

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FIRST SESSION

Thursday 17th November, 2022

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

(The Temporary Speaker (Hon. Seth Okumu) in the Chair)

PRAYER

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Madam Clerk, take us through the Order Paper of today.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Next order!!

COMMUNICATION FROM THE CHAIR

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Honourable Members, welcome to this afternoon session and I want to convey this information that the House Business Committee shall convene on Tuesday 22nd November, 2022 immediately after the vetting exercise of CECM nominees.

Two, I want to remind the Honourable Members that we are supposed to submit our Wealth Declaration Forms to the Office of the Clerk. You can get a copy of the forms at the Sergeant-At-Arms Office. Get it and fill it for the purposes of administration.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Next order!

STATEMENTS

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Yes, Hon. Reuben Rakwach.

Hon. Rakwach (MCA, Kolwa East Ward): Thank you Mr. Speaker, I rise to give a response on the Statement that was sought by Hon. Boitone Ratib. Mr. Speaker and Honourable Members, during the Assembly sitting on Wednesday, 02nd November, 2022, Hon Boitone Ratib MCA for Nyalenda “A” Ward, sought for a statement pursuant to Standing Orders No. (41) (2), (b) regarding the status of faulty streetlights and floodlights in Nyalenda A and other affected Wards. The statement was consequently committed to the Sectoral Committee on Public Works, Roads and Transport to look into the issues raised and report back within a period of two weeks.

Mr. Speaker and Honourable Members, the committee vide letters dated 4th November, 2022 & 09th November, 2022 Ref No. CAK / CGK / CS / VOL.1 (03) wrote to the CECM for Energy, Trade, Cooperatives & Industry and the City Manager seeking for information on the same. A reminder has been done to the line department and therefore the committee awaits response.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Order Honourable Chair. You are making reference to a document that the Members do not have. Neither is it on my desk. So, I cannot determine whether you are making a reference to what exist or not is difficult for me to determine. Yes, you have a response but I wish you would have taken it to the House Business Committee to schedule so that they facilitate your report in the House.

Hon. Rakwach (MCA, Kolwa East Ward): Mr. Speaker, the documents were brought yesterday and there is one that I dealt with. That is why I rise to shed light on this matter.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Chair, I get it. If it is true that you had given copies to the Members then I will allow you to respond so that we dispense with the matter. Proceed.

Hon. Rakwach (MCA, Kolwa East Ward): Thank you Mr. Speaker. In the absence of response from the line department, the committee and I are unable to give a satisfactory response to Hon. Boitone Ratib and the House within the stipulated timelines. I therefore humbly request this August House to provide us with more time preferably seven days to finalize with the matter. Thank you.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Thank you Honourable Member. You are requesting for more time on this matter and because this Statement was committed to your committee, you ought to have brought the response as a Motion then it is seconded, discussed and I put a question and allow me give further guidance on the same.

Hon. Rakwach (MCA, Kolwa East Ward): Thank you Mr. Speaker. I stand guided.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Thank you Honourable Member. You can consult the Office of the Speaker on the same so that you be given more time as you have requested.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Next order Mr. Clerk!!

MOTION

ADOPTION OF THE REPORT BY BUDGET AND APPROPRIATIONS COMMITTEE ON ITS CONSIDERATIONS ON THE KISUMU COUNTY BUDGET REVIEW AND OUTLOOK PAPER FOR THE FISCAL YEAR 2021/2022

BY

HON. JOACHIM OKETCH OMIENO, MCA, KONDELE WARD.

(CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE)

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Hon. Joachim Oketch Omieno.

Hon. Omieno (MCA, Kondele Ward): Thank you Mr. Speaker.

The Chief Whop (Hon. Kanga, MCA, Market/Milimani Ward): Thank you Mr. Speaker. The House is moving unprocedurally. The Governor's Address to this House should be discussed for four consecutive sittings which I believe has not elapsed. I seek for your guidance on that matter. Thank you.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Thank you Hon. Kanga. I want to agree with you that the House was to discuss the Governor's Address in four consecutive sittings and we have just started with the first business....

The Chief Whop (Hon. Kanga, MCA, Market/Milimani Ward): Mr. Speaker, the House sat yesterday and the Speaker ruled that we shall proceed with the Governor's Address as a priority. The Standing Order is also very clear on the resumption of interrupted business. Mr. Speaker, the Governor's Address should take precedence over any other business. Interrupting the debate on the Governor's Address by bringing another motion is not procedural. Thank you.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Honourable Member, I agree with you that the Governor's Address is to be discussed in four sitting.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): What is it Hon. James Omollo?

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. When we began to discuss the Governor's Address, the Speaker made it very clear that it will be done consecutively. The

only business that should take precedence is the Governor's Address to the Assembly. I therefore, beg for your indulgence on the same.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Honourable Member, I wish you could quote the Standing Order you are referring to make it easy because I have just made it clear that we are on the first business of this session.

The Chief Whip (Hon. Kanga, MCA, Market/Milimani Ward): Mr. Speaker, these are traditions in the National Assembly or the Senate. You cannot stop discussing the Speech of the President midstream by introducing another matter and more so when such had been ruled by the Speaker. We are moving towards a wrong direction. It is like we are undermining the authority of the Governor.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Honourable Members, if you look at Standing Order No 22 (5), it ends by the words; but debate on the Motion shall not exceed four sitting days. Therefore, it is not four consecutive sitting days.

Order!! Honourable Members. Secondly, any discussion in the Floor of the House is determined by the House Business Committee, which weighs the strength of matters to be brought before this House, they debate and make a decision. They were aware this debate was to proceed but, in their wisdom, they introduced County Budget Review Outlook Paper (CBROP) may be because it should be done within strict timelines which is why we are discussing it now.

I want to agree with Hon Kanga that it is important we discuss Governor's Speech but on four consecutive days, rather, four sitting days as provided for in the Standing Orders.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): What is it Hon Ngeta.

Hon Ngeta (MCA, Awasi Onjiko Ward): Thank you Mr. Speaker. There was an earlier ruling on this matter and it has been a precedent that we first discuss Governor's Speech before jumping into any other business.

The Temporary Speaker (Hon Okumu): Thank you. Honourable Member, you cannot make a ruling on something that is provided for in the Standing Orders.

Chief Whip (MCA, Hon Kanga, Market/Milimani Ward): Mr. Speaker, you know the presiding Speaker for yesterday's session, in her ruling, which is a ruling of the House and which the House must abide by, issued a communication that we shall proceed with discussion on Governor's address today. I believe that the ruling of the Speaker supersedes any other subsidiary committee or the House. In her ruling, she said we shall proceed from where we left. Introducing another matter and overruling the authority of that seat, I believe that we are setting a bad precedence. Otherwise, I oblige by your ruling. Thank you.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Thank you Hon Kanga. I totally agree that the Speaker might have ruled. However, the speaker's ruling cannot supersede the laws that are provided. If the speaker rules against laws that are very clear, then such a ruling can be thwarted. Discussions on the Floor of this House are guided by the Standing Orders and matters discussed in the House are only decided by the House Business Committee. Therefore, whatever Order Paper is before us must be followed because it is an order from House Business Committee. They have indicated that Order No.8 is a Motion, adoption of a report by the Budget and Appropriations Committee on its consideration of the Kisumu County Budget Review and Outlook Paper. That is the order in which we are.

Honourable Members, I want to request that you allow Hon Omieno to proceed

Hon Oiko (MCA, Kabonyo Kanyagwal Ward): Mr. Speaker, I wanted to concur with you. Both businesses before the House are for the Executive that is the Governor's speech and County Budget Review and Outlook paper (CBROP). If the House Business Committee felt it necessary that the CBROP report is brought today because of certain reasons that would not mean that the House is cutting short discussions on the Governor's speech. We shall discuss it with the due respect if time allows us today, if not, we shall next week.

The Temporary Speaker (Hon Okumu): Thank you. Honourable Omieno. Please proceed with your report for adoption.

The Temporary Speaker (Hon. Okumu, MCA East Seme Ward): Honourable Members, we proceed with the motion in the Order paper.

Hon Omieno (MCA, Kondele Ward): Thank you Mr. Speaker. Thank you for your wise ruling. I know the Governor's speech is equally important but I thank the House Business Committee for slotting in this equally important report. I was reading the committee report for the consideration of CBROP for FY 2021/2022. Members, I want you to notice the correction. There are documents reading 2021/ 2023. It should actually be 2021/2022 Mr. Speaker.

Hon. Speaker, about the County Budget Review & Outlook Paper for the Fy2021/2022. The County Budget Review and Outlook Paper (CBROP) is one of the budget policy documents that presents the fiscal outcome for the previous financial year and how the outcomes affect financial objectives as set out in the County Fiscal Strategy Paper (CFSP) for the same year.

CBROP serves three purposes: (i) Reviews the previous year's budget performance (year-end review), (ii) Updates current year economic expectations (for inflation, growth, etc.), and (iv) Proposes a distribution of the coming year's budget across key sectors like health and education (this distribution is known as the "provisional ceilings" for each sector).

The main objective of CBROP is to provide a framework for the setting of budget ceilings for subsequent financial year based on information on fiscal performance of the previous financial year. It is prepared by the County Treasury, considered and approved by Cabinet before its

submission to the County Assembly within statutory timelines in line with the Public Finance Management Act 2012. The CBROP for the fy2021/2022 was submitted to the Assembly on 18th Oct 2022, tabled and committed to the Budget and Appropriations Committee for legislative processing. This report is therefore a documentation of the committee considerations CBROP for fy2021/2022 processed in line with the PFM Act 2012 and the County Assembly Standing Orders. The report contains an introductory note on the CBROP, the legal framework for its preparations and submissions for consideration by the Assembly, an in-depth analysis of its provisions and committee observations and recommendations.

