it may deem fit in the circumstances of this petition. And the petitioners will ever pray. Signed by Dr. Steve Onyango, Dr. Aggrey Orwenyo, Dr. Linda Kemunto and Dr. Chris Omollo on behalf of the petitioners.

Honorable Members, as per our Standing Order, whenever we receive a petition and confirm that it meets the threshold, then depending on its nature, we must commit it to a House Committee or we form an Ad Hoc Committee but, in this case, this is a matter that is to do with labour. So, I direct that this petition be handled by the Labour and Social Welfare Committee. To the Chair of the Committee, this is a matter of urgency and I would request that you work on it as per our Standing Order. I also urge the Clerk to facilitate the Committee as appropriate. Thank you.

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

## **PAPERS LAID**

THE KISUMU COUNTY CULTURE POLICY

THE KISUMU COUNTY SPORTS POLICY 2021

THE AUDITOR GENERAL'S REPORT ON THE KISUMU COUNTY EXECUTIVE FOR  
THE YEAR ENDED 30<sup>TH</sup> JUNE, 2022

BY

HON. KENNEDY OOKO

THE LEADER OF MAJORITY

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

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**Leader of Majority** (Hon. Ooko, MCA, Ahero Ward): Thank you Mr. Speaker. Pursuant to the provisions of Article 185 of the Constitution of Kenya 2010, I wish to table today Wednesday 02<sup>nd</sup> November, 2022. The Kisumu County Culture Policy.

*(Leader of majority lays before the House the Policy for consideration)*

Number two, pursuant to the provisions of Article 185 of the Constitution of Kenya 2010, I wish to table today Wednesday 2<sup>nd</sup> November, 2022. The Kisumu County Sports Policy 2021.

*(Leader of majority lays before the House the Policy for consideration)*

Lastly, pursuant to the provisions of Section 32 of the PFM Act 2012, I wish to table today Wednesday 02<sup>nd</sup> November, 2022 Report of the Auditor General on the County Executive of Kisumu for the Year ended 30<sup>th</sup> June, 2020. Thank you.

*(Leader of Majority lays before the House the OAG Report for consideration)*

**The Speaker** (Hon. Oraro): Honourable Members, I wish to acknowledge the receipt of the Kisumu County Culture Policy Paper as tabled by the Leader of Majority. This paper was received in the County Assembly on the 11<sup>th</sup> May, 2022 but it could not be worked on because of time frame. I therefore, want to commit it to the committee on Children, Culture, Sports and Community Services and request that you work on it as per our Standing Orders.

Honourable Members, the Standing Orders provides that it shouldn't go beyond sixty Calendar days. I also want to direct that the Clerk to facilitate the committee in working and coordinating with relevant department at the Executive in working on this particular policy.

Consequently, I want to confirm receipt of the Kisumu County Sports Policy 2021, which was also received in the County Assembly of Kisumu on the 11<sup>th</sup> May, 2022 but could not be dealt with in the 2<sup>nd</sup> Assembly due to procedural and logistical issues hence it was recommitted. Due to that request, we are therefore recommitting it to the same Committee of Children, Culture, Sports and Community Services. This is to be dealt alongside the Kisumu County Culture Policy within sixty Calendar days, and direct the Clerk to facilitate the committee to work on the same.

Honourable Members, I also want to confirm the receipt of the Auditor General's Report on the County Executive of Kisumu for the Financial Year ended 30<sup>th</sup> June 2020 as laid by the Hon. Leader of Majority. I want to commit this Report to the committee on PIC/PAC, and request them to work on it as per our Standing Orders. They have to liaise with the office of the Auditor General, the office of the EACC, the office of the DCI, the County Government of Kisumu's relevant departments, and give a Report within 21 working days as per our Standing Orders.

Honourable Members, I had committed the Petition to the Committee on Labour and Social Services, and I want to refer you to Standing Order No. 217(2) (*Committal of Petitions*) which

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reads; ‘Whenever a Petition is committed to a Sectoral Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the County Assembly and no debate on or in relation to the report shall be allowed, but the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petitions for not more than twenty minutes. I wanted to emphasize on the time frame, which is sixty calendar days because it has been habitual of Committees to take more than the stipulated time by the Standing Orders to report back.

