

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – THIRD SESSION

Tuesday 20th February, 2024

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

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

PRAYER

The Speaker (Hon. Oraro): Mr. Clerk, please take us through the order of the day.

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

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Honourable Members, I want to welcome you back for this session. As we agreed, that we were adjourning last time for reorganization of the House Business Committee and also for the Selection Committee Chairperson to consult on the best way forward on reorganization of various House Committees. Otherwise, I want to welcome you and remind you that on Tuesday, 27th February, 2024 at Royal City Gardens, the Standing Committee of Water, Environment and Natural Resources together with the Select Committee of County Delegated Legislation shall be having a Consultative Meeting with the Department of Water, Environment and Natural Resources. I welcome you all and let us do what is right.

The Speaker (Hon. Oraro): Next order!

NOTICE OF MOTION

APPROVAL OF MEMBERS TO SERVE IN THE HOUSE BUSINESS COMMITTEE

BY

HON. KEN OOKO, MCA, AHERO WARD.

(THE LEADER OF MAJORITY)

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Ooko, MCA, Ahero Wards): Thank you Honourable Speaker. That pursuant to Standing Orders No. 154 (1) (e), the County Assembly approves the list of Members by the party to serve in the House Business Committee for the Third Assembly - Third Session, in addition to the Speaker of the County Assembly who pursuant to Standing Order No. 154 (1) (a) shall be the Chairperson, the Chairperson of Committees/Liaison, the Leader of Majority Party and the Majority Whip. Thank you.

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

MOTION

APPROVAL OF MEMBERS TO SERVE IN THE HOUSE BUSINESS COMMITTEE

BY

HON. KEN OOKO, MCA, AHERO WARD

(THE LEADER OF MAJORITY)

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Ooko, MCA, Ahero Wards): Thank you Honourable Speaker. Aware that pursuant to Standing Orders No. 154 (1) (e), provides for the Establishment of the House Business Committee at the commencement of every Session. Further aware that the sittings of the Second Session was gazetted to end Monday 12th February 2024, the County Assembly House Business Committee have exhausted it tenure and recognizing the mandate of the committee among them preparation of the County Assembly Business Calendar and scheduling the House Business of the Assembly.

Further, recognizing that the Third Session of the Third Assembly commenced on Tuesday 13th February, 2024 call for reinstating the House Business Committee because the Assembly cannot move out it.

Now therefore, this Assembly prays that pursuant to Standing Order No. 154 (1) (e) that this House approves the list of the following Members to serve in the said committee in the Third Session in addition to the Speaker of the County Assembly who pursuant to Standing Order No. 154 (1) (a) shall be the Chairperson, the Chairperson of Committees/Liaison, the Leader of Majority Party and the Majority Whip. Other Members include;

1. Hon. Lumumba Owade – Deputy Leader of Majority.
2. Hon. Jenifer Obonyo – Deputy Majority Whip
3. Hon. Seth Okumu – Member.
4. Hon. Carren Ajwang’ - Member
5. Hon. Eunice Alandoh – Member.

Hon. Speaker, it is the responsibility of the committee to prepare the House Business Calendar, it is therefore important for this Members to be approved. May I request Hon. Lumumba Owade to second?

The Speaker (Hon. Oraro): Yes, Deputy Leader of Majority.

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach Ward): Thank you Mr. Speaker. I rise to second the motion tabled today by my Senior Hon. Ken Ooko. I want inform the Members nominated by the party that this is a privilege because you have been called upon to serve in this position. I humbly request you to dedicate your time and perform your work diligently as dictated by relevant laws. I am aware that those who served in this committee did a good job but we should increase our pace. Thank you.

The Speaker (Hon. Oraro): Honourable Members, now that the Leader of Majority has moved a motion on the approval of Members to serve in the House Business Committee, I want to propose that this motion is open for debate.

The Speaker (Hon. Oraro): Hon. Majority Whip.

Chief Whip (Hon. Kanga, MCA, Market Milimani Ward): Thank you Mr. Speaker. I rise to support the motion as presented by the Leader of Majority and seconded by his Deputy. At the same time, I want to welcome the Members during this session. As the Majority Whip of this Assembly, I want to support the sentiments of the Deputy Leader of Majority that you are all

serving at the behest of the party in these House Committees and you should serve with dedication. As the leadership of this Assembly, we are about to reorganize/realign various House Committees. You are aware that some of the Members are having more committees while others have less committees. There is a Member in the House assigned one House Committee because their loyalty was questionable and he has insisted that he is not with us in ODM. We don't have the liberty to add him more House Committees. We have got some Members who are loyal and they have reaffirmed their loyalty. I and the Leader of Majority, we shall consider them for additional responsibilities to House Committees.