Committee Mandate

Hon Speaker, The Committee on Budget and Appropriations is established pursuant to Standing Order No. 189 of Kisumu County Assembly Standing Orders and is mandated to;

- 1) investigate, inquire into and report on all matters related to coordination, control and monitoring of the County budget;
- 2) discuss and review the estimates and make recommendations to the County Assembly;
- 3) examine the County Budget Policy Statement presented to the County Assembly;
- 4) examine Bills related to the County Government budget, including Appropriations Bills; and
- 5) Evaluate tax estimates, economic and budgetary policies and programs with direct budget outlays.

Committee Membership

Hon. Speaker, the following are the members of the committee as currently constituted;

Table 1: Budget Committee Members

No.	NAME	DESIGNATION
1.	Hon. Joachim Oketch	Chairperson
2.	Hon. Seth Okumu	Vice Chairperson
3.	Hon. Nereah Okombo	Member
4.	Hon. Boitone Ratib	Member
5.	Hon. Kennedy Ooko	Member
6.	Hon. Moses Ochele	Member
7.	Hon. Seth Kanga	Member
8.	Hon. Jenipher Obonyo	Member
9.	Hon. Vincent Jagong'o	Member
10.	Hon. Habil Nyasuna	Member
11.	Hon. George Abaja	Member

12.	Hon. Lumumba Owade	Member
13.	Hon. Carren Odhiambo	Member
14.	Hon. Reuben Rakwach	Member
15.	Hon. Pamela Oyoo	Member

Source: Selection Committee Report, Oct. 2022

Acknowledgement

Hon. Speaker, on behalf of the committee on Budget and Appropriations I wish to thank the office of the Speaker and the office of the Clerk for the support during the legislative processing of this report. I also thank the Committee Secretariat for the technical support and input in making this documentation a reality.

Hon. Speaker, It is now my pleasant duty and privilege to submit this report to this House for consideration and approval.

LEGAL FRAMEWORK FOR PREPARATION OF CBROP

Hon. Speaker, the CBROP is prepared pursuant to Article 220 (2) of the Constitution of Kenya which provides that an Act of Parliament (PFM Act 2012) shall provide for the form and structure of budget documents and development plans and the timings of tabling in the county assemblies. Consequently, Section 118 of Public Finance Management Act 2012 provides for the preparation of County Budget Review and Outlook Paper (CBROP) as one of the budget policy documents.

Sect. 118 (2) of the PFM Act 2012, provides that in preparing its County Budget Review and Outlook Paper, the County Treasury shall specify the following;

- a) the details of the actual fiscal performance in the previous year compared to the budget appropriation for that year;
- b) the updated economic and financial forecasts with sufficient information to show changes from the forecasts in the most recent County Fiscal Strategy Paper;
- c) information on:-
 - a. any changes in the forecasts compared with the County Fiscal Strategy Paper; or
 - b. how actual financial performance for the previous financial year may have affected compliance with the fiscal responsibility principles, or
 - c. the financial objectives in the County Fiscal Strategy Paper for that financial year; and
 - d. reasons for any deviation from the financial objectives in the County Fiscal Strategy Paper together with proposals to address the deviation and the time estimated for doing so.

Pursuant to Section 114 (4), the CBROP should be laid before the Assembly NOT later than seven days after its approved by the County Executive Committee. This therefore means that the CBROP should be laid before the House by 21st of October in each year.

The Kisumu County Assembly received the CBROP for fy2021/2022 on 18th October 2022. This is an indication that the County Treasury complied with the law in submitting the CBROP to the County Assembly on time.

ANALYSIS OF CBROP 2021/2022

Summary of CBROP for FY2021/2022

Hon. Speaker,

The Kisumu County Budget Review and Outlook Paper for fy2021/2022 reemphasizes the County Government's fiscal policy strategy which is centered around:

- 1) Maintaining a strong revenue effort and shifting composition of expenditure from the recurrent to productive capital expenditure and ensuring efficiency and effectiveness in the use of public resources.
- 2) It seeks to strike a balance between growth and fiscal responsibility
- 3) Emphasizes on higher investments on higher investments in social sectors and infrastructure development

The CBROP 2021/2022 is divided into five chapters:

- 1) Chapter one: Highlights the legal justifications and objectives of CBROP
- 2) Chapter two: reviews the fiscal performance for fy2021/2022
- 3) Chapter three: explains the recent economic developments and outlook
- 4) Chapter four; details the resource allocation framework for fy2021/2022
- 5) Chapter five: Conclusions and recommendations

However, a review of the fy2021/2022 CBROP copy submitted to the County Assembly on the 18th Oct 2022 reveals that following chapters are missing;

- 1) Chapter one on Highlights the legal justifications and objectives of CBROP
- 2) Chapter two on a review of the fiscal performance for fy2021/2022

Without these two very important chapters, it is not clear as whether the formulating agency, the treasury, was aware of and guided by underlying legal and policy frameworks. Additionally, without chapter two, it is not possible for the stakeholders, the people and the County Assembly to assess the County fiscal performance for the fy2021/2022 (the previous financial year). With the missing sections, the CBROP for fy2021/2022 shall not have met its objectives.

3.2 Analysis of Chapter One: Legal Justifications & Objectives of CBROP 2021/2022

Hon. Speaker,

In this section, the CBROP fy2021/2022 provides information on the objectives of the policy as well as the general structure of the document. It also gives a brief of the legal framework pursuant to Section 118 of the Public Finance Management Act 2012.

The objectives of the CBROP for the fy2021/2022 is stated in this chapter to include; to provide a review of fiscal performance for the FY 2021/2022 and how the performance impacts on the financial objectives and fiscal responsibility principles set out in the 2021 County Fiscal Strategy Paper (CFSP). It also provides; a) Budget performance (estimated expenditure against the actual

expenditure for FY 2021/2022) b) An analysis of policy shifts in the 2021 CFSP and the implication in the County c) Information on any changes in forecasts, compared with the CFSP 2022. d) The fiscal and economic outlook for FY 2023/2024 e) Indicative sector ceilings for preparation of the FY 2023/2024 budget and the MTEF period, guided by the PFM Act, 2012 and ADP 2023/2024.

Analysis of Chapter two: Fiscal Performance for previous financial year

Hon. Speaker, chapter two of the CBROP fy2021/2022 provides information on the County Fiscal performance for the fy2021/2022.

On fiscal performance, during the year under review, the County Government received Kshs. 8,466,214,336 as disbursements from National treasury consisting of Equitable Share Kshs. 7,384,048,098 and Grants amounting to Kshs. 362,666,918. Revenue generated from own source collection was Kshs. 1,199,145,031 against a target of Kshs.1,984,000,003. This resulted in a negative variance of Kshs. 784,854,972 (40%) of the annual local revenue target.

The table below illustrates the revenue performance of the County during the period under review;

Table 2: Total revenue received during the fy2021/2022

Source	Actual Revenue Received
Opening balance from CRF A/C	719,499,320
Equitable Share	7,384,048,098
DANIDA	7,573,500
KDSP(WORLD BANK)	82,682,637
IDA (World Bank)-Kenya Climate Smart Agriculture Project(KCSAP)	160,534,810
Sweden-Agricultural Sector Development Support Programs(ASDP)+Balance	25,298,410
World Bank Grant for transforming health system	51,445,866
EU-Ideas	31,676,176
SEACAP	3,455,519
Total Share of National Revenue	8,466,214,336
Gross own source revenue	1,199,145,031
Total Revenue receipts fy2021/2022	9,665,359,367

Source: CBROP fy2021/2022

On fiscal responsibility, the following illustrations indicates the contributions of various departments to the County Own Source Revenue basket;

Table 3: Departmental contributions to County Own Source Revenue basket fy2021/2022

Department	Amount
Health	456,324,315
Agriculture, Mechanization and training	9,418,319
Commerce, Trade and Tourism	1,376,270
Industrialization / Cooperatives	0
Educ. Sports, Social services etc.	162,204
Physical planning	22,980,080
Water	0
Roads, Public Works Equipment Hire & Supervision	906,200
Energy and Mining	0
Green Energy and Mining	0
Environment (Pollution Administrative & Restoration charges)	1,323,590
Revenue From Payroll	34,102,687
Governance and Administration	4,800
Other main revenue streams	672,546,566
Total OSR	1,199,145,031

Source: CBROP, fy2021/2022

The above table indicates that the following departments did not contribute anything to the County own source revenue basket during the period 2021/2022; Energy and Mining department, water department and the department of industrialization and cooperatives.

Health department and the department of physical planning had the highest contributions to own source revenue while there was a unique collection realized from the payroll department details of which are not provided.

3.4 Chapter three: The recent economic developments and outlook

The following is summary of the recent economic developments key in the understanding of the County CBROP

3.4.1 National economic outlook

Hon. Speaker,

The CBROP for the fy2021/2022 highlights the following as the key economic indicators that had some profound impact on the economy thus resulting to the County fiscal performance as reported;

- i. Economy recovered from the effects of the Covid-19 pandemic that devastated the economy in the previous financial years
- ii. Growth rate at 7.5% in 2021 as opposed to 0.3% in 2020

- iii. GDP increased by 12.9% from ksh. 10,716billion in 2020 to ksh.12,098.2billion in 2021
- iv. All sectors registered growth improvements in 2021 except agriculture, forestry and fishing which registered 0.2% decline
- v. Some notable gains include; manufacturing (6.9%), wholesale& retail (7.9%), real estate (6.7%), transportation& storage (7.2%), financial and insurance activities (12.5%). However there was registered a severe draught that had a negative impact on agricultural production
- vi. Inflation rate increased from 5.4% in 2020 to 6.1% in 2021. This was attributed to increases in the cost of fuel and food
- vii. Kenya Shillings exchange rate: the shilling weakened against major currencies. Against the dollar it exchanged averagely at a rate of ksh.109.87 in 2021
- viii. Interest rates remained at: CBK rate remained 7.5% in 2021 and commercial lending rates averaged at 12.18% between August 2021 and March 2022

County Specific Economic Outlook for fy2021/2022

Hon. Speaker, during the year under review, the County Government of Kisumu registered the following fiscal and economic performance as discussed below. The highlights hereunder presents summary of total budget execution by the County Government of Kisumu for the fy2021/2022 and the specific departmental performance with regards to some notable achievements and pitfalls for the fy2021/2022.

