COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – SECOND SESSION

Tuesday, 04th July, 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): Thank you. Mr. Clerk, can you please take us through the Order Paper of today.

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

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Honourable Members, I want to welcome you to this session. I have the following communications to make. One, I have a phone here that have been given to me by the Serjeant-at-Arms. If there is any Member who misplaced his/her phone he/she can approach the Chair. If it is not for a Member, then it may be for one of the staff.

Two, I did make a statement yesterday on a matter that was circulating on social media that the Assembly Chambers Hansard Section was broken into and we lost the Hansard equipment and records. I want to communicate to the Members that the true position is that, yes we did lose some equipment. You can see the two TV sets are gone and there is a sound mixer that used to be where Hon. Oiko sits and it is also not there. Our Hansard is intact. We have our records and it is the same Hansard that we are going to use. The matter is with the police and they are pursuing it through the CCTV footage that is available. As I indicated earlier, we are still

committed to do our work as the Assembly and there is no need to worry because all our Hansard documents are intact. There was no entry into the Hansard section and please be advised.

Three, Honourable Members, you can see there are visitors in the gallery. They are students from Uranga Mixed Secondary School in Gem Sub County, Siaya County. They are accompanied by their teachers Mr. Abraham Omollo, Mr. Kennedy Owinyo and Madam Beryl Omondi. They are a total of 49 students who have come to visit us. On behalf of the County Assembly of Kisumu, you are welcome and I want to say that we do work that is supposed be done by the Members of the County Assembly. That is legislation, oversight and representation. It is my belief that the Serjeant-at-Arms took you through what we do and if they have not, they will do so before you leave. May be I can give two or three Members to welcome the students. I can see Hon. Seth on his feet but I believe it is Hon. Millicent Omuya who comes from the boarder.

The Speaker (Hon. Oraro): Yes Hon. Okumu the floor is yours.

Hon. Okumu (MCA, East Seme): Thank you Mr. Speaker. First I want to correct that most of the time, people mistake Uranga and Miranga. Miranga is in my Ward. We want to welcome the students in this County Assembly. I will repeat what I always tell the student who visits us here that this House is constituted of professionals who went to school like you So, this is not just a House of debate, but we debate bearing some knowledge, which we can only get in school. If you intend to be in this House, as it is one of the reasons you are here, then you need to listen to the teachers who are here with you. We are here to legislate on behalf of Kisumu County, and we also often meet with our counterparts in Siaya County. In doing so, we agree that in our roles as MCAs, we need to do our best so that all of you who yearn to be in school get the best out of the education they are receiving. Otherwise, thank you so much and we wish you the best of luck in your endevours and in your studies. Thank you, Mr. Speaker.

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

Hon. Omuya (MCA, North Seme Ward): Thank you Mr. Speaker. First, I want to take this opportunity to welcome you to Kisumu County Assembly. My name is Hon. Millicent Omuya from North Seme Ward, and my immediate neighbors are places like Kambare and Korwenje. I believe that you know all those places. My colleague has told you everything we do in this Honourable House and mine is just to say 'karibuni' and feel most welcome. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I see Hon. Gard Olima on his feet and I believe that you wants to welcome the students.

The Speaker (Hon. Oraro): Yes, Hon. Gard Olima.

Hon. Olima (MCA, South-West Nyakach Ward): Thank you Mr. Speaker, for giving me this opportunity. I also want to take my time to welcome the students here and I want to believe that you are here on a mission in terms of subjects and studies that you are doing. I want to say that most if not all of us here went through what you are doing today, but unfortunately for us, we did not have County Assemblies. You are a privileged lot because for us we only had the National Assembly to visit. We want to welcome you and advise you that education is the equalizer. If

you don't go through with educational qualifications then if you are poor, you are likely to remain poor. That is not also a guarantee so, just work hard in your studies to the best of your ability so that when you grow up and become somebody, I do not think you should aim to be an MCA. The MCA job is quite difficult as you can see from the coat I am wearing, it is not a good one because of the situation I am going through as we represent our people.

(*Laughter*)

We toil and sacrifice a lot, we give our foods and even clothes to our constituents, and that is the reason you see us this way. Otherwise, work hard and find more. Welcome to Kisumu County.

The Speaker (Hon. Oraro): Thank you so much Hon. Gard Olima.

The Speaker (Hon. Oraro): Yes, Hon. Eunice Alando.

Hon. Alando (Nominated Member): Thank you, Mr. Speaker. Sir, allow me to welcome the students from Uranga Secondary School and their teachers. Being that Uranga area is in Gem, and I am a product of Gem, born, schooled and bred but married in Kisumu County. I take this opportunity to welcome you. Feel most welcome and get what brought you to learn here, thank you.

The Speaker (Hon. Oraro): Yes, Hon. Benny Pete Oiko of Kabonyo-Kanyagwal ward.