Mr. Speaker, I will be ready to relinquish some of my committees to the Members so that we can move forward as a team. There is still time for my good friend Hon. Regina Kizito to renounce her political association with the UDA regime which has really failed this Country so that we can consider her for these positions. Some time I find it very rough for my colleagues because we were elected and destined to serve in this Assembly. Some time it is very tedious to see a colleague suffering because of their political associations. I urge, my friends, the Hon Members, I have seen Hon Vincent Obuya, alias Vin Daddy who is also serving as a Member who was equally assigned one House Committee. My friend we welcome you to join the Party (ODM) so that we can offer you more House committees in this House.

Mr. Speaker, we might have our past but now we are in another Session Mr. Speaker, whereby we should move together as a united House. I want to urge my friends like the Hon Oiko Pete who has been dining with our tormentors, if I might refer them as such. You can join us and rise to the party leadership so that you are included in these House Committees. Bi-partisan report (a report by National Dialogue Committee, NADCO) does not apply here because their recommendations have not been adopted by the National Assembly, as per the proposals. Hon Nyaoke, I welcome you officially to the party. I am happy that you have denounced the other political divide so that we can move together as a team.

Mr. Speaker, it was very unfair when we attended a political leadership summit in Naivasha. It was unfortunate that our colleagues could not attend the summit just because they are not with us in the same political party. I am urging them as the Whip to denounce their affiliation to other parties. This I say as a Member of ODM, and also the Vice Chairperson of the County Coordinating Committee. Denounce UDA Party and come to ODM by writing a letter. We shall consider you. I know writing a letter can be tedious because you have been given some stipend, which, if put together amounts to a lot of money and you may be asked by UDA to repay. Just come to us. The Speaker will ensure you get money to repay UDA government so that you are free. I know sometimes they have placed you in a prison which you may find very difficult to get out of. For this Session, we urge you to denounce that party so that we can move together.

Honourable Members, you were elected by the people. Sometimes you were not able to articulate the issues of your Ward in various committees where the issues are being addressed. A case in point is the Leadership Summit where we agreed on some issues which will undoubtedly affect our Wards. It is in those committees where you can articulate such issues. How then will you represent your Wards when you are not members of such committees? My pleas as a leader, because you were elected on ODM ticket, denounce UDA, write a letter then we will consider you for placement to House Committees. Otherwise, thank you Mr. Speaker.

Hon Oiko (MCA, Kabonyo Kanyagwal Ward): Mr. Speaker

(Hon Oiko speaks without permission of the Hon. Speaker)

The Speaker (Hon Oraro): Hon Oiko Pete, i believe that you know the rules of this House. When you stand, you wait for the Speaker to give you a chance but I can see you are already up. You can proceed.

Hon Oiko (MCA, Kabonyo-Kanyagwal Ward): Thank you Mr. Speaker. Some of these issues of UDA and ODM are farfetched. I can categorically inform you that as an elected Member of Kabonyo-Kanyagwal Ward, after the election of the Speaker in this House, I was earmarked for punishment. And that is on record. What would the Whip say on that? I am the only one who was not given a leadership position in this House. The rest were either assigned positions as Chairpersons or Vice Chairpersons while others still had two to three responsibilities. However, Hon Pete had none. Was UDA an issue then? When people make personal decisions to punish others then they camouflage that that is an ODM party decision, which is wrong. Mr. Speaker, Kabonyo-Kanyagwal had had its problems. And these problems are well known to the County Government of Kisumu and well known to the Assembly.

The Speaker (Hon Oraro): Hon Oiko, I want to bring you back to the Motion. The Motion is Approval of Members to serve in the County Assembly House Business Committee.

Hon Oiko (MCA, Kabonyo-Kanyagwal Ward): That is so Mr. Speaker, but when the Whip was talking, he was giving the picture that I decided to deviate, left the ODM Party for UDA and he has no evidence to table before this House. Which UDA function have I ever attended?

The Speaker (Hon Oraro): Hon Oiko, you would have stood on a point of order to ask the Hon Whip to substantiate his statement. But I will not give you ---

Hon Oiko (MCA, Kabonyo-Kanyagwal Ward): Mr. Speaker, the truth is that your leadership and the House can make their own decisions

The Speaker (Hon Oraro): Hon Oiko, resume your seat. If you feel that the Hon Seth Kanga infringed on your rights, you would have stood on a point of order and asked him to substantiate the issue he alluded to. However, I gave him time because in his remarks, he was connecting the

Motion at hand with whatever he was contributing to. As such, if you felt that whatever he said infringed on your rights, you are a person who understands the Standing Order. You are experienced and so you should have just stood on a point of order and I could have directed the Whip to substantiate his allegations. Otherwise, if we go that way, then we are going to totally deviate from the business at hand, which is, the approval of Members to serve in the County Assembly House Business Committee. It is simple. You either agree or disagree with it, and, by the end of the discussion, we will vote either by acclamation or by division and we proceed.