3.4.2.1 Total budget execution by the County Government for the fy2021/2022

For the fy2021/2022, the County Government utilized budget as shown below;

Table 4: Illustration of a summary of budget execution fy2021/2022

No.		Budget fy2021/2022	Actual payments	Commitment	Balance
1.	Recurrent	8,439,310,180	7,602,254,002	33,799,414	510,800,764
2.	Development	3,706,866,117	1,474,538,616	950,610,468	1,301,652,209
	Total	12,146,176,297	9,076,792,618	984,409,882	1,812,452,973

Source: County CBROP Fy2021/2022, (Oct. 2022)

This indicates that during the fy2021/2022, the County had a budget allocation of ksh.12,146,176,297 out which only 74.73% was utilized in actual payments while 8.10% was committed by the end of the financial year. The year also ended with a balance of ksh.1,812,452,973 unspent.

3.4.2.2 Specific Departmental Performance for the fy2021/2022

Hon. Speaker,

A review of the CBROP for the fy2021/2022 reveals that a number of departments have provided information with regards to their developmental achievements but with little or no information on actual budgetary performance. It is therefore not possible to determine budget absorption rates and departmental contributions to the revenue basket.

The following is a summary of the fiscal performance of the departments which provided information on their budget execution during the fy2021/2022;

Table 5: Departmental Budget Allocations and Absorptions for the fy2021/2022

DEPARTME NT	TOTAL ALLOCATION	TOTAL ABSORPTION				
		DEVELOP MENT	RECUR RENT	DEVELOPM ENT	RECURRENT	
1. City Kisumu	of 324,860,00 (44.40%)	406,779, 744 (55.60%)	731,639, 744	304,701, 181 (93.79%)	404,038,907 (99.33%)	708,740,088 (68.8%)
2. Agriculture, Livestock& Fisheries	581,587,207 (74.1%)	203,489, 888(25.9 %)	785,079, 095	298,838,536. 60(51.4%)	192,573,575.80(94.6%)	491,412,112.40 (62.6%)
3. Health Services	144,200,000 (4%)	3,700,53 2,801	3,844,73 2,621	37,630,569.2	3,597,479,068	3,635,109,637.2 (94.5%)

Source: CBROP fy2021/2022, (Oct. 2022)

It is noted that the County Government has not provided comprehensive information as to the exact budget allocations and absorption rates for all the departments not listed in the table above.

Despite the lack of information on budgetary execution, the various departments registered some level of performance with regards to execution of development projects as discussed below;

1) Department of Governance and Administration –fy2021/2022

- a. Carrying out of physical verifications of projects before payment to enhance service delivery
- b. Development of electronic County Integrated Monitoring and Evaluation System (e-CIMES) to enhance provision of timely feedback on projects and programs
- c. Completion of the process of initiating the process of constituting the village councils through policies and laws approved the Assembly such as; Kisumu County Village Administration Act 2020, and Village Administration Policy
- d. Initiation of the process of procuring services leading to construction of Governor's residence and 7 ward administration offices. These shall be done in two partial allocations in two financial years
- e. Construction of sub county and ward offices has also been initiated but facing challenges of insufficient budgetary allocations. It is strategized that the project be allocated at least Kshs.35,000,000 per financial year for 5 years to construct 1 office per sub county. This will result to 35 offices in 5 years

2) Tourism Culture and Arts

Allocated Kshs. 220,026,963 during the fy2021/2022 comprising of Kshs. 44,421,111 for recurrent, ksh.29,055,852 for PE& Kshs. 146,550,000 for development;

Directorate of Culture& Arts

- i. Several programs to support the creative sector
- ii. Organized the Utamaduni day hosted in Nyakach sub county
- iii. Youth development program in partnership with permanent presidential music commission. 100 talented youths benefited
- iv. Promoted and supported the local film production (Bangarang& Jonarobi) winning several international awards
- v. Lobbied for the formation of Lake Region Arts and Culture Consortium – LAREACCO bringing together all artists within the region for a coordinated mentorship
- vi. Supported a peace concert dubbed DS Festival Mega Peace geared towards realizing a peaceful general elections
- vii. Preservation and development of cultural sites; Kitmikayi, Kasawino. However works on Kanyakwar cultural center failed to take off due to late procurement processes

Directorate of tourism

- viii. Worked with tourism sectors to form a local association –Lake Victoria Tourism Association (LVTA) to increase lobbying efforts for resources
- ix. Profiling of accommodation facilities ahead of the 9th Africities summit in Kisumu
- x. Carried out a standards audit for all accommodation facilities and developed a database that be shared with guests digitally
- xi. Hosted 11,000 guests during the Africities summit
- xii. Observed the world annual tourism day on 27th September 2021 at the Ndere Island
- xiii. Organized a one day workshop for all tourism stakeholders

Directorate of sports and talent development

- xiv. Organized a training workshop for 120 sports federation officials
- xv. Procured sports gear and equipment worth ksh.23million and distributed to 19 wards
- xvi. Facilitated the participation of the County Paravolley team to national paravolley games
- xvii. Sponsored and facilitated Kisumu-All-Stars football club to participate in Kenya National Super league
- xviii. Facilitated participation of County Government staff in the KICOSCA games in Embu

Directorate of Sports Infrastructure

- xix. In partnership with the national government, the department developed a 30,000 capacity international stadium at Mamboleo (Jomo Kenyatta International Stadium) at a cost of KES. 535million

- xx. Renovation and expansion of Moi Stadium at a cost of ksh.89million (currently ongoing)
- xxi. In partnership with Sports Kenya commissioned floodlights at Moi Stadium
- xxii. Refurbished sports facilities in Ogada Stadium, Kisumu North Ward
- xxiii. Developed sports facilities inventory
- xxiv. Developed a user guidelines for Moi Stadium

3) County Public Service Board

- i. During the year under review, fy2021/2022, the Board utilized the budget as below;

Table 6: Illustration of budget utilization by County Public Service Board fy2021/2022

Item	Target Expenditure	Actual Expenditure	Deviation	% Deviation
Personnel Emoluments and Social Benefits	42,981,982	36,834,918	,6147,064	14.30%
Operations & Maintenance	32,049,481	29,340,214	2,709,269	8.45%
Total Approved Budget	75,031,463	66,175,132	8,856,332	11.80%

Source: County CBROP Fy2021/2022, (Oct. 2022)

The total deviation of ksh.8,856,332 comprised majorly of personnel emoluments and social benefits, totaling to ksh.6,147,064 consisting of ksh.3,544,024 for gratuity out of which Kshs. 2449,400 was processed but not paid at the end of the financial year, pension of ksh.1,648,069 and salaries of ksh.954,971

4) Department of Trade, Energy and Industry

- i. Establishment and operationalization of County Innovation Incubation Centers
- ii. Partnering with the national Government and investors to establish Special Economic Zones and Industrial Parks
- iii. 22 high mast flood lights spread across 16 wards
- iv. Implementation of 1 circuit 0.075km street lights in Ahero Town
- v. Maintenance of 157 high mast flood lights and 121 street lights circuits county wide
- vi. Operation Nyangile Out that oversaw the distribution of 1804 solar lanterns
- vii. 10 projects across 5 sub counties in partnership with Renewable Energy Corporation initiated that upon completion will see 12 new transformers and over 1200 households
- viii. Completion of K'ochieng Tomato Processing plant complete with bio digester (a flagship project)
- ix. Completion of Pap-Onditi modern retail market with 210 stalls in Central Nyakach

- x. Completion of Korowe modern retail market with 132 stalls
- xi. Construction of several market shades
- xii. Purchase and distribution of hatcheries , solar kits, brick making machines and lathe machines for youth cooperatives

5) City of Kisumu

- i. Desiltations of several rivers within the city to mitigate on climate change and promote diversification of services
- ii. Construction of several box culverts within the city
- iii. Construction of floodlights in open air markets within the city
- iv. In partnership with KUP, refurbishment and extension of social center
- v. Construction of several roads within the city to bitumen status
- vi. Construction of non-motorized facilities
- vii. Improvement of works at Kibuye market, Rotary youth innovation center, and at satellite bus park at Nyamasaria

6) Lands, Housing and Physical Planning

- i. Completion of infrastructure development (roads and drains)for Ahero, Katito and Kombewa
- ii. Preparation of urban physical development plans for Ahero, Maseno, Muhoroni, Kombewa and Katito
- iii. Completion of the work of the task force on irregular allocation of public lands and houses
- iv. Purchase of land for construction of modern waste recycling facility
- v. Provision of over 6000 title deeds for Muhoroni settlement schemes

7) Agriculture, Irrigation, Livestock and Fisheries

- i. Rehabilitation of various irrigation schemes
- ii. Desiltation of canals and waters, construction of boreholes and preparation of land in various wards in Nyando
- iii. Purchase and distribution of 60 irrigation equipment
- iv. Purchase and distribution of various certified seeds and seedlings
- v. Procurement and distribution of 126 in-calf dairy cows, 217 dairy and meat goats and enhanced adoption of artificial insemination
- vi. EU funded dairy support center (ongoing) and enhanced vaccinations
- vii. Completion Kete fish banda, provision of 219 lifesaving jackets, supply of 137,000 fingerlings, 10 fish harvesting nets and 1 motorboat for patrols
- viii. Provision of day old chicks, purchase and installation of 4 egg incubation units

