

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – THIRD SESSION

Wednesday 13th March, 2024

House met in the Main Chamber at 09:00 a.m.

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

PRAYER

The Speaker (Hon. Oraro): Honourable Members, I want to direct the Serjeant-at-Arm to ring the quorum bell for the first five minutes.

(Quorum bell rung for five minutes)

The Speaker (Hon. Oraro): Honourable Members, I cannot see the Leader of Majority but, his seat is occupied. Hon. James Omollo, can you confirm if we have quorum.

Hon. Omollo (MCA, West Nyakach Ward): Thank you Mr. Speaker. We have the quorum.

The Speaker (Hon. Oraro): Mr. Clerk, take us through Order Paper of today.

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

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Honourable Members, I have the following communication to make. I want to convey that, may I take this opportunity to bring to your attention that I have got a proposal to amend our Standing Orders, submitted in accordance with our Standing Order No.

244 (1). Hon. Jennipher Obonyo with the support of three other Members has proposed some amendments. They have requested the Assembly Procedure and Rules Committee to consider amending the Standing Order. Honourable Members, allow me to read Standing Order No. 244 (1) (5), I read,

“A Member may, with the support of at least two other Members, request the County Assembly Procedure and Rules Committee to consider an amendment to the Standing Orders.

(2) A request under paragraph (1) shall be in writing and shall-

(a) contain the text of the proposed amendment and the justification for the proposal;

(b) contain the names and signatures of the Members supporting the request; and

(c) be lodged with the Speaker.

(3) The Speaker shall, if satisfied that the requirements of paragraphs (1) and (2) have been met, forward the request to the County Assembly Procedure and Rules Committee.

(4) The County Assembly Procedure and Rules Committee shall, within twenty-one days of the receipt of a request under paragraph (3), consider the request and lay a report on the Table of the County Assembly containing the amendments proposed in the request and the recommendations of the Committee on each such proposal.

(5) 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.

(6) Standing Order 129 (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 Orders.

Honourable Jennipher Obonyo has proposed an amendment as per that Standing Order to the key areas.

1. Introduction of Question and Answer Session with the County Executive Committee Member and key officials of the County Government. That's now the practice in both the Senate and the National Assembly; you have witnessed how sometimes it becomes difficult for various Chairpersons to give appropriate answers. Hon. Obonyo is proposing that we introduce that session for Question and Answers.

2. It is also currently it is a requirement that all Memorandum of Understandings (MoUs) signed between the County Government and the National Government or between the County and any other partners must be laid in the House and discussed before their implementations.

Honourable Members, we don't have any provisions for the discussions of the MoUs in the County Assembly of Kisumu. Therefore, we have to introduce it in our Standing Orders. So, I felt that they are in order and in accordance with the provisions of the Standing Orders that I have read, the proposal stands committed to the Assembly Procedure and Rules Committee for considerations.

Honourable Members, I want to direct that this Select Committee will have the opportunity to review the proposed amendment. Two, consult closely with Hon. Obonyo essentially determine the feasibility and the impact proposed amendment. Following their deliberations, the Select Committee within 21 days will submit its report to the County Assembly with their recommendations.

Finally, I want to encourage the Members to use this opportunity to formularize themselves with the proposed amendments and should you wish to give or send feedback to this Select Committee, then you can do so in writing to the Clerk or the Speaker and later appear before the Select Committee during its deliberations according to this House Committee established procedures. I trust that this House Committee will undertake a thorough and transparent review of that proposal. Thank you.

The Speaker (Hon. Oraro): Next order!

PAPERS LAID

LIAISON COMMITTEE REPORT ON HALF-YEAR PROGRESS REPORTS OF HOUSE
COMMITTEES FOR THE PERIOD ENDED 31ST DECEMBER, 2023

BY

HON. NEREAH OKOMBO, MCA, MANTATTA "A" WARD

(CHAIRPERSON, SLECT COMMITTEE ON LIAISON)

REPORT OF THE 1ST PRPOSED KISUMU COUNTY SUPPLEMENTARY ESTIMATES
FOR THE FY 2023/2024.

BY

HON. JOACHIM OKETCH, MCA, KONDELE WARD

(CHAIRPERSON, SELECT COMMITTEE OF BUDGET AND APPROPRIATIONS)

REPORT OF THE STANDING COMMITTEE OF MEDICAL SERVICES, PUBLIC HEALTH AND SANITATION ON THE KNOWLEDGE EXCHANGE BETWEEN THE HOUSE COMMITTEE, MULAGO NATIONAL REFERRAL HOSPITAL AND UGANDA CANCER INSTITUTE.

BY

HON. EMILY OGINGA, NOMINATED MEMBER.

(VICE-CHAIRPERSON, STANDING COMMITTEE OF MEDICAL SERVICES, PUBLIC HEALTH AND SANITATION)

ON BEHALF OF THE

(CHAIRPERSON, HON. VINCENT JAGONGO, MCA, NORTH WEST KISUMU WARD)

(CHAIRPERSON, STANDING COMMITTEE OF MEDICAL SERVICES, PUBLIC HEALTH AND SANITATION)

THE KISUMU COUNTY VOCATIONAL EDUCATION AND TRAINING POLICY

PRESENTED BY

HON. BENSON ADEGA AMBUTI MCA, KAJULU WARD

PRESENTED ON BEHALF OF

HON. SETH OKUMU, MCA, EAST SEME WARD)

(CHAIRPERSON, STANDING COMMITTEE OF EDUCATION, TECHNICAL TRAINING, INNOVATION AND SOCIAL SERVICES)

The Speaker (Hon. Oraro): Hon. Nereah Okombo.

Hon. Okombo (MCA, Manyatta “B” Ward): Thank you Mr. Speaker. Pursuant to the provision of Orders No. 182 (6) read together with Orders No. 183 (2) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 13th March, 2024, a report of the Liaison Committee on its consideration of Half-Year Progress Reports of House Committees for the period ended 31st December, 2023.

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

The Speaker (Hon. Oraro): Honorable Members, the Housekeeping Committee on Liaison report on its consideration of Half-year Progress Reports of House Committees for the period ended 31st December, 2023 is properly laid before the House. The House Business Committee should consider scheduling it for debate.

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

Hon. Joachim (MCA, Kondele Ward): Thank you Mr. Speaker. Pursuant to the provision of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 13th March, 2024, a report of the Select Committee of Budget and Appropriations on consideration of the 1st Proposed Kisumu County Supplementary Estimates for the FY 2023/2024. Thank you.

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

The Speaker (Hon. Oraro): Honorable Members, the Select Committee of County Budget and Appropriation’s report on its consideration of the 1st Proposed Kisumu County Supplementary Estimates for the FY 2023/2024 is properly laid before the House. I direct that the House Business Committee considers scheduling it for debate.

The Speaker (Hon. Oraro): Hon. Vincent Jagongo.

