

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – THIRD SESSION

Wednesday, 03rd April, 2024

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

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

PRAYERS

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

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

PAPERS LAID

REPORT OF THE STANDING COMMITTEE OF FINANCE AND ICT ON ITS
CONSIDERATION OF THE MODEL INTERGOVERNMENTAL CONDITION
ALLOCATION TRANSFER AGREEMENT FOR THE FY 2023/2024.

BY

HON. CARREN AJWANG, MCA, KALOLENI/SHAURIMOYO.

(CAHIRPERSON, FINANCE AND ICT COMMITTEE)

REPORT OF THE SELECT COMMITTEE OF HOUSE POWERS AND PRIVILEGES ON
THEIR BENCHMARKING EXERCISE WITH NAKURU COUNTY ASSEMBLY

BY

HON. BENSON ADEGA, MCA, KAJULU

(VICE-CHAIRPERSON, HOUSE POWERS AND PRIVILEGES)

The Speaker (Hon. Oraro): Hon. Carren Odhiambo.

Hon. Carren (MCA, Kaloleni/Shaurimoyo): Thank you Mr. Speaker. That, pursuant to the provisions of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 03rd April, 2024 a report of the Standing Committee of Finance and ICT on its consideration of the Model Intergovernmental Condition Allocation Transfer Agreement for the FY 2023/2024.

(Hon. Carren Odhiambo lays the report before the House for consideration)

The Speaker (Hon. Oraro): Honourable Members, the Standing Committee on Finance and ICT report on its consideration of the Model Intergovernmental Condition Allocation Transfer Agreement for the FY 2023/2024 has been properly laid before the House. I commit this report to the Select Committee of House Business to consider it for scheduling for debate.

The Speaker (Hon. Oraro): Hon. Benson Adega.

Hon. Adega (MCA, Kajulu): Thank you Mr. Speaker. That, pursuant to the provisions of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 03rd April, 2024 a report of the Select Committee of House Powers and Privileges on their Benchmarking Exercise with Nakuru County Assembly. Thank you.

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

The Speaker (Hon. Oraro): Honourable Members, the report on the Benchmarking Exercise with Nakuru County Assembly by the Select Committee of House Powers and Privileges is properly laid before this House and I direct that the House Business Committee to consider it for scheduling for purposes of debate. Thank you.

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

NOTICES OF MOTIONS

The Speaker (Hon. Oraro): Hon. Benson Adega.

Hon. Adega (MCA, Kajulu): Thank you Mr. Speaker. That, pursuant to the provisions of Order No. 45 (1) of the Kisumu County Assembly Standing Orders, I wish to give a Notice of Motion that, this House considers adopting the report Select Committee of House Powers and Privileges on their Benchmarking Exercise with Nakuru County Assembly.

The Speaker (Hon. Oraro): Yes Hon. Carren Odhiambo, Chairperson, Finance and ICT Committee.

Hon. Carren (MCA, Kaloleni/Shaurimoyo): Thank you Mr. Speaker. That, pursuant to the provisions of Order No. 45 (1) of the Kisumu County Assembly Standing Orders, I wish to give a Notice of Motion that, this House considers adopting the report of the Standing Committee of Finance and ICT on its consideration of the Model Intergovernmental Condition Allocation Transfer Agreement for the FY 2023/2024.

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

MOTION

REPORT OF THE SELECT COMMITTEE ON SELECTION ON THE REALIGNMENT OF HOUSE COMMITTEES.

BY

HON. KENNEDY OOKO, MCA, AHERO

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

Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you Mr. Speaker. I would wish to move a Motion on the Realignment of Membership of House Committees.

Standing Orders No. 155 (1) of the Kisumu County Assembly Standing Orders provides that “There shall be a select Committee, to be designated the Committee on Selection, consisting of the Leader of the Majority Party who shall be the Chairperson, the Leader of the Minority Party and not less than nine and not more than eleven other Members, who shall be nominated by the County Assembly parties and approved by the County Assembly.”

Standing Orders No. 159 (*Discharge of a Member from a Committee*) also provides that,

- (1) The County Assembly party that nominated a Member to a Select Committee may give notice in writing to the Speaker, that the Member is to be discharged from a select Committee.
- (2) The discharge of a Member shall take effect upon receipt by the Speaker of a notice under paragraph (1).