8) Water, Environment, Climate Change and Natural Resources

- i. The directorate successfully implemented a total of 15 water projects, implementation of 4 projects and 12 donor funded projects
- ii. The department opened up the partial completed Kesese Integrated Solid waste management facility for county waste management.
- iii. Decommissioning of Kachok dumpsite
- iv. In partnership with various partners such as Kenya Forest and UNDP planted 50,000 tree seedlings in various public institutions
- v. Development of a water dispenser and solid waste management engagement program for the youths
- vi. Seedling production center at Pap Kadundo

9) Finance and Economic Planning

- i. Improvement in payment of pending bills: Actual payments ksh. 509,150,046 against a budget of ksh.687,749,190

10) Roads, Transport and Public Works

- i. Implementation of machine-based roads construction policy to cut down on costs
- ii. Implementation of the Kisumu County Road Maintenance Teams Policy & recruitment of casuals completed
- iii. Implementation of clay crete technology for road maintenance that can sustain road conditions for 5 to 10 years
- iv. Upgrading of key gravel roads into bitumen standard
- v. Refurbishment of machines and equipment and acquisition of new four trucks, one excavator, compactor and one motor grader

11) The Departments of Education, ICT and Human Capacity Development as well as the Department of Health Services also made laudable progress during the fy2021/2022

Expenditure Ceilings for MTEF period 2022/2023 -2024/2025

Table 7: Expenditure Ceilings for MTEF period 2022/2023 -2024/2025

No.	Department	Category	PROJECTIONS (in Millions)			PROJECTIONS (In Millions)	
			Approved Budget 2022/23 (Millions)	2023/24	2024/25	CFSP Ceiling 2022/23	2023/24 2024/25

1.	Office of the Governor	Sub-Total	330.8	357.3	385.8	255.6	276.0	298.1
		Recurrent	285.8	308.7	333.4	210.6	227.4	245.6
		Development	45	48.6	52.5	45.0	48.6	52.5
2.	Finance	Sub-Total	3035.7	3278.6	3540.8	2318.7	2504.2	2704.5
		Recurrent	1376.5	1486.6	1605.5	808.7	873.4	943.2
		Development	1659.2	1791.9	1935.3	1510.0	1630.8	1761.3
3.	Health	Sub-total	3589.5	3876.7	4186.8	3591.5	3878.9	4189.2
		Recurrent	3438.3	3713.4	4010.4	3505.5	3786.0	4088.9
		Development	151.2	163.3	176.4	86.0	92.9	100.3
4.	Tourism, Culture, Arts& Sports	Sub-total	147	158.8	171.5	86.7	93.6	101.1
		Recurrent	88	95.0	102.6	65.7	70.9	76.6
		Development	59	63.7	68.8	21.0	22.7	24.5
5.	Public Works, Roads& Transport	Sub-Total	449.6	485.6	524.4	211.2	228.1	246.3
		Recurrent	199	214.9	232.1	121.2	130.9	141.3
		Development	250.6	270.6	292.3	90.0	97.2	105.0
6.	Public Service Administration& Devolution	Sub-total	430.5	464.9	502.1	318.3	-	-
		Recurrent	430.5	464.9	502.1	318.3	-	-
		Development	0	-	-	-	-	-
7.	Trade, Energy& Industry	Sub-total	259	279.7	302.1	156.2	168.6	182.1
		Recurrent	120.6	130.2	140.7	100.6	108.6	117.3
		Development	138.4	149.5	161.4	55.6	60.0	64.8
8.	Physical Planning, Lands, Housing and Urban Development	Sub-total	570.9	616.6	665.9	417.5	450.9	487.0

		Recurrent	88.3	95.4	103.0	73.5	79.4	85.7
		Development	482.6	521.2	562.9	344.0	371.5	401.2
9.	Agriculture, Food, Livestock and Fisheries	Sub-total	739.3	798.4	862.3	673.3	727.2	785.4
		Recurrent	615.6	664.8	718.0	582.4	629.0	679.3
		Development	123.7	133.6	144.3	90.9	98.2	106.0
10.	Education, Gender, Youth, Human Resource Development, ICT and Social Services	Sub-total	739.3	798.4	862.3	673.3	727.2	785.4
		Recurrent	615.6	664.8	718.0	582.4	629.0	679.3
		Development	123.7	133.6	144.3	90.9	98.2	106.0
11.	Water, Environment & Natural Resources	Sub-total	311.7	336.6	363.6	159.7	172.5	186.3
		Recurrent	125.4	135.4	146.3	94.7	102.3	110.5
		Development	186.3	201.2	217.3	65.0	70.2	75.8
12.	Kisumu City	Sub-total	460.6	497.4	537.2	427.4	461.6	498.5
		Recurrent	392.1	423.5	457.3	347.4	375.2	405.2
		Development	68.5	74.0	79.9	80.0	86.4	93.3
13.	County Assembly	Sub-total	917.5	990.9	1070.2	1041.3	1124.6	1214.6
		Recurrent	767.5	828.9	895.2	701.3	757.4	818.0
		Development	150	162.0	175.0	340.0	367.2	396.6
14.	County Public Service Board	Sub-total	88.8	95.9	103.6	75.0	81.0	87.5
		Recurrent	88.8	95.9	103.6	75.0	81.0	87.5
		Development	0	-	-	-	-	-
TOTAL			12,035.50	12,998.3	14,038.2	10,290.5	10,770.0	11,631.6
Source: CBROP fy2021/2022, (Nov. 2022)								

Revenue Projections for MTEF 2021/2022 -2022/2023

Hon. Speaker, the CBROP for the fy2021/2022 provides a projection that that the fy2022/2023 budget targets a percentage increase in local revenue collection of 37% net of the opening balance. This is underpinned on reported ongoing reforms in revenue administration. Total revenue including allocation from national share is expected to increase to ksh.10.27 billion excluding opening balances of ksh.652.7million.

Equitable share is expected to increase from ksh.8.02billion to ksh.8.6billion, while own source revenue is also expected to increase from ksh.1.7billion to ksh.1.9 billion.

Expenditure Forecasts

Hon. Speaker, according to the CBROP for the fy2021/2022, the Budget for fy2022/202 is forecast at Kshs. 12.03billion to be funded by opening balances of Kshs. 652.7million and approved budget of ksh.10,273,256,665. The Expenditure is also forecast at a Recurrent of 68.32%, and Development 31.68% while the departmental expenditure ceilings are as per the allocations in fy2022/2023 and prioritized in line with local and national development agenda.

COMMITTEE FINDINGS AND OBSERVATIONS

Hon. Speaker, the committee makes the following observations on the CBROP for the fy2021/2022;

- 1) THAT the CBROP fy2021/2022 as was submitted by the County Treasury complied with the budget timelines as provided for by Section 114 (4) of the PFM Act 2012
- 2) THAT the following departments did not contribute anything to the County own source revenue basket during the period 2021/2022; Energy and Mining department, water department and the department of industrialization and cooperatives.
- 3) Health department and the department of physical planning had the highest contributions to own source revenue while there was a unique collection realized from the payroll department amounting to ksh. 34,102,687
- 4) The Committee noted that the rising pending bills is caused by late procurement processes coupled with late remittances of finances to the County and the issue of committing funds expected from revenue sources that are never realized. It was noted that funds that were included in the budget but are not realized should not be committed into any project in order to avoid unnecessary pending bills. The issues around late procurement processes could be addressed by timely preparation of and implementation of the procurement plans by the County Treasury.
- 5) The committee notes that there is a higher number of incomplete projects and a rising number of complaints against substandard or undone projects in various wards across the County. This was noted to be largely associated with the concept of machine based works currently used by the department of roads and public works. Members were urged to

prioritize the previous incomplete projects or projects that were not done before budgeting for the next financial year. This will help in substantially reducing the pending bills

- 6) The committee noted that the County Government is struggling with an unbalanced budget with a huge recurrent allocation against the requisite threshold. This was noted to be occasioned by the ever rising wage bill which should be addressed in order to help in managing the ballooning recurrent budget expenditures.
- 7) The committee noted that the County Government of Kisumu is underperforming in own source revenue collection characterized by over quoted but unmet annual revenue targets. This was noted to be partly due to lack of or inadequate subsidiary legislations and laws to support various local revenue streams in order to enhance revenue collections.
- 8) It is noted that the County treasury has highlighted the following as some of the major challenges bedeviling collection of own source revenue; Inadequate service delivery; such as Inadequate provision of essential services such as cleaning of markets, solid waste management, sanitary facilities, fencing of markets, cattle yards, dilapidated state of County houses, market stalls, slabs, lighting etc.
- 9) The committee also notes that there are legislative challenges in local revenue collection associated with lack of some crucial subsidiary laws such as the ones illustrated in the table below;

Table 8: Illustration of requisite legislations that are required to support OSR 2022

Revenue stream	Legislation required	Department
Agricultural Cess	Agricultural Cess Act	Agriculture, Livestock and Fisheries
Hire of Social halls and Stadium	Public Amenities Act	Education, Youth, Culture and Sports
Land Rates	County Rating Act	Lands, Housing and Physical Planning
Building Plans approval	Planning and Development Control Act	Lands, Housing and Physical Planning
Sign board promotions	Outdoor Advertising Act	Lands, Housing and Physical Planning
Trade License	Trade license Act (Amended)	Tourism, Trade and Heritage
Market fees	Public markets Act	Tourism, Trade and Heritage
Hawkers fee (new)	County Hawking Act	Tourism, Trade and Heritage
Livestock auction fees	Livestock, Admission Auction and Sales Act	Agriculture, Livestock and Fisheries
Bus Park fees	Omnibus stations and Parking Act	Roads, Transport and Infrastructure
Parking fees	Designated parking Places Act	Roads, Transport and Infrastructure
Boda-Boda fees	Designated parking Places Act	Roads, Transport and Infrastructure

