

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FIRST SESSION

Wednesday 09th 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): Good morning Honourable Members, I want to request that pursuant to the provisions of Kisumu County Assembly Standing Order No. 32 (2) that the Serjeant-at-Arms rings the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Speaker (Hon. Oraro): Hon. Deputy Speaker, could you please confirm if we have the quorum.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Mr. Speaker. There is quorum.

The Speaker (Hon. Oraro): Madam Clerk 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 have the following communication to make. One, again, I want to welcome you this session. I would also wish to bring to your attention that a number of House Committees have got pending work. I will start with;

1. Public Investments and Accounts Committee, there is a report on the Auditor General's report on the County Executive of Kisumu for the Financial Year Ended 30th June, 2020 as was tabled by Hon. Leader of Majority. I want to remind the Chair of the Committee and the Members that your due date is 23rd November, 2022. Get hold of the CEC Finance, Officials from the Office of the Auditor General, the EACC and the relevant stakeholders. You can contact me or the Clerk for assistance if there is any challenge.
2. Public Investments and Accounts Committee, also have a report on the consideration of Kisumu County Car and Mortgage Scheme Fund Annual Report and Financial Statement for the Financial Year ended 30th June, 2022. The report is scheduled for tabling on 16th November, 2022.
3. Health, Housing and Sanitation Committee, there is a report on the consideration of the Annual Report and the Financial Statement of JOOTRH for the Financial Year ended 30th June, 2022. The report is scheduled for tabling on 03rd November, 2022. The Standing Committee should be able to give us a progress on the same during the Statement Hour.
4. Health, Housing and Sanitation Committee, also has a report on the consideration of the Annual report and Financial Statements of the Kisumu Level Four Hospital for the Financial Year ended 30th June, 2022. The report is scheduled for tabling on 16th November, 2022.
5. The Health, Housing and Sanitation Committee, there is a Statement that was sought by Hon. Tom Nyaoke regarding the fire incident at Adu Blossom Day and Boarding School in Katito is due for submission. It was scheduled for 9th November, 2022.
6. The Health, Housing and Sanitation Committee, a response to Statement raised by Hon. Nancy Matara regarding maternal death and infant mortality at JOOTRH. Due on 16th November, 2022.

The Health, Housing and Sanitation Committee, Response to Statement raised by Hon. Jenipher Obonyo regarding power backup plan at Chulaimbo Sub-County Hospital. Due for submission on 17th November, 2022. Honourable Members, I had suggested that the committee can divide itself in groups so that you see which areas to work on. If there is any need for assistance, please consult my office or the Office of the Clerk.

7. Planning, Industrialization and ICT Committee. You have a report on the consideration of Kisumu County Urban Project Cash Expenditure Fund Annual report and Financial Statement for the Financial Year ended 30th June, 2022. Hon. Boitone Ratib, who is the Chairperson of the said committee, this report is due on 16th November, 2022.