Hon Speaker,

The county assembly recently amended our standing orders, these changes resulted to the decrease of membership of committees. Hon Speaker communicated the same on the floor of the House and thereafter directed the Selection Committee to initiate the process of realignment of Committees to accommodate the Changes.

Mandate and Legal framework

Hon Speaker,

The Committee on Selection derives its mandates from County Assembly Standing Orders No. 155 (2) which provides that *the Committee on Selection shall nominate Members to serve in Committees, save for the membership of the County Assembly Business Committee and Committee on Appointments.*

While carrying out this exercise, the Committee was guided by;

1. The Constitution of Kenya, 2010 Fourth Schedule on Devolved Functions
2. County Government Act, 2012
3. Kisumu County Assembly Standing Orders
4. Resolution of the house following the adoption of Procedures and rules committee report on the amendments on the Kisumu county assembly standing orders on Thursday 30th June 2023.
5. Selection Committee reports on constitution of House Committees.

Membership

The Committee on Selection comprises of the following;

- | | | |
|---------------------------------|---|--------------------------|
| 1. Hon Kennedy Ooko | - | Chairperson |
| 2. Hon Seth Kanga | - | Vice Chairperson- |
| 3. Hon Nereah Okombo | - | Member- |
| 4. Hon Seth Okumu | - | Member- |
| 5. Hon Lumumba Owade | - | Member- |
| 6. Hon Jennipher Obonyo | - | Member- |
| 7. Hon. Vitalis K'Omudho | - | Member- |
| 8. Hon Ratib Boitone | - | Member- |
| 9. Hon Pamela Oyoo | - | Member- |

ACKNOWLEDGMENT

The Selection Committee wishes to sincerely thank the offices of the Speaker and the Clerk of the County Assembly for the moral and financial support extended to it in the execution of this exercise. All this is geared towards ensuring efficient and smooth operationalization of Assembly legislation and enhance productivity.

I also take this opportunity to thank Members of the Committee for their participation during the preparation of this report.

Finally, my appreciation goes to the technical staff for their time and efforts put forward to ensure this exercise was a success.

PROPOSED RE-ALIGNMENT OF HOUSE COMMITTEES

Hon Speaker,

After reviewing all the Committees within its mandate and in exercise of the powers conferred to it, the Committee on Selection resolved that membership of various Committees be as follows;

Selection Committee

- | | | |
|---------------------------------|---|-------------------------|
| 1. Hon Kennedy Ooko | - | Chairperson |
| 2. Hon Seth Kanga | - | Vice-chairperson |
| 3. Hon Nereah Okombo | - | Member |
| 4. Hon Seth Okumu | - | Member |
| 5. Hon Lumumba Owade | - | Member |
| 6. Hon Jennipher Obonyo | - | Member |
| 7. Hon. Vitalis K'Omudho | - | Member |
| 8. Hon Ratib Boitone | - | Member |
| 9. Hon Pamela Oyoo | - | Member |

House Business Committee

- | | | |
|---------------------------------|---|-------------------------|
| 1. Hon Elisha Jack Oraro | - | Chairperson |
| 2. Hon Nereah Okombo | - | Vice-chairperson |
| 3. Hon Kennedy Ooko | - | Member |
| 4. Hon Seth Kanga | - | Member |
| 5. Hon Seth Okumu | - | Member |
| 6. Hon Lumumba Owade | - | Member |

7. Hon Eunice Alando - Member
8. Hon Carren Odhiambo - Member
9. Hon Jennipher Obonyo - Member

Appointments Committee

1. **Hon Elisha Jack Oraro** - **Chairperson**
2. **Hon George Abaja** - **Vice-chairperson**
3. Hon Kennedy Ooko - Member
4. Hon Lumumba Owade - Member
5. Hon Seth Kanga - Member
6. Hon. Zachary Okoyo - Member
7. Hon Nereah Okombo - Member
8. Hon Eunice Alando - Member
9. Hon Carren Odhiambo - Member

