

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – SECOND SESSION

Wednesday, 29th March, 2023

House met in the Main Chamber at 02:30 p.m.

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

PRAYERS

The Speaker (Hon. Oraro): Good afternoon Honourable Members. Madam Clerk, please take us through the order of the day.

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

PAPER LAID

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

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. Please allow me lay the following papers.

Mr. Speaker, pursuant to the provisions of Kisumu County Assembly Standing Orders No. 182 (6), I wish to table today Wednesday, 29th March, 2023 a report by the Standing Committee of Planning, Industrialization and ICT on its consideration of the Kisumu Urban Project Cash Expenditure Fund Annual Report and Financial Statement for the year ended 30th June, 2022.

Mr. Speaker, the Kisumu County Urban Project Advance Account Annual Report and Financial Statement for the year ended 30th June, 2022.

Mr. Speaker, the City of Kisumu Annual Report and Financial Statement for the year ended 30th June, 2022.

(Hon. Omollo lays the report before the House for consideration)

The Speaker (Hon. Oraro): Honourable Members, I acknowledge receipts of the following reports from the Standing Committee of Planning, Industrialization and ICT on its consideration of;

1. The Kisumu Urban Project Cash Expenditure Fund Annual Report and Financial Statement for the year ended 30th June, 2022.
2. The Kisumu County Urban Project Advance Account Annual Report and Financial Statement for the year ended 30th June, 2022 and;
3. The City of Kisumu Annual Report and Financial Statement for the year ended 30th June, 2022.

Honourable Members, I commit these reports to the Select Committee of House Business for the purposes of scheduling for debate. Thank you.

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

Hon. Were (MCA, Nyalenda “B” Ward): Thank you Mr. Speaker. On behalf of my able Chairperson and pursuant to the provisions of Kisumu County Assembly Standing Orders No. 182 (6), I wish to table today Wednesday, 29th March, 2023 a report by the Standing Committee of Children, Culture and Community Services on its consideration of the Kisumu County Culture Policy. Thank you.

(Hon. Were lays the report before the House for consideration)

The Speaker (Hon. Oraro): Honourable Members, I hereby confirm receipt of the reports from the Standing Committee of Children, Culture and Community Services on its consideration of the Kisumu County Culture Policy. I commit this report to the Select Committee of House Business for the purposes of scheduling for debate. Thank you.

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

NOTICES OF MOTION

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

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. Pursuant to the provisions of Kisumu County Assembly Standing Order No. 45 (1), I wish to give Notice of Motion on the following reports from the Standing Committee of the Standing Committee of Planning, Industrialization and ICT on its consideration of;

1. The Kisumu Urban Project Cash Expenditure Fund Annual Report and Financial Statement for the year ended 30th June, 2022.
2. The Kisumu County Urban Project Advance Account Annual Report and Financial Statement for the year ended 30th June, 2022 and;
3. The City of Kisumu Annual Report and Financial Statement for the year ended 30th June, 2022. Thank you.

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

Hon. Were (MCA, Nyalenda “B” Ward): Thank you Mr. Speaker. On behalf of my able Chairperson,

Pursuant to the provisions of Kisumu County Assembly Standing Order No. 45 (1), I wish to give Notice of Motion on the report from the Standing Committee of Children, Culture and Community Services on its consideration of the Kisumu County Culture Policy. Thank you.

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

STATEMENTS

The Speaker (Hon. Oraro): Honourable Member, it is statement hour.

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

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. I arise to give a response to a Statement that was sought by Hon. Adega on Mamboleo Abattoir. I seek your indulgence if you allow me I can proceed. Pursuant to the provisions of Standing Orders No. 41 (2) (b) of the Kisumu County Assembly Standing Orders, the Member of County Assembly for Kajulu Ward Hon. Benson Adega raised a Statement in this House on 01st November, 2022 with regards to the Operationalization Status of Mamboleo Slaughter House in Mamboleo Kajulu Ward.

Mr. Speaker, in accordance to the provisions of Article 185 of the Constitution of Kenya 2010, section 8 of the County Government Act, 2012 read together with Kisumu County Assembly Standing Orders No. 193...

The Speaker (Hon. Oraro): Order!! Hon. James Omollo. It looks like you are reading a committee report.

Hon. Omollo (MCA, West Nyakach Ward): Mr. Speaker, Hon. Adega sought a statement which was committed to our Committee and we are making a response on that. It was not supposed to be a report but a response to a statement.

Honourable Omollo, please resume your seat. Honourable Members I want to make some consideration with regards to the procedures of handling Statements and questions raised in the House.

Honourable Members, I have taken notice that the Procedures of handling Statements while done in accordance with the reading of the Standing Orders has recently suffered misapplication and abuse on the Constitutional mandates of this Hon. House provided for under Article 185.

You must have observed that in recent cases Chairpersons have merely read on the floor verbatim responses of the Executive on the floor devoid of recommendations borne at Committee or inquiry on the truth value of such responses.

Honourable Members, The Procedures now applied in this House are procedures borrowed from mature Parliaments particularly the Senate of Kenya and are procedures tested throughout the

life of Parliament, and we may only with careful modification alter their applications to suit our needs. Thus, on the matter of handling statements and questions, we are called upon to observe the procedures for Statements in these parliaments in order to appreciate how best we can use Statements to improve our oversight mandate.

Honourable Members, the origin of current procedures for statements and questions is traced to the introduction of a presidential system of governance pursuant to the Constitution of Kenya, 2010, in which members of the Cabinet are no longer Members of Parliament resulting into the absence of the representatives of the Executive in the Houses of Parliament, and, therefore, effectively crippling the idea behind Question Time. As a result, various attempts to revitalize Question Time under the new constitutional dispensation were made by the 11th and the 12th Parliaments, culminating in the insertion of Standing Orders relating to Questions. It will be recalled that the first attempt was a temporary substitution of Question Time with “Statements” directed to Chairpersons of relevant Committees for a response, as a way of attempting to align the new constitutional dispensation with the processes of Parliament and, more particularly, in receiving answers to Questions. In this new arrangement, Questions asked by Members were responded to in writing by the relevant Cabinet Secretaries and the responses would be read out on the Floor of the House by the Chairpersons of the relevant departmental committees.

Honourable Members, you may have observed that in our current application of procedures for Statements, the Statements have hardly received adequate responses from the Chairpersons since they are not the authors of the statements that they read out. Whereas this arrangement has worked for us with difficulties in the interim, it will be recalled that chairpersons of committees have faced challenges as they cannot not comprehensively speak or make undertakings on behalf of the Executive, which they are constitutionally expected to oversee.