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

Hon. Oginga (Nominated Member): Allow me to lay this Paper on behalf of Hon. Vincent Jagongo, the able Chairperson, Standing Committee of Medical Service and Public Health and Sanitation.

The Speaker (Hon. Oraro): Proceed.

Hon. Oginga (Nominated Member): Thank you Mr. Speaker. Pursuant to the provision of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 13th March, 2024, a report by Medical Services, Public Health and Sanitation Committee, on the Knowledge Exchange Exercise between this House Committee, the Mulago National Referral Hospital and Uganda Cancer Institute.

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

The Speaker (Hon. Oraro): Honorable Members, the Standing Committee of Medical Services, Public Health and Sanitation's report on the Knowledge Exchange Exercise between the House Committee, the Mulago National Referral Hospital and Uganda Cancer Institute is properly laid before the House. I direct that the House Business Committee considers scheduling it for debate.

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

The Speaker (Hon. Oraro): What is Hon. Ben Adega?

Hon. Adega (MCA, Kajulu Ward): Mr. Speaker, I seek for your indulgence to allow me to lay this Paper on behalf my Chair.

The Speaker (Hon. Oraro): I have noticed the Chairperson is around.

Hon. Okumu (MCA, East Seme Ward): Honourable Speaker, I delegated the Member that duty. Thank you.

The Speaker (Hon. Oraro): Proceed.

Hon. Adega (MCA, Kajulu Ward): Thank you Mr. Speaker. Pursuant to the provision of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 13th March, 2024, a report by the Standing Committee of Education, Technical Training, Innovation and Social Services on the Kisumu County Vocational Education and Training Policy. Thank you.

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

The Speaker (Hon. Oraro): Honorable Members, the report by Education, Technical Training, Innovation and Social Services Committee on the Kisumu County Vocational Education and Training Policy is properly laid before the House. I direct that the House Business Committee considers scheduling it for debate.

Honourable Members, I want to communicate to all the House Committees that have laid these reports. That is the Select Committees of Liaison Committee, Budget and Appropriations Committee and the Standing Committees of Medical Services, Public Health and Sanitation Committee and Education, Technical Training, Innovation and Social Services Committee, please do circulate all these reports to Members by close of business today so that Members have time to go through them early enough. Members ought to have gone through them by the time they are scheduled for debate so that, they are well prepared to debate when they come to the Floor.

The Speaker (Hon Oraro): Next order!!

MOTION

BILL

First Reading

1ST READING OF THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATION BILL,
2024

(KISUMU COUNTY BILL NO. 1 OF 2024)

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

Hon Joachim (Kondele Ward): Thank you Mr. Speaker. I wish to request that the Kisumu County Supplementary Appropriations Bill, 2024 (County Assembly Bills No. 1 of 2024) be read for the first time. Thank you

The Speaker (Hon Oraro): Yes, Clerk

(Clerk-at-the-Table reads the Kisumu County Supplementary Appropriation Bill, 2024 for the first time)

THE KISUMU COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2024

A Bill for

AN ACT the County Assembly of Kisumu to authorize the issues of certain sums of money out of the County Revenue Fund and their application towards the services for the year ending on the 30th June, 2024, and to appropriate those sums for certain public services and purposes.

The Speaker (Hon Oraro): Honourable Members, the Kisumu County Supplementary Appropriations Bill, 2024 (County Assembly Bills No. 1 of 2024) has been read for the first time. Honourable Members, as per the provisions of our Standing Orders, Bills are introduced to

the House through First Reading. When it has been read, it is committed to the relevant House Committee. In this case, I want to commit that Bill to the Select Committee on Budget and Appropriations.

Honourable Members, the provisions of our Standing Orders allows that in case of money Bills, we can handle a Bills at ago. Therefore, the Honourable Chair of Budget and Appropriations, you are aware that I have received information in my office regarding the Supplementary. The County is at a standstill and on the precipice that Kisumu County Assembly has not approved the Kisumu County Supplementary Budget FY 2023/2024.

I therefore direct that you work on that Bill as fast as possible. It is advantageous that you have already laid the report on the Supplementary which I have directed that you share with the Members to look into it by close of business today.

Please, I reiterate that make it your first priority as a Committee so that we dispense with the budget as fast as possible. Based on that, the Kisumu County Supplementary Appropriations Bill, 2024 stands committed to the Select Committee on Budget and Appropriations. Thank you.

The Speaker (Hon Oraro): Next order!!

MOTION

ADOPTION OF THE REPORT OF THE STANDING COMMITTEE OF
INFRASTRUCTURE, ENERGY AND PUBLIC WORKS ON THE BENCHMARKING
EXERCISE WITH THEIR CONTERPART COMMITTEE OF KAKAMEGA COUNTY
ASSEMBLY FROM 17TH- 22ND OCTOBER, 2023

BY

HON. REUBEN RAKWARCH, MCA, KOLWA CENTRAL WARD.

(CHAIRPERSON, STANDING COMMITTEE OF INFRASTRUCTURE, ENERGY AND
PUBLIC WORKS)

The Speaker (Hon Oraro): Hon Kennedy Ouko. Are you Hon Ouko?

Hon Rakwach (MCA, Kolwa East): Mr. Speaker, I believe that there was a typographical error. This report should read by Hon Reuben Rakwach. I am the Chair of that Committee.

The Speaker (Hon Oraro): Proceed.

(The Speaker vacates his Chair)

(The Temporary Speaker Hon. Carren Ajwang' Chairs)

Hon Rakwach (MCA, Kolwa East Ward): Thank you Hon. Speaker. In rise to Move a Motion on Infrastructure, Energy and Public Works Committee on the benchmarking exercise to Kakamega County Assembly from 17th-22nd October, 2023. Mr. Speaker and Hon. Members, this report contains the Committees proceedings of the benchmarking exercise between the Committee from Kisumu County Assembly and that of Kakamega County Assembly conducted between 17th November, 2023 and 22nd November, 2023.

Hon Speaker, this report therefore highlights key findings and observations made by the committee during the entire exercise and further recommendations to the department of Infrastructure, Public Works and Energy on possible measures they can adopt in order to improve service delivery.

SUMMARY OF FINDINGS AND OBSERVATIONS (PGS.18-24)

Mr. Speaker and Hon Members;

Findings

1. Transport Policies put in place

THAT Kakamega County department of roads does not have any policy but are in the process of developing one. However, they adopted and have aligned their operations to the National Transport Policy. In addition to that, they are also using a circular which was issued by the First Governor His Excellence Oparanya, dubbed ‘Transport Policy Circular No.1’, which the department is using alongside the National Transport Policy.

2. Classification of roads within the County

- i. THAT, classification of roads are exclusively done by the Kenya Roads Board, who visit the County to carry out Roads Inventory and Condition Survey, where they classified the roads.
- ii. THAT, Classes A and B are undertaken by KENHA while Class E is undertaken by KURA.

