COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – SECOND SESSION

Tuesday 21st March, 2023

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

(The Deputy Speaker (Hon. Nereah Okombo) in the Chair)

PRAYER

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Mr. Clerk, please take us through the Order Paper of today.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Next order!!

MOTION

(RESUMPTION OF INTERRUPTED BUSINESS)

ADOPTION OF THE REPORT ON THE CONSIDERATION OF KISUMU COUNTY ASSEMBLY QUARTERLY REPORTS AND FINANCIAL STATEMENTS OF THE PERIOD ENDED 30TH SEPTEMBER 2022

BY

HON. CARREN AJWANG, MCA, KALOLENI-SHAURIMOYO WARD.

(CHAIRPERSON)

(SECTORAL COMMITTEE ON COOPERATIVE, FINANCE, TRADE, AND ENTREPRISE DEVELOPMENT)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Members, the debate on this motion was interrupted on Thursday last week. We shall therefore, continue from where we left. Hon.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon. Tom Nyaoke.

Hon. Nyaoke (MCA, North Nyakach Ward): Thank you Madam Speaker. Looking at the mood of the House and the clarity of the report, I believe every Member, is contented with the report. Therefore, may the mover reply.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): What is it Hon. Oiko Pete?

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Thank you Madam Speaker. The report was tabled by Hon. Adega and was seconded in this House. We had the quorum hitch then and we are supposed to continue with the discussions on the same report. The report was presented and as voluminous as it was, the Members could not master all that is contained in the report. That may only be possible if they have copies of the report. We have not been furnished with hardcopy of the report and at the am time we don't even have the IPADs for the ease of reference. In this case, the debate in this House is curtailed. This is a matter that should not be taken lightly. Madam Speaker, the administration should be made aware of the situation so that we debate effectively on this report. It will not be right if we give a node to this report without discussing it. Members will raise a number of issues if they are given time to go through this report. Madam Speaker, if you look at page 10 of this report…

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The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): What is it Hon. Adega?

Hon. Adega (MCA, Kajulu Ward): Thank you Madam Speaker. The Honourable Member…

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Members, you are rising, debating while citing which Standing Order?

Hon. Adega (MCA, Kajulu Ward): Madam Speaker, I apologize for that oversight.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon Adega, under which Standing Order are you debating on?

Hon. Adega (MCA, Kajulu Ward): Madam Speaker, the provisions of Standing Order No. 47 (2).

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Members, can you please quote that Standing Order?

Hon. Adega (MCA, Kajulu Ward): Madam Speaker, let me go through it then I will get back to you.

(Laughter)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon Adega, you are out of order!

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Please proceed Hon Oiko.

Hon. Oiko (MCA, Kabonyo Kanyagwal Ward): Madam Speaker, I wish the Member could be allowed to air his views on whatever he wanted to say. Maybe he wanted to raise a matter on Statement of Facts. However, I want Hon Adega to realize that in this House, we can refer to previous records that had been tabled. If Hon Adega feels that what I am saying is irrelevant, then he is at liberty to challenge me. There is no problem with that. From my knowledge, I am still referring to the records you read. Look at page 10 if you have your copy.

Madam Speaker, on page 10, we are being informed that from July to September, 2022, the County Executive gave the Kisumu County Assembly Kshs. 80,000,000 (eighty million shillings). Moving to table 2 we are again being informed that the total payment is Kshs175, 797, 954. These figures do not add up. Madam Speaker, the Quarterly Financial Reports from the Executive that was tabled in this House by the same Committee gave us the picture that within that Financial period, July to September, the Executive disbursed Kshs.46, 000,000 (forty-six million) to the Assembly. What picture are we getting in financial transactions in this county? Madam Speaker, this is an anomaly and Members are advised to keep track of the records that are brought to us so that we merely do not pass them but we pass what we know and what we can refer to.

Madam Speaker, with that kind of anomaly, and if we could refer to those records; one would now ask, what is the true financial position of what the Assembly spent and what the Executive disbursed to the Assembly? Madam Speaker, when you move to page 12, we are given statements of financial assets for the period ended 30th September, 2022. Here, we are being told that the cash and cash equivalent was zero (0.00) while the bank balance was Kshs. 14, 402, 218; account receivable was Kshs. 420,000 (four-hundred and twenty thousand). Where has this 420,000/- come from? We needed that explanation.