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

Hon Olima (MCA, South West Nyakach Ward): Thank you Mr. Speaker. Allow me to support the Motion on the Floor that we approve the list of Members nominated by the party ODM to serve in the House Business Committee. Having looked at the list, I believe that it comprises those competent enough to run this House for the Third Session. I urge them to work diligently for this House because our beloved party ODM has granted them the opportunity. Mr. Speaker, allow me to wish Happy New Year to Honourable Members, because I am seeing some of the Members for the first time this year. Allow me to inform them that I had a very wonderful recess.

Mr. Speaker, having listened to what the Whip has said, I want to say that when the Whip retreats with the Leader of Majority to make the list for House Committees, I think I am relieved enough because as at now, I am only needed in this Assembly for twelve (12) hours for a whole week. I have three hours on Tuesday, six hours on Wednesday, and three hours on Thursday. That is twelve hours in a week. I believe that this is okay with me because of other engagements that I have. Please go ahead, Hon Whip, and include those who have time to do the rest of the work on our behalf. Do not be concerned about what we are doing outside there but get to know that we are in ODM as a party but we do not have time for the House Committees you talked about. Please go ahead and do what you can do. If it is a matter of reward I do not need it, please take that reward on my behalf.

Secondly, Mr. Speaker, allow me to say that during the recess, a lot of things happened. I know you led a team to a retreat that was called the County Leadership Summit. I know that some of us are leaders at some level. We also retreated as well and I believe that we had successful deliberations on issues to do with Kisumu County and all that we are going to do is going to help our people. The electorates are the same. If somebody believes that by excluding Hon. Gard Olima from a retreat is going to make South West Nyakach poorer, so be it. The Governor who is the head of this county went to South West Nyakach and asked for votes, not for Hon. Gard, for but himself. The Women Rep also went to South West Nyakach and asked for votes, same to the Senator and the Member of Parliament (MP). Therefore, Hon. Gard Olima alone cannot make South West Nyakach suffer. There are other people who were elected, including the President William Ruto, to serve the people of South West Nyakach even in the absence of Hon. Gard.

Even if Gard is missing in any House Committee, there are other five members or leaders elected by the people of South West Nyakach to get their interest served. If somebody believes that by intimidating or denying Hon. Gard Olima a House Committee then South West Nyakach will be yearning for anything, I dare you to do the worst you can but, I want to tell you that our people will not cry in vain. In the fullness of time, they will get an opportunity to retrieve and get the best that they want. I want to assure you that leadership comes and goes so does Power comes and goes. But if you use it to intimidate or infringe on other people's rights, it will come back to you threefold. Therefore, whatever you are doing in this County Assembly or Ward in terms of development distribution or leadership in your Ward, please know that all the negative things you do to those who elected you, some of these things will come back to you threefold. Even if it is not you, it will be your children or grandchildren to bear the brunt of your actions.

Mr. Speaker, I want to conclude by saying that, let the House Business Committee do its work, and I as Hon. Gard Olima from South West Nyakach, I will offer them my full support and I have seen in Nyakach we have a representation that is my junior Hon. Lumumba Owade. I will give him the support that he needs so that Nyakach can also get the best out of the House Business Committee. Going forward, I know we have a member from Nyakach to support us, as he has been here before and I am guiding him each and every day on the best way he can run this leadership seat, and I know he will do the best. So, as Nyakach, we are contented and we say congratulations to others for being in the list and being loyal to the party, thank you.

The Speaker (Hon. Oraro): The Hon. Rakwach.

Hon. Rakwach (MCA, East-Kolwa ward): Thank you, Mr. Speaker. Sir, I rise to support the motion. I believe that just as the Leader of Majority has said, this is the committee that makes the calendar of this House, and we have a lot of responsibilities and tasks to perform in this session. So, it is important that we approve this House Committee so that they can start discharging their duties. At the same time, Mr. Speaker, the Members of this House Committee, apart from having worked so well in the past session, some of them are also in that committee courtesy of their leadership positions and I feel they should be given another chance to serve in that House Committee. Moreover, I also want to echo the sentiments of Hon. Gard Olima, that 'power comes and goes', and even now we know that UDA Party is in power and they are frustrating poor Kenyans, but there will come a time when their leadership will end and they will go. Otherwise thank you, and I support.

The Speaker (Hon. Oraro): Hon. Lumumba Owade.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach Ward): Thank you Mr. Speaker, I rise on Standing Order No. 89 (*Statement of facts*).

The Speaker (Hon. Oraro): Yes, proceed. What is it?

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach Ward): *(On a Point of Order)* Mr. Speaker, I believe and everyone in this House knows that I am a very senior Member of this House as the Deputy Leader of Majority. For an ordinary Member to refer to me as his junior is quite demeaning and I really do not understand what the House Standing Committee is all about if this is not insulting a fellow member on the floor of the House. Mr. Speaker, I would want this one to go on record that if the Member for South-West Nyakach Ward does not respect my position in this House, then disciplinary action needs to be taken. Let me remind the Hon. Member for South-West Nyakach that, he is on record that he does not belong to ODM party. I challenge him that if he is man enough, he should resign so that we go for a by-election with his UDA party. He has been very vocal that he is going to be a UDA party candidate in Nyakach constituency. Why are you afraid to declare this in this House? You still want to earn money. You are given Ksh. 200,000 every month, if that is not enough for you and you are hiding in this House getting our little money...