Sand and Murram cess	Sand harvesting and Quarrying Act	Environment and Natural Resources
Solid waste management	Waste management Act	Environment and Natural Resources
Noise Pollution	General Nuisance Act	Environment and Natural Resources
Plant and Machineries leases fees	Lease of Equipment Act	Public Works
Hotels and Tourist Levy fees	Hotels and Tourist Levy Act	Tourism, Trade and Heritage

Source: CBROP fy2021/2022

10) The committee observes that despite the comprehensive reporting in fiscal responsibility and fiscal performance in the CBROP for the fy2021/2022, the following inconsistencies were noted;

(i) Inconsistencies in reporting within the CBROP 2021/2022

Table 9: Illustration of inconsistencies noted in CBROP fy2021/2022 reporting on various fiscal aspects of different departments

ITEM	Figures Reported in Chapt.2 of CBROP fy2021/2022	Figures Reported in Chapt.3 of CBROP fy2021/2022	Variance
Contribution to revenue basket (Agriculture)	9,418,319	6,602,919	2,815,400
Contribution to revenue basket (Health)	456,324,315	455,000,000	1,324,315
Absorption rates (City)	341,409,703 –rec 152,034,808-dev 493,444,511	708,740,088	215,295,577
Absorption rates (Agriculture)	188184505 –rec 201,139,462-dev 389,323,967	491,412,112.40	102,088,145.4

Source: Committee Analysis of CBROP fy2021/2022

(ii) Inconsistencies noted in comparative analysis of CBROP fy2021/2022 and Revenue Expenditure Report for the fy2021/2022. Examples include;

Table 10: Inconsistencies noted when the figures in CBROP fy2021/2022 are compared with the figures on OSR as reported in the County Revenue Expenditure Statements for fy2021/2022

ITEM	CBROP FY2021/2022	REVENUE REPORT FY2021/2022	EXPENDITURE	VARIANCE
Total OSR	1,199,145,031	1,199,145,037		-6
OSR from Health	456,324,315	452,052,685		4,271,630
OSR from Agriculture	9,418,319	5,713,419		3,704,900

Source: Committee Analysis of CBROP fy2021/2022

COMMITTEE RECOMMENDATIONS

Hon. Speaker, based on the foregoing analysis and observations on the County Budget Review and Outlook Paper for the financial year 2021/2022, the Committee makes the following recommendations;

- 1) THAT the County Assembly approves the Committee Report on the County Budget Review and Outlook Paper for the fy2021/2022
- 2) THAT all the sectoral committees should immediately initiate a follow-up on the respective departmental budget absorption rates and seek justifications thereof and reasons for any subsequent additions in cases of unjustifiably low rates of budget absorptions over time. Reports on sectoral committee investigations on low rates of departmental budget absorptions should be submitted to the House with 60 days upon adoption of this report.
- 3) THAT the CECM Finance should prepare and issue out a communique to all departments on timely preparation and submission of procurement plans in order to address the perennial issues of pending bills. THAT a compilation of the procurement plans from all departments be annually submitted to this House for review and considerations periodically and within the annual budget cycle timelines effective the budget cycle for fy2023/2024.
- 4) THAT the sectoral committee on roads and public works immediately takes up a further investigations into and to verify the statuses of roads and public works related projects in all the wards as reported in the CBROP fy2021/2022 and report to this House within 30

days upon adoption of this report in order to inform the subsequent budgetary allocations on projects.

- 5) THAT the sectoral committee on roads and public works should immediately conduct a review of the concept of the machine-based works as used by the department and its successes and challenges and advise members accordingly by way of report for or against the concept compared with the concepts of full contractual works or a hybrid of contractual and machine-based.
- 6) THAT the individual MCAs to prioritize the previous incomplete projects or projects that were not done before proposing new projects for allocation of funds during the upcoming budget period for the fy2023/2024.
- 7) THAT the County Secretary submits to this House, within 21 days, a report on the implementation status of the County Wage Bill Taskforce Report that was meant to address the challenges associated with ballooning wage bill in order to address the unbalanced Kisumu County recurrent budget expenditure outlook.
- 8) THAT the County Attorney conducts an audit of the County Local Revenue Policy with an aim of identifying, documenting and submitting to this House, within 14 days, all requisite subsidiary legislations and laws that are required to support own source revenue enhancement strategies with specific action points and strategies for their enactment.

Mr. Speaker, we have attached in this Report, and I believe Members are able to see the status of all the Ward projects in terms of the Ward, the name of the project, the department, the amount that was budgeted and the status of that particular project. I also encourage Members to ensure that they visit their Wards because here is where we find a lot of discrepancies. These are appendices that we have attached for the consumption of members so that they also have an analysis of all their Ward projects in terms of the areas I have already highlighted.

Mr. Speaker, I believe that this is also an important part of this report because I believe Members needed to know the status of their respective Ward projects. The main purpose of CBROP is to review the budget but again taking in mind having an outlook of how we are going to move forward from here. Mr. Speaker, those are the recommendations of this report. I want to call upon this House to adopt this report. It was a well thought out report, and I wish to thank the Committee Members and the secretariat for work well done. I wish to call upon the Leader of Majority to second. Thank you.

The Temporary Speaker (Hon Okumu): Yes, the Honourable Majority Leader

Leader of Majority (Hon Ooko, MCA, Ahero Ward): Thank you Mr. Speaker. I second the adoption of CBROP Report. Thank you.

The Temporary Speaker (Hon Okumu, MCA, East Seme Ward): Thank you Honourable Members, a Motion has been moved for the adoption of the Report by the Committee of Budget and Appropriations on their consideration of Kisumu County Budget Review and Outlook Paper of FY 2021/2022; a Motion moved by the Chair, Hon Joachim Oketch Omieno, seconded by the Majority Leader. I now want to propose to put a question that the report is open for debate.

The Temporary Speaker (Hon Okumu, MCA, East Seme Ward): Yes Hon Nyaoke. I did that deliberately because I know the Deputy Speaker is a Member of the Committee. I will therefore give priority to members who are not in the committee to submit. Thank you for your understanding, Deputy Speaker.

The Temporary Speaker (Hon Okumu, MCA, East Seme Ward): Yes Hon Nyaoke

Hon Nyaoke (MCA, North Nyakach Ward): Thank you Mr. Speaker. First, I wish to congratulate Hon Omieno for the enormous report he has read before this House. Mr. Speaker, in as much as we were trying to keep track of his report, the few that we have gotten at the moment is quite detailed. I want to thank the House Committee too for the good work that they did. Next time, I wish to be provided with hard copies so that we follow in tandem. Some of these gadgets that we use might be slow. I wish to support the adoption of this report. Thank you.

The Temporary Speaker (Hon Okumu, MCA, East Seme Ward): Yes, Hon Okombo.

The Deputy Speaker (Hon Okombo, MCA, Manyatta “B” Ward): Thank you. Mr. Speaker, I rise to support the adoption of this well-done report. I urge members to keenly look at our recommendations; especially the List of Proposed Budgets for the FY 2021/2023, list of projects, and kindly, be keen. When you look at the content of those projects, for example, Manyatta B, there are projects that have been listed as done which were not done. I urge members to look into individual Ward Projects and confirm if they were done and bring back the report. Thank you.

The Temporary Speaker (Hon Okumu, MCA, East Seme Ward): Hon Kanga.

The Chief Whip (Hon Kanga, MCA, Market/Milimani Ward): Thank you. Mr. Speaker, I rise to support the adoption of the report, with few observations to make. Mr. Speaker, the Chair has read the report and indicated in some sections of the report that there are some departments which did not give fiscal performance of their undertakings by failing to provide information. The only departments which provided information, according to the Chair, Mr. Speaker, is the City and Health. Only three departments.

Mr. Speaker, CBROP is a very important document as far as county governance is concerned and the Budget Making Process. Failure to provide such information I believe that the Select

Committee failed, though I am a member of the committee, to provide recommendations on the issue of those departments. Some recommendation(s) should be included in relation to the inaction of those departments.

Mr. Speaker, another observation I made is about the Budget Projection against the actual collection realized. The Chair did indicate that we have a variance of about Kshs. 3 billion. How do we raise Kshs 3 billion taking into consideration that some funds have been committed to projects as indicated by the Chair. Mr. Speaker, I believe these are the issues which bring the issues of pending bills. We have a projection of what we need to collect and spend. We have a variance which the county government should explain to this House.

Mr. Speaker, another issue I wish to talk about is that of the staff. The county did recruit Revenue Officers, Enforcement Officers for purposes of enhancing revenue collection. Since their recruitment and looking at the budget of remuneration of workers, it is high. Did we achieve the issue of revenue enhancement by recruiting the said staff? That is another area that requires recommendation because when the chair was reading committee recommendations, he did not mention the issue of revenue collection. I support the adoption of CBROP report. Thank you.

The Temporary Speaker (Hon Okumu, MCA, East Seme Ward): Hon Were.

Hon Were (MCA, Nyalenda “B” Ward): Thank you Mr. Speaker. I rise to support the report. I also wish to add my input which can correct the issue of revenue. Looking at other departments, you find that they do not even generate a coin to contribute to our Own Source Revenue. If you look at the department of Water and Energy, they posted zero. However, you find we have water bowsers in the department of water which ought to generate revenue for the county.