3. How is the County addressing the departmental pending bills?

- i. THAT, once the exchequer releases funds at the beginning of every financial year, the department always prioritize payment of pending bills before commencing on the new bills. Pending bills are given priority and paid before spending on new bills.

4. On machine-based program in place? If so, what is the approach the County is using to apply the technology?
 - i. THAT, Kakamega County has a similar program but they call it ‘*Force Account Operations*’, where they use their machines to undertake some of their road works.
 - ii. The County applies an approach known as ‘10 km per ward’ where they use their machines to open up roads. As a result of this, every village in Kakamega County is accessible.
 - iii. Currently they are employing services of contractors to carry out maintenance as they are through with opening up roads.
5. Successes and the setbacks your County is encountering while implementing the program.

Successes

THAT, the program;

- a. Has helped open up a huge network of roads
- b. Is timely in cases of emergencies such as floods where there is need to employ the Accounts operations to open up a road.
- c. Is cheaper compared to contracting which always attract additional expenses.
- d. Has better quality control as the people operating the machines are staff from the department with understanding and knowledge of the quality and standard of roads required.
- e. Easy supervision compared to supervising contractors.

Setbacks

- a. Delays involved with bureaucracies in the procurement process in cases of maintenance and acquiring spare parts in cases of breakdown.
- b. Delay in funds from exchequer causes fuel shortage.

6. Challenges experienced when carrying out the Oversight Role

1. Limited resources in terms of financial limitations that hinder ability to conduct thorough oversight.
2. Political interference and or interests that often times influences oversight decisions, which in turn compromises the independence and effectiveness of oversight functions.
3. Lack of prompt access to information from the executive, limiting their ability to assess the performance of the county government.

4. Delays in receiving responses to queries or requests for information from the executive can hinder the assembly's ability to carry out timely and effective oversight.
5. Coordination issues between county and national governments especially when oversight involves matters that fall under the jurisdiction of both levels of government.

RECOMMENDATIONS AND CONCLUSION (PGS.25-28)

RECOMMENDATION

Mr. Speaker and Hon Members;

1. THAT, within three months of adoption of this report, the CECM for the department of Infrastructure, Public Work and Energy should create a collaborative task force comprising representatives from the Department of Infrastructure, Public Works, and Energy, as well as Members of the County Assembly (MCAs), to develop the framework for the 10km per ward program for adoption by the County Assembly.
2. THAT, following adoption the framework, the said department should test viability of, and in the coming financial year adopt the Force Account Operations for the 10km program.
3. THAT, the CECM for the department of Finance and Economic Planning adopts the practice of prioritizing the payment of pending bills as a first charge in the subsequent financial year to prevent the accumulation of significant arrears.
4. THAT, the CECM for the department of Infrastructure, Public Works and Energy should institutionalize regular harmonization meetings between the county and road agencies for efficient project planning and coordination.
5. THAT, in the foregoing the County should develop a framework geared towards strengthening collaboration between the MCAs and the ward administrators for the identification of projects to ensure equitable distribution of roads within every ward.

CONCLUSION

Mr. Speaker and Hon Members, it is now my pleasure to move this motion that, this House adopts this report of the Infrastructure, Public Works and Energy Committee report on the Benchmarking Exercise with their sister Committee of Kakamega County Assembly which took place from 17th - 22nd October, 2023. May I call upon my Deputy Hon Ann Ochola to second?

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): Yes, Hon Ochola.

Hon Ochola (Nominated Member): Thank you Madam Speaker, I stand to second the report.

(The Speaker vacates the Chair)

(The Temporary Speaker Hon. Caren Ajwang' Chairs)

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): Hon. Rakwach, this is to inform you that, Hon Ochola did not sign the report. Therefore, I suggest you propose another Member.

Hon Rakwach (MCA, Kolwa East): Thank you. Therefore, please allow me to call upon the Deputy Majority Whip to second?

Deputy Whip (Hon Obonyo, MCA South West Kisumu Ward): Thank you Madam Speaker, I stand to second the report. Thank you

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): Honourable Members, I want to assist Members of this House Committee. Hon. Obonyo also did not sign the report. I, therefore, want to give direction. Hon Rakwach, you can either call Hon. Warindu, Hon. Bill, Hon. Abaja or Hon Seth Kanga to second.

Hon Rakwach (MCA, Kolwa East): Thank you Madam Speaker for that. Please allow me to call upon Hon. Warindu to second the report?

Hon Warindu (MCA, Miwani Ward): Thank you Madam Speaker. I wish to second the Motion. Looking at the success stories of devolution, then you can get an example from Kakamega County. This county is doing a great work in terms of infrastructure and roads. Basically, the role of benchmarking is to help an organization to identify key areas, systems or processes for improvement. I believe we did this so that we can also improve the systems we are operating in within Kisumu County.

Madam Speaker, we did visit so many roads and what we found out, is that there was indeed a success story. I attended the benchmarking and was wondering, in Kakamega County, if you consider the length of roads that have been tarmacked; we established that since devolution started, they have tarmacked about 100 kilometers, compared to what we have done in Kisumu which is less than 10 km. If you look at their machinery and equipments that they have acquired, they are more or less the same with what we have here in Kisumu County.

Furthermore, if you examine what they are doing with Machine-based-Programme, they are opening about 10 kilometers of roads in every Ward, which when you compare with ours, you will notice that we are still lagging behind. I believe that from the benchmarking exercise, we are going to urge the Department of Infrastructure, Energy and Public Works to emulate the examples that can help us improve our road network. Thank you Madam Speaker, I second.

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): Thank you. Honourable Members, a report on the on the Benchmarking Exercise with their sister Committee

of Kakamega County Assembly from 17th-22nd October, 2023 by the Standing Committee on Infrastructure, Energy and Public Works has been moved by Hon Rakwach, second by Hon Warindu. I therefore want to propose a question that the report is open for debate.

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): Yes, Hon Joachim.

Hon Joachim (MCA, Kondele Ward): Thank you Madam Speaker. I was very keen as the Chair was reading the report. Of course Kakamega County is known for their successes with regards to improvement and development of their roads. It was noble for the community to choose Kakamega County as a benchmarking destination. Madam Speaker, there are areas in which Kisumu County is doing badly; however, we must consider that Kisumu County is unique. It is a county that has a city and rural Wards. Kakamega is largely composed of rural Wards which is why they put a lot of emphasis on opening of roads.

Madam Speaker, one thing that came out clearly and which I like is that on the Machine-based Programme, they use it purely on creation and opening of roads. However, when it comes to improvement, unless I misunderstood the report, they are using the contracted approach. I also believe that Kisumu County should borrow a leaf from Kakamega because most of our rural roads are pathetic. The only places which Kisumu has done well could be in the City Wards, which has largely been successful because of the donor funding. I therefore believe this House Committee's report is timely and as a county, we have a lot to learn from Kakamega County for us to be able to improve our roads; not only the roads in the rural areas but also in other places. Just like Hon Warindu has stated, who seconded the Motion who said, they have done more tarmac roads than Kisumu County, and being a city county, it is my belief that we should have been ahead of them with regards to tarmac roads.