The Speaker (Hon. Oraro): Hon. Deputy Leader of Majority, you stood on a Point of Order...

Deputy Leader of Majority (Hon. Owade): Mr. Speaker, the Member for South West Nyakach should withdraw and apologize

The Speaker (Hon. Oraro): That is what I wanted to say because I did not hear at any one point when Hon. Gard Olima said that he will vie on a UDA ticket in 2027 in Nyakach. However, for the first statement I want to give Hon. Gard Olima a chance.

Hon. Olima (MCA, South-West Nyakach ward): Thank you Mr. Speaker, for giving me a chance to reply. Mr. Speaker, it is my belief that I was very clear that I have served in this House more than my friend Hon. Patrick Lumumba Owade. I am serving my seventh year, while he is serving his second year. I have held a more senior position than he is as the Chief Whip, so, by all standards I am senior to you brother. Take it from here.

(Laughter)

The Speaker (Hon. Oraro): What is it Hon. Seth Kanga?

Chief Whip (Hon. Kanga, MCA, Market-Milimani Ward): Mr. Speaker, I am rising while citing the provisions of Standing Order No. 89 on Responsibility on Statement of facts.

The Speaker (Hon. Oraro): Proceed Honourable Whip.

The Chief Whip (Hon. Kanga): *(On a Point of Order)* Mr. Speaker, I want to agree with Hon. Gard Olima in terms of rank, he is indeed a ranking member because he is serving his second term consecutively in this House unlike Hon. Lumumba Owade who is serving his first term. However, in terms of leadership rank of Deputy Leader of Majority in this Assembly, the Hon. Lumumba Owade is a senior member of this Hon. House and that rank needs to be respected. As

we respect your position, you should also respect the position of the Deputy Leader of Majority, which is occupied by the Hon. Lumumba Owade. So, referring to Hon. Lumumba Owade as a junior member while he is the Deputy Majority Leader is wanting and Hon. Gard Olima should apologize. The Hon. Gard Olima has occupied the position of a Chief Whip I am currently occupying and he was given the necessary respect while he was serving in this position. So, it is my considered opinion that that respect should be extended to the Hon. Lumumba Owade by being the Deputy Leader of Majority.

The Speaker (Hon. Oraro): Hon. Gard Olima, I do not think I want to give this a debate.

Hon. Olima (MCA, South-West Nyakach ward): Mr. Speaker, because I have been mentioned by the Whip, kindly give me just one minute.

The Speaker (Hon. Oraro): Hon. Olima, please resume your seat. Honourable Members, I do not want to open a debate for leadership and seniority in this House. Our Standing Orders provides the ranking in terms of leadership, and I want to guide that it is important that the sitting after tomorrow's sitting, we remind members of that leadership ranking. However, in the House, we have leadership, and I want to give an example even in the National Parliament, where, the Hon. Mbadi was the Leader of Minority then in the previous parliament but currently, his position is occupied by Hon. Opiyo Wandayi. That is recognized as at then. In other scenarios we understand even as we take, say Hon. Gard Olima and Hon. Kelvin Oraro, both of them have served twice, but in terms of seniority, Hon. Olima is more senior than Hon. Kelvin because he has served two terms consecutively. Hon. Kelvin on the other hand, served for two terms but with a break of term between his two terms. As it is currently, the Hon. Ken Ooko is the Leader of Majority and the Hon. Lumumba Owade is the Deputy Leader of Majority. The Hon. Seth Kanga is the Majority Whip and the Hon. Jennifer Obonyo is the Deputy Majority Whip, so, we have to respect that one. If we had four members from other parties, we would have had a Minority in each leadership position. However, our Standing Orders provide that with less than four members of the second largest party, so then, there is no minority in this House. In this Assembly, we only have the majority party.

Honourable Members, I want to request that let us respect each other as we proceed. We may differ in opinion politically or in ideology, but we must always remember that we are here to serve the residence of Kisumu County. So, Hon. Gard I want you to bear with me that I do not want to open it for debate because you have been in this House and a respectable member so let us proceed with the debate that we are having.

Hon. Olima (MCA, South-West Nyakach Ward): Mr. Speaker,

The Speaker (Hon. Oraro): What is it Hon. Gard? I think I have already made a ruling.

Hon. Olima (MCA, South-West Nyakach ward): Mr. Speaker, I request for only 30 seconds that I do not want to talk to anybody else but to clarify to my colleagues that there is a difference between seniority and leadership. So, they should know the difference, thank you.