Mr. Speaker, I believe that we should put some modalities in place to ensure that each and every department generates revenue to our own source. Mr. Speaker I also want to reinforce a point where we engage several staff who are supposed to assist the County in ensuring that we maximize our revenue. These our staff are not doing their duties, some instead of being in their work station are just roaming here and about. Those are things that we must put measures in place and take the Executive to task so that changes are made and that we make sure that we generate income and revenue because the more we generate there are chances for us to do more projects. If we only depend on the Exchequer Mr. Speaker, then we might find ourselves having a lot of projects that will not be done each and every financial year Mr. Speaker, I beg to support the report thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): The Hon. Okoyo of Central Kisumu Ward.

Hon. Okoyo (MCA, Central Kisumu Ward): Thank you Mr. Speaker, much as I would like to support the document, there are some areas which I have noticed and I would like to highlight to the House so that we know the areas which have not been completed but, in this document, they

are mentioned to have been completed. Mr. Speaker in my ward that is Central Kisumu, I would like to tell this Honourable House that Migingo road is not yet even done. What we have in Migingo area is a road which has just been completed but it was done by KERA. So if this document reads that Migingo road is done and complete, I wonder which Migingo road they are taking about. Mr. Speaker I would also like to wish...

The Chief Whip (Hon. Kanga, MCA, Market/Milimani Ward): A Point of order Mr. Speaker!!

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): What is it Hon. Kanga?

The Chief Whip (Hon. Kanga, MCA, Market Milimani Ward): *(On a point of order)* Mr. Speaker, the Hon. Member is indicating that the Migingo road was done by KERA but according to me, the road was done by the County Government and I am the immediate Chairperson of the Roads Committee. I did the part of the financial year and he is indicating that the Migingo road was done by KERA and he is not producing any document to support his claim. Although, he comes from the ward, I believe and have information that Migingo Road was done by the County Government under the leadership of Hon. Peter Nyong'o. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Hon. Okoyo could you please confirm.

Hon. Okoyo (MCA, Central Kisumu Ward): Thank you for giving me this opportunity to clarify the information. I would like this House to know is that the Migingo road was done and completed by KERA.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Hon. Members we are talking about Budget Review of 2021/2022 and please remember we are in the budget of 2022/2023, so could you please confirm using documentation that this road was not done by the County Government in the FY 2021/2022.

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker, let me bring you the correct information if you are doubting what I am giving you now.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): How much time do you want us to give you?

Hon. Okoyo (MCA, Central Kisumu Ward): Please give me by next week when we resume the House.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Hon. Member, for now, please withdraw your statement until you can confirm.

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker, I beg to leave the statement as it is now, if I am to change it I will when I get the right information which is on Tuesday.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Order!! Order!! Hon. Members, Hon. Okoyo for reasons of precedence, we just don't want Members to make big claims in the House, leave those claims hanging be given time to go and find out then come back and tell us that they were wrong.

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker....

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Order!! Hon. Member, I am still communicating. It is better if you withdraw then you come and confirm to us then we agree with you because otherwise anybody can claim something in your ward and then they say give us time we are going to confirm. That is why I would prefer that you just withdraw your statement and proceed with your submission Hon. Okoyo.

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker if that is the case, I would like to withdraw the statement and apologize.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Thank you Hon. Member.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): So, you do not want to proceed with your submission on the CBROP or are done with your submissions?

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker it seems some of the Members know my ward better than I know.

(Laughter)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): But Hon. Member, this is a CBROP.

Hon. Okoyo (MCA, Central Kisumu Ward): Let me tell you Mr. Speaker, nobody should doubt what I am saying in this House because what I am giving this House should be the correct information.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): But Hon. Member that is just one aspect of the County Budget Review, there are so many other sections apart from the road but if you feel like you are done with it then I can give chance to other Members.

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker let me also ask the Clerk or the chair of budget to give me a hard copy of this document so that I can go through it because I cannot go through it on my phone.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): What is it the Hon. Leader of Majority?

The Leader of Majority (Hon. Ooko, MCA, Ahero Ward): Thank you Chair, maybe I know of Migingo Road in Kobura Ward that was done and completed. So, I do not know whether the Member is referring to same road.

(Laughter)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Order!! Order!! Honorable Members.

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker, it seems like there is another Migingo Road somewhere which they could be referring to but not this one.

(Laughter)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Order!! Order!! Honorable Members. Hon. Member I can see you referring to the hard copy document, do you still need another one?

Hon. Okoyo (MCA, Central Kisumu Ward): Mr. Speaker, this is not my copy I have just borrowed this copy from the Deputy Speaker.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Noted Hon. Member, we will request her to give you a copy.

Hon. Okoyo (MCA, Central Kisumu Ward): Thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Yes, the Hon. Deputy Leader of Majority, Hon. Lumumba Owade.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach Ward): Thank you Mr. Speaker, I rise to support the report tabled by the able Chairperson of Committee on Budget and Appropriations but with some observations that I would like this House to take into consideration.

Mr. Speaker, I have with me the allocation per ward, which cuts across all the wards, and I will point out particularly on my ward. Mr. Speaker, if you look at South-East Nyakach Ward, there are projects that are marked as ‘Not done’ and “incomplete”. I would like to be informed that those projects that were not done but money was allocated for them, are they being brought forward? If the money was allocated then they could form part of the opening balance. Secondly Mr. Speaker...

Hon. Omollo (MCA, West Nyakach Ward): A point of Order Mr. Speaker...

(Laughter)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): What is it Hon. James Omollo?

Hon. Omollo (MCA, West Nyakach Ward): *(On a Point of Order)* Thank you Mr. Speaker, I am sorry to inform the Hon. Member that for subsequent budget we cannot carry forward the money. Since the budget was for the FY 2021/2022, that’s all and hence there is no money for the same project in the subsequent FY, a new allocation will be required.

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach Ward): Mr. Speaker, I stood and requested for an information and I have been informed.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Order! Hon. Deputy Leader of Majority.

Hon. Ochele (MCA, East-Kano/Wawidhi Ward): A Point of Order Mr. Speaker!!

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): What is it Hon. Moses Ochele?

Hon. Ochele (MCA, East-Kano/Wawidhi Ward): *(On a Point of Order)* Mr. Speaker, sometimes wonders shall never end in this world.

(Laughter)

Hon. Ochele (MCA, East-Kano Wawidhi Ward): Mr. Speaker, I am seriously perplexed by what my senior, the Deputy Leader of Majority is contributing and asking to be informed about. Mr. Speaker, we spent five days with him in Eldoret, and he is part and parcel of the Report, he is a

member of the Committee and not a guest Member, but, today he is asking somebody to inform him about his projects which are marked as “Not done” and “Incomplete”. Who does he want to inform him? Is it the Committee, which he is a part of or The Speaker? If it is the former then I believe that he is Out of Order because he had the same contributions when we were doing the report. Thank you, Mr. Speaker.

Hon. Adega (MCA, Kajulu Ward): A point of Order Mr. Speaker!!

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Hon. Adeg, let me first rule on Hon. Ochele’s Point of Order. The Hon. Ochele, I want to agree with you because the Hon. Lumumba Owade of South East Nyakach is a Member of the Budget and Appropriations Committee, he has signed the report, and I believe that he should be the one to give us the information which he is seeking. Unless he can convince this House that he asked those questions during discussions but they could not be provided. So I want to agree to rule him Out of Order for asking those questions.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): What is it Hon. Benson Adeg?

Hon. Adega (MCA, Kajulu Ward): Thank you Mr. Speaker, I want to support the report read by the Chairperson of Budget and Appropriations but I have an issue in Kajulu. There is a ...

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Order!! Honorable Member, I thought you were on a Point of Order.

(Laughter)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Yes, Hon. Benny Pete Oiko because Hon. Adeg is out of Order.

Hon. Oiko (MCA, Kabonyo-Kanyagwal Ward): Thank you Mr. Speaker, I also want to make my little contribution on the Report. The Chair Budget, when you look at page 8 where you have explained the total Own Source Revenue that the County expected and the Actual Amount they received plus the Equitable Share plus the Grants. When we go to page 11, we get that the balance is Kshs 1.8 billion, on the Own Source Revenue its Kshs 784, 854, 972 million that is now money that the County isn’t expecting. So, when the balance becomes Kshs 1.8 billion, we want to know whether it is good balance or a negative balance. When I move to page 12, the three departments, which are supposed to be four departments; The County Public Service Board whose record has also been tabulated, which is on page 15. They also gave their record on their Absorption Rates and the 4 departments have submitted their full report on their Absorption Rates, which is good. One may now ask why the other many departments did not submit their information and yet this County has established the Statistics Department to do this work. What happened? Has statistics

department failed? Did the department become defiant and did not submit its records or what happened? When we are handling the CBROP report and many departments haven't submitted their Absorption Rates and how they spent their money. It means we are handling a half report and, in this case, a quarter of the report and how will the Assembly adopt a quarter of a report of a financial expenditure of a whole year? Mr. Chair...

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Hon. Oiko, I want to guide you that we are not adopting the County Revenue Statement but adopting the Committee's report on what they found out on the Budget Review and Outlook Paper including those that they are saying did not submit. What does the House recommend after that? What would you suggest as Members that we recommend that the committee did not recommend.

Hon. Oiko (MCA, Kabonyo-Kanyagwal Ward): Thank you Chair, when we go to page 14, renovation and expansion of Moi Stadium at a cost of 8 million, which is stated as currently on-going. Mr. Speaker, let it be established if it was relating to the FY we are discussing. This is a matter that wasn't relating to this FY. The committee is telling us that Completion of Modern Korowe Retail Market with 132 stalls has been completed yet since it was opened by the Governor, the traders haven't settled there.