Hon. Oiko (MCA, Kabonyo-Kanyagwal Ward): Thank you, Mr. Speaker. Just as has been hinted by Hon. Gard Olima that during our time, there were Councilors in Councils instead of MCAs. It was never imagined that students would come to the Council to listen to the proceedings, or go to Nairobi at the National Assembly. However, we are at a time when it is very normal for students to come to the County Assemblies or go to the National Assembly, and the Senate for benchmarking. Why has this become so? The world has become a global village and politics is now in the village, and people want to know what politics is and what constitutes politics. As Hon. Gard Olima has said that as it is now, we are preparing the way for politics so that in future, being an MCA becomes a noble job. The people who start things do not usually enjoy a lot but with development and with time it is enjoyed by the generations to come. You find that being an MCA will be much better than it is now. So, we would encourage you young people to work hard, become people in the society so that you will represent us in future. It is being said that the young people are the future leaders. The young and agitated that they should become leaders at tender age. My friends, I want to tell you that it is not bad to agitate to become leaders at tender age. However, let us reflect on this; when you see the Europeans, who come to Africa as ambassadors and high commissioners, are they young tusks? They are people who are mature in age, they are people who are professionals. They are people who have worked for their government until they are known as mature to represent their countries abroad.

So, being the future leaders as the youth is to prepare you so that when the right time comes; with the maturity in age and profession, you can now divert to politics. Very few politicians in Kenya and all over the world started it at tender age. Very few politicians started it a tender age and they are still in politics. For instance, in Kenya, the known politicians who started at tender

age and they are still active in politics; we have Baba Raila Odinga, we have the current Governor of Siaya County His Excellency James Orengo. These are people who started politics in the early 1970s and to date they are still active in politics. Majority of them are no longer there. Therefore, to you the young people, work hard, become professional, prepare yourself so that when the right time comes, you also become political leaders.

As politicians, we are tasked with three things; representation, legislation and oversighting. These are the people who are supposed to monitor how the Governors and their government are spending the public money. That is a core duty which is given to this House. But, you as a member of the public have a role to play on this, which is taken lightly and people do not bother about. When a project is going on in your area, it is upon you to monitor and get satisfied that the work is going on well. Do not wait for the politician to start the blame game. Take him/her to task that this work is going on and these are the complains. Then, we shall achieve our objectives as a community.

Another role is the representation. It is being said that once you have elected the political leaders, they represent you. So, when we come here, we represent our constituents. What we say here, we do on their behalf. Generally, do we consult people on the ground before we come here? In some instances, it happens. However, the element of representation that people take for granted and most people do not know is this; we come here and talk on behalf of our people, there is the national government where the elected leaders are also supposed to present the demands and grievances of their constituents. Without taking too long Mr. Speaker, I will end there. Thank you.

The Speaker (Hon. Oraro): Thank you so much Honourable Bennie Pete Oiko. Where is Honourable Sammy of Railways Ward, he comes from Gem. I belief that Hon. Pete has summarized it all. I would have given Hon. Sammy if he could be here. Now, that he is a man who was born in Gem, otherwise, welcome.

The Speaker (Hon. Oraro): Next Order Mr. Clerk.

PAPERS LAID

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

The Leader of Majority (Hon. Ooko, MCA, Ahero Ward) Thank you, Mr. Speaker. I stand to table the following Papers.

i. Pursuant to provision of section 9 of the Urban Areas and Cities Act No. 13 of 2011, I wish to table today the report of the Ad Hoc Committee recommending Kombewa – Bodi for conferment as a Municipality, presented to His Excellency the Governor, Prof. Peter Anyang' Nyongó.

ii. Pursuant to provision of section 9 of the Urban Areas and Cities Act No. 13 of 2011, I wish to table today the report of the Ad Hoc Committee recommending Katito – Pap

Onditi for conferment as a Municipality, presented to His Excellency the Governor, Prof. Peter Anyang' Nyongó.

iii. Pursuant to provision of section 9 of the Urban Areas and Cities Act No. 13 of 2011, I wish to table today the report of the Ad Hoc Committee recommending Muhoroni – Chemelil for conferment as a Municipality, presented to His Excellency the Governor, Prof. Peter Anyang' Nyongó.

iv. Pursuant to provision of section 9 of the Urban Areas and Cities Act No. 13 of 2011, I wish to table today the report of the Ad Hoc Committee recommending Ahero – Awasi for conferment as a Municipality, presented to His Excellency the Governor, Prof. Peter Anyang' Nyong'o.

v. Pursuant to provision of section 9 of the Urban Areas and Cities Act No. 13 of 2011, I wish to table today the report of the Ad Hoc committee recommending Maseno – Holo for conferment as a municipality, presented to His Excellency the Governor, Prof. Peter Anyang' Nyong'o.

(The Leader of Majority lays the papers before the House for consideration)

The Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you Mr. Speaker.

The Speaker (Hon. Oraro): Honourable Members, I want to confirm the receipt of the following Ad Hoc committee report. Number one, the Ad Hoc Committee report recommending Maseno – Holo as a Municipality, Ahero – Awasi as a Municipality, Muhoroni – Chemelil as a Municipality, Katito – Pap Onditi as a Municipality and Kombewa – Bodi as a Municipality.