The Speaker (Hon. Oraro): Hon. Ratib Boitone

Hon. Boitone (MCA, Nyalenda A ward): Thank you, Mr. Speaker, I rise to support the motion, and I want to thank the Leader of Majority for constituting a very strong team that will see the business of this Assembly moving forward. Mr. Speaker, one thing that I have realized in the membership, that I believe the Leader of Majority will bring to our attention if at all it happens, is the issue of quorum hitch. Mr. Speaker, we have had several instances where we lack quorum not only in the House but even in various House Committees, and I want to believe because of the importance of this House Committee, that we do not lack quorum at any given time so that the programmes and the plans of the Assembly can move forward. Mr. Speaker, one or two Members who have been slated for this House Committee are well known for absenteeism in House Committees. That is why I am saying that if at all it happens, let the Leader of Majority inform the House and they be replaced.

Secondly, I want to echo the sentiments of my brother Hon. Gard Olima who has stated that, ‘power comes and power goes’ ‘positions come and positions goes’. If those positions and powers are misused, then you may find yourself in a very awkward position. It may boomerang on you in double. The doubles that he is talking about, I believe that is what is happening to him at the moment. So, my brother, do not be worried because things will open up and you will get better positions, thank you.

The Speaker (Hon. Oraro): Hon. Nyaoke.

Hon. Nyaoke (MCA, North Nyakach Ward): Thank you Mr. Speaker for this opportunity. First, to those whom I have not met this year, please allow me wish you a Happy New Year. As I start, I want to support this motion that has been brought by the Hon. Leader of Majority. Having seen the able personnel that are in this House Committee, I am sure just as my brother said they are equal to the task and I believe that is why they are there.

Mr. Speaker, if I am not wrong, what I am able to see, they have possibly served in the previous session and I believe that the party thought it wise and deemed it fit that they continue serving in this position in the Third Session that is ongoing. However, I would wish to say that after supporting the motion, I listened to what the Chief Whip brought before us. Mr. Speaker, what I would say is that we thank God that we have come a long way despite the problems that we had encountered here and there. Sometimes I would also say the God has been with us. We have also given you very easy time in terms of; delivery of motions and the debates that have been going on in this House.

Mr. Speaker, I do not believe that there is anybody who can raise a hand and say that despite the fact people are saying that we are not loyal to the party; we have not been doing what the party expects us to do. In that respect, I must state that I must congratulate those who are in that team. They have actually behaved with a lot of decorum and I still request all of us that when we get into this Assembly, let us just do what has brought us here. If we have certain differences, let it be outside this House. Therefore, I still believe that we are going to do and execute the work that has brought us here. Thank you, Mr. Speaker and I beg to support.

The Speaker (Hon. Oraro): Hon. Kelvin Oraro.

Hon. Oraro (MCA, Kolwa Central Ward): Mr. Speaker, I also rise to support the motion on the floor. Maybe just to inquire from the Leader of Majority or the team which was doing the work. I do not know why Hon. Members from Muhoroni Sub County have intentionally been left out. I thought that we had moved on and some serious Members from those areas are actually with you and if it was about regional balancing, considering the seven Sub Counties of our great County of Kisumu. I believe that a Member from Muhoroni, be it Hon. Warindu or Hon. K'Omudho to be specific should have not been left out when this House Committees were being constituted. However, since you believe that those who had started had done a good work, I do not which critic your criteria or you assessed them but, the previous House Business Committee should also learn to pave way. For instance, in the First Assembly, I realized that even the Speakers' panels and all those positions, after a year, you can always give other people also a chance to try. Maybe in the best practice, change in position and leaving other people also to join and learn is always advisable. Mr. Speaker, in addition, to consider that learning aspect of it, you know some of us may be this is the only time we be able to serve as MCAs. So, trying to walk with them around in these House Committees will allow them get the best of experiences.

It is not only about throwing words but also learn and people should know that if given opportunity today the way Hon. Gard Olima had already said that, 'leadership comes and goes' and when he talks of that, it is for both teams.

Today in this Assembly, if it a matter of going round, it will be advisable to always giving challenges to new Members and people always changes in House Committees so that they learn from these House Committees by rotation. Although that is my thought, I would really advise the Leader of Majority that any time he gets an opportunity; he needs to think deeper in terms of rotation of Members. Apart from that, he should come up with something to punish Members or to even leaders of those respective committees who are not serious with their work. In fact, this time, if he realizes that some Members are chairpersons and they are not even attending committee sittings making the House Committees not to work, or rather the House not to deliver as well as the House Business Committee then, he should have that power. I hope he is not a rubber stamp who will stamp everything from above but will also have something to look at when his own judgement. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Adeg.

Hon. Adeg (MCA, Kajulu Ward): Thank you Mr. Speaker, I arise to support the motion. I want to request the leaders of this House that next time when they will be realigning House Committees, let them try to consider regional balancing. Thank you and I support.