Mr. Speaker, on the sixteenth page, concerning a Department that is known for none performance; that is the Lands, Housing and Physical Planning. If you look at the budget for FY 2022/2022, the wards that wanted to buy land for market expansion, none of them was done. Whatever is listed under that department, they are not telling us that they bought those lands. This is a department that has failed this County. Look at Manyatta "B" Ward, they wanted to buy land, which was not done. Also have a look at Kabonyo Kanyagwal Ward which wanted to buy land for Kadete Market, which was not done. Therefore, it seems that there is a problem in that department whether they know how that should be done or it is intentional that when money has been allocated, we need to address that.

Another question that one would also ask is that when the report was being compiled, did the said Department of Finance and Economic Planning and Department give their input on the failures?

When I move to page 17 of this report, on the Department Roads, Transport and Public Works, the Machine Based Road Maintenance was a policy for this Government and for the last two Financial Years, roads were not done in this County. It also looks like an intentional thing by the technocrats in that department, yet allocations were made. Whether the County Treasury was releasing money to this department or not and it is good that the Budget and Appropriations Committee has recommended that the Public Works, Roads and Transport Committee to go and investigate this Department. Let us not take that for granted.

Mr. Speaker, you have heard people complain here that they want hard copies. This document is voluminous and following it via mobile phone is tedious. The Roads, Transport and Public Works department is one that is also failing this Government. Nevertheless we cannot miss words about that. If we look at the Governor's Speech, he is talking about 1450 KM of road have been done. Where have they been done? Have they been done on the moon?

Laughter

We need to take this Department to task and tell the Governor that this Department has failed him and the people of Kisumu County. Mr. Speaker...

(Hon. Kanga rises on his feet)

Chief Whip (Hon. Kanga, MCA, Market/Milimani Ward): On a point of order Mr. Speaker.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): What is it Hon. Seth Kanga?

Chief Whip (Hon. Kanga, MCA, Market/Milimani Ward): Mr. Speaker, condemning the Government wholesomely like the Hon. Oiko Pete is putting it I believe it is not in order. Isolated cases should not be judged as failure. By so saying that the Department of Lands, Housing and Physical Planning is doing nothing, I believe that Hon. Oiko is really failing us. One of the major performing departments is that one. By so relocating Kachok Dumpsite and they as well bought a land in Kasese where the Garbage collected are currently being taken there.

Another issue on the Roads, Transport and Public Works Department doing nothing, is also another lie. In your Ward Namba Kapiyo is being tarmacked by the County Government. So, by Hon. Oiko stating that the Government is doing nothing, I believe he should highlight isolated cases of failure rather than condemning the Government wholesomely, thank you Mr. Speaker.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Mr. Speaker, I have not condemned the Governor...

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): Order!! Hon. Oiko Pete. I have not ruled on the point of order raised by Hon. Kanga first.

(Hon. Ochele rises on a Point of Order)

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): Hon. Moses Ochele, I want to isolate them.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): What is it that you want to say?

Hon. Ochele (MCA, East Kano Wawidhi Ward): Mr. Speaker, in as much as I agree with Hon. Kanga on highlighting certain areas where he considers certain departments to have achieved,

however, referring to an Hon. Member as a liar is out of order. There are better terms he can use other than being too harsh on his colleague and it is also unparliamentary. Thank you.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): Thank you Hon. Member. So Hon. Seth, just allow me now to rule. I believe he is very clear on what he has just mentioned. I will start on the point of order. Hon. Pete, we are reviewing the performance of the budget of FY 2021/2022. We better stick to it and be very specific on what was not done because it is what is going to determine the budget for FY 2022/2023. Therefore, if you make it too general, then, people might not support you since you have not mentioned the tarmacking of Namba Kapiyo to Bodi road started a year ago and it is continuing so well.

The same case is with the Department of Lands Housing and Physical Planning. If you look at Own Source Revenue for the departments, I believe it is the only department that budgeted and performed to a percentage of 761% but the Chair will guide you. So, try to be very specific so that you can guide the House.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Mr. Speaker, I am very specific...

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): Order!! Hon. Member. To the Chief Whip, I want to agree with Hon. Moses Ochele that Hon. Members do not lie but rather mislead. I therefore want to request you that you withdraw and use the appropriate term Hon. Member.

Chief Whip (Hon. Kanga, MCA, Market/Milimani Ward): Thank you Mr. Speaker, I withdraw and apologize to Hon. Oiko Pete. However, he should be specific on cases where the County Government did not perform, thank you.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): Thank you Hon. Member.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Mr. Speaker, I was very specific. The Department of Lands, Housing and Physical Planning, I quoted the purchases of lands (Manyatta "B" and Kabonyo Kanyagwal Wards) which have failed. The Department of Roads, Transport and Public Works, I quoted Machine Based Programme which I stated that it failed for the two financial years. I am very specific.

(The Deputy Leader of Majority rises on his feet)

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach Ward): On a point of Order!

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): What is it the Deputy Leader of Majority?

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach Ward): Thank you Mr. Speaker. I am on record during the last Financial Year 2020/2021 in my ward and Sub County, there was a road that was done by Machine Based project and not only in my ward but also in the wards of some of the Members that can agree with me that the Machine Based Project succeeded in their wards. Unless Hon. Oiko Pete did not benefit but he cannot generalize and say that the Machine Based policy did nothing at all. That is not proper Mr. Speaker, thank you.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): Thank you the Deputy Leader of Majority. Hon. Oiko, the Hon. Members want to support you in your submission. They are just asking that you be specific. If it in your ward or the ward of Hon. Odari Fredrick, you specify that so that they be able to give you support. Otherwise, they are claiming that you are too general because they know other places where those projects succeeded, thank you and stand to be guided.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Thank you Mr. Speaker, in this House, it is on records that when Hon. Seth Kanga was the Chairperson of Roads, Transport and Public Works Committee, three reports were brought here condemning the department. It is in the annals of record of this House and you know that when Hon. Oiko is talking, he will come up to challenge.

(Laughter)

Mr. Speaker, on page 21; concerning the issue of pending Bills No. 4, it is stated here as due to late procurement for the project. It may sound correct but, we know that by the end of a financial year, there is the First Charge of the projects that were not paid. The problem we are having in Kisumu County is that by the end of the Financial Year, records are not well tabulated. Which projects were finished, date or which ones are due for payments, the ones which were ongoing that should be completed and paid as the First Charge or the balances that were carried forward and which projects did not take off? That is where we have gone wrong as a County. Yet, the Department of Finance and Economic Planning is silent on this. That is because it is the Finance and Economic Planning which handles the Procurement and needs to be taken head on with regards to the issue of Pending Bills.

Mr. Speaker, on page 22 where we are being told about the figures reported in the CBROB do not tally with the figures on the revenue records. The Budget and Appropriations Committee needs to find out what is happening. When Kshs 9, 418, 000 was recorded as money received and on another record, it shows Kshs 6, 602, 000. A difference of Kshs 2.8 Million is not small money. Let us find out what happened. The same applies to the Department of Health, Housing and Sanitation where there is a difference of Kshs 3 Million. Those are issues that need further investigations.

Mr. Speaker, if you look at pages 23 and 24 where the committee made very valid recommendations. So, let us not sleep over these recommendations Mr. Chairman. Remind them of these recommendations so that the Executive would realize that we understand their record. We can interrogate their records and make some good decisions that will help this County. Thank you.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): The Hon. Benson Adega.

Hon. Adega (MCA, Kajulu Ward): Thank you Mr. Speaker, may the mover of the motion be called upon to reply.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): honourable Member, I am just confirming that we do not abuse that since I am seeing the Hon. Member for Kolwa East wants to say something. So, I request that he contributes then; the mover will be called to reply.

Hon. Rakwach (MCA, Kolwa East Ward): Thank you Mr. Speaker, I also stand to support the adoption of the report by the Budget and Appropriations Committee. First I want to thank that committee for working tirelessly and fully putting their effort to bring this report into the House for deliberation and adoption. Mr. Speaker, we realize that in the report there Recurrent Expenditure which is high at 89% while Development Expenditure being at 39%. Therefore, there will be need for us to do something so that there is an improvement on the development.

Mr. Speaker Sir, we also realized that the Department of Water registered zero collection while the projection was around Kshs 10 Million. The same applies to Energy and Mining Department which registered zero revenues while the projection was over Kshs 2 Million. I want to suggest that a recommendation be also done that the Sectoral Committees of Water undertake an investigation and bring a report to the House explaining why the department registered zero revenue collection. For the projection to be given at Kshs 10 Million, I believe it was based on a data. Maybe during the previous Financial Year, there were some collection and that informed that particular projection. If after one year we realize that there was nothing that was collected, then it means that something is really cooking within that department. I support, thank you.

The Temporary Speaker (Hon. Okumu MCA, East Seme Ward): Hon. Chairperson, it is time for you to reply.

Hon. Oketch (MCA, Kondele Ward): Thank you very much Mr. Speaker. First of all, I would want to make it very clear that the County Review and Outlook Paper (CBROB) which is specifically meant to Review the County's previous performance and to outlook, how we want to proceed and adjust. So let the Members not confuse as if we are already deliberating on the budget.

Again, this report is based on the CBROB report that was submitted on the floor of this House on the month of October 2022 by the County Executive. So, we have prepared this report based on a document that was tabled on the floor of this House. That is why I want the Hon. Oiko who talked conclusively to just understand that we are just making recommendations based on a report that was tabled in the House. In addition, it does not mean that the committee recommendations are cast on stone and final. That is why we table it before the House and also seek the approval of Members who again have the leeway to add more recommendations so that we can get feedback from the County Executive. That is why we need the Members' inputs.