Madam Speaker, I want to support the report and as a county, we still have a lot to learn more so from Kakamega with regards to our roads. Thank you.

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): Hon K'Omudho.

Hon K'Omudho (MCA, Muhoroni Koru Ward): Many thanks to Madam Speaker and Honourable Members. I rise to support the report of the Infrastructure Committee. This is a display of good work which has captured a number of elements especially those relating to the kilometers. I want to say that, if we could apply this to our great county, there would be a big improvement. As we speak, we are in a pathetic condition and majority of Members would concur with me that we are in a bad state especially in our Wards that even socializing with electorates is a big problem. Attending burial or wedding ceremonies is an issue because of the condition of roads in our Wards.

Madam Speaker, these reports are not merely for reading. Why would the relevant committee together with Committee on Implementation see what can be implemented in our good city of Kisumu. Thank you once more. I fully support the report.

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): Yes, Hon. Ratib Boitone of Nyalenda “A” Ward.

Hon. Boitone (MCA, Nyalenda “A” Ward): Thank you, Madam Speaker, the essence of doing benchmarking we all know that it is to borrow the best practices that are being done by certain organizations, which can help the other organizations or so for better service delivery.

Madam Speaker, I want to thank the able Chair of this Committee, the Members and the Secretariat for coming up with very good recommendations, that if we as a Department of Infrastructure, Energy and Public works borrow from, then I believe that our service delivery as the people of Kisumu would go a notch higher. Madam Speaker, it has been clearly outlined that the Department deals with its Pending Bills and a priority has been given in any FY to tackle Pending Bills. We realized that these pending bills in our County are domiciled in the Finance Department but in Kakamega County, it is the responsibility of each and every Department to take care of their own Pending Bills incurred. This of course is in its process of implementation in our County currently.

Madam Speaker, one item that is coming out clearly, and that I believe is a blessing to all Members of this County Assembly, is the Machine-based Programme that they have. They are doing 10 Kilometers per ward. That means that in one FY, they will have covered 60 wards that they have. By the time a period of 5 years end, they will have covered about 3000 Kilometers, and this is an exercise that we should borrow and effect immediately. It also curbs biasness whereby currently we are in the second year but the machines haven’t even touched some of our wards in this County. Madam Speaker, this is a serious matter and I believe that the concerned department should put practice of the same. We can even do 15 Kilometers, not necessarily 10 Kilometers as Kakamega County. I believe that this will be a blessing to us.

Secondly, in our County, in the Department of Infrastructure, Energy and Public Works, it is quite evident that the machine operators, the workers in this Department who are vested with the machine-based programme are very indisciplined. The Department needs to check this issue of shortage or stealing of fuel which should have been a thing of the past. We have rampant issues where fuel that is meant for doing this job doesn’t reach the site. I believe that some people should go home based on such indisciplined cases to serve as an example, because if action is never taken, then the practice becomes a norm. So, I believe that the Department, headed by the CECM, needs to check on this as soon as possible.

Consequently, we have the road maintenance team, which is referred to as the Force Account System, in Kakamega County. Ideally, this is a good program but do the ones that we have been

having work? They only wait for payment but you do not see them anywhere, and yet they spend public money. They are paid public money but they are not working. It is our duty as the MCAs to oversight and ensure that the Road Maintenance Team upon being confirmed, they start doing serious work.

Lastly, Madam Speaker, we are more interested in maintaining roads that have already been constructed. In Kakamega, I heard their able Chair, state that they are opening up new roads and constructing other new ones. This will help each and every ward in terms of cushioning the little money that we get as a ward. If a given ward is allocated Kshs. 20 million, like the ones we had this FY, if you want to divide it, it becomes a little difficult but if the Department of Infrastructure, Energy and Public Works, could come in and cushion this kind of money so that the rest would go into some other development projects, then it is my belief that it would also come as a blessing to our various wards. Madam Speaker, I really support these recommendations and I believe that the Department will take charge.

The Temporary Speaker (Hon. Ajwang, MCA, Kaloleni/Shaurimoyo Ward): I will consider seniority and will give Hon. Benny Oiko Pete of Kabonyo-Kanyagwal ward.

Hon. Oiko (MCA, Kabonyo-Kanyagwal Ward): Honourable Member, the matter of gender is coming but you know that the Late President Moi cautioned people on gender matters.

Madam Speaker, I also want to give my little contribution on this report and from the mood of the House, it is happy with the report. However, are they serious that they understand the content of the report? That is the big issue. If Kakamega County has succeeded, why then has Kisumu County not succeeded? Kakamega has a system but Kisumu County has no system. Colleagues, when the machine-based programme was started in this County, the idea was that there would be construction of 10 Kilometers or roads per ward. Did that succeed? It failed. Why? This is because we do not have a system, and we do not sit down as elected leaders to chart our way. Even now we are going to fail and signs of failure have started showing in this Assembly and in this County. Hon. K'omudho has lamented on the roads' situation in his ward, and that he cannot even go to funerals or churches or weddings within his ward. That is what a lot of other Members here are echoing. What has gone wrong with Kisumu County such that things can't work? That is what we need to ask ourselves.

Madam Speaker, as elected leaders, we must take positions. If we do not take positions then the 'wananchi' are there to bid us bye. That is what it is. The people of Kakamega have succeeded because they take their positions as elected leaders. In this County, when a matter comes at a time when we need to confront the Governor, you will hear that; Prof. Nyongó is a very difficult man that only a few people can see him who is such the Speaker, Leader of Majority, or the Chair, Budget and Appropriations are the only ones who can have audience with him. That is a myth that we must demystify, and I am telling you when the Speaker is seated that as elected leaders, we must meet the Governor and chart our way not just the Speaker, Leader of Majority

and the Chair, Budget and Appropriations. Madam Speaker, it is on that premise that we failed in the Second Assembly and we are yet again facing it now.

From what I learn, Prof. Nyongó is a very good leader that when elected leaders confront him with issues, he will listen to them. However, when we are gagged the way we are being gagged here, those are what we are reading now. Look at what is in the Approved Budget of FY 2023/2024. A ward has an allocation of Kshs. 78 million, another ward has Kshs. 20 million, the other one has Kshs. Ksh. 68 million, and one with Kshs. 27 million and we are lamenting. Let us look at ourselves on what records we pass here. What implementations are being done in Kisumu County? Then we shall be elected leaders. The Machine-based Programme was meant to cure this but it failed and is still failing. When the Department of Roads came here, how many reports did they bring? Did we understand their reports? The current FY they have Kshs. 96 million for the Machine-based Programme. What is going on with the Kshs. 96 million? You can't explain, and the elements and attitude of some of us who go to departments and give instructions, once the County Executive sees that, they do not take us seriously and that is where the failure comes.