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

Hon. Were (MCA, Nyalenda “B” ward): Thank you Mr. Speaker, I also rise to support same motion. Through the Leader of Majority, the Leadership of this House has done a commendable job and the Members that have been nominated by the party are equal to task and I believe that they will steer this House to the next level, thank you.

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

Hon. Ochele (MCA, East Kano/Wawidhi Ward): Thank you Mr. Speaker, it is indeed a great honour today to get a chance to contribute on the motion tabled by the Leader of Majority. As I begin, we witnessed the service offered by the team in our first calendar for the financial year. It is a good job and we are not complaining. It is therefore the wisdom of the leadership that a proper working machine only needs lubrication but not a changeover. I therefore support the list, the motion. Also, I believe that the team will continue to offer services befitting their stature and that will propel this County to some levels.

Mr. Speaker, I will not forget to commend the type of leadership we have. I was privileged to be in the First Assembly. I knew the type of leadership I have and I was alive when the Second Assembly was here and I know the type of leaderships which were there including my very good friend Hon. Gard Olima. Today, I am here and seeing the kind of leadership which God has provided for us. To begin with you Mr. Speaker, the very able Leader of Majority, the Chief Whip and the rest of the team members.

Mr. Speaker, the number one thing which negates the purpose and objective of leadership is selfishness. We have leaders whose personal interest come last. Mr. Speaker, I will give an example of the Chief Whip. He is not bothered by how many House Committees he is placed in, but, he struggles to bring a neutral ground to all Members to serve in various House Committees. Last time when we had amendment in the Standing Orders, I realized that the Chief Whip who is the cook and the service man had a modest number of committees, same to the other team. Mr. Speaker, going by history, it is different from the Second Assembly whereby I was reading something on YouTube channel. Apparently, I popped into a motion which was being tabled by the then Chief Whip. He was reading a list of Membership of various House Committees. He read up to number fourteen with his name Hon. Gard Okoth Olima fourteen times. Mr. Speaker, I got amused after realizing that on the subsequent ones, he could not read his name further because he was embarrassed Mr. Speaker...

Hon. Gard stood at his place

Hon. Gard (MCA, South West Nyakach Ward): On a point of order!

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

Hon. Olima (MCA, South West Nyakach): Mr. Speaker, I have information and I want to make it very clear in this House, if you allow me Mr. Speaker. The Standing Orders have not changed so much that the Selection Committee which was headed by the former Majority Leader and currently headed by the current Majority Leader who is also the chair of Selection Committee, therefore, if I happened to have had 21 committees, then it was the mistake of the Majority Leader and not me as the Whip. Thank you.

Hon. Ochele (MCA, East Kano Wawidhi Ward): Thank you Mr. Speaker. I know that Hon. Olima is very brilliant person and a good debater. He does not fight facts. Thank you Hon. Olima you will prosper only that sometime you punishment will double like what you had inflicted to others.

So, I'm just praying that going forward, please, see the light of the Lord and always be fair which will follow us to our graves. Mr. Speaker, finally, the main work of the House Business Committee is not distribute development projects to our wards, but rather to guide the Assembly on the programs to be debated during the session. Therefore, Mr. Speaker. I don't see any big deal if the seven of us have been picked to guide and prepare the calendar of the House as we move forward. Otherwise, in the subsequent House Committees, I want to believe that the leadership has taken care of our regions, agenda and our religion.

Finally, Mr. Speaker in this life, people learn from one stage to the other and when we started Mr. Speaker, some of the Members were still very new and Induction was not adequate. But as we progress through a number of us have picked and we are moving at per. A good example is my friend and Chair Hon. Abeid and Hon. Bodo who today are very capable Chairpersons who started slowly and have graduated and I commend them for that. I request the leadership to give them time to guide this House Committee effectively so long as the membership of the committee is well balanced. Thank you.

The Speaker (Hon. Oraro): Let me give Hon. Alice Wajewa because I have not seen any gender speaking.

Hon. Wajewa (Nominated MCA): Thank you Mr. Speaker. I will start by thanking the Lord for this far He has brought us. I would also want to support the motion and congratulate the leaders who have been appointed to serve in the House Business Committee. It is my belief that they are up to task and it is my prayer that God gives them strength to work diligently without any fear or

favor. They should also be aware that it is the Grace of God that they are in that position, we are all capable but it is God who select. They should be aware of that and work without any malice.

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

Hon. Okumu (MCA, East Seme Ward): Thank you Mr. Speaker. I rise to support the motion that we approve the motion that we approve the Membership of the House Business Committee.

Hon. Olima (MCA, South West Nyakach Ward): Point of order Mr. Speaker!

The Speaker (Hon. Oraro): What is the point of order?

Hon. Olima (MCA, South West Nyakach): Mr. Speaker, the Member on the floor is naked.

The Speaker (Hon. Oraro): Can the Sargent at Arm confirm for me if the member is naked or any member next to the member on the floor.