Madam Speaker, on page 14, the committee observed that explanatory notes for the prior year adjustments totaling to Kshs. 735,746 have not been provided contravening the standards set PASP. The source of this money is also not explained. Madam Speaker, with the little contribution I am making, it is my plea that let the Members be provided with hardcopies of not only the financial records but all records to make our work easier in this Assembly. When Members are just left hanging the way it is, then a picture may be portrayed that we are not effective and do not understand these things yet, it is the office that has made us handicapped. Thank you.

(Silence)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Members, silence means we are satisfied. The mover of the motion had been called upon by Hon Nyaoke to reply. If there are no further deliberations, then I would wish to call ---

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon Oraro, why are you standing?

Hon Oraro (MCA, Kolwa Central Ward): Madam Speaker, the mover was called upon to reply initially yet I have a contribution to make. .

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Members, do you still have some contributions to make?

Hon Oraro (MCA, Kolwa Central Ward): Madam Speaker, absolutely correct, I want to contribute.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Then please proceed.

Hon Oraro (MCA, Kolwa Central Ward): Madam Speaker, as a Speaker, you should always be blind to the debate…

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon Oraro, I will declare you out of order.

Hon Oraro (MCA, Kolwa Central Ward): Madam Speaker, I apologize for that. Please let me contribute. Madam Speaker. (*Laughs*). Madam Speaker, I am just surprise and not happy at all when the Chair…

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon Oraro, you are out of order. Please resume your seat.

Hon Oraro (MCA, Kolwa Central Ward): Madam Speaker, why do you want to gag the debate?

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Members, you are out of order.

Hon Oraro (MCA, Kolwa Central Ward): Madam Speaker, why do you want to gag me?

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon. Oraro, please resume your seat. You are out of order.

Hon Oraro (MCA, Kolwa Central Ward): Madam Speaker, do you have an issue with me so that I am made aware?

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon Oraro, you are out of order. Honourable Members, any further contributions?

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Members, Hon. Tom Nyaoke has called the mover to reply.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Hon Adega.

Hon. Adega (MCA, Kajulu Ward): Thank you very much Madam Speaker. Let me take this this opportunity to thank this House for supporting this motion and also for clarification to the Member who were expecting to be furnished with hardcopy of this report. I want to remind Members that it has always been a norm and tradition that reports are sent to the Members' WhattsApp group for reference. Otherwise, I reply. Thank you.

(*Laughter*)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Honourable Members, the report by the Committee on Cooperate, Finance, Trade and Enterprise Development on its consideration on the County Assembly of Quarterly Reports and Financial Statements for the period ended 30th September 2022, had been moved, seconded, and deliberated upon, on the floor of this House. I therefore want to put a question for its adoption by the House.

(Question put and agreed to)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): The report by the Committee on Cooperate, Finance, Trade and Enterprise Development Committee on its consideration on the County Assembly of Quarterly Reports and Financial Statements for the period ended 30th September, 2022 has been adopted by this Assembly today Tuesday, 21st March, 2023 at 2:55 p.m. Honourable Members, I direct that the findings and recommendations of this report herein be forwarded to the Accounting Officer for action. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Next Order.

MOTION

ADOPTION OF CONSIDERATION OF THE STATEMENT SOUGHT BY HON. LUMUMBA OWADE ON THE GENERAL SAFETY OF TRADE MERCHANDIZE IN SONDU MARKET, IN SOUTH-EAST NYAKACH WARD

PRESENTED BY:

HON. CARREN AJWANG', MCA, KALOLENI-SHAURIMOYO WARD.

(CHAIRPERSON, SECTORAL COMMITTEE OF COORPERATIVE, FINANCE, TRADE AND ENTERPRISE DEVELOPMENT).

(*Hon. Adega rises to his fee while the Clerk is still reading out the next Order*)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Adega, you have to give the Clerk time to take us through another Order. Why are you on your feet?

Hon. Adega (MCA, Kajulu Ward): Thank you Madam Speaker, please allow me to present this report on behalf of the Chairperson, Hon. Carren Ajwang'.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Please proceed.