Honourable Members, looking at the intendment of Article 185 of the Constitution, I am tempted to pose the question that do procedures for statements and questions fulfill their intendments of promoting accountability of the Executive to the Legislature with regard to responding to any questions raised to a Chairperson or a committee of the House in terms of Section 39 of the County Governments Act, 2012? Or do such procedures inadvertently violate the constitution by merely converting Chairpersons of Committees or Committees to mouth pieces of the executive?

Honourable Members, you will observe that in the current provisions of our Standing Orders, the dilemma is not in the procedures of raising statements or questions but in the manner of responding to matters raised in a statement or question.

Honourable Members, in our current practice, the manner and quality of response to a statement or question, solely depends on the reply from the Executive and the existing procedures are not clear as to the extent of oversight (if any) on the truth value of such responses. It is therefore observed, through the reading of the general tenor of the Standing Orders that Statements (other than personal or general statements) and Questions ought to be treated as an invitation by a Member of the House to a Committee or a Chairperson to cause an inquiry or investigation into an attendant matter and a response to such statements or questions should be submitted to the Floor as a detailed consideration of the respective Committee and/or by way of a substantive/main motion submitted or moved by the Chairperson of the respective Committee.

The reason for this is to fulfill the oversight intention of the House and prevent the risk of merely reading a response from the Executive which by doing so; converts the Assembly to a mere bystander waiting to consume reports from other quotas without careful scrutiny.

Thus, the Standing Orders on the procedures of handling Statements and Questions, read in tandem with Section 39 of the County Governments Act, 2012, seems to appreciate that one of the reasons of having a Statement Hour is to give members the liberty to raise pertinent issues touching on functions of committees of which they are not members and that the Chairperson (if a statement is requested from a Chairperson), may rise on his feet and respond. However, the Standing Orders also substantially provide that “...the Speaker may appoint a day for the Statement to be made or direct that the Statement be issued on the same day.”¹ It is noted that if the Chairperson to whom the Statement was requested fails to respond and the Speaker has appointed a day for the Statement to be made, there is at once an assumed procedure that should be considered.

Honourable Members, since the Chairperson does not work in isolation of the Committee, the immediate procedural presumption is that the Chairperson will table the request for a statement at Committee and therefore the request becomes the responsibility of the Committee and its response can only be made by application of relevant procedures of reporting by Committees to the House. It is argued, that for statements whose responses have been slated for a later date, it would almost amount to an affront to deliberative procedures for the Chairperson to revert to the House with a response that has not been scrutinized and sanctioned by his Committee.

As quoted by the Honourable Speaker Justin B. N. Muturi during the 12th Parliament, in agreement with the ruling of his predecessor, at the early years of Independence, Speaker Humphrey Slade, on 3rd July 1963, he observed:

“The Chair remains in a unique position to safeguard, in a singular form, the right of Members to bring the Ministers to account and the Executive in general for their actions. Parliamentary Questions, therefore, serve as a true parliamentary mechanism to bring the Executive and, indeed, those who govern to be accountable to those being governed.”

Honourable Members, pursuant to Section 39 of the County Governments Act, 2012, the central issue of concern in regards to responses to Statements or Questions is a question of accountability of the Executive to the House and the person through which such accountability is to be projected in the House.

Section 39 of the County Governments Act, 2017 provides that:

(1) The members of the county executive committee are individually and collectively accountable to the governor in the exercise of their powers and performance of their duties and responsibilities.

(2) A committee of the county assembly may require a member of the executive committee to—

(a) attend or appear before the committee; and

(b) answer any question relating to the member’s responsibilities.

The Standing Orders No. 41 and Order No. 240 gives effect to these provisions. Order No. 240 substantially provides as follows:

“A member shall ask his or her Question on the day it is scheduled in the Order Paper and the Leader of the Majority Party, at an appointed date, will inform the House of the date and time when a state officer shall be required to appear before a Committee to reply to a Question.”ⁱⁱⁱ

Honourable Members, the wording of the stated provisions of the County Governments Act, 2012 and the Standing Orders leaves no doubt as to the expectations of the House in terms of who is accountable to the House. In substance, Section 39 of the Act is couched in mandatory terms that vests direct constitutional obligation on a County Executive Committee Member, with little or no latitude to a County Executive Committee Member delegating that authority with regard to appearing and answering Questions relating to their duties when required to do so by the House. A County Executive Committee Member is, therefore, under obligation to appear before or respond to a Committee of the Assembly and to answer any Question concerning a matter for which he or she is responsible.

Honourable Members, in this regard, my considered findings, therefore, are as follows:

- i. THAT Statements not responded to during the Statement Hour and deferred for response on a date set by the Speaker shall be table at Committee which shall conduct comprehensive inquiry on to the matters raised in the Statement in accordance with the mandates of the Committee.
- ii. THAT Statements handled at Committee shall only be submitted to the floor by way of a Report detailing the findings and recommendations of the Committee and as a Substantive Motion.

Honourable Member, with the guidance that I have given, matters raised to House Committees cannot be responded to directly by a respective chair of a House Committee but, it is supposed to be handled by a House Committee which is not taking the responsibility of the County Executive Committee Member to whom they are responsible to but will scrutinize these issues responded to by the County Executive Committee Member and the report will come to the House by way of motion. So, I wish to give guidance to Hon. James Omollo that your report needs to go through the House Business Committee before being brought to the House by way of motion this is because I have noted that you are presenting a report.

Honourable Members, if we have one hour for Statements, you could just present to the House a Progress Report indicating this is where we are, this is where we as a Committee are moving or alternatively, this could be done by the Leader of Majority. But, once it is a report, it has to go through the House Business Committee through a Substantive Motion. I believe that you stand guided.

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

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. I believe that I am appropriately guided and I will ensure that it is slotted in the next schedule of the House Business Calendar. Thank you.

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

MOTION

FIRST READING OF THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATIONS
BILL, 2023

BY

HON. JOACHIM OKETCH, MCA, KONDELE WARD.

(CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE)

The Speaker (Hon. Oraro): Hon. Joachim Oketch, Chairperson, Budget and Appropriations Committee.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Speaker. I wish to call upon the Clerk to read the Kisumu County Supplementary Appropriations Bill, 2023 for the first time.

The Speaker (Hon. Oraro): Yes madam clerk.