8. Planning, Industrialization and ICT Committee also have a report on the consideration of Kisumu City Annual Report and Financial Statement for the Financial Year ended 30th June, 2022 that is due for 16th November, 2022.
9. The Statement sought by Hon. Benson Adega regarding the Mamboleo abattoir to the same committee is due for submission on 16th November, 2022.
10. Labour and Social Welfare Committee. You have a report on the Petition by the Kenya Medical Practitioners, Pharmacists and Dentists Union to the County Assembly concerning the perennial delay in payment of salaries due to the employees of the County Government of Kisumu. It is due on 2nd January, 2023.
11. Cooperative, Finance, Trade and Enterprise Development. You have a report on the consideration on the Kisumu County Revenue Fund Quarterly report and Financial Statement for the period ended September, 2022. It is due on 16th November, 2022.
12. Cooperative, Finance, Trade and Enterprise Development also has a report on the consideration on the Kisumu County Executive Quarterly Report and Financial Statement for period ended 30th June, 2022. Hon. Carren Ajwang', it is due for submissions on 16th November, 2022.
13. Children, Culture and Community Services, you have two reports. The report on consideration on the Kisumu County Sports Policy 2021 and the report on the Kisumu County Culture Policy 2021. It is due for submissions on 01st January, 2023.
14. Budget and Appropriations Committee, you have two reports. First, considerations on Kisumu County Revenue Statement for the Financial Year Ended 30th June, 2022 and the report on the considerations on the Kisumu County Budget Review and Outlook Paper 2021/2022. It's due for submission on 16th and 24th November, 2022 respectively.
15. ECD, Adult Education and Vocational Training, you have one report. That is the consideration on the Kisumu County Education Fund Annual Report and Financial Statement for the Financial Year ended 30th June, 2022. Due for submission on 16th November, 2022.
16. Water, Environment and Natural Resources Committee, you have two reports. That is response to Statement raised by Hon. Mildred Ajumbo regarding contamination and possible pollution of Lake Victoria waters. Hon. Samuel Dede, it is due for submission on 9th November, 2022. That is today.
17. Water, Environment and Natural Resources Committee, also has a response to Statement raised by Hon. Zack Okoyo regarding implementation of NEMA regulations and previous resolutions of the House on treatment and discharge of effluents into Lake Victoria and its distributaries. Due for submission today.
18. Public, Works, Roads and Transport, you have two reports. Response to statement raised by Hon. Ratib Boitone regarding the status of streetlights and floodlights within the county. Hon. Reuben Rakwach, it is due for submission on 16th November, 2022.

19. Public, Works, Roads and Transport. Response to a statement raised by Hon. Benson Adegambuti regarding status of Osiepe- Ongadi-Thuol-Jamna, Soi Road in Kajulu Ward. Due for submission on 17th November, 2022.
20. Joint Committees of Agriculture, Livestock and Fisheries Committee and Water, Environment and Natural Resources. You have a joint response on the statement sought by Hon. Benny Oiko regarding the source of effluents in Lake Victoria and mitigation measures put in place to curb it. Due for submissions on 10th November, 2022.
21. Joint Committees of Labour, Social Welfare and Community Services and Health, Housing and Sanitation response on statement raised by Hon. Benny Oiko regarding Masogo and Ahero Sub-County Hospitals. Due for submissions on 16th November, 2022.

Honourable Members, it means there is a lot of work to be undertaken at the committee levels. In case there is need for any assistance then it is always right to consult the Office of the Speaker or the Office of the Clerk.

Hon. Oiko (MCA, Kabonyo Kanyagwal): Point of information Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Oiko, I am still under communications.

Hon. Oiko (MCA, Kabonyo Kanyagwal): I am aware of that Mr. Speaker. But I want to say something before you proceed.

The Speaker (Hon. Oraro): Allow me to conclude then I will give you a chance.

Hon. Oiko (MCA, Kabonyo Kanyagwal): Most obliged.

The Speaker (Hon. Oraro): Honourable Members, the third communication that I want to make is regards candidates for the position of Kisumu County Executive Committee Members (CECMs), which I had earlier communicated. However, it is in the public domain and in your knowledge that it is a matter before court, which was resolved yesterday. I want to confirm to you that the Governor has sent the full list of nominees for the position of Kisumu CECMs.

The following candidates have been nominated by the Governor for the position of CECMs, Kisumu County.

No.	Names of proposed Nominees	Portfolios
1.	Ms. Judith Oluoch	CECM Public Service, County Administration and Participatory Development, Office of the Governor
2.	Mr. Kennedy Hongo	- CECM Lands, Physical Planning, Housing and Urban Development.

3.	Dr. Gregory Ganda	CECM Medical Services, Public Health and Sanitation.
4.	Ms. Maryline Yanzar Agwa	CECM Department of Water, Environment, Natural Resources and Climate Change
5.	Mr. George Omondi Okong'o	CECM Finance, Economic Planning and ICT (E-Government) Services
6.	Mr. Kenneth Onyango	CECM Agriculture, Fisheries, Livestock Development and Irrigation
7.	Mr. Salmon Orimba	CECM Infrastructure, Energy and Public Works.
8.	Ms. Farida Salim	CECM Trade, Tourism, Industry and Marketing
9.	Mr. John Awiti	CECM Department of Education, Technical Training, Innovation and Social Services.
10.	Ms. Beatrice A. Odongo	CECM Department of Sports, Culture, Gender and Youth Affairs.