Budget and Appropriations Committee

1. **Hon. Joachim Oketch** - **Chairperson**
2. **Hon. Seth Okumu** - **Vice-chairperson**
3. Hon. Nereah Okombo - Member
4. Hon. Boitone Ratib - Member
5. Hon. Kennedy Ooko - Member
6. Hon. Moses Ochele - Member
7. Hon Seth Kanga - Member
8. Hon Jennipher Obonyo - Member
9. Hon. Vincent Jagongo - Member
10. Hon. Geoffrey Warindu - Member
11. Hon. George Abaja - Member
12. Hon. Lumumba Owade - Member
13. Hon. Carren Odhiambo - Member
14. Hon. Reuben Rakwach - Member
15. Hon. Pamela Oyoo - Member

Powers and Privileges committee

- | | | |
|----------------------------|---|-------------------------|
| 1. Hon Elisha Oraro | - | Chairperson |
| 2. Hon Adeg Benson | - | Vice-chairperson |
| 3. Hon Emily Oginga | - | Member |
| 4. Hon Kennedy Ooko | - | Member |
| 5. Hon Nancy Matara | - | Member |
| 6. Hon Anne Ochola | - | Member |
| 7. Hon Samuel Onyango | - | Member |
| 8. Hon. Vitalis K'Omudho | - | Member |
| 9. Hon Kennedy Ouko | - | Member |

Procedure and Rules Committee

- | | | |
|----------------------------|---|-------------------------|
| 1. Hon Elisha Oraro | - | Chairperson |
| 2. Hon Pamela Oyoo | - | Vice-chairperson |
| 3. Hon Jennipher Obonyo | - | Member |
| 4. Hon Nereah Okombo | - | Member |
| 5. Hon Kennedy Ooko | - | Member |
| 6. Hon Kennedy Ouko | - | Member |
| 7. Hon. Seth Okumu | - | Member |
| 8. Hon Emily Oginga | - | Member |
| 9. Hon Kennedy Ajwang' | - | Member |

Public Accounts and Investment committee

- | | | |
|---------------------------------|---|-------------------------|
| 1. Hon. Kennedy Ouko | - | Chairperson |
| 2. Hon. Geoffrey Warindu | - | Vice Chairperson |
| 3. Hon. Reuben Rakwach | - | Member |
| 4. Hon. James Omollo | - | Member |
| 5. Hon. Nancy Matara | - | Member |
| 6. Hon. Seth Okumu | - | Member |
| 7. Hon. James Were | - | Member |

Implementation committee

1. Hon Henrietta Bodo	-	Chairperson
2. Hon. James Were	-	Vice Chairperson
3. Hon. Vincent Jagongo	-	Member
4. Hon Ann Ochola	-	Member
5. Hon Geoffrey Warindu	-	Member
6. Hon Mickey Awuor	-	Member
7. Hon Carolyne Opar	-	Member
8. Hon. Ratib Boitone	-	Member
9. Hon. Mildred Ajumbo	-	Member

Delegated County Legislation committee

1. Hon Mariam Abeid	-	Chairperson
2. Hon Peter Obaso	-	Vice Chairperson
3. Hon Moses Ochele	-	Member
4. Hon Carolyne Opar	-	Member
5. Hon Samuel Dede	-	Member
6. Hon. Kennedy Ajwang'	-	Member
7. Hon. James Omollo	-	Member
8. Hon Mickey Ochieng	-	Member
9. Hon. Henrietta Bodo	-	Member

Agriculture, Fisheries, Livestock Development and Irrigation committee

1. Hon Eunice Alando	-	Chairperson
2. Hon Bill Oliver	-	Vice-chairperson
3. Hon Samuel Dede	-	Member
4. Hon Maurice Ngeta	-	Member
5. Hon. Jennipher Obonyo	-	Member
6. Hon Pamela Oyoo	-	Member
7. Hon Vincent Jagongo	-	Member

Medical Services, Public Health and Sanitation committee

1. **Hon. Vincent Jagongo** - **Chairperson**
2. **Hon. Emily Oginga** - **Vice Chairperson**
3. Hon. Seth Okumu - Member
4. Hon. Joachim Oketch - Member
5. Hon. Nereah Okombo - Member
6. Hon. Lumumba Owade - Member
7. Hon. Kennedy Ooko - Member