(The Clerk-at the- table reads the Supplementary Bill for the first time)

THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2023.

A Bill for

AN ACT of the County Assembly of Kisumu to authorize the issue of certain sums of money out of the County Revenue Fund and their applications towards the services on the year ending 30th June, 2023, and to appropriate those sums for certain public services and purposes.

Mr. Speaker and Honourable Members, the Kisumu County Supplementary Appropriations Bill, 2023 is now read for the first time. Thank you.

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

MOTION

SECOND READING OF THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATIONS
BILL, 2023

BY

HON. JOACHIM OKETCH, MCA, KONDELE WARD.

(CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE)

The Speaker (Hon. Oraro): Hon. Joachim Oketch, Chairperson, Budget and Appropriations Committee.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Speaker. On the same breadth, I would wish to request that the Kisumu County Supplementary Appropriations Bill, 2023 be read for the second time. Thank you.

The Speaker (Hon. Oraro): Yes Madam clerk.

(The Clerk-at the- table reads the Supplementary Bill for the second time)

THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2023.

A Bill for

AN ACT of the County Assembly of Kisumu to authorize the issue of certain sums of money out of the County Revenue Fund and their applications towards the services on the year ending 30th June, 2023, and to appropriate those sums for certain public services and purposes.

Mr. Speaker and Honourable Members, the Kisumu County Supplementary Appropriations Bill, 2023 is now read for the second time. Thank you.

The Speaker (Hon. Oraro): Honourable Members, now that the Kisumu County Supplementary Appropriations Bill, 2023 has been read for the first and the second time. The Honourable Chair, Budget and Appropriations Committee the floor is yours.

Hon. Joachim (MCA, Kondele Ward): Thank you very much Mr. Speaker. Now that the Kisumu County Supplementary Appropriations Bill, 2023 has been read for the second time, I would wish to move a motion that this House moves the Committee of the Whole House. Thank you.

The Speaker (Hon. Oraro): Honourable Members, as per our Standing Orders, you are all aware that the Kisumu County Supplementary Appropriations Bill, 2023 or any other bill once read for the second time and there is a request made by the House Committee responsible for the bill that, we collapse the House to the Committee of the Whole House, it so happens without a question being put.

(Members moves to the Committee of the Whole House)

(Hon. Seth Okumu chairs the Committee of the Whole House)

(The Chair Committee of the Whole House consults with the Clerks on procedural issues)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Thank you Honourable Members. Please let us call the House to order. Honourable Members, please resume your seats. It is my belief that there is one small item that is remaining that we can handle before the Speaker resumes or takes over the session even though the Chair had requested that we revert to the Committee of the Whole House.

Hon. Joachim (MCA, Kondele Ward): Mr. Speaker, I request that we go the guillotine way and I request the Hon. Omollo seconds this motion.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Order!! Order!! Honourable Members. Please resume your seat for one second.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Hon. Ken Ouko, please approach the chair.

(Hon. Chair consults with Hon. Ouko)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Hon. Chair, I believe that, there is one thing you did not give details on that, you did not inform Member that interpretation of Code 317R which represents Recurrent Expenditure Component, 317D stands for Development Expenditure Component and Code 317 stands for Kisumu County. So, the total sum for the Code 317R represents Recurrent Expenditure Component plus the total sum of code 317D stands for Development Expenditure Component adds up to the total sum of the Budget that we are having which is Kshs 11, 748,672,644 (Eleven Billion, Seven Hundred Forty-Eight Million, Six Hundred and Seventy Two Thousand, Six Hundred and Forty Four Only)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Hon. Chair, Budget and Appropriations Committee.

Hon. Joachim (MCA, Kondele Ward): Mr. Chair, thank you once again. I request that while processing the Supplementary estimates FY 2023 we go the guillotine way and I request Hon. James Omollo to second.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): What is it Hon. Ouko?

Hon. Ouko (MCA, West Kisumu Ward): Mr. Chair, since the Chair is using some of the terminologies that we are hearing for the first time, I request that the term guillotine be explained to us new members.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Hon. Ouko, on the matter that you have raised on the terminology. Please see Hon. James Omollo to give you the proper definition of that word with regards to the process we are just about to undertake.

Hon. Ouko (MCA, West Kisumu Ward): Mr. Chair much obliged.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Hon. Joachim.

Hon. Members in considering a money bill it shall follow the laid down sequence as provided in our Standing Orders No 125 and 126 which enumerates the sequence to be adhered to when processing a Bill in the House as follows;

Committal of Bills to Committee of the whole County Assembly

125.(1) A Bill having been read a Second Time shall stand committed to a Committee of the whole County Assembly.

(2) On the Order of the Day for Committee on a Bill being read, the Speaker shall leave the Chair without question put.

Sequence to be observed on a Bill in Committee

126. In considering a Bill in Committee, the various parts thereof shall be considered in the following sequence –

- (a) clauses as printed, excluding the clauses providing for the citation of the Bill, the commencement, if any, and the interpretation;
- (b) new clauses;
- (c) schedules;
- (d) new schedules;
- (e) interpretation;
- (f) preamble, if any;
- (g) long title; and
- (h) the clauses providing for the citation of the Bill and the commencement.

Hon. Chair, that said and done we proceed.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Chair based on my request that we go the guillotine way. I request that the House approves the following votes for the supply granted for the services of the year ended 30th June, 2023

1. Votehead No. 317-R01 under the Office of the Governor with a proposed allocation of Kshs 299,829,680;
2. Vote 317-R02 under the Department of Finance and Economic Planning with a proposed allocation of Kshs 1489,296,941;
3. Votehead No. 317-R03 under the Department of Agriculture, Livestock, Fisheries and Marketing with a proposed allocation of Kshs 196,194,671;
4. 317-R04 in the Department of Education, Human Resource Development and ICT with a proposed allocation of Kshs 599,584,306;
5. Vote 317-R05 in the Department of Tourism, Culture, Arts and Sports with a proposed allocation of Kshs 77,595,582;
6. Votehead No. 317-R06, Department of Land Housing and Urban Development with a proposed allocation of Kshs 145,169,597;
7. Votehead No. 317-R07, Department of Public Works, Roads and Transport with a proposed allocation of Kshs 191,745,891;
8. Votehead No. 317-R08, Department of Health Services with a proposed allocation of Kshs 3,374,875,464;
9. Votehead No. 317-R09, Department of Water, Environment and Natural Resources with a proposed allocation of Kshs 111,636,625;

10. Votehead No. 317-R10, Department of Trade, Energy and Industry with a proposed allocation of Kshs 94,014,331;
11. Votehead No. 317-R11, Department of Public Administration with proposed allocation of Kshs 450,491,737;
12. Votehead No.317-R12, County Assembly with a proposed allocation of Kshs 767,524,122;
13. Votehead No. 317-R13, under the City of Kisumu with a proposed allocation of Kshs 412,192,184;
14. Votehead No. 317-R14, County Public Service Board with a proposed allocation of Kshs 88,833,775;

Mr. Speaker and Honourable Members, bringing a Total Recurrent Expenditure of Kshs 8,298,984,834 (Eight Billion, Two Hundred Ninety-eight Million, Nine Hundred Eighty Four Thousand, Eight Hundred Thirty Four Only). I call upon Hon. Lumumba to second.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Hon. Lumumba.

