COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – SECOND SESSION

Wednesday 05th July, 2023

House met in the Main Chamber at 9:00 a.m.

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

PRAYER

The Speaker (Hon. Oraro): Mr. Clerk, 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 request the Members of the Select committee of House Procedure and Rules that we meet in the Committee Room I immediately after the session. The Planning, Industrialization, Housing and Urban Committee should also meet here in the Chambers immediately after the session. Thank you.

The Speaker (Hon. Oraro): Next order!

PAPER LAID

PROCEDURE AND RULES COMMITTEE REPORT ON THE AMENDMENTS TO THE KISUMU COUNTY ASSEMBLY STANDING ORDERS

BY

HON. PAMELA OYOO, MCA, MIGISI WARD.

The Speaker (Hon. Oraro): What is it Hon. Emily Oginga?

Hon. Oginga (Nominated Member): Thank you Mr. Speaker. Allow me to table this Paper on behalf of Hon. Pamela Oyo.

Hon. Oginga (Nominated Member): Mr. Speaker, I seek your indulgence that you please allow me to stand in for Hon. Pamela Oyoo.

The Speaker (Hon. Oraro): Please proceed.

Hon. Oginga (Nominated Member): Thank you Mr. Speaker, Pursuant to the provision of the Kisumu County Assembly Standing Orders No. 182 (6), read together with Standing Orders No. No. 244, I wish to table today Wednesday 05th July, 2023, a report by the Committee on Procedure and Rules on the Amendment of the Kisumu County Assembly Standing Orders.

(Hon. Oginga lays the report before the House for considerations)

The Speaker (Hon. Oraro): Honorable Members, I confirm receipt of Procedure and Rules Committee report on the Amendment of the Kisumu County Assembly Standing Orders, as presented by Hon. Emily Oginga on behalf of Hon. Pamela Oyoo, and on behalf of the whole committee.

Honourable Members, I want to direct that the House Business Committee considers this report for purposes of scheduling for debate. Consequently, I want to draw your attention to Standing Order No. 244 (5), which reads that; '*The County Assembly shall consider the proposed amendments to the Standing Orders as reported from the County Assembly Procedure and Rules Committee on a Motion that: The report of the County Assembly Procedure and Rules Committee be approved.*

Further, Part (6) of the provisions of Standing orders No 244 says that; '*Standing Order 131 (Procedure on Bills reported from Committee of the whole County Assembly*) shall apply to a Motion to approve the report of the County Assembly Procedure and Rules Committee on the amendments proposed to the Standing Order.

Similarly, I want to refer you to the provisions of Standing Order No. 131 which is; Procedure on Bills reported from Committee of the Whole County Assembly. Honourable Members, what is being referred to is that; that procedure, in this case now instead of the Whole County Assembly, it will be Committee on Procedure and Rules and I read it now.

Again, the provisions of 131 (1) states that *"When a Bill has been reported from a Committee of the Whole County Assembly, the County Assembly shall consider the Bill as reported upon a Motion: That the County Assembly do agree with the Committee in the said report".* In this regard, we shall be referring to the Committee of Procedure and Rules.

(2) *"The question on any motion moved under paragraph (1) shall be put forthwith, no amendment, adjournment or debate being allowed, unless any Member desires to delete or amend any provision contained in a Bill, or to introduce a new provision in the Bill".* In this case, in the amendment.

(3) *" A Member who desires to delete or amend any provision contained in a Bill,* you put the amendment report in the section of the Bill *or to introduce a new provision in the Bill under*

paragraph (2) may propose any amendment to add, at the end of a Motion under paragraph (1), the words subject to the re-committal of the Bill (in respect of some specified part or of some proposed new clause or new schedule) to a Committee of the whole County Assembly (read the committee of procedures and rules), *and if that Motion is agreed to with such an amendment, the Bill shall stand so re-committed…"* to the Committee of the Whole County Assembly.

Finally, I am making reference to this section to prepare you and I am directing that the report will be shared with Members immediately so that you go through it. If there is any proposed amendment, you will communicate the same to the Chair before the date of debate. That is at least two hours before the date of debate so that we follow the procedures as laid down in the Standing Orders. Otherwise, the House business committee to schedule the report for purposes of schedule for debate. Thank you.

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

NOTICE OF MOTION

The Speaker (Hon. Elisha J. Oraro): Hon. Emily Odinga.

Hon. Oginga (Nominated Member): Thank you Mr. Speaker. Pursuant to the provision on section 45 (1) of the Kisumu County Assembly Standing orders, I wish to give a Notice of Motion, that this House adopt the report by the Procedure and Rules Committee on the Amendment of Kisumu County Standing Orders. Thank you.

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

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

MOTION

1ST READING OF THE KISUMU COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2023 (KISUMU COUNTY BILL NO. 3)

BY

HON. SETH OKUMU, MCA, EAQST SEME WARD

(CHEIRPERSON, ECD, ADULT EDUCATRION AND VOCATIONAL TRAINING)

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

Hon. Okumu (MCA, East Seme Ward): Thank you Mr. Speaker. I want to request that The Kisumu County Early Childhood Development and Education Bill, 2023 Kisumu County Bill No. 3 be read for the first time.

The Speaker (Hon. Oraro): Yes Clerk!!

THE KISUMU COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL. 2023.

A Bill for an Act of the Kisumu County Assembly to provide a framework for the establishment of systems for the administration of childcare services and early years education within Kisumu County.

MEMORANDUM OF OBJECTS AND REASONS

Statements of Objects and Reasons for the Bill

The essential purpose of the Bill is to provide a legislative framework for comprehensive for Early Childhood Education and Development Programme so as to achieve access to quality early childhood care , education and development for all children within the county .

Every child has the right to education. A good education enables a child to learn and to grow, developing their gifts and potential. Early Childhood Development and Education introduces children to the richness of the wider world and gives them the chance, later on , to obtain work and make a contribution to society . This children's right is well recognized in the Education for All and the Sustainable Development Goals Initiatives of the United Nations and has been fully adopted within our Constitution which advocates for free and compulsory education for each child.

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 Early Childhood Education 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 the Children's Act , 2022 .

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. However, its implementation of thereof shall occasion additional expenditure of public funds.

Mr. Speaker, The bill stands read for the first time.

The Speaker (Hon. Oraro): Honourable Members, now that the Kisumu County Early Childhood Development and Education Bill. 2023 has been read for the first time, I want to commit this Bill to the committee of ECD and I want to authorize them that they work during the recess to work on this Bill that is to discuss it and carry out public participation so that we give it a priority when we resume from our long recess. 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 today 05th July 2023 at 2.30 p.m.

(House rose at 9:22 a.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