Honourable Members, I confirm having received their Curriculum Vitae (CVs), Certificates and Testimonials, KRA Tax Compliance Certificates, Certificate of Good Conduct, Credit Reference Bureau Clearance (CRB), HELB Clearance and Clearance from Ethics and Anti-Corruption Commission (EACC).

I, therefore, want to re-commit these nominees to the Committee on Appointment to work on it within 21 days as per our Standing Orders. Lastly, I want to communicate as per my earlier communication about the Governor's First Address, which, due to unavoidable circumstances, we agreed that he would give us a date for the First Address of the Assembly as per our Standing Orders.

The Governor has communicated and requested that on Tuesday 15th November, 2022 at 2:30 p.m., he will be giving his First Address. Honourable Members, this is within our Standing Orders and I want to request ourselves that we be punctual on that date that is next Tuesday so that the Governor can give his opening Address. This will be an opportunity to understand what he plans within the period of 2022-2027. It will give you an opportunity to react thereafter on his Address. We will guide accordingly on what happens on that day. Thank you.

The Speaker (Hon. Oraro): Yes, Honourable Oiko.

Hon Oiko (MCA, Kabonyo/Kanyagwal Ward): Mr. Speaker, I was suggesting that we have one WhatsApp Group for the Third Assembly of Kisumu in which relevant information is shared. If a second WhatsApp group would be created called Communication as it was the in the Second Assembly, it would help Members receive important communication. Members then would be advised not to post any other issue and let the WhatsApp group be purely for important communication from the Office.

When communication is made in the WhatsApp group for the Third Assembly, it is difficult to grab the actual content as the group is flooded with postings. I do not know if it would be in order for the communication department to create a separate wall for official communication. That is what I wanted to say Mr. Speaker. Thank you.

The Speaker (Hon. Oraro): Thank you Hon Oiko. It is a suggestion that we shall have a discussion upon with the Communication team.

The Speaker (Hon. Oraro): Next Order!

PETITIONS

A PETITION TO THE COUNTY ASSEMBLY OF KISUMU BY HEALTHCARE WORKERS UNIONS ON THE STATUS OF HEALTHCARE WORKFORCE AND HEALTHCARE SERVICE PROVISION ACROSS PUBLIC HEALTH FACILITIES WITHIN KISUMU COUNTY.

The Speaker (Hon. Oraro): Honourable Members, on the 07th of November, 2022 I received a Petition which I conveyed to the Clerk to consider for purposes of checking if it means threshold as per our Standing Orders. The Petition is from the Healthcare workforce. Allow me to read it.

A petition to the County Assembly of Kisumu by Healthcare Workers Unions on the Status of Healthcare Workforce and Healthcare Service Provision across Public Health Facilities within Kisumu County.

We the undersigned bonafide members and registered branch officials of section of Healthcare Workers Unions within Kisumu County, comprising Kenya National Union of Nurses, the Kenya National Union of Medical Laboratory Officers, Kenya National Union of Medical Officers, and the Kenya National Union of Pharmaceutical Technologists;

Draw the attention of the County Assembly of Kisumu to the following:

Aware that Article 185 of the Constitution of Kenya vests the County Assembly the role to oversight the Executive,

That, whereas Part 2 of the 4th Schedule of the Constitution of Kenya 2010 assigns specific roles of the County Government including provision of Health Services;

That the County Government of Kisumu has failed in its duty to provide for adequate healthcare services to its citizens by failing to employ adequate healthcare staff, a situation that has seen perennial staff shortage across all healthcare facilities, (an example attached) straining the availability of staff who subsequently cannot provide quality services;

That whereas the Employment Act, 2007 amended in 2022 declares and defines the fundamental rights of employees, provides for basic rights of employees and all matters contained therein;

That the County Government of Kisumu continuously abuse the fundamental and basic rights of employees as provided for in the Employment Act as follows:

(a) Perennial salary delays in total contravention of Part 4, Section 18 (2) (c) of the Employment Act 2007 which stipulate that in the case of employees employed for a period exceeding one month, wages or salaries shall be deemed to be due at the end of each month thereof. The perennial delay also contravenes a mutual agreement signed before and deposited within the Labour Court by Unions and Executive asserting that salary release be paid latest by Fifth (5th) of every month.