Mr. Speaker, another issue which Hon. Oiko talked about; who did not submit the report, who is responsible, I believe those are subjects to the recommendations that we have given. It is because we cannot work on a document that is incomplete. But, of course we had to submit a report based on the document that was submitted to us. Again on the recommendations, we also need to find answers and why. That is why I know there are relevant House Committees that are here who should now pick up from issues the Committee has flagged here and ask questions. We also need to find answers on the recommendations and that is why I know there are relevant House Committees here to look into those matters based on the recommendations.

Mr. Speaker, the Select Committee of PIC/PAC is mentioned in this report and this is where they should ask questions as to why these reports were not submitted. How come other departments were able to submit their reports and others were not able? I want to state to Hon. Oiko that we were giving a response based on what is in the document but again I believe that we should be given more time to interrogate because on the report they were saying that it is a project which is ongoing. We need to find out whether these projects were commenced which years.

Mr. Speaker, on their report they are indicating that they tabled on the House that there are works going on in Moi Stadium and that is why we need to interrogate further. Of course I know there have been complaints on whether one of our former MCAs was very popular with a phrase in Luo “*ndara terowa dala*” and so we are praying that we don’t follow suite and start crying that we are going home. I believe that the Chairperson of Roads is here and he will take the recommendations on roads seriously and report within this stipulated time.

The same sentiments have been highlighted by one Hon. Member also trying to push the Standing Committee of Water to investigate on why the department did register 0% revenues. I believe that we also agree with him that we need to get answers as to why a serious department like that can record nothing when it comes to revenue collection..

The same was highlighted by Hon. Okombo so that Hon. Members may also interrogate the document since we have ward projects that have been given out here. Remember that the feedback of this document was as a result of a public participation that was done by the Executive and was conducted in all the wards and that is what has brought about this document. There was a public participation in your ward and there was a report done that was submitted all the way from the village level to the sub county and up to the treasury indicating the status report of those particular projects.

To Hon. Nyaoke’s sentiment, I believe that there is a universal complaint about having the documents when we are having a report such as this. The remarks are here and that will be noted with a lot of concern. The same applies to what the Chief Whip did indicate by the department not giving information and I believe that there should be serious summons and this is similar to what Hon. Were was talking about on the many staff that were employed who were to help in improving

revenue collection in terms of enforcement officers. The question is; have we achieved anything with these staff on board? Part of the recommendations should consist of that.

Hon. Okoyo; I believe that what was catching on your statement was withdrawn but I still urge you to go and look into the status of the road since the Leader of Majority did state that there is another Migingo different from the one you are talking about.

The Deputy Leader of Majority also did allege that there are a lot of incomplete projects budgeted and are not done. I believe that he was responded to immediately. Of course we have projects that are budgeted and not done but we have projects that are budgeted, not done but are committed. I hope you get the difference. The funds to which those have been committed always survive up to the next financial year but those that are budgeted and not committed do not see the light of the day (*Hicho ni kipindi cha lala salama*).

Basically, those were the major issues that came out and I want to implore the House so that we pass this document the way it is and we also acknowledge the recommendations that have been given by the Members on the floor of the House and I believe that in future we will be able to correct the few areas that the committee has not performed. Otherwise, I want to thank you all for your contributions and also thank the Members and staff of the committee. Thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Thank you Chairperson and Hon. Members. The Chairperson of Budget and Appropriation committee has moved a motion on their committee report on their consideration of the County Budget Review and Outlook Paper for FY 2021/2022 which was seconded by the Leader of Majority and debated by Hon. Members, I therefore want to put a question on the adoption of the same with recommendations therein.

(Question put and agreed to)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): The Budget Committee Report on their consideration of the County Budget Review and Outlook Paper for FY 2021/2022 is hereby approved today 17th November 2022 at 1654 hours.

Honourable Members, I want to direct that the recommendations in this report be submitted to the Department of Finance and Economic Planning for consideration.

The Temporary Speaker (Hon. Seth Okumu, MCA, East Seme Ward): Next Order!

MOTION

ADJOURNMENT OF THE HOUSE TO ALLOW VETTING OF THE 10 NOMINEES TO THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER ON 21ST NOVEMBER 2022 AND 22ND NOVEMBER 2022 UNTIL 23RD NOVEMBER 2022 AT 9.00 A.M.

BY HON. KENNEDY OOKO, MCA, AHERO WARD

(LEADER OF MAJORITY)

The Temporary Speaker (Hon. Seth Okumu, MCA, East Seme): Yes Leader of Majority.

The Leader of Majority (Hon. Ooko, MCA, Ahero): Mr. Speaker I stand to move a motion that; Aware that pursuant to the provisions of Article 179 (2) (b) of The Constitution of Kenya 2010, section 35 and 37 of the County Government Act 2012, read together with section 7 of the County Assembly Approval Act 2017 and Standing Orders No. 187 of the Kisumu County Assembly Standing Orders, the Governor of Kisumu County, Prof. Peter Nyong'o has submitted to the County Assembly of Kisumu persons nominated for appointment as CECM and the same committed to the committee on Appointment for vetting.

Further aware that, the Committee on Appointment resolved to carry out vetting of the nominees on 21st November 2022 to 22nd November 2022 at the County Assembly Chambers and released an advertisement on the Star Newspaper and the Nation Newspaper to the general public with the said dates.

Noting that, the vetting of CECs nominees is a public even and the general public is also welcomed to take part in the vetting exercise and therefore there is need for an elaborate space to accommodate the public and the committee. Therefore it is my plea that this House resolves to adjourn it plenary sittings to 23rd November 2022 at 9.00 a.m. to allow the committee on Appointment to convene its vetting exercise in the County Assembly Chambers on the date advertised for the vetting. I wish to ask Hon. Lumumba to second.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Yes Hon. Lumumba.

The Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach: Hon. Speaker, I rise to second the motion.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Hon. Members, a motion on Adjournment of the House to allow for vetting of the 10 nominees for the position of CECM on 21st November 2022 and 22nd November 2022 until 23rd November 2022 at 9.00 a.m. which has been moved by the Leader of Majority and seconded by the Deputy Leader of Majority. I therefore want to propose that the motion is opened for debate.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Yes Hon. James Omollo.

Hon. Omollo, (MCA, West Nyakach Ward): Mr. Speaker, I stand to support the motion for us to have a Short Recess so that the Committee on Appointment is able to have time to conduct the

vetting process for the proposed 10 nominees. It is important to note that we are too late to vet the nominees and in fact at a time like this, we should have already had the CECM in the offices working. It is important for us as a House to give room for vetting for 2 days and resume the plenary session on 23rd November 2022. Thank you.

The Temporary Speaker (Hon. Seth Okumu, MCA, East Seme): Yes Hon. Pamela Oyoo.

Hon. Oyoo (MCA, Migosi Ward): Thank you Mr. Speaker. I also stand to support the adjournment of the House since the CECM coming in office will allow the County to move forward. This is an important event thus we should allow the House to adjourn for us to be able to vet the nominees. Thank you.

The Temporary Speaker (Hon. Seth Okumu, MCA, East Seme): Hon. Nyaoke.

Hon. Nyaoke (MCA, North Nyakach Ward): Thank you Mr. Speaker. I stand here to support the motion. We are all aware that indeed we have been waiting for the presence of the County Executive Committee Members and now that the time has come that we need to adjourn the House and have them vetted is a great service to the whole County. Thank you.

The Temporary Speaker (Hon. Seth Okumu, MCA, East Seme Ward): Hon. Adega.

Hon. Adega (MCA, Kajulu Ward): Thank you Mr. Speaker, I also take this opportunity to follow suite and support the motion since the committees are lagging behind due to lack of reports from the departments that are supposed to come to this Assembly through the County Executive Committee Members. Thank you.

The Temporary Speaker (Hon. Seth Okumu, MCA, East Seme Ward): Thank you. Yes Hon. Pete.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Thank you Mr. Speaker. We have shown a good democracy within Kisumu County, elections were held in August and up to now our Governor has given room to the people he was working with as County Executive Committee Members to still serve the people of Kisumu. Since the time is now coming to an end, we need to create time so that the Appointment Committee can do the necessary and we have our new County Executive Committee Members to formulate for us the policies that will enable the department move ahead. Thank you.

The Temporary Speaker (Hon. Seth Okumu, MCA, East Seme): Hon. K'omudho.

Hon. K'omudho (MCA, Muhoroni Koru Ward): Thank you Mr. Speaker. I hope I should be the last the chance to undertake this exercise so that this can work better for us. Thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Yes Hon. Obonyo.

The Deputy Whip (Hon. Obonyo, MCA, South West Ward): Thank you Mr. Speaker, I wish to call the mover to reply.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Leader of Majority.

The Leader of Majority (Hon. Ooko, MCA, Ahero Ward): Mr. Speaker I would like to thank the Members for supporting the adjournment motion. I agree with Hon. Omollo that we are late and there are a lot pending works to be done in the County. At the same time, I want to agree with Hon. Adegga that there a number of reports that we need in this House that require the attention of the County Executive Committee Members. I would like to applaud my neighbor, Hon. Pete for supporting this for the first time and stating that we urgently need the County Executive Committee Members and the policies to be formulated. Thank you.

(Loud laughter)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Thank you. Hon. Members, a Motion on Adjournment of the House to allow for vetting of the proposed 10 nominees for the position of County Executive Committee Members on 21st November 2022 and 22nd November 2022 until 23rd November 2022 at 9.00 a.m. has been moved by the Leader of Majority, seconded by the Deputy Leader of Majority and debated on, I therefore want to put a question on adoption of the same.

(Question put and agreed to)

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): The motion is hereby adopted.

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Next order!!

ADJOURNMENT

The Temporary Speaker (Hon. Okumu, MCA, East Seme Ward): Hon. Members, the House stands adjourned to Tuesday, 23rd November 2022 at 9.00 a.m.

(House rose at 5.09 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

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