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach Ward): Thank you Mr. Chair I second.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, I want to propose a question on debate on the following vote heads, Vote 317-R01, 317-R02, 317-R03, 317-R04, 317-R05, 317-R06, 317-R07, 317-R08, 317-R09, 317-R10, 317-R11, 317-R12, 317-R13 and 317-R14 translating to Total Recurrent Expenditure of Kshs 8,298,984,834 (Eight Billion, Two Hundred Ninety-eight Million, Nine Hundred Eighty Four Thousand, Eight Hundred Thirty Four Only)?

(Silence)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, silence means consensus. I therefore want to put a question that this House adopts the following Voteheads to be part of the Kisumu County Supplementary Appropriations Bill, 2023 as follows;

1. Votehead No. 317-R01 under the Office of the Governor with a proposed allocation of Kshs 299,829,680;
2. Vote 317-R02 Department of Finance and Economic Planning with a proposed allocation of Kshs 1489,296,941;
3. Votehead No. 317-R03, Department of Agriculture, Livestock, Fisheries and Marketing with a proposed allocation of Kshs 196,194,671;
4. Votehead No. 317-R04, Department of Education, Human Resource Development and ICT with a proposed allocation of Kshs 599,584,306;
5. Vote 317-R05, the Department of Tourism, Culture, Arts and Sports with a proposed allocation of Kshs 77,595,582;
6. Votehead No. 317-R06, Department of Physical Planning and Land Housing and Urban Development with a proposed allocation of Kshs 145,169,597;

7. Votehead No. 317-R07, Department of Public Works, Roads and Transport with a proposed allocation of Kshs 191,745,891;
8. Votehead No. 317-R08, Department of Health Services with a proposed allocation of Kshs 3,374,875,464;
9. Votehead No. 317-R09, Department of Water, Environment and Natural Resources with a proposed allocation of Kshs 111,636,625;
10. Votehead No. 317-R10, Department of Trade, Energy and Industry with a proposed allocation of Kshs 94,014,331;
11. Votehead No. 317-R11, Department of Public Administration with proposed allocation of Kshs 450,491,737;
12. Votehead No. 317-R12, County Assembly with a proposed allocation of Kshs 767,524,122;
13. Votehead No. 317-R13, under the City of Kisumu with a proposed allocation of Kshs 412,192,184;
14. Votehead No. 317-R14, County Public Service Board with a proposed allocation of Kshs 88,833,775;

Honourable Members, this translates to a Total Recurrent Expenditure of Kshs 8,298,984,834 (Eight Billion, Two Hundred Ninety-eight Million, Nine Hundred Eighty Four Thousand, Eight Hundred Thirty Four Only).

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, therefore I direct that Voteheads 317-R01, 317-R02, 317-R03, 317-R04, 317-R05, 317-R06, 317-R07, 317-R08, 317-R09, 317-R10, 317-R11, 317-R12, 317-R13 and 317-R14 translating to Total Recurrent Expenditure of Kshs 8,298,984,834 (Eight Billion, Two Hundred Ninety-eight Million, Nine Hundred Eighty Four Thousand, Eight Hundred Thirty Four Only) be part of the Bill. Thank you.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Hon. Chair, Budget and Appropriations Committee.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Chair, I want to propose that this House adopts the following Voteheads under the Development Expenditure Component to be part of this Bill as follows;

1. Voteheads No. 317-D01, Governance and Administration with a proposed allocation of Kshs 45,000,000;
2. Voteheads No. 317-D02, Department of Finance and Economic Planning with a proposed allocation of Kshs 1,479,218,045;
3. Voteheads No. 317-D03, Department of Agriculture, Livestock, Fisheries and Marketing with a proposed allocation of Kshs 291,745,664;
4. Voteheads No. 317-D04, Department of Education, Human Resource Development and ICT with a proposed allocation of Kshs 125,703,086;
5. Voteheads No. 317-D05, the Department of Tourism, Culture, Arts and Sports with a proposed allocation of Kshs 64,000,000;

6. Voteheads No. 317-D06, Department of Physical Planning and Land Housing and Urban Development with a proposed allocation of Kshs 535,000,000;
7. Voteheads No. 317-D07, Department of Public Works, Roads and Transport with a proposed allocation of Kshs 260,600,000;
8. Voteheads No. 317-D08, Department of Health Services with a proposed allocation of Kshs 180,100,000;
9. Voteheads No. 317-D09, , Department of Water, Environment and Natural Resources with a proposed allocation of Kshs 92,300,000;
10. Voteheads No. 317-D10, Department of Trade, Energy and Industry with a proposed allocation of Kshs 117,004,061;
11. Voteheads No. 317-D11, Department of Public Administration with proposed allocation of Kshs 0.00
12. Voteheads No. 317-D12, County Assembly with a proposed allocation of Kshs 150,000,000;
13. Voteheads No. 317-D13, the City of Kisumu with a proposed allocation of Kshs 134,007,954; and finally;
14. Voteheads No. 317-D14, County Public Service Board with a proposed allocation of Kshs 0.00.

Mr. Speaker and Honourable Members, this translates to Total of the Development Expenditure of Kshs 3,449,687,810 (Three Billion, Four Hundred Forty Nine Million, Six Hundred Eighty Seven Thousand, Eight Hundred and Ten Only). I request the Hon. Omollo to second.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Hon. Omollo.

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Chair, I second.