(b) The County Government has refused blatantly with no reason at all to promote and Re-designate all its healthcare workers despite promotions and re-designations being an employee's right and a court order being issued to the Executive to issue all promotions and re-designations two years ago.

(c) Illegally withholding salaries of a section of Health Care Workers for having participated in a legally instituted industrial action. This is despite the Ministry of Labour finding and terming this act an illegality and advising the County Government to put it aside and pay the withheld salaries.

(d) Employment of Health Care Workers under illegal and discriminatory terms of employment with employees being coerced and forced to sign illegal contracts that are contrary to the Labour Relations Act and Human Resources Manual.

THAT, whereas petitioners have confirmed that efforts have been made to address these grievances through internal mechanisms and the relevant bodies such as the courts but failed to yield satisfactory solutions and that all the matters in which petitions is raised is not pending before any court of law or constitutional body.

THEREFORE, your humble petitioners pray that the County Assembly of Kisumu intervene on;

- a. Task the relevant Departments of Health, Human Resources, Finance and the County Service Board to speedily find a solution to the grievances listed above, failure to which Healthcare Workers will be forced to revert to industrial action including strikes thereby disrupting provisions of health services
- b. The responsible officers in the Executive be summoned to appear before the Honourable House and explain the actions or inactions in this regard and be compelled to provide a

clear roadmap to a permanent solution to these perennial problems that have bewildered the health sector within Kisumu County and your petitioners pray forever.

This petition has been signed by;

1. Hillary Awili – Branch Secretary, Kenya National Union of Medical Laboratory Offices.
2. Cruz Okumu – Branch Secretary, Kenya National Union of Clinical Officers.
3. Anne Owiti – Branch Secretary, Kenya National Union of Nurses.
4. Tonny Aol- Branch Secretary, Kenya National Union of Pharmaceutical Technologists.

It has been copied to; the Governor, the County Secretary, Chairperson Committee of Health, Housing and Sanitation, Chairperson Committee of Labour and Social Welfare Services and the Public Service Board.

Honourable Members, you are aware that there is a similar petition that was here last week and when I read the content, three quarter of it are the same as the petition the we committed to the Committee of Labour and Social Welfare.

The Hon Members like Hon. Pete and Hon Dede, you are aware that there is a similar petition that came here during the Second Assembly where I personally chaired and we made some resolutions. Therefore, we can make reference on the same resolutions. On the same note, I want to commit this Petition to be combined with the one that we committed to the Labour and Social Welfare Committee because the content is more or less the same.

So, let them combine them. The only difference is that, the other one was brought by Medical Practitioners (the doctors). This one now includes the Nurses, Clinical Officers and other Health Care workforce. As they work on them and on the same period, I want them to refer to our Hansard Department to pull out both the committee work and the House Resolutions on the initial petition by the Nurses and Clinical Officers who did a petition during the Second Assembly. Once they get that Hansard Report, they have a whole sixty days to analyze them and do the work plan and further ask for assistance wherever necessary.

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

STATEMENTS

The Speaker (Hon. Oraro): Hon. Millicent Omuya.

Hon. Omuya (North Seme): Thank you Mr. Speaker for allowing me to place my request for the following Statements.

Hon. Speaker, pursuant to the Standing Order No. 41 (2) (b), I wish to request for a Statement from the Chairperson of the Sectorial Committee on the Administration of Law, Justice and Constitutional Affairs good governance and security regarding village councils.