Hon. Adega (MCA, Kajulu Ward): Honourable Speaker and Honourable Members, During the Assembly sitting on Wednesday, 11th November, 2022, Hon. Lumumba Owade the MCA for South East Nyakach Pursuant to the provisions of Standing Order No. 41(2, a & b), sought for a statement from the Chairperson of the Committee on Cooperatives, Finance, Trade and Enterprise Development regarding the general safety of trade merchandise in Sondu Market in his ward (see annex i).

The statement was committed to my Committee to undertake inquiries and report the Findings and Recommendations to House.

I hereby submit the Committee Report on its consideration of this matter as directed by this Honorable House and request the Honorable Members to deliberate on it and adopt it.

Honourable Speaker and Honourable Members, the Sectoral Committee on Co-Operatives, Finance, Trade And Enterprise Development is established pursuant to the County Assembly of Kisumu Standing Order No. 193 (5) and is mandated to:-

i). Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;

ii). Study the program and policy objectives of departments and the effectiveness of the implementation;

iii). Study and review all County legislation referred to it;

iv). Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;

v). Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;

vi). To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185 (Committee on Appointments); and

vii). Make reports and recommendations to the County Assembly as often as possible, including recommendations of proposed legislations.

Honourable Speaker and Honourable Members, as currently constituted, the sectoral committee on Co-Operatives, Finance, Trade and Enterprise Development is comprised of the following members;

1.	Hon. Carren Odhiambo	-	Chairperson
2.	Hon. Lumumba Owade	-	Vice-chairperson
3.	Hon. Joachim Oketch	-	Member
4.	Hon. Mickey Ochieng’	-	Member
5.	Hon. Ratib Boitone	-	Member
6.	Hon. Benson Adega	-	Member
7.	Hon. Vitalis K’Omudho	-	Member
8.	Hon. Pamela Oyoo	-	Member
9.	Hon. Jennipher Obonyo	-	Member

10.	Hon. Ken Ouko	-	Member
11.	Hon. Millicent Omuya	-	Member
12.	Hon. George Abaja	-	Member
13.	Hon. Henrietta Bodo	-	Member
14.	Hon. Alice Wajewa	-	Member
15.	Hon. Ann Ochola	-	Member

Secretariat

1.	Edwin Omollo	-	Committee Clerk
2.	Moses Orwa	-	Clerk Assistant
3.	Brenda Chasi	-	Clerk Assistant
4.	Zablon Otiende	-	Hansard
5.	Abraham Odegi	-	Sergeant-at-Arms

Madam Speaker, I extend gratitude to the offices of the Speaker and the Clerk for the invaluable support accorded to us by creating an enabling environment for better conduct of this assignment and offering all that was necessary for this reporting.

Madam Speaker, I also applaud the Committee Members who despite their busy schedule sacrificed their time and honored all invites for Committee meetings and gave their input which greatly impacted this course.

Madam Speaker, to the CECM. Trade, Tourism, Industry and Marketing, I appreciate you for always obeying this Committee and providing information as required.

Lastly, I want to thank our secretariat for a super coordinated work throughout the process providing technical support and preparing and producing this report.

To this Honorable House, it now my appeal that you deliberate on this report and consider it for adoption.

Thank you.

Honourable Speaker and Honourable Members, the Committee applied the following approaches during its consideration of this statement;

a) Prepared an action program.
b) Requested for Committee Meetings to deliberate on the statement, analyze the responses and report to the House
c) Communicated to the Department requesting for a comprehensive response on the Concerns.

Honourable Speaker and Honourable Members, the Committee held four meetings in processing this matter and scrutinizing the response submitted from the Department TTIM.

During its first meeting, the Committee resolved and directed the Clerk to write to the Department of TTIM requesting them to give a comprehensive written response on the concerns raised by Hon. Member (see annex ii).

In its 2nd Meeting, the Committee resolved and directed the Clerk to write a reminder to the CECM. Trade, Tourism, Industry and Markets to submit the response since the timeline given by the Committee had elapsed (see annex iii).