1. **Chairperson, Committee of the Whole House** (Hon. Okumu, MCA, East Seme Ward): Honourable Members, I want to propose a question on debate on the following vote heads, Voteheads No. 317-D01, Governance and Administration with a proposed allocation of Kshs 45,000,000;
2. Voteheads No. 317-D02, Department of Finance and Economic Planning with a proposed allocation of Kshs 1,479,218,045;
3. Voteheads No. 317-D03, Department of Agriculture, Livestock, Fisheries and Marketing with a proposed allocation of Kshs 291,745,664;
4. Voteheads No. 317-D04, Department of Education, Human Resource Development and ICT with a proposed allocation of Kshs 125,703,086;
5. Voteheads No. 317-D05, the Department of Tourism, Culture, Arts and Sports with a proposed allocation of Kshs 64,000,000;
6. Voteheads No. 317-D06, Department of Physical Planning and Land Housing and Urban Development with a proposed allocation of Kshs 535,000,000;
7. Voteheads No. 317-D07, Department of Public Works, Roads and Transport with a proposed allocation of Kshs 260,600,000;
8. Voteheads No. 317-D08, Department of Health Services with a proposed allocation of Kshs 180,100,000;

9. Voteheads No. 317-D09, , Department of Water, Environment and Natural Resources with a proposed allocation of Kshs 92,300,000;
10. Voteheads No. 317-D10, Department of Trade, Energy and Industry with a proposed allocation of Kshs 117,004,061;
11. Voteheads No. 317-D11, Department of Public Administration with proposed allocation of Kshs 0.00
12. Voteheads No. 317-D12, County Assembly with a proposed allocation of Kshs 150,000,000;
13. Voteheads No. 317-D13, the City of Kisumu with a proposed allocation of Kshs 134,007,954; and finally;
14. Voteheads No. 317-D14, County Public Service Board with a proposed allocation of Kshs 0.00.

Mr. Speaker and Honourable Members, this translates to Total of the Development Expenditure of Kshs 3,449,687,810 (Three Billion, Four Hundred Forty Nine Million, Six Hundred Eighty Seven Thousand, Eight Hundred and Ten Only).

(Silence)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, silence means consensus. I therefore want to put a question that this House adopts the following Voteheads to be part of the Kisumu County Supplementary Appropriations Bill, 2023 as follows;

1. Voteheads No. 317-D01, Governance and Administration with a proposed allocation of Kshs 45,000,000;
2. Voteheads No. 317-D02, Department of Finance and Economic Planning with a proposed allocation of Kshs 1,479,218,045;
3. Voteheads No. 317-D03, Department of Agriculture, Livestock, Fisheries and Marketing with a proposed allocation of Kshs 291,745,664;
4. Voteheads No. 317-D04, Department of Education, Human Resource Development and ICT with a proposed allocation of Kshs 125,703,086;
5. Voteheads No. 317-D05, the Department of Tourism, Culture, Arts and Sports with a proposed allocation of Kshs 64,000,000;
6. Voteheads No. 317-D06, Department of Physical Planning and Land Housing and Urban Development with a proposed allocation of Kshs 535,000,000;
7. Voteheads No. 317-D07, Department of Public Works, Roads and Transport with a proposed allocation of Kshs 260,600,000;
8. Voteheads No. 317-D08, Department of Health Services with a proposed allocation of Kshs 180,100,000;
9. Voteheads No. 317-D09, , Department of Water, Environment and Natural Resources with a proposed allocation of Kshs 92,300,000;
10. Voteheads No. 317-D10, Department of Trade, Energy and Industry with a proposed allocation of Kshs 117,004,061;
11. Voteheads No. 317-D11, Department of Public Administration with proposed allocation of Kshs 0.00

12. Voteheads No. 317-D12, County Assembly with a proposed allocation of Kshs 150,000,000;
13. Voteheads No. 317-D13, the City of Kisumu with a proposed allocation of Kshs 134,007,954; and finally;
14. Voteheads No. 317-D14, County Public Service Board with a proposed allocation of Kshs 0.00.

Honourable Members, this translates to Total of the Development Expenditure of Kshs 3,449,687,810 (Three Billion, Four Hundred Forty Nine Million, Six Hundred Eighty Seven Thousand, Eight Hundred and Ten Only).

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): therefore, Voteheads 317-D01, 317-D02, 317-D03, 317-D04, 317-D05, 317-D06, 317-D07, 317-D08, 317-D09, 317-D10, 317-D11, 317-D12, 317-D13 and 317-D14 translating to Total of the Development Expenditure of Kshs 3,449,687,810 (Three Billion, Four Hundred Forty Nine Million, Six Hundred Eighty Seven Thousand, Eight Hundred and Ten Only) is now part of the Bill.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Next Chair, Budget and Appropriations.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Chair. I propose that the grand total to be issued out of the County Revenue Fund be Kshs 11,748,672,644 (Eleven Billion, Seven Hundred Forty-Eight Million, Six Hundred and Seventy Two Thousand, Six Hundred and Forty Four Only). I want to call upon Hon. Owade to second.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Hon. Owade.

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach Ward): Thank you Mr. Chair, I second.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, I want to propose that this House debates on the proposal made by the Chair.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, if there are no further debates on the same. I want to put a question that the Grand Total amount to be issued to the County Revenue Fund Account be Kshs 11,748,672,644 (Eleven Billion, Seven Hundred Forty-Eight Million, Six Hundred and Seventy Two Thousand, Six Hundred and Forty Four Only)?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, Kshs 11,748,672,644 (Eleven Billion, Seven Hundred Forty-Eight

Million, Six Hundred and Seventy Two Thousand, Six Hundred and Forty Four Only) is now part of the bill. Thank you.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Chair. We are now on the segment of Memorandum of Objects and Reasons which has no proposed amendments.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, do we have any proposed further amendments on the Memorandum of Objects and Reasons?

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, if there is none. Then, I want to put a question that the Memorandum of Objects and Reasons be part of the Bill?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): So, the Memorandum of Objects and Reasons be part of the Bill.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Chair, Budget and Appropriations.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Chair, we move to the Long Title of the Bill.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, any proposed amendment on the Long title of the Bill?

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, if there is none. I want to put a question that the Long title be part of the Bill?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): The Long Title is now part of the Bill. Thank you.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Chair, Budget and Appropriations.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Chair, we move to the Short Title of the Bill.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, any further proposed amendment on the Short Title of the Bill?

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, if there is none. I want to put a question that the Short Title be part of the Bill?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): The Short Title is now part of the Bill. Thank you.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Yes Chair, Budget and Appropriations.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Chair, I request that this House now reverts to plenary.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Honourable Members, we are done with amendments on the Kisumu County Supplementary Appropriations Bill, 2023 and I direct that we revert to plenary to enable us give a report on our deliberations as was moved by the Chairperson, Budget and Appropriations Committee.