Hon. Speaker, Pursuant to Section 12 (1) of the Kisumu County Administration of Village Unit Act 2019, the Village Councils was established and composed as follows;

- a. The Village Administrator who shall be the Chairperson of the Village Council.
- b. Not less than three and not more than five Village Elders competitively appointed by the Village Administrator through public participation with the approval of the County Assembly taking into account, gender balance.

Hon. Speaker, a report on the establishment of the Village Units was moved on the floor of this House which approved a list of the Village Council Members and initiated the commencement of the operations of the Councils.

Hon. Speaker, to this day the village Council is yet to begin operations and in some places, its membership is not known to the public.

Hon. Speaker, in the Statement, the Chairperson should inquire on and into and report on;

1. The approved list of the Village Councils.
2. The Remuneration of the Village Council Members, thank you so much.

The Speaker (Hon. Oraro): Honourable Members, the Statement has been raised by Hon. Millicent Omuya to the Chairperson of the Committee of the Administration of Law, Justice and Constitutional Affairs, Good and Governance and Security regarding the Village Councils.

Honourable Members when I look at the Statement, I see that it touches two House Committees of; the Administration of Law, Justice and Constitutional Affairs Good and Governance and Security and the Implementation. That is because, yes, we did pass a law on the Village Administration, we also did pass a list here on Village Council Members. Therefore I believe that the Implementation Committee should be able to follow up on the Status of Implementation of these particular House Resolutions. On the same note, like the matter touching on the approved list- we are also supposed to have deliberated on the remunerations. I now want to commit this Statement to a joint committee of Implementation and that one of Administration of Law, Justice and Constitutional Affairs and Good Governance and Security and request that as per our Standing Orders, being that it is a straight forward Statement, I believe that the Chairperson of the Administration of Law, Justice and Constitutional Affairs Good and Governance and Security Committee is here. Do you have something to say?

The Speaker (Hon. Oraro): Hon. Moses Ochele.

Hon. Ochele (MCA, East Kano Wawidhi Ward): Thank you Mr. Speaker, I believe that fourteen days will be adequate unless we face any stumbling block on the way.

The Speaker (Hon. Oraro): Thank you. Hon. Henrietta Bodo, Chairperson Implementation Committee, or Vice Chair or any Member of the Committee. Okay, Hon Moses Ochele the Chairperson of the Administration of Law, Justice and Constitutional Affairs and Good Governance and Security Committee, what you should know is that when we commit a report to a House Committee, you will do your part. If you request for an information and you are not given, that is part of the report. From then, you give us your recommendation(s) as per the House. So, when you say fourteen days, please, it does not matter whether the report is positive or negative so long as you give us what you want us to do as the House. You can therefore consult and be guided appropriately.

Hon. Ochele (MCA, East Kano Wawidhi): Most obliged Mr. Speaker.

The Speaker (Hon. Oraro): Thank you Sir. Hon. Emily.

Hon. Oginga (Nominated MCA): Thank you Mr. Speaker. I rise on behalf of the Health, Housing and Sanitation Committee to give a feedback on the report on the Statement raised by Hon. Tom Nyaoke regarding the fire incident at Adu Blossom Education Center at Katito. The Committee already sent a request to the Executive and so far we are still waiting for response. Therefore, we are requesting for more time, hopefully by the end of this week, we should be having the response.

Secondly, I would like to give a progress on the report of JOOTRH Annual Report and Financial Statement. We are still going on with the session and hope to submit a report to the House Business Committee for tabling next week. Otherwise, thank you.

The Speaker (Hon. Oraro): Thank you so much, Hon. Members I know it is still a learning process but I want to request you that anytime you are giving a progress report on the date that the report is due, you can just do a progress report that we share with the Members and we discuss and you request, like you see, she is requesting for more time but she is not clear on how many days. On the statement raised by Hon. Nyaoke, you are requesting for more time.

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

Hon. Emily Oginga, (Nominated MCA): The reason why we are requesting for more time is because we haven't received any feedback from the Executive side and we were hoping that by the end of this week we should be having the report ready for this House, it is a bit indefinite because we are still waiting for the feedback.