Sports, Culture, Gender and Youth Affairs committee

1. **Hon Nancy Matara Ochieng** - **Chairperson**
2. **Hon James Were** - **Vice Chairperson**
3. Hon Maurice Ngeta - Member
4. Hon Zachary Okoyo - Member
5. Hon James Omollo - Member
6. Hon. Benson Adegga - Member
7. Hon. Mildred Ajumbo - Member

Lands, Housing, Physical Planning and Urban Development committee

1. **Hon Boitone Ratib** - **Chairperson**
2. **Hon James Omollo** - **Vice Chairperson**
3. Hon Seth Kanga - Member
4. Hon Moses Ochele - Member
5. Hon Joachim Oketch - Member
6. Hon. Zachary Okoyo - Member
7. Hon. George Abaja - Member

Education, Technical Training, Innovation and Social Services committee

1. **Hon. Seth Okumu** - **Chairperson**
2. **Hon. Vitalis K'Omudho** - **Vice Chairperson**
3. Hon. Bill Oliver - Member
4. Hon. Kennedy Ouko - Member
5. Hon. Samuel Onyango - Member

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- | | | |
|----------------------|---|--------|
| 6. Hon. James Omollo | - | Member |
| 7. Hon. Benson Adega | - | Member |

Infrastructure, Energy and Public Works committee

- | | | |
|------------------------------|---|-------------------------|
| 1. Hon Reuben Rakwach | - | Chairperson |
| 2. Hon Anne Ochola | - | Vice chairperson |
| 3. Hon Seth Kanga | - | Member |
| 4. Hon. George Abaja | - | Member |
| 5. Hon Jennipher Obonyo | - | Member |
| 6. Hon Kennedy Ooko | - | Member |
| 7. Hon. Lumumba Owade | - | Member |

Finance, and ICT committee

- | | | |
|--------------------------------|---|-------------------------|
| 1. Hon. Carren Odhiambo | - | Chairperson |
| 2. Hon. Lumumba Owade | - | Vice Chairperson |
| 3. Hon. Joachim Oketch | - | Member |
| 4. Hon. Mickey Awuor | - | Member |
| 5. Hon. Kennedy Ouko | - | Member |
| 6. Hon. Benson Adega | - | Member |
| 7. Hon. George Abaja | - | Member |

Labour and Social Welfare committee

- | | | |
|------------------------------|---|-------------------------|
| 1. Hon. Zachary Okoyo | - | Chairperson |
| 2. Hon. Kennedy Ooko | - | Vice Chairperson |
| 3. Hon. Mildred Ajumbo | - | Member |
| 4. Hon. Alice Wajewa | - | Member |
| 5. Hon. Benson Adega | - | Member |
| 6. Hon. Eunice Alando | - | Member |
| 7. Hon. Seth Kanga | - | Member |
| 8. Hon. Mickey Awuor | - | Member |
| 9. Hon. Emily Oginga | - | Member |

Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Committee

1. **Hon. Moses Ochele** - **Chairperson**
2. **Hon. Reuben Rakwach** - **Vice Chairperson**
3. Hon. Samuel Onyango - Member
4. Hon. Mariam Abeid - Member
5. Hon. James Were - Member
6. Hon. Anne Ochola - Member
7. Hon. Vincent Jagongo - Member

Water, Environment, Natural Resources and Climate change committee

1. **Hon. Samuel Dede** - **Chairperson**
2. **Hon. Mickey Awuor** - **Vice Chairperson**
3. Hon. Emily Oginga - Member
4. Hon. Peter Obaso - Member
5. Hon. Pamela Oyoo - Member
6. Hon. Warindu Geoffrey - Member
7. Hon. Maurice Ngeta - Member

Trade, Tourism, Industry and Marketing committee

1. **Hon. Alice Wajewa** - **Chairperson**
2. **Hon. Kennedy Ajwang'** - **Vice Chairperson**
3. Hon. Samuel Dede - Member
4. Hon. Mildred Ajumbo - Member
5. Hon. Eunice Alando - Member
6. Hon. Peter Obaso - Member
7. Hon. Bill Oliver - Member