(House reverts back to plenary)

(Hon. Speaker chairs the Plenary)

The Speaker (Hon. Oraro): Yes, Chair, Committee of the Whole House, it is your time to present report on your finding during your deliberations.

Chairperson, Committee of the Whole House (Hon. Okumu, MCA, East Seme Ward): Thank you so much Mr. Speaker, after very lengthy deliberations, this House has resolved that the Kisumu County Supplementary Appropriations Bill, 2023 be approved without any amendment. That is the report that we have from the Committee of the Whole House and I request the Chairperson, Budget and Appropriations Committee to second. Thank you.

The Speaker (Hon. Oraro): Hon. Joachim Oketch, Chairperson, Budget and Appropriations Committee.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Speaker, I second.

The Speaker (Hon. Oraro): Honourable Members, as per the Standing Orders from the Committee of the Whole House, that once a report from the Committee of the Whole House has been presented and seconded there is no debate but to put a question.

Honourable Members, that as many as are of the opinion that the report of the Committee of the Whole House on the Kisumu County Supplementary Appropriations Bill, 2023 be adopted.

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable Members, report of the Committee of the Whole House on the Kisumu County Supplementary Appropriations Bill, 2023 is hereby adopted today Wednesday, 29th March, 2023 at 15:24 hours and it shall form part of the Bill. Thank you.

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

MOTION**THIRD READING OF THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATIONS
BILL, 2023****BY****HON. JOACHIM OKETCH, MCA, KONDELE WARD.****(CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE)**

The Speaker (Hon. Oraro): Hon. Joachim Oketch, Chairperson, Budget and Appropriations Committee.

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Speaker. I wish to request that the Kisumu County Supplementary Appropriations Bill, 2023 be read for the third time

The Speaker (Hon. Oraro): Yes madam clerk.

(The Clerk-at the- table reads the Supplementary Bill for the third time)

THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2023.**A Bill for**

AN ACT of the County Assembly of Kisumu to authorize the issue of certain sums of money out of the County Revenue Fund and their applications towards the services on the year ending 30th June, 2023, and to appropriate those sums for certain public services and purposes.

MEMORANDUM OF OBJECTS AND REASONS

The Kisumu County Supplementary Appropriations Bill, 2023 makes provisions for giving statutory sanction for public expenditure for the year ending 30th June, 2023, on the basis of the estimates of expenditure for FY 2022/2023 (Recurrent) and the estimates of expenditure for FY 2022/2023 (Development) and the appropriation of those amounts.

Mr. Speaker and Honourable Members, the Kisumu County Supplementary Appropriations Bill, 2023 is now read for the third time. Thank you.

The Speaker (Hon. Oraro): Honourable Members, the Kisumu County Supplementary Appropriations Bill, 2023, has been read for the third time and as per the provisions of our Standing Orders, it gives Members the opportunity to make or propose further amendments especially in areas where they believe could not have been captured well enough during the second reading. So, with that, the Kisumu County Supplementary Appropriations Bill, 2023 is open for auxiliary debate if there are any additional amendments.

(Silence)

The Speaker (Hon. Oraro): Honourable Members, I presume that the silence means there are no further proposed amendments to the Kisumu County Supplementary Appropriations Bill, 2023. I

would like to commence by stating that the Kisumu County Supplementary Appropriations Bill, 2023 was introduced in the House and it has gone through all the requisite stages and the final stage being the third reading which has been done with and with no further amendments proposed.

Honourable Members, as per the provisions of our Standing Orders, I want to put a question that, as many as are of the opinion that the Kisumu County Supplementary Appropriations Bill, 2023 be adopted?

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable Members, the Kisumu County Supplementary Appropriations Bill, 2023 is hereby adopted today Wednesday, 29th March, 2023 at 15:27 hours. I want to direct that, the Hansard Report and the Vellum be prepared for purposes of forwarding the Bill to the Governor for assent. Thank you.

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

MOTION

ADOPTION OF THE REPORT BY THE PUBLIC WORKS, ROADS AND TRANSPORT COMMITTEE ON THEIR INDUCTION EXERCISE IN NAKURU COUNTY.

BY

HON. RUEBEN RAKWACH, MCA, EAST KOLWA WARD

(CHAIRPERSON, PUBLIC WORKS, ROADS AND TRANSPORT COMMITTEE)

The Speaker (Hon. Oraro): Yes Hon. Rakwach, Chairperson, Public Works, Roads and Transport Committee.

Hon. Rakwach (MCA, Kolwa East Ward): Thank you Mr. Speaker. I would like to move a motion on the Induction Exercise that was conducted in Nakuru County of the Secotoar Committee of Public Works, Roads and Transport.

Hon. Speaker, the Sectoral Committee on Public Works, Roads and Transport is established pursuant to Standing Order No. 193 and the 2nd Schedule which stipulates that the committee shall: *look into all matters relating to County transport, including county roads, street lighting, traffic and parking, public road transport, ferries and harbors, excluding the regulation of international and national shipping and matters related thereto; county public works and services including storm water management systems in built-up areas; firefighting and disaster management.*

Committee Membership

Hon. Speaker, the committee as currently constituted is composed of the following Honorable Members:

Committee Membership as at February, 2023

	NAME	DESIGNATION
1.	Hon. Reuben Okoth Rakwach	Chairperson
2.	Hon. Anne Atieno Ochola	Vice-Chairperson
3.	Hon. Kennedy Ouma Ooko	Member
4.	Hon. Patrick Lumumba Owade	Member
5.	Hon. Seth Kanga	Member
6.	Hon. Jennipher Obonyo	Member
7.	Hon. George Abaja Othuthu	Member
8.	Hon. Vincent Jagongo	Member
9.	Hon. Samuel Dede	Member
10.	Hon. James Omollo	Member
11.	Hon. Zackary Okoyo	Member
12.	Hon. Alice Wajewa	Member
13.	Hon. Kennedy Odhiambo Ouko	Member
14.	Hon. Pamela Awuor	Member
15.	Hon. Bill Oliver Odhiambo	Member

Committee Secretariat

1.	Mr. Peter Anditi	Principal Clerk Assistant
2.	Ms. Belinder Owino	Clerk Assistant
3.	Mr. Edward Odanga	Hansard Reporter
4.	Ms. Judith Akoth	Sergeant-at-Arms

Background Information

Hon. Speaker, in the committee annual work plan for the fy2022/2023, approved induction to equip members in skills and competencies to carry out their mandate. The induction workshop was proposed to take place in the 3rd quarter.