The Speaker (Hon. Oraro): Before I give Hon. Nyaoke, Hon. Olima, just a minute I have noticed you.

The Speaker (Hon. Oraro) : Honourable Members, I want use to make it a practice that the role of oversight is bestowed on the Members and it is the same Members who will start lamenting that there is no oversight. Once a communication has been made to the CEC Member or to any witness regarding any statement, it doesn't matter whether you get the feedback or not. What we need is that report, so your report was supposed to be, we have communicated because we cannot give that feedback, we have communicated and we are yet to give a report and this is our resolution because if you requested and it did not come so we can go to the extent of now summoning that particular person to appear before your committee in person and not in writing.

Honourable Members, if you give us indefinite request for time, it become very difficult for us to handle that matter and I know that the blame will come to me as the Speaker while it is the responsibility of that House Committee to work on it.

The Speaker (Hon. Oraro): Hon. Olima, I wanted to give Hon. Nyaoke but let me give you first.

Hon. Olima, (MCA, South West Nyakach Ward): Thank you Mr. Speaker for recognizing me, I know I am more senior to Hon. Nyaoke. I just wanted to say what you have said about the statement. Mr. Speaker, you see there are statements of Topical Concern which if the committee of Health is unable to deliver to this House at any time any day then they should bring a report that we are unable to get back so that we as the House can be able to get that report, because, as the Vice chair of the Committee that has brought information that they are not able to get some information, then, that mean that the committee is unable to give us a full report on what happened in Katito.

Mr. Speaker, therefore, with that information alone I don't feel that we as a House should give them more time but revert that opportunity to the Whole House to investigate what happened in Katito because the people of Nyakach up to date are still crying as a result of lives and property lost and nobody is giving answers to what happened in Katito.

Therefore, I don't believe that we should give this House Committee more time but to revert that information and revert that statement to the Committee of the Whole House so that we do what is mandated to this House and give the people of Nyakach the right to information on why and how, what happened on that day.

Mr. Speaker, as I stand here today, with the information given by the Member or the Vice chair, we should get that information as the full House and make sure that that statement is dealt with and the right information is given to the community and to the House because as it stand today, we can lose lives and property tomorrow and any other thing but if we do not deal with that issue today because it is of topical concern and is a very serious issue.

Secondly Mr. Speaker, the same Member has brought an issue of JOOTRH, I believe that you gave information and a ruling in this House that we give this House Committee fourteen days to give us a report. Mr. Speaker, today, the Member brings a statement to this House verbally not written, whether they have questioned the people of JOOTRH or whether they have done anything is not there. Requesting more time and there is no progress report.

Mr. Speaker, if that is the position the House Committee is taking, then this House will go nowhere and we will not get any information. I feel if the committee is unable to do the job they were given within two weeks, that is 14 days and up to date they are still giving a verbal report which even the Members cannot even discuss and write anything about then, the committee should allow other committees or the full House to do what we are supposed to do in this House. Members are dying, our constituents are dying in JOOTRH and this committee is taking their sweet time to get more allowances and seating allowance so that they get more money.

Deputy Speaker (Hon. Okombo, MCA, Manyatta “B” Ward): Point of information Mr. Speaker!

The Speaker (Hon. Oraro): Allow the Hon. To conclude or who do you want to inform?

Deputy Speaker (Hon. Okombo, MCA, Manyatta “B” Ward): I want to inform the House.

The Speaker (Hon. Oraro): Proceed, Hon Olima just a minute.

Deputy Speaker (Hon. Okombo, MCA, Manyatta “B” Ward): (On a point of information) Mr. Speaker, on the sentiment of Hon. Olima, I want to say that as a member of the Health Committee that the committee is in progress and had even invited the management of JOOTRH. Mr. Speaker, I believe that the Vice chair is in order to ask for an extension of time even though it is right that Hon. Olima is asking for a document report. I believe that as far as the JOOTRH report is concern, they are on the right track and as soon as next week that report should be ready Mr. Speaker, it is not that they are incapacitated but they are on the right track and I believe we as a House Committee, we are in the right direction, thank you.