In the 3rd and 4th Meeting, the Committee resolved and directed the Clerk to write a second reminder to the Department and deliberated on the response and mandated its secretariat to prepare this report for tabling in the House respectively.

CONCERNS RAISED BY HON. LUMUMBA OWADE (MCA SOUTH EAST NYAKACH)

Honourable Speaker and Honourable Members, the key issue raised by the Hon. Member was the deteriorating security status of Sondu Market occasioned by lack of any market security arrangements exposing the trade-wares to increased case of theft in the Market.

In light of the above, the Committee was required to provide details of the Market-Security arrangements and general market management mechanism that the Department of Trade, Tourism, Industry and Markets has put in place to offer sustainable, safety and security services to the merchandise and trade wares in Sondu Market.

The Clerk was directed to formally write to the Department of TTIM to provide a comprehensive written response on the above concerns for consideration by the Committee.

The CECM for Trade, Tourism, Industry and Markets, accordingly submitted their response to Committee vide a letter Ref: CGK/CECM/TEI/CA/5/VOL.I dated 23rd November, 2022 for consideration (see annex iv).

Madam Speaker and Honourable Members, based on the response by the CECM. TTIM and further examination by the Committee, the following were established;

I. That the Department of Trade, Tourism, Industry do have people employed as security officers to offer security services to the Merchandise and Trade Wares in all markets in Kisumu County with no exemption to Sondu Market
II. That the Department does not have any elaborate security arrangement in any of the Markets in the County due to lack of budgetary provision to institute the measures.

Hon. Dede (MCA, North- Kisumu Ward): A Point of Order Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): What is your Point of Order?

Hon. Dede (MCA, North- Kisumu Ward): (*On a Point of Order*) Madam Speaker, I need to be guided. It has been indicated on page 7 of the report that an Annex 4 is attached but I don't see the Annex attached. Kindly give guidance as appropriate.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Dede, allow Hon. Adega to continue.

Hon. Dede (MCA, North- Kisumu Ward): The Annex 4 indicated should be there so that we comment on it.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Yes, Hon. Adega, can you confirm that the Annex is attached?

Hon. Adega (MCA, Kajulu Ward): Madam Speaker, the copy that was submitted to the office of the Clerk was attached in the report. I do not know which copy the Hon. Dede is using, and I do not know where he got the copy. I am not the one to provide him with a copy of the attachment. Madam Speaker, please protect me.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Yes, Hon. Kelvin Oraro.

Hon. Oraro (MCA, Central Kolwa Ward): Madam Speaker, I would like to concur with the Member that, the annex is not attached.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Odari, do you want to come to Hon. Adega's rescue?

Hon. Adonija (MCA, Chemelil-Tamu Ward): No Madam Speaker, I do not want to rescue Hon. Adega, but would want to support Hon. Dede, that the annex 4 is missing, and whatever I am looking at does not have it please. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Adega, it appears that the said Annex 4 is not attached to the report. I therefore want to direct that annex 4 be provided to Members immediately for perusal.

Hon. Adega (MCA, Kajulu Ward): Madam Speaker, I will ensure that Members are furnished with a copy of the annexure before I conclude presenting the report.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Adega, you cannot continue without the attachment and I want to direct that we take a five-minute break, and have the annex 4 provided, so that we can continue. Honorable Members, we are taking a break for five minutes to allow production and distribution of the annexes.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Honourable Members, I rule that this House be suspended for five minutes to enable the mover organizes for the annexure to be provided. I therefore rule.

(The House was suspended for five minutes)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Members, welcome back from our short suspension of business, and I want to inquire from Hon. Adega to kindly give us a status of annex 4.

Hon. Adega (MCA, Kajulu Ward): Yes, Madam Speaker, I want to affirm that all the Members have been furnished with a copy of the annexure as you had ruled.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Dede, can you confirm receipt of the missing annex 4 of the report?

Hon. Dede (MCA, North- Kisumu Ward): Thank you, Madam Speaker, I can confirm that I now have the annex 4, and we can now proceed.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Adega, you can now proceed.

Hon. Adega (MCA, Kajulu Ward): Thank you, Madam Speaker. That the Market Management Committees always make local arrangements with traders to engage few individuals to offer security services but at their own cost. That the Department budgeted for the Security arrangement services in the FY 2019/2020 and 2020/2021 and but was rejected thus unable provide security services in the all the Markets in the County.