Consequently, the committee attended the induction program in Nakuru County between the dates of 5th-10th January, 2023.

Objectives of the induction

Hon. Speaker, the specific objectives of the workshop was to enable the committee:

1. To understand and appreciate the mandate, management, activities, administrations and operations.
2. To understand the roles of Committee in Monitoring and Evaluation (Oversight) and its distinct powers
3. To equip the members with the knowledge of the Budget Making Process and Economic Planning Policies such as CIDP, CADP, CSFP among others
4. To examine, review the Public Appointments (County Assemblies Approval Act) and its applications on County Officials and the vetting process of COs
5. To appreciate the role of County Assembly in Public Participation Process

Hon. Speaker, this report is therefore a documentation of what the committee learnt during the induction for purposes of knowledge sharing and posterity.

Acknowledgements

Hon. Speaker, the committee takes this opportunity to thank the Offices of the Speaker and the Clerk of the County Assembly for the logistical support accorded to it in the execution of its mandate. Further, the committee extends its gratitude to the secretariat for their contributions during after the workshop and compilation of this report.

Finally, on behalf of the Sectoral Committee on Transport, Roads and Public Works, it is my pleasure and duty to present to the Assembly, the committee's induction report for consideration and adoption.

Key Issues learnt during the Induction Exercise

Management and Operations of Committees

Hon. Speaker, the workshop commenced with a professional review of effective management and efficient operations of committees. Members were reminded that for a committee to run its operations efficiently, the following need to be taken into consideration: the members to first comprehend the committee's mandate and their roles in discharging and achieving the objectives as outlined in the Standing Order No. 193 and the 2nd Schedule. The quorum is to be achieved in any committee scheduled sitting and if possible, all members to be present during committee deliberations. The secretariat to ensure they fully facilitate the committee on matters committee sittings preparations and logistics. The chairperson should be neutral, encourage members' participation and consistent in applying legislative rules among other attributes when chairing meetings

Role of the Committee on Roads and Public Works in Monitoring and Evaluation (Oversight) and its Distinct Powers

Hon. Speaker, the workshop noted that although the County Assembly may not have the professional capacity to conduct M &E, it is their responsibility to perform the following in its oversight role to ensure plans, policies and budgets are implemented as approved for the benefit of citizens:

1. Monitor all County Government Policies and Programs to ensure efficient use of County resources
2. Improve the efficiency and effectiveness of County Government operations
3. Evaluate programs and performance of various County Departments to inform budget making
4. Inform the general public and ensure that the executive policies reflect public interest
5. Gather information to develop new legislative proposals or amend existing county laws
6. Ensure administrative compliance with legislative intent

Hon. Speaker, it was observed that the committee derives its powers from the COK, 2010 for instance: Article 195 and part 5 of 4th Schedule, Section 6 of the County Government Act, 2012 and Standing Orders No. 174 and 193 & the 2nd Schedule of Kisumu County Assembly Standing Orders. These sections of the law give the Committee the tooth to stamp the following authorities:

- a) Power to summon witnesses to appear and examine them, enforce attendance of witnesses, and examine witnesses on oath/affirmation
- b) Power to compel production of documents and answering of questions
- c) Power to issue commission or request to examine witnesses abroad
- d) Freedom of debate and speech, protection from civil or criminal proceedings for parliamentary works

Hon. Speaker, Honorable Members are charged with the responsibilities of law making, representation, oversight, vetting process and approval of county plans as stipulated in Article 185 of the COK, 2010 and Section 5 of the CGA, 2012. In line of this, the committee is expected to review and enact policies, legislations and keep the executive in check by monitoring them and ensuring there is value for money for the county works implemented.

Monitoring tools for County Assembly

Hon. Speaker, the County Assembly and its committees may exercise monitoring by applying the following tools at their disposal. That includes: Key policy documents, quarterly implementation reports from the COB and line department, statements, petitions and inspection/fact-finding visits.

Budget Making Process and The Budget Documents

Hon. Speaker, the Hon. Members were inducted on the key highlights of the County Government budget cycle and timelines as follows;

1. August 30th: Budget Circular which is the first major event in the budget calendar, where the County Executive Member for Finance issues a circular to all departments on how to prepare their budget requests for the year.
2. September 1st: ADP- Tabling of the Annual Development Plan in the County Assembly, which must be made public within 7 days. This is a key planning document that guides the budget-making process for the next year.
3. October 21st: CBROP- Tabling of the County Budget Review and Outlook Paper (CBROP) in the county assembly upon approval by cabinet. 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 ("provisional ceilings")
4. January 1st: CRA Recommendations on Revenue Allocation through distribution to each level of government (national and county) through the Annual Division of Revenue process. These recommendations are meant to inform the Division of Revenue and County Allocation of Revenue Bills tabled annually in National

Parliament by February 15.

5. February 28th: CFSP Tabling of County Fiscal Strategy Paper (CFSP) in the County Assembly and approved within two weeks. CFSP should be accompanied by the Debt Management Strategy Papers. The CFSP sets out final decision about the total size of the budget and the distribution of funds across each sector. Before submission of CFSP, the County Government (Executive) must have organized sector hearings based on ceilings set earlier by CBROP. These hearings give sectors an opportunity to discuss and decide on their priorities for the coming year, and to bid for additional resources from the budget. The public is expected to participate in these discussions and give views on which sectors should receive more funding and for what.
6. April 30th: Tabling of Budget Estimates in the County Assembly. This is the detailed budget at program level, and funds may be moved around between programs without changing the total budget and sector distribution, but funds may be moved around between programs, with the Assembly having two months to make the changes.
7. May: Committee Review & Public Participation On Budget Estimates during public hearings
8. June 30: Appropriation Bill: The Appropriations Act authorizes the government to spend against the budget from 1st of July of each FY
9. October 31: Budget Implementation Report; County Executive is required to publish quarterly budget implementation reports and submit the same for tabling in the County Assembly. The County must produce these reports within one month of the end of each quarter as indicated by the dates as shown:
October 31: 1st quarter implementation report
January 31: 2nd Quarter Implementation Report
April 30th. 3rd quarter implementation report
July 31st. 4th quarter implementation report
7. December 31st: Auditor General's Report- the Auditor General should produce and publish an audit report on the previous financial year within six months of its close (six months after June 30). This report is tabled and committed to the PIC/PAC Committee for legislative processing.