Hon. Ochele (MCA, East Kano Wawidhi Ward): Thank Mr. Speaker. I rise to confirm that the member on the floor Hon. Okumu is properly dressed according to our Standing Orders. Mr. Speaker, sometimes it is good to be consistent in attending parliamentary sessions because it will help you move with the changes in the norms. Otherwise, Hon. Olima you would not have embarrassed yourself by raising such concern. Thank you.

The Speaker (Hon. Oraro): Hon. Olima.

Hon. Olima (MCA, South West Nyakach Ward): Thank you Mr. Speaker. I did not know that I have been coming irregularly that even the dress code had been changed. If that is the dress code then, we are at liberty to follow suit and do the same. I am not aware that jeans are part of the dress code and if that is part of the dress code, thank you Mr. Speaker.

The Speaker (Hon. Elisha J. Oraro): I believe Hon. Moses Ochele guided well because I can see that Hon. Okumu is in a corporate shirt which we allowed can be used in the House.

Chief Whip (Hon. Kanga, MCA, Market-Milimani Ward): Point of order Mr. Speaker. I want to concur with Hon. Olima. The Hon. Okumu sits in the Speakers Panel. The attire Hon. Okumu and Hon. Oraro are putting on have not been integrated in the Standing Order and that's a fact. Mr. Speaker, the Hon. Okumu as a Panelist, even the shoe he is putting on leaves a lot to be desired. When we are leaders in this Honorable House we should stand to be leaders whether we are presiding over the sittings of the House or we are contributing as members of this House.

The Speaker (Hon. Oraro): Hon. Kanga, are you saying that the member is not properly dressed?

Chief Whip (Hon. Kanga, MCA, Market-Milimani Ward): The Member is not properly dressed and the Serjeant-at-Arm should not fear to check because he should lead by example.

The Speaker (Hon. Oraro): Hon. Okumu to save on time, the Sergeant-at-Arm will escort you out to dress properly.

Hon. Okumu (MCA, East Seme Ward): Hon. Speaker, as I go out it has to be clear that the dress code of the House is in the Speaker's rule and you allowed that we put on corporate shirt in this House.

The Speaker (Hon. Oraro): Hon. Okumu, I have already made a ruling and the point of reference is in your trouser and shoes.

Hon. Seth Okumu (MCA, East Seme Ward): Mr. Speaker, but I am putting on a khaki trouser.

The Speaker (Hon. Oraro): Hon. Okumu can you go out and dress properly.

Hon. Ngeta (MCA, Awasi Onjiko Ward): Hon. Okumu is demeaning the dignity of this House Mr. Speaker you cannot rule and him arguing back.

(The Serjeant-at-Arms escort Hon. Okumu outside Chambers)

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

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. I rise to support the motion since we are here for business and it is the House Business Committee that will make the business to go through. Looking at the Membership, it is by belief that it is the wisdom of the House leadership that the mentioned colleagues should serve in that capacity and we thank them for that. This should go a long way in terms of committee sittings when the House Business Committee will be doing the calendar; I believe that there has been a problem in terms of attaining quorum in meeting. This time round in this session, let us try as much as possible to attend committee sittings so that we can deliberate on issues pertaining this County. It is only in House Committees that we make deliberations as per what we should be doing in our wards and it is in order that if any will be selected in the Selection Committees to serve in any other House Committee then, we should adhere to that and make the committees work.

Mr. Speaker, I would like to thank the leadership; in Nyakach Sub-county, as an elected Member I am very comfortable with my brother, Hon. Owade. This House has ranking Members and by virtue of his office then he is a ranking Members of this House. That cannot be disputed and in any case that someone is disputing that then... but we have ranking Members in this office. The four Members that we are having here are more ranked than us even if I serve ten times as a Member of this House, I cannot go beyond them in this third Assembly. Thank you.

The Speaker (Hon. Oraro): Yes Hon. Ken Ouko.

Hon. Ouko (MCA, West Kisumu Ward): Thank you Mr. Speaker. I rise to support the motion since this is the House Committee that is actually running the affairs of this House and it is very important that we constitute it and support the names presented. I hope everybody in this House can perform his/her own duties. It is quite unfortunate that we must only have 7 Members which means that the Leader of Majority has really tried to strike a balance and we appreciate him for that. We need to move and transact businesses of this House and prove to the people that indeed we are representing their interest. Thank you.

The Speaker (Hon. Oraro): Hon. Obaso.

Hon. Obaso (Nominated Member): Thank you Mr. Speaker. I wholeheartedly agree with the sentiments expressed by the previous speakers who have lent their support to this motion. It is crucial that those appointed to serve in this House Committee prioritize fairness, equity, and equality in their actions, particularly when involved in the selection processes for other House Committees. Today, I observed what I believe to be a glaring example of double standards, particularly in the actions of the Serjeant-at-Arms during the removal of Hon. Seth Okumu from his seat. A comparison with how other members, such as Hon. Olima, are typically treated reveals a stark contrast. Such inconsistencies must be addressed to ensure a more just and equitable environment going forward.