Madam Speaker and Honourable Members, based on the Observations and Findings herein, the committee makes the following recommendations;
1. The Deparment of TTIM to conduct a rapid assessment of the current general security status and arrangement for all markets in the County and submit their report the Assembly within a period of adoption of this report
2. The Department of TTIM to assess, prepare and propose to the Assembly the Budgetary estimates for initiating and providing an elaborate security arrangement services in all Markets in the County in the their proposed Departmental Budget Estimates for FY 2023/2024 and other succeding years for review and consideration by the Assembly.
3. That, this House upon scrutiny and examination of the proposed Departmental Budget for providing the security services in all markets in the County to appropriately consider and approve the Budget and make follow up on its implementation status through its relevant oversight structures.

Madam Speaker, I hereby implore the Honourable Members to adopt this report with the recommendations herein. May l call upon Hon. Alice Wajewa to second.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Yes, Hon. Alice Wajewa

Hon. Wajewa (Nominated MCA): Thank you, Madam Speaker, I hereby second the report.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Hon. Members, a report on the Statement raised by Hon. Lumumba Owade, concerning the General Safety and Trade Merchandize in Sondu Market in South West Nyakach Ward, has been presented by Hon. Adega on behalf of the Chairperson of the Committee on Cooperative, Finance, Trade, and Enterprise development, Hon. Carren Ajwang and seconded by Hon. Alice Wajewa. I therefore want to propose that the report be open for debate.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Yes, Hon. Benny Pete Oiko

Hon. Oiko (MCA, Kabonyo-Kanyagwal Ward): Thank you, Madam Speaker, the matter that was raised by Hon. Owade touches on security matters in Sondu Market. The House Committee has looked into this matter and has given its advice on the statements raised. They are advising the department to recruit Security Personnel for the markets. This is a pronouncement made by the committee, but when we look at the structure of Kisumu County Government, there are Security Personnel's employed. Which department are these employed personnel working

under? Do we have a situation where every department that needs security personnel employs their own?

Madam Speaker, it is may considered opinion that this is a matter that we need to interrogate further and find out how best it should be handled. By just handing this matter to the Department of Trade, Tourism, Industry and Marketing, so that they work out their budget on this without proper consultation; we may not get the answer. I know that the markets need security personnel but, how should it be done? That is what we should address; then, when the Assembly pronounces itself on this, we do that on what may not be challenged. For instance, the security personnel employed by the County Government of Kisumu, under which department are they falling? I believe that they fall under the Department of Finance, Economic Planning and ICT Services. If that is the tradition of County Government of Kisumu, let it be so. We shall cause that Department of Trade, Tourism, Industry and Marketing to establish the security personnel payment then the Finance, Economic Planning and ICT Services Department will be requested to employ for them. By that, we shall make a rational decision.

Madam Speaker, it is good to understand the structure of the government so that when the Assembly pronounces itself on such a matter, it is will be one that is workable, thank you Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Honourable Nyaoke.

Hon. Nyaoke (MCA, North Nyakach Ward): Thank you Madam Speaker, apparently, I want to believe the Honourable Member who realized that Annex IV was missing and for sure, it was ideally important for that annex to be present because I had picked some key issues from the response itself particularly. Madam Speaker, if you look at paragraph three which says that; as a department, we considered this aspect in our Budget Estimates for FY2019/2020 and FY 2020/2021. However, it has always been rejected and because of this, we have always encouraged Market Management Committee in all markets to have local arrangements with traders to engage a few individuals to offer these services at their own cost. This has largely worked well.

Madam Speaker I have also looked at the Committee Recommendations. I believe that if really our people in respective markets were made to shoulder the security issues by themselves and even at their own cost, I believe that would be asking too much from them. Therefore, I vehemently support the committee recommendations and only wish to request that the committee follow up on this matter accordingly so that this security issue be considered. We do not really have an issue as an Assembly, but, it is something that is very necessary that we provide such kind of security personnel to our traders. These traders are taxpayers who sacrifice a lot especially if you look at our vegetable vendors in our respective markets, they do remit revenues to the county. It is only suffice to say that availing the security to them all times is equally important.