Ward Development committee

1. **Hon. Vitalis K'Omudho** - **Chairperson**
2. **Hon. Samuel Onyango** - **Vice Chairperson**
3. Hon. Alice Wajewa - Member
4. Hon. Mariam Abeid - Member

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- | | | |
|-------------------------|---|--------|
| 5. Hon. Peter Obaso | - | Member |
| 6. Hon. Carolyne Opar | - | Member |
| 7. Hon. Kennedy Ajwang' | - | Member |
| 8. Hon. Bill Oliver | - | Member |
| 9. Hon. Henrietta Bodo | - | Member |

Welfare and Equal Opportunity committee

- | | | |
|-------------------------------|---|-------------------------|
| 1. Hon. Mildred Ajumbo | - | Chairperson |
| 2. Hon. Maurice Ngeta | - | Vice-chairperson |
| 3. Hon. Emily Oginga | - | Member |
| 4. Hon. Mariam Abeid | - | Member |
| 5. Hon. Carolyne Opar | - | Member |
| 6. Hon. Geoffrey Warindu | - | Member |
| 7. Hon. Eunice Alando | - | Member |
| 8. Hon. Anne Ochola | - | Member |
| 9. Hon. Carren Odhiambo | - | Member |

Liaison Committee

- | | | |
|--------------------------------|---|-------------------------|
| 1. Hon. Nereah Okombo | - | Chairperson |
| 2. Hon. Vincent Jagongo | - | Vice-chairperson |
| 3. Hon. Elisha jack Oraro | - | Member |
| 4. Hon. Reuben Rakwach | - | Member |
| 5. Hon. Boitone Ratib | - | Member |
| 6. Hon. Moses Ochele | - | Member |
| 7. Hon. Alice Wajewa | - | Member |
| 8. Hon. Samuel Dede | - | Member |
| 9. Hon. Kennedy Ouko | - | Member |
| 10. Hon. Zachary Okoyo | - | Member |
| 11. Hon. Carren Odhiambo | - | Member |
| 12. Hon. Seth Okumu | - | Member |
| 13. Hon. Eunice Alando | - | Member |
| 14. Hon. Mariam Abeid | - | Member |
| 15. Hon. Henrietta Bodo | - | Member |
| 16. Hon. Nancy Matara | - | Member |

17. Hon. Vitalis K’Omudho	-	Member
18. Hon. Joachim Oketch	-	Member
19. Hon. Kennedy Ooko	-	Member
20. Hon. Mildred Ajumbo	-	Member
21. Hon. Seth Kanga	-	Member
22. Hon. Lumumba Owade	-	Member
23. Hon. Jennipher Obonyo	-	Member
24. Hon. Emily Oginga	-	Member
25. Hon. Pamela Oyoo	-	Member
26. Hon. George Abaja	-	Member

General Oversight Committee

1. Hon. Elisha .J. Oraro	-	Chairperson
2. Hon. Carolyne Opar	-	Vice-Chairperson
3. Hon. Nereah Okombo	-	Member
4. Hon. Kennedy Ooko	-	Member
5. Hon. Seth Kanga	-	Member
6. Hon. Lumumba Owade	-	Member
7. Hon. Jennipher Obonyo	-	Member
8. Hon. George Abaja	-	Member
9. Hon. Oiko Pete	-	Member
10. Hon. Vincent Jagongo	-	Member
11. Hon. Maurice Ngeta	-	Member
12. Hon. Habil Nyasuna	-	Member
13. Hon. Gard Olima	-	Member
14. Hon. Joachim Oketch	-	Member
15. Hon. Seth Okumu	-	Member
16. Hon. Samuel Dede	-	Member
17. Hon. Moses Ochele	-	Member
18. Hon. Kelvin Oraro	-	Member
19. Hon. James Omollo	-	Member
20. Hon. Pamela Oyoo	-	Member
21. Hon. James Were	-	Member
22. Hon. Benson Adege	-	Member