The Speaker (Hon. Elisha J. Oraro): Yes Hon. Ajwang'.

Hon. Kennedy Otieno Ajwang (Nominated MCA): Thank you Mr. Speaker. I wish to call the mover to reply.

The Speaker (Hon. Elisha J. Oraro): Hon. Leader of Majority.

The Leader of Majority (Hon. Ooko, MCA, Ahero Ward): Thank you Hon. Speaker. I want to take this opportunity to reply. I have heard what the Members have said. First I would like to start by stating that this committee is very important because we work on the calendar and this is

the House Committee that will prepare the calendar and we implore on Members that we approve the Proposed Membership to this House Committee. The Majority Whip talked of re-organization of House Committees. I believe that we are in the process of re-aligning the membership of various House Committees and I want to agree with Hon. Kelvin Oraro that at times it is good to make changes. So, when changes come, I would like to ask Members to accept because we need to have a good team.

Mr. Speaker, I have to applaud Hon. Olima for noting that this is a very competent team and I would like to combine your comment with what Hon. Oraro and Hon. Atega said. I agree with all of you that I have seen a gap but I believe that all sub-counties are represented but we had to consider nominated Members also in the committee and that is why there could be a gap. Hon. Olima said that he will be here for some few hours and I want to remind all Members that it is our duty as we interact with the electorate that we take their views and proposals and we have to present them in this Assembly and in our various House Committees that we sit in. So if you don't attend these House Committees, then that implies that you failed as a Member representing your ward.

Mr. Speaker, I don't want to talk about the retreat because I believe that the retreat that we had in Naivasha was of the Leadership of Chairpersons and Vice Chairperson. If maybe one did not attend then he/she does not belong to that category. I want Members to adhere to the rules of this House and I believe that when the Speaker has made a ruling then that ruling is final and anything you say after that... like Hon. Olima talked of the Speaker's ruling, I believe that, it is null and void and that also goes to Hon. Seth Okumu who happens to be in the Speakers panel. When you will be replying. I would like to refer you to Standing Orders No. 106 (1) (a).

When a Member defies a ruling of the Speaker what is the action that is taken against the Member? Hon. Oiko talked of punishment and I want to remind the Members of ODM party to go and read the Code of Conduct No. (1) (a) which talks about loyalty to the party. It is my opinion that some of the Members have not been attending the party activities and that implies that you are disloyal to the party. When we will be considering membership to this committee, we have to consider loyalty as number one. I am happy that in this House, we have Members that have seen the light and have come back to participate in the activities of the party. We have Hon. Ajwang' who is very active in the party, Hon. Obaso, Hon. Opar and Hon. Obuya. So I have to thank the four Members for seeing that ODM is their sponsor party.

Hon. Olima talked about power. As I stand here, I know that positions come and go but I had a privilege to be in the Second Assembly and I remember Hon. Olima as a Chief Whip and Hon. Kenneth Onyango as the Majority Leader. When they were reading the List of Committee Membership, both of them stood up and the Speaker then decided to choose Hon. Olima who

was the Chief Whip to read the list. I agree with Hon. Ochele that from number one the first name was Hon. Olima up to committee number 21 out of 23 committees. So it is indeed true that power comes and goes. I do reply. Thank you.

The Speaker (Hon. Oraro): Thank you. Honourable Members, now that the motion for Approval of Members to serve in the County Assembly House Business Committee had been moved by the Leader of Majority, seconded by the Deputy Leader of Majority and debated upon, I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable Members, the motion for Approval of Members to serve in the County Assembly House Business Committee bearing the names;

1. The Speaker - Chairperson
2. The Deputy Speaker
3. The Leader of Majority
4. The Majority Whip
5. Hon. Owade
6. Hon. Jennipher Obonyo
7. Hon. Seth Okumu
8. Hon. Carren Ajwang'
9. Hon. Eunice Alando

Have been adopted today Tuesday, 20th February, 2024 at 1540 hours. I want to direct that this House Committee sits immediately after the plenary to organize the weekly schedule for the House to proceed.

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, 21st February, 2024 at 9.00 a.m.

(House rose at 3.41 p.m.)

Addendum

Hansard Team

<i>Zablon Otiende</i>	-	<i>Senior Hansard Reporter (In-charge)</i>
<i>Edward Odanga</i>	-	<i>Hansard Reporter</i>
<i>Fanuel Okode</i>	-	<i>Hansard Reporter</i>
<i>Patrick Okoyo</i>	-	<i>Hansard Reporter</i>
<i>Jesca Otieno</i>	-	<i>Hansard Reporter</i>
<i>Dennis Onyango</i>	-	<i>Hansard Reporter</i>
<i>Jacklyne Otieno</i>	-	<i>Hansard Reporter</i>
<i>Valery Achieng'</i>	-	<i>Hansard Reporter</i>