Madam Speaker, for that matter therefore, I want to request the committee; on the recommendations that they have made to ensure that this is achieved and this House gets the feedback on time concerning the same, thank you Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta 'B' Ward): Honourable Oraro.

Hon. Oraro (MCA, Kolwa Central Ward): Madam Speaker, I want to begin by appreciating the good work done by the committee members, the committee clerk and above all, Honourable Lumumba Owade who thought it wise to bring such a statement in order for the Assembly to look into it and have an overview on what is happening at Sondu Market.

Madam Speaker, Sondu Market/Town is at the border between Kisumu County and Kericho County and also close to Homa Bay County. We have had numerous strives between Kericho and Kisumu County over the boundaries and even other reinforcement officers from Kericho County harassing traders from Kisumu County. I trust that the reason why the Member has decided to bring this agenda was for him to get assistance from the Assembly. If you look at the report and the response through the County Secretary, they are trying to deny that they do not have security officers to offer security services to the merchandise and their trade wares in all the markets. Meaning; what should Honourable Lumumba Owade or the traders do when they are facing harassments from strangers who are not members of Kisumu County? And, why are they even collecting revenues from these traders?

Madam Speaker, this issue needs also to be taken to the House Committee JLAC Chaired by Honourable Moses Ochele so that some of the problems that we have in Sondu and Maseno Markets be looked at critically. This is because they are a point of conflicts between two counties. In addition, when two counties are having quarrels, we should move to another level in terms of representation so that we see an amicable way of trying to protect our territory, traders and our people. Very soon, if these issues are not addressed as expected, I guess other markets like Chemelil and Songo will encounter same problems. Kiboswa on the other side which is neighboring Vihiga and Nandi Counties will also face the same problems. Therefore, we will be having problems if we do not defend our territory.

Madam Speaker, my recommendation is that the Chief Executive Committee Member concerned should have highlighted this issue to the County Secretary and have it addressed in the Cabinet Meetings rather than informing us that we should be preparing for the same because they do not have budget for security officer or rather they need our input and so on. I am not aware if that was enough response. For that matter therefore, I recommend that this report to be further debated and handed over to the House Committee of Administration of Law, Justice, Good Governance and Security so that further investigation done so that we see on how to operate with our neighbors and to avoid such conflicts in future.

Madam Speaker as I resume my seat, I want to say that in Kisumu County, we have a problem of shortage of revenue. The money we are getting as revenue is not adequate to sustain a lot of activities and developments within the County. We want to makes this department serious department to enable it raise revenue and we can only do so if we also offer services the much needed services to our traders. If we do not offer these key services to our trader, then we should not expect any revenues from them.

Madam Speaker, I want to inform the committee that, they did a good work although it was short of expectations but we need to stand with the traders and solve the problem, thank you.

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Honourable Member representing East Kano Wawidhi Ward.

Hon. Ochele (MCA, East Kano Wawidhi Ward): Thank you Madam Speaker, I arise to echo some few concerns emanating from the report which has just been read by Hon. Adega. First and foremost I would like to remind the House that when we are talking, we are talking while on the Hansard and when we are doing any other report, any word you don't mention or quote do not appear in the Hansard. I realized the Chair who just submitted the report, omitted some names of Members of the Committee. If anybody will revisit the Hansard, he will not have the hardcopy which we have here.

Hon. Dede (MCA, Kisumu North Ward): Madam Speaker, I want to bring to the attention of the House that, the Member contributing is not properly dressed and it is my opinion that you need to consider that.

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): Serjeant-at-Arms can you confirm whether we have a member in the House who is not properly dressed.

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "B" Ward): I want to call upon Hon. Warindo to confirm with the Serjeant-at-Arm if the Hon. Member is properly dressed.

Hon. Warindo (MCA, Miwani Ward): Yes, Madam Speaker the member is properly dressed.

The Temporary Speaker (Hon. Okombo): Honourable Members, it has been confirmed that we do not have a Member who is not properly dressed in the floor of the House. I therefore want to direct that Hon. Ochele continue giving his contributions.