Additionally, the committee members were taken through the following key policy documents that the county budget process is linked to;

- Vision 2030
- County Integrated Development Plan (CIDP)
- County Budget Review Outlook Paper (CBROP)
- County Annual Development Plans
- County Budget Policy Statement, and
- County Fiscal Strategy Paper (CFSP)

Hon. Speaker, the PFM Act, 2012 provides the framework, compliance and timelines for the above key policy documents for budget formulation, Implementation and Monitoring. Therefore, the Sectoral Committee in its roles and mandates is required to review, interrogate and scrutinize the line department's policies, programs and plans during the budget making process.

Public Appointments (County Assemblies Approval Act, 2017) and Its Applications an County Officials (Vetting Of Chief Officers)

Hon. Speaker, the Committee was taken through the activities of vetting process as provided for in this Act such as notification of nomination (Section 6 of the Act), Approval hearing(Section7), Issues for considerations(section8), Period for consideration and report(Section9), Rejection of Nomination(section10), Notification of the decision(Section 11) and powers of the committee(section12).

Powers of the Committee during the Vetting Process

Hon. Speaker, the committee has certain important powers during vetting process which is: to summon any person to appear before it for the purpose of giving evidence or providing information during approval hearing and for purposes of subsection (1), the committee shall have the same powers as the High Court to:

Enforce the attendance of witnesses and examine them on oath, affirmation or otherwise compel the production of documents and issue a commission or request to examine witnesses abroad. Any person who disobeys made by a committee attendance or for production of papers, books, documents or records or refuses to be examined before, or to answer any lawful and relevant question put by a committee

Hon. Speaker, the County Government Act, 2012 establishes the framework for the governance of county governments in Kenya including the appointment and vetting of county officials. The role of Sectoral Committees in vetting Chief Officers is to review the candidate's suitability and qualifications for the specific position they are being appointed to.

Role of the Committee In Public Participation Process

Hon. Speakers, the Committee learnt that Public Participation is a constitution requirement and it gives the public to exercise their rights and voice their concerns on government undertakings. The following Constitution provisions plays key roles in ensuring the Public Participation is conducted in an efficient and effective manner: Articles 1 which states that sovereignty power belong to the people, Article 10 which speaks of the National values and principles of governance, and Articles 33, 34, 35 and 196 that gives voice to freedoms of expression, media, access to information and public participation, county assemblies powers and immunities among other article in the COK. The County Assembly Members as representatives play important roles in consulting, presenting and advocating for the interest of public in government social, economic and development services and further ensures there is regional balance, equity and compliance to the COK and other relevant statutes while making nominations to such offices.

Committee Observations

Hon. Speaker, based on the foregoing learning points, the Committee makes the following observations from the induction exercise,

1. THAT there is inadequate citizen awareness and insufficient access to information for effective public participation on how committee or Assembly operates.
2. THAT the law does not provide any threshold on requisite attendance by the public to deem the exercise as appropriately constituted. This leads to periodic low turnout of the members of public during public participation exercises thus contributing to inefficiency
3. THAT the Committee has a wide focus of mandates that requires comprehensive focus and adequate resources. However, it was noted that there is inadequate committee funding to enable it effectively and efficiently discharge its mandate

Recommendations and Way Forward

Hon. Speaker, based on the foregoing findings & observations, the Committee makes the following recommendations:

1. THAT the committee should conduct periodic construction and works site inspection visits in order to enhance her oversight role over the activities of the sector
2. THAT the committee should engage the sector department over quarterly reports regarding the implementation of and absorption of their budget every financial year.
3. THAT the Committee should engage with other relevant sectoral players such as the National Agencies e.g. KeRRA, KURA, KeNHA and development partners on how to effectively improve service delivery within the sector
4. THAT there is need for adequate funding of the public participation process for effective involvement of the citizens in project implementation and management
5. THAT the Committee should benchmark with the Senate and other County Assemblies to share experience and borrow best practices for efficient and effective committee management
6. THAT there is need for adequate allocation of funds to committees to facilitate its work.

Mr. Speaker, please allow me to call upon my able Vice-chairperson Hon. Anne Acholla to second. Thank you.

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

Hon. Acholla (Nominated Member): Thank you Mr. Speaker, I arise to second the report as moved by my able chair. Thank you

The Speaker (Hon. Oraro): Honourable Members, now that the report from the Standing Committee of Public Works, Roads and Transport Committee on their Induction Exercise held in Nakuru County from 05th to 10th January, 2023 has been moved by the Chair, Hon. Rakwach and

seconded by the Vice-chairperson Hon. Anne Acholla. I want to propose a question that the report is now open for debate.

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

Hon. Okumu (MCA, East Seme Ward): Thank you Mr. Speaker, going by the mood of the House, I would like to call upon the mover to reply.

The Speaker (Hon. Oraro): Honourable Members, when Hon. Okumu requested the mover to reply, I have not seen any Member on his feet, so, I will give the mover time to reply. Hon. Rueben.

Hon. Rakwach (MCA, Kolwa East Ward): Thank you Mr. Speaker. Honourable Members, let me take this opportunity to appreciate you for accepting to adopt this report from the Committee of Public Works, Roads and Transport. Otherwise, I reply.

The Speaker (Hon. Oraro): Honourable Members, now that the report from the Standing Committee of Public Works, Roads and Transport Committee on their Induction Exercise held in Nakuru County from 05th to 10th January, 2023 had been presented seconded by Hon. Anne Acholla and a reply given, I now want to put a question for its adoption. Honourable Members, I want to put a question that, as many as are of the opinion that the report from the Standing Committee of Public Works, Roads and Transport Committee on their Induction Exercise held in Nakuru County from 05th to 10th January, 2023 be adopted?

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable Members, the report from the Standing Committee of Public Works, Roads and Transport Committee on their Induction Exercise held in Nakuru County from 05th to 10th January, 2023 is hereby adopted today Wednesday, 29th March, 2023 at 15:56 hours. I want to direct that the recommendations therein be put into action. Thank you.

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

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable Members, there being no any other business to transact, this House stands adjourned until tomorrow Thursday, 30th March, 2023 at 02:30 p.m. Thank you.

(House rose at 16:05 pm)

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

ⁱ *Standing Order No. 41 2(b) of the Kisumu County Assembly Standing Orders
Kisumu County Assembly Standing Orders No. 240, see also Standing Order No. 42A (5) of the National Assembly
Standing Orders*