The Speaker (Hon. Oraro): Hon. Okombo, I believe that I got the concern of Hon. Olima and I raised it but, I had given an excuse to the committee that they are learning but what Hon. Olima is saying is true and I had said it. If there is a progress report, you bring the report and it should be having attachments of letters you communicated, the replies you got and if there is any hinders somewhere and you recommend to us in the House on what you want us to do. For example in her case, she was requesting we give more time, so the request for more time should be justified that is why they need more time.

On one side I want to agree with Hon. Olima that it is the responsibility of the House to oversight the Executive so if we say its two weeks please if you cannot bring it in two weeks how will you blame the Executive for not completing your projects in the ward for three years while you as committee you cannot undertake you task within a given time. Then the next time you will be blaming the Executive that there are projects that have taken two years without being completed yet you who are setting examples by not completing yours within the specified time. Hon. Okombo we are not saying that the committee did a wrong thing, they are on progress yes but, how do we know that they have challenges, where do we come in. Hon. Olima, I hope you have concluded or let me give you one minute then I give Hon. Nyaoke.

The Speaker (Hon. Oraro): Yes what is it Hon. Ochele.

Hon. Ochele (MCA, East Kano Wawidhi Ward) : Yes Mr. Speaker, I do agree with you and Hon. Olima on the aspect of presentation of progress report but I don't agree with Hon. Olima on first, concern that the committee has failed to highlight what happened at Adu Blossom Education Center at Katito.

Mr. Speaker, what we have at our desk is not about investigating what caused the fire but the concern which was raised by Hon. Nyaoke is about Waiver of Mortuary Bills, unless the committee of Health was given another task then, maybe I can be informed. It is about waiver and Hon. Nyaoke is here he can highlight on that. Mr. Speaker you can remember there was a time I rose to raise a concern on security that whatever concern that Hon. Nyaoke had should have been also attached to the Department and Committee of Security but because he didn't raise that in his statement that has not been done. So let's just stick to what Committee of Health has on its desk Mr. speaker.

The Speaker (Hon. Elisha J. Oraro): Thank you Hon. Ochele. I want to clarify on the statement raised by Hon. Nyaoke on the issue of Waivers which was sorted it out last week whereby it had been overtaken by event. Honourable Members, I did advice you that some things are so urgent that you don't need to bring to the House. You can talk to the Chairperson of Health directly or communicate to the CEC Health and if there is some hitch somewhere then you can always call upon the Speaker to intervene because some of them may be so urgent that going through the procedure of the House may delay. The statement at hand had been committed to the Committee of Health, Housing and Sanitation; it was a statement raised by Hon. Nyaoke regarding the fire incident at Adul Bosom Primary School in Nyakach Sub-county and was committed to the Committee of Health and was due for submission on 09th November 2022. Hon. Olima I believe that your facts have been taken into account.

Hon. Olima (MCA, South West Nyakach Ward): Thank you Mr. Speaker. I just wanted to say that whatever you have informed Hon. Okombo and Hon. Ochele is correct. You cannot go for a

waiver if you don't know the incidents. If you go to JOOTRH today and you ask for a waiver for a patient, you must bring the background of the patient under you before you request for a waiver. I think Hon. Ochele should know that.

Mr. Speaker, what has been table by the Member of Health Committee today does not even show us that they have written any letter and I agree with you that if you ask them whatever they have done then they should inform us on how far they have gone because we are in this House and we know there are statements in this House; one of them was previously raised by Hon. Guya and up to date it has never been responded to. The respective Committee was to bring progress reports and the Chairperson, Hon. Agolla is at home and that is on the same thing that has been raised by Hon. Ochele about the Village Council. That statement was brought in this House and to date it is still being responded to as progress report. Therefore I want to plead with you that you ensure that if you give these Members two weeks and they don't deliver then you should revert that statement to the Committee of the Whole House so that all the Members can look into the statement. Some of them are of topical concern and very serious. As a House we can't wait for them to take their sweet time to investigate something that is very obvious. If they cannot get the information which they cannot get or they don't want to get then this House can get that information.