Hon. Ochele (MCA, East Kano Wawidhi Ward): Thank you Madam Speaker, sorry for that interruption that has been caused by a member who has just escape. It is my believe that a lot of emphasis should not have been raised because, if you see somebody naked you do not run away from him but show him at which point, he is naked which he failed to do. So, as I am standing here, I am properly dressed and has been confirmed by Hon. Warindo.

Madam Speaker I was just clearing the first point that when Hon. Adega was reading the report, he just said has attached so if anybody visits the Hansard what will be found there is, the members of the committee is as attached. I would just add that when he will be responding kindly rectify that by mentioning the actual names of the members of the committee.

Secondly, I realize that some of us don't understand the gist of that report and more so Hon. Oraro who has just walked out. We are not talking or the report is not addressing the cross border security issues. The cross border security issues cannot be addressed by employing County Security Officers but that is a matter of national concern. If a matter should be brought to the Security Committee in this House, that is a matter of national concern and we are talking National Security Enforcement Agencies but in this report, we are talking about people taking care of our merchandise in the market and this does not involve cross border conflicts and disputes but purely how well we can take care of our traders.

Madam Speaker, it is unfortunate that in their response in annex four attached, the person who produced the response says that they tried to place this matter it in the budget and it failed and

that they advised the market committee to make local arrangement with that traders to hire their securities.

Madam Speaker, the county government raises revenue from these traders because they deliver services to these traders. The number one service is that these markets must be clean, well lit and secure. Our commodities must always be secure in that we have a warehouse where we keep them and outside the warehouse there must be people manning them. But, in a case where the County Government is telling the traders that do it at your level means we are running away from our responsibility. If they did it in 2019/2020 financial year and it fails, that does not mean that they cannot do it this financial year. We need reinforcement officers to be employed not just in Sondu Market but in all our markets so that our traders can have confidence that the security of their commodities is guaranteed in the hands of tax collectors which is Kisumu County Government.

Madam Speaker may I wind up by saying that, sometime the government abrogates its responsibility and being a House that makes laws, we should affirm to the Executive that we shall not allow them to run away from any single responsibility tasked to them. Therefore, I recommend that if there is shortage of reinforcement officers, they should put a budget and let more reinforcement officers be hired. Apart from hiring, there is centralization of this officers, because most of them have chosen where they want to be deployed to. Madam Speaker, like in Kisumu Municipality, what we call the City, most of these enforcement officers want to work either within the Central Business District or in the Kibuye Market where they get a lot of off the cuff revenue for themselves. If you want to deploy them out of these boundaries they use the ill-gotten monies to buy their way back into the CBD.

Madam Speaker, if the distribution of staff can be done properly, then I believe that even with the few that we have like in some of the markets like Sondu will have adequate personnel. Madam Speaker, even if we decide to employ and if the trend is that they want where money is flowing, then even if you employ one thousand, most of them will find their way here in town and still our traders will be complaining of insecurity.

Madam Speaker, I believe that the person tasked with the mandate of carrying out the deployment of staff should take this into serious considerations. Otherwise, thank you so much. Madam Speaker, I am sorry that my voice is not properly in order because of yesterday's' incidents but, I don't regret. Thank you.

The Temporary Speaker (Hon. Okombo. MCA, Manyatta "A" Ward): Yes Hon. Dede.

Hon. Dede (MCA, North Kisumu Ward): Thank you Madam Speaker for according me this opportunity to voice my sentiments to this important matter concerning this report. Madam Speaker, it is proper that we have been furnished with the annexure which was not initially provided for and I would like to make my comments with regards to annex four.

Madam Speaker, according to the responses as indicated in the third paragraph where my fellow colleagues have elaborately deliberated on, I have noted the following. It has been indicated that these markets to organize for their market securities internally. I am of a different opinion that if we work with these Market Management Committees to at least organize for security within

these markets it will appear as if we are failing on our duties. This is because these are traders within the areas where we emanate from, and we will be losing a lot of revenues as a result of insecurity. Madam Speaker, like in a place where I come from which is the Kiboswa Market, most of the traders evade our County and migrate to do their business in counties like Vihiga which I border and Nandi which I equally border due to the insecurity menace. Madam Speaker, you will note that in those areas, security of their goods is assured and this enables them trade better because they are sure that their commodities are secure, unlike here in our county where we lack security for our dear traders.