Finally, I have noticed that a number of House Committees have been given various tasks, and I believe that almost all the Members of the Assembly belong to at least one or two of those House Committees that have been tasked, so, there is much to be done. It is upon the Chairpersons of those Committees to work on the programmes appropriately. Thank you.

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

## STATEMENTS

**The Speaker** (Hon. Oraro): Honorable Members, it is time for Statements.

**The Speaker** (Hon. Oraro): Yes, Hon. Nancy Matara

**Hon. Matara** (Nominated): Thank you Mr. Speaker, I want to seek a Statement and stand on Standing Order No. 41 2(b) (*General Statements from a Committee’s Chairperson*), from the Chairperson of Health, Housing and Sanitation Committee.

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

**Hon. Matara** (Nominated): AWARE that one of the Governor’s 10- point agenda was a commitment to providing quality health care with a pledge to train Health Workers on safe deliveries as inscribed therein.

FURTHER AWARE that there had been a public outcry in the recent past on mothers allegedly dying while, or after giving birth at Jaramogi Teaching and Referral Hospital (JOOTRH). I have in person, attended three funerals thereof of victims of this tragedy.

Hon. Speaker, it is in this regard that I seek a statement from the chairperson committee on Health Housing and Sanitation to provide responses to the following concerns;

- a) The number of maternal deaths since 1<sup>st</sup> January, 2022.
- b) Infant mortality rate since 1<sup>st</sup> January, 2022.
- c) The number of medical doctors, nurses and consultants attached in the maternity ward at JOOTRH.

**The Speaker** (Hon. Oraro): Hon. Members, that being a statement of topical concern, I should give the first opportunity to the chairperson Health Housing and Sanitation Committee if he is available and has an immediate response. The Chairperson, or his Deputy or any member of that committee. Yes, Hon. Emily Oginga, the deputy chair.

**Hon. Oginga** (Nominated): Thank you Mr. Speaker sir for the opportunity. I would like to respond to the statement which was brought by Hon. Matara concerning the issue of JOOTRH. From my observation, there are two key points that she has raised; the infant mortality rate and the staffing. I would like to request the House to give us time to do an investigation and come back to the floor with facts, otherwise, thank you.

**The Speaker** (Hon. Oraro): Honourable Member, I thought that they have the response concerning the numbers but since they have requested for more time, I want to commit it to the Health Housing and Sanitation Committee and direct that within fourteen days, they report back to the House. I am aware that the said committee had been given other assignments based on the statements raised by Hon. Members. Please combine it with other report because this is something that I so direct that do not need much time to work on. So, ensure that you report back to the Assembly within fourteen days.

**The Speaker** (Hon. Oraro): Honourable Members, It is still statement time.

**The Speaker** (Hon. Oraro): Next is Hon. Adega from Kajulu Ward.

**Hon. Adega** (Kajulu): Thank you Mr. Speaker.

Pursuant to the Standing Order Number 41 (2) (a) and (b), I rise to seek a statement from the Chairperson of the Committee on; Agriculture, Livestock and Fisheries Development and the Committee of Health Housing and Sanitation; on the operation status of the County Abattoir at Mamboleo in Kajulu Ward.

Mr. Speaker, the abattoir is in a deplorable state of hygiene without basic sanitation requirements and intermittent running water which is often disconnected by the water agency (KIWASCO) for lack of payment of water bills. The equipment and machines have not been repaired for a long time leaving several parts of metal hanging off the rails in a precarious situation that has so far fallen off and claimed the life of one worker. The facility, currently characterized by leaking water tanks and unfenced compound that has so far been encroached into by a private developer and private properties constructed within the compound Mr. Speaker.

In the statement Mr. Speaker, the Chairs should;

1. Give details on plan that the Kisumu City department has put in place to comprehensively restore quality operations in the facility through provisions of but not limited to water and sanitation services, adequate and sustainable good public health conditions, fencing and

claiming part of land lost to encroachment by private developers and general repair of maintenance and repair of equipment within the facilities.

2. The House Committees to provide details of the plans the Kisumu City department has put in place to reorganizing the management of the facility in order to ensure sustainability and quality operations.
3. Give details of the city budgetary allocations on the Mamboleo abattoir and the justification for the expenditure statements used for the repair and maintenance developments if any, and operation for the financial year 2020/2021 and FY 2021/2022. That is all Mr. Speaker, thank you.