Madam Speaker, in Kakamega, the tarmacked roads are well done but in Kisumu there is *Namba Kapiyo* road, which started well and what is the position? *Namba Kapiyo*, which is being tarmacked in Kisumu County, is being done by the National Youth Service (NYS). Last year when the Department of Roads was invited here, they brought a number of records, which if you are keen to go through it, you will realize that the NYS has not been paid. You are talking of Pending Bills but does this Assembly understand the matters of Pending Bills in this County? They do not understand. The Budget and Appropriations Committee will tell you that; 'We have been given' and they do not table them here while the contractors are on a go-slow. Like now, some contractors have refused to go on the ground that they still waiting for the outcome of the Supplementary Budget and they have all documents and are not sure. Who is supposed to cure this? This Assembly, and because this Assembly, what we call leadership has decided to slap the elected leaders and have gone to bed with the County Executive for their vested interest because they are contractors. My friends we are not going to make headway.

Madam Speaker, the matter of Pending Bills is a very thorny issue in this County. Hon. Ochele raised a matter in his House Committee last year on the pending bills on Legal matters in this County being Kshs. 2 billion. That is the true position. I attended a meeting of that House Committee one time when it was being chaired by Hon. Rakwach and that is the true position, that the Legal Services pending Bills stand at Kshs. 2 billion in this County and nobody is talking about it and yet it is on record. All the dirty Lawyers will not escape, so, my friends, on our oversight role, face the County Executive and the County Assembly leadership then we will lead the County. Those who were dreaming of 2027, I am telling you people know the outcome.

Mr. Speaker, I want to conclude by stating that; when you look at the funding of this Department, it is Kshs. 1.8 billion. What is the funding of Department of Roads in Kisumu? Let

us find out because if Kakamega County then why is Kisumu County getting less than half a billion Kenyan shillings? Why do we need to compare ourselves to them? This is a good report, and it is a challenge to us to play our role. There is nothing much that we shall do for the people of Kisumu County, and we shall not help the Government of Prof. Nyongó. The myth we need to demystify is that only the Speaker, Leader of Majority, or the Chair, Budget and Appropriations are the only ones who can see the Governor. It is merely a myth. Let us face Prof. Nyongó as elected leaders in this County because he was elected the same way we were elected. I so contribute.

[The Temporary Speaker (Hon. Ajwang) left the Chair]

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

The Speaker (Hon. Oraro): Honourable Members, Hon. Mildred came first so, allow me to be bias Hon. Were. I know you are more senior than Hon. Mildred, but, let me consider and give Mildred this chance first.

Hon. Ajumbo (MCA, Central Seme Ward): Thank you Mr. Speaker, while you were away, I kept on standing on my feet but, the Temporary Speaker Hon. Caren kept on ignoring me so, thank you for protecting me.

Mr. Speaker, from the report, I want to say that I am overwhelmed by the report of the Infrastructure, Energy and Public Works Committee. They did a good job by going to Kakamega which is amongst the Counties that are serious. From the report, we can tell yes, they have few challenges as a County, they are there. However, a lot of achievements when it comes to issue to do with the machines-based programme. That is because it is what affects most of us in this Assembly. When it was introduced, some of us were not there because this was done during the Second Assembly. When I was reading it on the Newspaper, I was able to see Hon. Bensouda; it was a very good programme. But, since then Hon. Speaker, it seems the Kisumu County Assembly Members have decided to make this programme fail. The reason as to why I am saying that is because, as Members, yes, we called the department from the County Executive. I brought a Statement here; the department appeared before the House Committee and they did not even have a workplan. Even as we speak right now and even call them tomorrow, still they will not come here with a work plan. Therefore, it means that in Kisumu County, the Machine Based is not working.

Mr. Speaker, in my Ward after I brought the Statement here in the floor of the House, the Machine came to my ward to do an excavation work, they did a two-kilometer work and to date they have never showed up for the continuation of that work. That is because I brought a Statement here in the House. So, Mr. Speaker, this issue of Machine Based is so frustrating to Members that if we do not come up with a legal framework as a County Assembly, I want to tell you that those of us who would want to vie for reelection in the year 2027; it will be a very

heavy task. That is because you cannot convince somebody in the village that there is a Machine Based Programme which is supposed to do a ten Kilometer road yet the two kilometer which has been done is not yet finished. Yet the financial year is coming to an end and the Assembly is also quiet about it. Therefore, as an Assembly, we need it take this matter serious.

Mr. Speaker, if you compare it with Kakamega County, their Machine-based Policy together with their tarmac is working. In addition, I want to say that I support the committee recommendation that we form a taskforce between the County Assembly and the department so that we can come up with a Legal Framework on how we can help the Machine-based Programme and the other tarmac road programme. Thank you, Mr. Speaker.

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

The Speaker (Hon. Oraro): Hon. Tom and Hon. Oliver, I have noticed you.

Hon. Were (MCA, Nyalenda “B” Ward): Thank you, Mr. Speaker; I also rise to voice my comments on the report. Foremost, let me take this opportunity to commend this House Committee for a job well done. Mr. Speaker, the only difference between Kakamega and Kisumu County is maybe their geographical coverage which is wider than ours. That one should encourage us to do more and better than what they do because our area coverage is smaller. Even if we were to compare the budgetary allocation, the Kisumu County having Kshs 500 Million vis-a-vis Kakamega having Kshs 1.8 Billion, we should not have an excuse of not doing better. Mr. Speaker, if you look at the approach that the Kakamega people are giving, I also just want to comment on Machine-based Programme. I believe it is a best practice that we as Kisumu County should emulate and use.

Hon. Speaker, we as an Assembly must force the County Executive to develop a Legal Framework. Even if it is a matter of doing five-kilometer roads per ward within the city and doing ten kilometer or more than that for the roads outside the city, we should have it legally binding. By doing that, we will be able to know that each and every Financial Year, there must be something that must be done in our wards.

Mr. Speaker, if you take stock of what has happened or what has been done by the machine-based under the Department of Infrastructure, Energy and Public Works, not even ten wards have been covered for the past two years that we have been here. So, is it viable, is it working? It therefore means that by the end of five years, they shall have done maybe twenty wards. What about the rest of the ward, are we doing something meaningful that is going to benefit our people? The answer is NO. So, what do we do as legislators? As the people that are entrusted by the County of Kisumu residents. We want to bring confidence in our people by ensuring that the trust that they bestowed upon us is going to yield fruits.

Mr5. Speaker, we have compared both the success stories and failures both in Kisumu and Kakamega County. As per the report, I want to suggest that let us use the successes in Kakamega County to address the failures that are in Kisumu County. So that moving forward in the next Financial Year, we will ensure that we take our County Executive to task and ensure that each and every ward is touched by the machine. That each and every ward has the road coverage improved. For instance, I believe that, for the past two Financial Years, they have been coming to Nyalenda “B” Ward walking and surveying roads but, not even a single machine has come to open any access road or to rehabilitate the existing ones.