The Speaker (Hon. Oraro): Thank you Hon. Olima, I will make a ruling on the same. Hon. Nyaoke you are the Member who raised the statement, the committee has requested for more time those not definite. Do you have anything to say?

Hon. Nyaoke (MCA, North Nyakach Ward): Thank you Mr. Speaker. Where you sit I believe that the directions that you give to this House must not be taken for granted. When I raised this statement on Adu Blossom Education Center at Katito, I made it clear on the request and it was unfortunate because I was making this request based on two casualties which one of them we already buried. Apparently the second one is due for burial on 12th November 2022.

Mr. Speaker, I really believed that this afternoon I would have gotten the response on the waiver of the Medical and the Mortuary Bills for the person that we are due to bury on 12th November 2022. So, the idea of giving extension of time is to buy time so that I don't get the request that I made. Let this House be taken seriously since what we are doing here is not just to pass time but to do things that our people back home are requesting us to do. We are here to represent and when they send me here to come and request for something indeed they are absolutely serious. I want to thank you because you took this matter seriously. You gave a proper direction but it is unfortunate that the team that was given this issue to deal with is actually not taking it serious. So, I request that you put more emphasis in this issue as I still look forward for the results. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I want to give direction. Hon. Emily this matter is of at most urgency, get the facts from Hon. Nyaoke, literally call the CEC Health and explain to

him the need for the waiver. The report on the fire incident can come but the waiver once you explain on phone to the right person in JOOTRH because I am being informed the burial is on 28th November 2022. If you fail to reach him then I will be available. I want to direct that on Tuesday next week you must give us a report on the request by Hon. Nyaoke whether it is positive or negative with your recommendations on what you want the House to resolve.

This is to other House Committees, once you are given work to do, you are like Auditors, and it doesn't matter whether you get the results that you wanted or not. What you report is what you went through. If you wrote a letter to a CEC Member and they never replied, that is what you report and you attach the letter that I wrote a letter for this question and it has never been responded to. If you called a witness and they never appeared, that is what you report and then you give us your recommendations for the House to give a resolution on the way forward. I want to agree with other Honourable Members that if we are going not to adhere to our timelines, how you are going to blame the Executive for not implementing your projects on time if you as a person you cannot do your work within time.

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

Hon. Emily Oginga, Nominated MCA: Thank you Mr. Speaker. We oblige and by Tuesday next week we will be having the full report to the House.

The Speaker (Hon. Oraro): Thank you. There is a report that was also due today from Hon. Dede.

Hon. Dede (MCA, Kisumu North Ward): Thank you Mr. Speaker, I believe that the statement was raised on the floor by Hon. Okoyo together with Hon. Millicent thereby we will bring the report today in the evening. Mr. Speaker, we have done some research and sent some letters to the underlined department therefore we will come back with the report to the floor of this House today in the afternoon.

The Speaker (Hon. Oraro): Hon. Dede, Chairperson, Committee of Water; I want to reiterate the same sentiments that I have issued to the Committee of Health. It doesn't matter whether the report is positive or negative, it doesn't matter whether you have concluded it or not. If you were given 14 days then, let it has to be 14 days and the House will make decision on what to do. Otherwise, I am one hundred percent sure that the blame will be on the Speaker whereas the work is on you. We have all the free time. I am expecting that from next week, we will be jostling for spaces to discuss these reports and it will be on basis of first come first serve. If you delay then don't blame the House Business Committee for not scheduling your report.

The Speaker (Hon. Oraro): Next Order!

ADJOURNMENT

The Speaker (Hon. Elisha J. Oraro): Honourable Members, I want to request that we have some 30 minutes ‘*kamukunji*’ off the Hansard. There being no any other business to transact, the House stands adjourned to Wednesday, 09th November 2022 at 2.30 p.m.

(House rose at 10.02 a.m.)

Addendum

Hansard Team

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