**The Speaker** (Hon. Oraro): Hon. Members you have heard the statement by Hon. Adega MCA Kajulu Ward, regarding a facility in his ward. I have looked at it and tending to think that it should be a matter dealt with by the City. So, probably it should be the Chair of Planning but anyway, if the committee of Agriculture is here and they also need response, I also give the time to committee of Planning. I tend to believe that this should be dealt by the Committee of Planning.

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

**The Leader of Majority** (Hon. Ooko, MCA, and Ahero): Thank you Mr. Speaker, I believe that this Statement cuts across because it is dealing with livestock's. Part of it is in Agriculture and being within the City so it fall within Planning and Agriculture Committees and maybe Public Health.

**The Speaker** (Hon. Oraro): Yes Hon. Adega, MCA, Kajulu Ward.

**Hon. Adega** (MCA, Kajulu Ward): Mr. Speaker, Hon. Ooko just mentioned what I wanted to reiterate, that concerns the health because of the hygienic nature.

**The Speaker** (Hon. Oraro): Honourable Members, my discretion is that I want to commit this matter to the Committee of Planning because I know in the urban planning, the matters cut across, and if you go to the cities they deal with the issue on water, sanitation and infrastructure at the city level. So, the committee of Planning, please this one is committed to your committee and you need to respond to the House within two weeks.

**The Speaker** (Hon. Oraro): Hon. Boitone, MCA, Nyalenda "A" Ward.

**Hon. Ratib** (MCA, Nyalenda "A" Ward): Thank you Mr. Speaker, I am sorry to arise after you have made a declaration but I believe that, not that the committee of Planning is somehow afraid of taking the task but if you look at it, the matter pertaining to Hon. Adega's issue totally involves abattoir and matters pertaining to abattoir directly should be given to Committee of Agriculture. Because if you look at it meticulously you will find that it cuts across Planning, Health, Environment and Water as pertaining to KIWASCO and shortages of water. If I keenly look at it then it is my belief that it should be committed to Agriculture. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, I want to direct that the reason as to why I have committed it to the Standing Committee of Planning it is because, you know that this committee works on what cuts across the city. So, it will remain in that committee and you will have to work on it. It is not a must that the committee is the only committee that deals with it; any Member of this House can sit in any of these House Committees and give contributions. The only hindrance is that you cannot vote if at all there is voting to take place but comments that you give in any committee will be taken into account and it will be recorded that you were in attendance. So, as you are going to deal with it, invite all the Chairpersons and Members for them to give their opinion on it. Invite the relevant departments like; Departments of Health, Housing, Water and Agriculture. You are allowed to invite them as appropriate so that you get the best response for Members.

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

**Hon. Adega** (MCA, Kajulu Ward): Hon. Speaker, I would like to issue a special request from you to allow some of the two Members who have complete detail of the said abattoir who are; Hon. Ajwang' and Hon. Dede to assist the committee during this task.

**The Speaker** (Hon. Oraro): Thank you. Honourable Members, I have just given direction that any Member of this committee can give comments in any committee at any time. The only problem is that you cannot vote if at all there is voting to take place but your comments shall be taken seriously.

**The Speaker** (Hon. Oraro): What is it Hon. Ochele, MCA, East Kano Wawidhi Ward.

**Hon. Ochele** (MCA, East Kano Wawidhi Ward): Mr. Speaker something really amuses me, Hon. Adega has just issued a very lengthy statement. Apparently, in his last contribution he is saying even though he was seeking for a statement from the Chairperson of Planning and Industrialization Committee but he already has the answer. Mr. Speaker, Hon. Adega should just come up with the answer so that we can adopt.

*(Loud laughter)*

**The Speaker** (Hon. Oraro): Hon. Adega you have been mentioned that you are issuing a statement while you already have the answer.

**Hon. Adega** (MCA, Kajulu Ward): Mr. Speaker I don't have the answer. It was just on a light note.

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

**ADJOURNMENT**

**The Speaker** (Hon. Elisha J. Oraro): Honourable Members, there being no any other business to transact, the House stands adjourned to Wednesday, 02<sup>nd</sup> November 2022 at 02.30 p.m.

*(House rose at 09.42 a.m.)*

*Addendum*

**Hansard Team**

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*Edward Odanga - Hansard Reporter*

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