Lastly, I want to support this report by stating that, moving forward, I believe that as the watchdog, let us put our County Executive wing to task to ensure that we get the best. In case it is not working, then, we do not need to have what is not working. We can use that budgetary allocation to do other things instead of approving a lot of money in the budget to that department of Infrastructure, Energy and Public Works that maybe is becoming a cash-cow for some few individuals. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Bill Oliver.

Hon. Oliver (MCA, Kobura Ward): Thank you Mr. Speaker. I was part of the team that visited Kakamega County and I can inform you that for sure those people are way ahead of us in terms of roads. They have done a lot. Mr. Speaker, something that I realized and I believe it is also mentioned in the report, is the number of machines that Kisumu County has as compared to Kakamega County. There is no much difference yet in Kakamega County, they have a big area to cover compared to Kisumu County and they have done that much that you are able to see as indicated in the report. It means that there is something wrong with our Department of Infrastructure and Public works.

Mr. Speaker, another issue that I cannot forget to mention is the recent developments that we have heard in Kisumu County. Mr. Speaker, there was a time in Nyakach we were told about some Hydraulic Fluid that was stolen. Even the culprits were found red handed yet later that narrative was changed and now I was told it was water that was carried from Nyakach to Kisumu. You can see where the machine-based programme is failing. Another thing is in Kolwa East where Hon. Reuben Rakwach who is the Chairperson of this Committee is their representative; I was told that there was a road that was being done by machine-based programme. They had their structure, I do not know how they did it to monitor how the number of murrum lorries that came from the site where the murrum was taken and the lorries that delivered. It is saddening to note that, four lorries left the site, only one got the road that was to be maintained. So, it is a complete cash-cow. Another example we have in Nyakach is whereby a road that was being done by Machine-based programme, after sometimes it was taken and later on we found out to be doing another road without a number plate.

So, Mr. Speaker, from the Kakamega story, we are able to see that with good management, we can take Kisumu County to greater heights. But on the other hand, if you look at what is happening in Kisumu County, it is a pity. It is time that we all agree as Members that if the department cannot change by having a good structure which is coordinated by the Assembly so that any road which is to be done by machine-based, at least even as Members, we should have a way of monitoring so that we do not incur such incidences. It is a pity that every Financial Year, there is money being pumped to the Machine-based Programme and there is nothing being done.

Another example is that in my ward (Kobura) there is a time when we got into the office, I was told that a road in Kobura Ward was to be done; Kobura-Mbega road and it was to be done by the machine-based and I can tell you for sure that if I can count two worst road in my ward, that one will top the list. That is because if we go by the records that we have, they did a very good job. However, if we go to the ground, I don't think even ten lorries of Murrum came to Kobura to do that road. Then, if you go there right now, there is the Mbega Primary School. The pupils who go to that school have to remove their clothes and after passing that road, they redress themselves yet, this is a road which was done by the Kisumu County and not even a year has passed.

Mr. Speaker, we should have this debate as an Assembly and come to an agreement on the best way to have our machine-based programme deliver. That is because this is the best and if it can work, it can help even our economic activities. Let us take a case like; we have Ahero, East Kano Wawidhi, Ombeyi, Kobura and Kabonyo Kanyagwal. These are areas where we do serious rice farming yet we have a Machine-Based Policy that is not even helping the roads going to these farms. This is because; these farmers need roads to access their markets. But, normally, what happens there, it shows a complete failure of the Machine-based System. So, I support the report and as Members, we need to have a serious discussion on the way forward.

The Speaker (Hon. Oraro): Hon. Okoyo before you proceed I want to remind Members that if you look at the Order Paper. You must be having it in your soft copy on the last page is on Notices. There is only one Notice there on Limitation of Debate as a result of the House Resolution on Wednesday 21st February, 2024. There is a limitation that we did on reports. I notice that the Hon. Bill went beyond the five minutes that the Hon. Members resolved and I was seeing so many Members having interest. So, Hon. Okoyo, as you debate, please take cognizant of the fact that there is a notice in the last page of the Order Paper.

Hon. Okoyo (MCA, Kisumu Central Ward): Thank you Mr. Speaker, I normally take very few minutes and I always observe time. I also rise to support the report and I am doing this because of the reasons which I am going to mention. Mr. Speaker, maybe the Third Assembly has not realized how the poor roads impact the lives of those who elected us; the ones we are representing.

Mr. Speaker, sometime I wonder and have so many people talking about the machine-based programme. Sometimes I tend to wonder how the roads that are contracted are being done by the CRF. Mr. Speaker, I didn't go to Kakamega but I believe that the roads are better than ours even those roads that were given to contractors and this is the problem affecting our county. The department either do not have people they can put to task to do better roads.

Mr. Speaker, we are now getting towards the end of this financial year and some of the roads that are supposed to be done, some of them because I've not been done and if they are done, that are poorly done below the required standards. This is because the reports which I'm receiving from the community, the roads are poorly done maybe it is because they haven't finished the work, but the work is substandard. Mr. Speaker, I want to support the report but I want to ask the value for money even to those which have been contacted. Thank you, Mr. Speaker.

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

Leader of Majority (Hon. Ooko, MCA, Ahero Ward): Thank you Honorable Speaker. I rise to contribute on this report. If you look at the chronological or sequence of this system, it has failed all through. It failed with the National Government, even this issue of Kakamega, I happen to meet a team from the County Executive that went to benchmark with the County of Kakamega. The then Governor advised the Kisumu County against the machine-based-programme but we ignored his advice and went ahead and implemented this programme it. Mr. Speaker, now, we are complaining that it has failed.

Mr. Speaker, I had a Member stating that; it is the Speaker, Leadership that has failed, the Leadership meeting the Governor alone. I want to say that if the system has failed, then it is the Members that have failed in their role of oversight. So, let us not cry. If the system has failed, then we abandon it and then we go the Contract way. But, let us not cry. I want to persuade Members that we go the contract way, so that we stop nagging and complaining about this system that is currently being executed. Let us abandon the system and we go the contract way. Thank you.

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

Hon. Dede (MCA, Kisumu North Ward): Thank you Mr. Speaker. I'm equally rising to support the motion on the Floor. Foremost, you will find that the work being done in Kakamega is exemplary; it is good to learn from them. If you compare it with what is being done in Kisumu County, first the machine-based-program. You will note that, in the machine-based-programme, the coverage is too low compared to the Kakamega County and since we joined this Third Assembly, the coverage has even been much lower. In my ward, the roads which I proposed for the machine-based, one has been done but not to completion. Therefore, the machine-based is

not that effective as it was intended to be. Mr. Speaker, it is good if we go the contractual way because if I compare the roads which I placed in the contractual way with the machine based, almost all the contractual way roads have been covered and the work is going on well than the ones that were to be done by a machine-based. Comparatively, to the machine-based programme, if you have the number of machines we have in Kisumu County. There are plenty of machines but the outcome, we see that what they do is much less compared to the to the number of machines that are in their possession to a point where the machine-based programme has already failed and we should now returning it to funeral or emergency based, because most of the machine-based programme have tuned to be the funeral roads being done during this exercise.