Madam Speaker, working with these Market Management Committees is a must because if we don't, it will portray the county as if we are running out of our duties. We will find that Members who come from Kisumu County because traders apply for Trade Licenses that includes payment of receipts for revenues which are charged on a daily basis for those who cannot afford to pay the yearly licenses. So, if these traders have their trade licenses and receipts and at the same time they are told to organize for their own security using funds from the Management Committees, it becomes so complicated and they feel overburdened. It is my belief that, we need to address these issues to enable us improve on our own source revenue by provision of security within these markets. Thank you.

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "A" Ward): Yes Hon. Alandoh.

Hon. Alandoh (Nominated Member): Thank you Madam Speaker….

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "A" Ward): Please assist Hon. Alandoh with a working microphone.

Hon. Alandoh (Nominated Member): Thank you once again Madam Speaker. Having looked upon the mood of the House, please allow me call the mover to reply. Thank you.

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "A" Ward): Yes the mover. Hon. Adega.

Hon. Adega (MCA, Kajulu Ward): Thank you Madam. First, let me take this opportunity to thank the Honourable Members who have contributed to this motion. I would like to respond to some of the issues that were raised during the debate.

Madam Speaker, there was an issue raised by the Honourable Member from East-Kano Wawidhi Ward the Hon. Moses Ochele who requested to be informed on the committee Members who were present during the session. We had the Chair who is Hon. Carren Odhiambo Ajwang', the Vice-chairperson, Hon. Owade Lumumba, Hon. Joachim Oketch, Member, Hon. Mickey Ochieng' Member, Hon. Ratib Boitone, Member, Hon. Benson Adega, Member, Hon. Vitalis K'Omudho, member, Hon. Pamela Oyoo, Member, Hon. Jennipher Obonyo, Member, Hon. Ken Ouko, Member, Hon. Millicent Omuya, Member, Hon. George Abaja, Member, Hon. Henrietta Bodo, Member, Hon. Alice Wajewa, Member, Hon. Anne Ochola, Member. The Secretariat includes Mr. Edwin Omollo, Committee Clerk, Mr. Moses Orwa, Clerk Assistant, Ms. Brenda Chasi, Clerk Assistant, Mr. Zablon Otiende, Senior Hansard Reporter, Abraham Odegi, Serjeant-at-Arms.

Madam Speaker, I want to inform the House that, this report will assist all the market establishments within Kisumu County and not only the market in Sondu. Madam Speaker, without forgetting, I want to appreciate the Honourable Member who brought this matter to the House as this will facilitate the County improve of the security of our markets in Kisumu county. I beg to reply. Thank you.

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "A" Ward): Honourable Members, a report by the Standing Committee of Co-operatives, Finance, Trade and Enterprise Development on a statement raised by Hon. Owade Lumumba, the MCA, South East Nyakach Ward concerning the General Safety of Trade Merchandise in Sondu Market in South East Nyakach Ward was moved by the Hon. Adega on behalf of the Chairperson Hon. Ajwang' seconded and comprehensively debated upon by the House. I therefore want to put a question for its adoption.

(Question put and agreed to)

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "A" Ward): Honourable Members, the report by the Standing Committee Co-operatives, Finance, Trade and Enterprise Development on a statement raised by Hon. Owade Lumumba, the MCA, South East Nyakach Ward concerning the General Safety of Trade Merchandise in Sondu Market in South East Nyakach is hereby adopted by the Kisumu County Assembly today Tuesday, 21st March, 2023 at 15:44 hours.

Honourable Members, I therefore direct that, the copy of the Committee Report plus the Hansard be forwarded to the relevant department for necessary action. Thank you.

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "A" Ward): Next order!!

ADJOURNMENT

The Temporary Speaker (Hon. Okombo, MCA, Manyatta "A" Ward): Honourable Members, there being no any other business to transact, House stands adjourned until tomorrow Wednesday, 22nd March, 2023 at 09:00 a.m.

(House rose at 15:50 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter (Ag. Editor)

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Jesca Otieno – Hansard Reporter

Vallery Achieng' – Hansard Reporter