Honourable Members, I want to direct that all this report be committed to the Standing Committee of Lands and Urban Planning chaired by Hon. Boitone and I want to direct that they sit immediately beginning tomorrow and present to the House a combined report in terms of a motion on the same. I believe the technical team will be giving them guidance as appropriate. Therefore, Chair Lands and Urban Planning and your committee, I authorize you that at the end of this you can start planning on how you are going to handle this report.

Honourable Members, I also want to direct that the Clerk gives a technical team to the Committee to work on the report. In the meantime, the soft copy of this report, be sent to Members for purposes of debate when the time come. Thank you.

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

MOTION

THIRD READING OF THE KISUMU COUNTY VOCATIONAL EDUCATION AND TRAINING BILL 2023. KISUMU COUNTY BILL NO. 1 OF 2023

BY

HON. SETH OKUMU, MCA, EAST SEME WARD.

(CHAIRPERSON, ECD, ADULT EDUCATION AND VOCATIONAL TRAINING COMMITTEE)

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

Hon. Okumu (MCA, East Seme Ward): Thank you Mr. Speaker, may I request that the Kisumu County Vocational Educational and Training Bill 2023, Bill No. 1 of 2023 be read for the Third time.

The Speaker (Hon. Oraro): Mr. Clerk.

THE KISUMU COUNTY VOCATIONAL EDUCATION AND TRAINING BILL, 2023

A Bill for

AN ACT of Kisumu County Assembly to give effect to the Fourth Schedule of the Constitution of Kenya, 2010 and the Technical Vocational Education and Training Act, 2013 and provide for a Framework for the establishment of systems for the administration, management and governance of Vocational Education and Training within Kisumu County and for connected purposes.

MEMORANDUM OF OBJECTS AND REASONS

Statement of the Objects and Reasons for the Bill

The principal object of this Bill is to provide for a framework for the establishment of systems for the administration, management and governance of Vocational Education and Training within Kisumu County and for connected purposes and to institute appropriate mechanisms to promote access, equity, quality and relevance in training to ensure adequate human capital for economic, social and political development in Kisumu County.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill delegates legislative powers to the CEC Member responsible for Vocational Education and Training to formulate Regulations for the operationalization of the provisions of this Act but DOES NOT limit any fundamental rights and freedoms.

Statement on how the Bill concerns the County Government

The Bill concerns the County Government of Kisumu pursuant to the provisions of the Fourth Schedule of the Constitution of Kenya and establishes of the necessary administrative and procedural structures for the management of Vocational Education and Training within the County.

Statement that the Bill is not a money Bill, within the meaning of Article 114 of the Constitution This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Mr. Speaker and Honourable Members, the Bill stands read for the third time.

The Speaker (Hon. Oraro): Honourable Members, the Kisumu County Vocational Education and Training Bill, 2023 was introduced into this House, committed to the Standing Committee of ECD, Adult Education and Vocational Training. Public Participation was carried out; a report was brought into this House which was adopted. The Bill was read for the Second time, amendments were made and we have just proposed that the Bill be read for the third time.

Honourable Members, when a Bill is read for the third time, it gives an opportunity for Members to make or propose any further amendment that there could be. I remember I did make that direction that you go study the Bill further and make any further amendment if any. In that regard, now that the Kisumu County Vocational Education and Training Bill, 2023 has been read for the third time I want to propose that the Bill is open for any further amendment.

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

Hon. Okumu (MCA, East Seme Ward): Thank you Hon. Speaker, I want to implore on Members that after going through public participation, bringing a report in this House, doing amendments in the 2nd reading, as a committee, we do not have any further proposed amendments to make on the Bill and I want to implore on Honourable Members that they adopt the Bill with the amendments proposed therein during the 2nd reading of the Bill.

The Speaker (Hon. Oraro): Honourable Members, going by the report from the Chairperson of Education Committee as per our Standing Orders, I want to put a question on the adoption of the 3rd Reading of the Kisumu County Vocational Education and Training Bill, 2023.

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable Members, the Kisumu County Vocational Education and Training Bill, 2023 has been adopted with the amendments therein in the 2nd Reading today 04th July, 2023 at 15:02 hours. Consequently, I want to direct that the Hansard report and the Vellum be prepared for submission to the Governor for assent.

Honourable Members, I want to further request the Implementation Committee that once this is done, if we don't receive any Memorandum from the Governor; whether he signs it or not the after 14 day it should be an Act. Therefore, the Implementation Committee should follow up and ensure that the Bill is put into effect. I also want to implore the Select Committee of County Delegated legislation that you equally follow up and ensure that a Regulations that will ensure effective operationalization and implementation of the said Bill. Thank you.

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

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable Members, there being no any other business to transact, the House stands adjourned to Wednesday, 05th July, 2023 at 9.00 a.m.

(House rose at 03.04 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