Mr. Speaker, I would urge Members that we go the contractual way because the amount being allocated for machine-based programme consumes a lot of money. This financial year we allocated a total of Kshs 90 million and the output cannot be compared with what is there.

Mr. Speaker, with concerns the flood lights being installed, I know that it is captured under Energy and Public Works Sectors. You will note that we usually urge the Members that instead of going for the electric floodlights, why can't we go for the Solarization system. How many floodlights which are not functional. If we revert from electric bill to a system of Solarization, it will be in order. So, Mr. Speaker, I support this report and if the recommendations thereby followed in order, I think things will be okay. Otherwise, thank you.

The Speaker (Hon. Oraro): Hon. Tom Onditi.

Hon. Onditi (MCA, Ombeyi): Thank you very much Mr. Speaker. I rise to support this report. Allow me to take the shortcut that has been taken by the Hon. Majority Leader. Mr. Speaker, by all standards, the machine-based-programme is a total failure. Actually, it has become a system within which the county operating staffs even harass people in the village. I have an example in my ward where they were supposed to do a kilometer road but, they only did less than 200klm. But, every minute they walk into the ward, Mr. Speaker, these guys if they're not given apart from the fact that they're stealing the syphoning fuel and the rest, they we even demanding to be fed by the community and were very specific on what they want to eat. If they don't get to chicken, Mr. Speaker, they won't work and they report almost at noon and come with a variety of conditions.

Mr. Speaker, I want to support the fact that this report is very good. I thank the House Committee for choosing Kakamega because I happen to have worked there before I joined this Assembly. There is a lot to learn from Kakamega and we can't say that Kakamega is getting a lot of money. Kakamega is bigger than Kisumu County; they have 60 awards while we have 35 wards. So if they get more money, it is proportionate to the size of their wards.

Mr. Speaker, I believe that what Members have said here, if there is anything to unite this Assembly, regardless of the hunts that are always being witness here, is the issue of the road. Even if we talk about the contract way, what boils down while trying to develop this county is the implementation? Mr. Speaker, I am very sure nothing is going to change. Because even if you talk about contactors, I know a number of contractors that worked in Kakamega and did very good but when they come here, it is a showbiz and it is a classical system. So it's boils down to implementation.

Mr. Speaker, yesterday you lamented about some of the reports that we pass in this Assembly and most of them are just gathering dust. You have implored the Select Committee on Implementation to ensure that these reports are implemented.

Mr. Speaker, in conclusion, I reiterated that, lets this assembly do its role and let us advice where it's necessarily. I was very happy when my colleague proposed amendment in the Standing Orders so that we create Question and Answer session for respective CEC Members. It is my belief that we start with the Department of roads when the changes are amended. Otherwise, Mr. Speaker, I thank this House Committee for doing a good job and we need to learn from some of the recommendations that have been put in this report. Otherwise, thank you so much.

The Speaker (Hon. Oraro): Yes the Hon. Whip.

The Deputy Whip (Hon. Obonyo, MCA, South West): Thank you, Mr. Speaker. Going by the mood of the House, may I call the mover to reply?

Hon. Rakwach (MCA, Kolwa East): Thank Mr. Speaker, I want to take this opportunity to thank all the members who have contributed towards this report. I want to implore the Chairpersons of the various House Committees that when we are planning for benchmarking with the various House Committees. Then, we should benchmark with the counties which are ahead of us in terms of Service Delivery in various departments that we oversight because sometimes when we benchmark with the counties which are behind us then we come back contended that we are we are doing a good job as a county.

Mr. Speaker, I want to say that indeed, Kakamega County is ahead of us in terms of infrastructural development because if you look at the parent report very well then you will see the kind of bridges which are have been undertaken by Kakamega County. They have done bridges across the roads which are spanning more than 60 meters long, there is a bridge which spans 75 metres and you can imagine how long that bridge is. These are bridges that we have not done in Kisumu County and I wonder if we have even done a bridge which is spanning 20 meters. So it's a county which is worth benchmarking and learning from them. What we equally realized, Mr. Speaker, the discipline among the staff who are handling the machines in Kakamega County, they are highly disciplined. In Kisumu County, a lot has to be done because this is where a lot of things are happening. Even, diversion of machines from one road to

another, those ones we have witness, but I thank God, that action is being taken, so as a House Committee we are not sleeping. We are doing a good job.

Hon. Boitone talked about the Pending Bills. We realized that in Kakamega County the pending bills are spread cross respective departments and it is my belief that this will helps a lot even in improving service delivery in such departments. Mr. Speaker, like in roads, if we have pending bill, we can deal with them as the First Charge in a financial year then it will improve the kind of work that contractors do because we have realized that some contractors take the job then they will inform the County Executive to pay before they undertake the projects. This is why the absorption rate goes down because some people have refused to work and they put it as a condition. When the pending bill menace is dealt with, then these contractors will work because they know immediately you finish, there will be paid.

Mr. Speaker, on the Road Maintenance Team that Hon. Boitone has talked about, I want to bring to the attention of Members that the recruitment being done this time around is not being done by the County Public Service Board but is being done by the Department of Public Service and County Administration under the stewardship of Sub County Administrators, Ward Administrators and village Administrators who are key players.

Hon. Oiko talked about our system having a problem, it is indeed true that the system in Kisumu County has got a problem but we should not run away from the problem. We are here to solve that problem and it is as Members who have failed in our oversight role. It is not late, there is still time we can do this.

Mr. Speaker, on Members being gagged from discussion with the Governor and Leadership; Mr. Speaker, it is indeed true that the system in Kisumu has got a problem but we should not run away from the problem. We are here to solve that problem and our work is to oversight. We are the ones, who have faltered in our oversight responsibilities, but it's not too late; there's still time to rectify our course. Despite the leadership stifling Members' discussions with the Governor, I believe if we, as Members of this Assembly, are determined to be heard then, our voices will indeed be heard. However, if we continue to merely lament without taking action, then let our lamentations continue. Earlier this year, during our visit to Naivasha, we engaged in constructive discussions with the Governor, and positive changes have since been initiated. Perhaps some Members are unaware that these changes are underway, and there was no censorship of any Member during our discussions in Naivasha. All Members, not just those in leadership roles, had the opportunity to converse freely with the Governor. During our visit, approximately 38 Members from Kisumu County participated, and it was not only leaders who communicated with the Governor, but every Member had their chance to do so.

Hon. Oiko Pete has also addressed the report presented by the department in response to the invitation we extended for a discussion on machine-based programs, prompted by Hon. Ajumbo's statement. I must emphasize here that the report was disorganized and does not accurately depict the ground reality. It almost seems as if Hon. Pete had access to my report, or perhaps he has seen a report that I am yet to present to the House regarding the aforementioned invitation to the department. We will address this matter in due course. It's worth noting that the report brought forth by the department covers multiple years of road projects implemented through the Machine-based Programme. What we truly require is an annual report on machine-based initiatives, detailing the activities undertaken each year, allowing for a comparison against the allocated resources for that specific period. Merging everything into one report creates confusion and hampers our ability to track progress effectively.

Mr. Speaker, at the same time Hon. Oiko Pete talked about the contractors who have not reported to the site and the leadership is doing nothing about them purporting that leadership are the contractors. What I can advise is that what Hon. Oiko Pete brings a statement with evidence that the leadership is the contractors. What I know is that if you have got a road project in your area which was proposed for implementation and a contractor has not reported and you are worried; kindly bring a statement here so that we can follow up since we don't live in those wards. If you cannot bring a statement here then that means you are failing on your oversight role.

When comparing the budgets of Kisumu and Kakamega, it's evident that Kakamega's budget surpasses Kisumu's, despite the latter being smaller in size. However, we are constrained by budget ceilings, which we intend to address through the County Fiscal Strategy Paper (CFSP) discussions. This is where we can advocate for higher ceilings for road projects, considering we have slightly more than a billion allocated for development projects. It's crucial to note that departments prioritize projects based on public participation feedback. Therefore, we must urge representatives from our wards attending these sessions to prioritize road projects over other initiatives. With departments competing for a share of the three-billion budgets, if public feedback emphasizes Water or Early Childhood Development (ECD) projects, it becomes challenging to push for road projects in those areas. Hence, as Members, we are also accountable for this shortfall. Let us create awareness down there so that if they need roads then the roads shall be done if they prioritize it during the public participation.

Hon. Ajumbo talked about the legal framework and I believe that we should ring-fence the money that we are allocating for Machine-based Programmes so that we give them a framework on how they are going to be spent with strict rules then I believe that we would start seeing the fruits of the machine based.

Hon. Were also lamented that in his ward, Nyalenda "B", survey is ever being done but nothing is happening. It is my belief that this is a concern that we are taking as a House Committee and we are going to seek for response on this from the department. He also lamented that machine

based is a cash-cow for few individuals. It is indeed true and we have evidence that it is a cash cow and some changes have been effected.

Hon. Bill talked about the machines that we have the same number compared to Kakamega but they are doing a better job than us. This is very true but, it is only that our staff lack discipline and that is why we cannot do much. We have tippers which should carry 25 tonnes but indeed they only carry 10 tonnes. Meaning, if a tipper in Kakamega makes one trip, the same tipper in Kisumu will have to make two and a half trips to carry the equal amount of murrum and that goes with the consumption of fuel. The Member even talked of Kolwa East that is my ward and that is why I am saying that as Members; let us do our oversight role. I had to do a follow up and I realized that the murrum that was left in the quarry were more than the ones that reached the destination and I had to convene a meeting at the Department of Roads and even the drivers had to be called to that meeting and that changes are being effected since the driver were given letters because they could not explain. The other thing that we realized is that is our trucks do not have trackers, so it is hard to track if each driver made the correct number of trips. So Hon. Members, let us help in this.

In South East Nyakach, there was a road which was under machine based...

The Speaker (Hon. Oraro): Hon. Rakwach, I also want to bring to your attention on the Notice of Limitation of Debate, therefore you are supposed to be able to consolidate your reply within ten minutes. Already you are 15minutes done.

Hon. Rakwach (MCA, Kolwa East): Mr. Speaker, I request for only 2 more minutes. That one of South East Nyakach, it is my belief that this was dealt with and there are some changes that I know Members are aware of.

Hon. Okoyo, for the substandard works, you are requested to bring a statement that we can even call for the BQs so that we block the payments towards such roads that have not been done well.

Hon. Onditi; the staff undertaking machine-based programme were demanding for food; I am not aware of this because I have never witnessed that since I did not see this in my ward. If there is something like that then you should do something about that.

Honourable Members, when you have nothing to die for then you have got no reason to live. The oversight role is bestowed upon us, so let us do it and that we should not lament that leadership is gagging us.

To the Select Committee on Implementation, we have given our recommendations and that we want to see a follow up from this House Committee so that whatever we have recommended can be put into practice. Thank you.

The Speaker (Hon. Oraro): Honourable Members, now that the motion for Adoption of the report of the Standing Committee of Infrastructure, Energy and Public Works on their benchmarking exercise with their counterpart Committee of Kakamega County Assembly from 17th to 22nd October, 2023 has been moved, seconded and debated upon, I therefore want to put a question on the adoption of the same with all the comments therein?

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable Members, report of the Standing Committee of Infrastructure, Energy and Public Works on their benchmarking exercise with their counterpart Committee of Kakamega County Assembly from 17th to 22nd October, 2023 is hereby adopted today Wednesday, 13th March, 2024 at 10:49 hours. I want to direct as follows that;

1. The Hansard report and recommendations of this report be communicated to the lined department for action.
2. The Select Committee on Implementation to follow up on the implementation of the same.

Honourable Members, I want to repeat what I have said again and again that the Assembly works through House Committees and we have got a total of 23 House committees; 10 are Sectoral Committees, the rest are either Select Committees or Procedural Committees. If there is any Members or any House Committee whom the leadership has gagged not to undertake their work then you are free to make it public. Our Standing Orders allows for ways on how to handle that. There is no single House Committee that we have not facilitated to do their work. The responsibility of oversight lies with the County Assembly. I believe that it is not right to put the blames on leadership since you have been effectively facilitated to do your oversight role.

So with these recommendations I have seen opportunities for development of Legal Frameworks and Motions that leads to resolutions and even statements. It is upon you to work on that. It is not the work of the Speaker to do oversight. My work is to be the neutral arbiter in what you do. I have taken my time to give opinions, directions continually and I still want to urge you once again that the responsibility of oversight lies with the County Assembly and you do not draw that mandate from the County Executive, neither do you draw it from somebody else but you draw it from the Constitution of Kenya, 2010 and other statutes that follow the same.

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

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable Members, yesterday, I did give a caution on the Attendance Register and I said that you should use the signature that you use when you arrive in this Third Assembly. This idea of changing your signatures by using initials will cost you and do not say that I did not warn you because as per this records. The following Members are absent;

1. Hon. Adegia
2. Hon. Rakwach
3. Hon. Ratib
4. Hon. Odari
5. Hon. Kizito

Do not say that I did not caution you.

The Speaker (Hon. Oraro): Honourable Members, there being no any other business to transact, the House stands adjourned to today Wednesday, 13th March, 2024 at 2.30 p.m.

(House rose at 10.55 a.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>