23. Hon. Mildred Ajumbo	-	Member
24. Hon. Bill Oliver	-	Member
25. Hon. Boitone Ratib	-	Member
26. Hon. Vitalis K’Omudho	-	Member
27. Hon. Tom Nyaoke	-	Member
28. Hon. Vincent Obuya	-	Member
29. Hon. Fredrick Odari	-	Member
30. Hon. Carren Odhiambo	-	Member
31. Hon. Zachary Okoyo	-	Member
32. Hon. Samwel Onyango	-	Member
33. Hon. Millicent Omuya	-	Member
34. Hon. Tom Onditi	-	Member
35. Hon. Kennedy Ouko	-	Member
36. Hon. Reuben Rakwach	-	Member
37. Hon. Geoffrey Warindu	-	Member
38. Hon. Alice Wajewa	-	Member
39. Hon. Anne Ochola	-	Member
40. Hon. Emily Oginga	-	Member
41. Hon. Eunice Alando	-	Member
42. Hon. Henrietta Bodo	-	Member
43. Hon. Kennedy Ajwang’	-	Member
44. Hon. Mariam Abeid	-	Member
45. Hon. Mickey Awuor	-	Member
46. Hon. Nancy Matara	-	Member
47. Hon. Peter Obaso	-	Member
48. Hon. Regina Kizito	-	Member

CONCLUSION

Hon Speaker,

The Committee now urges this honourable House to adopt this report on the realignment of County Assembly Committees. Mr. Speaker, I would like to request Hon. Okombo to second. Thank you.

Hon. Okombo (MCA, Manyatta “B”): Thank you Mr. Speaker. I arise to second the motion moved by the Chairperson, Committee on Selection on the Realignment of House Committees. Mr. Speaker, there has been a clarion call by a section of Honourable Members that various

House Committees be realigned. Mr. Speaker, as Members, we recently attended a very comprehensive training and this was for the Whole House which in my considered opinion sufficiently empowered the Chairs of House Committees and its members to effectively carry out their roles and I want to believe that the list that the Leader of Majority has read, gives room for readjustment where necessary. Again, it is my belief that if adopted then this House Committees will efficiently carry out their mandates which will assist it execute their legislative representation and oversight roles. Mr. Speaker, I beg to second. Thank you.

The Speaker (Hon. Oraro): Honourable Members, now that the motion on the adoption of the report of the Selection Committee on the Realignment of House Committees has been presented by the Leader of Majority in form of a motion and ably seconded by Hon. Nereah Okombo. As per the provisions of our Standing Orders, I want to propose a question.

Honourable Members, I propose that a motion on the adoption of a report of Selection Committee on the Realignment of House Committees is open for debate.

The Speaker (Hon. Oraro): Yes Hon. Emily Oginga.

Hon. Oginga (Nominated Member): Thank you Mr. Speaker. I rise to support this motion. Foremost, I would like to convey my appreciation to your office for taking the Whole House for a capacity building as this will enable Members be aware of their roles when it comes to delivering in various House Committees. Mr. Speaker, this realignment is for the good of the performance of these House Committees and it is my belief that from the composition and from now moving forward, we will be able to witness better service delivery from these House Committees contrary to before.

Mr. Speaker, I am aware that, there is a problem that we encountered especially on the issues to do with quorum in our respective House Committees. Mr. Speaker, I would like to implore this House That Members to please consider changing their attitude on the attendance of sitting of respective House Committees. This is because you will find out that, a Committee like Liaison which has a membership of twenty-six and getting a quorum for the House Committee usually becomes a tall order. Mr. Speaker, I would equally like to beseech the Honourable Members to try and observe time. Mr. Speaker, I am aware that you have tried your best to add more time for sitting for House Committees and I can categorically state that we now have adequate time. So, I would like to encourage Honourable Members to observe time during House Committees. Lastly, this is to the leadership of the House that from my observations I have noticed that in most House Committees where its membership is constituted by the leadership as Members, usually the turnout becomes a challenge this because we are all aware that they have other responsibilities. I know that we don't want to talk about this but; it is a very big challenge.

Mr. Speaker, I would like to inspire Honourable Members and especially the leadership to try and atleast be there during these Committee meetings. Otherwise, thank you Mr. Speaker I support this motion.

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

Hon. Ouko (MCA, West Kisumu): Thank you Mr. Speaker. I beg to support this motion because we need to forge ahead with the operations of the House and we have to ensure that we deliver to the residents of Kisumu County and this can only be achieved through House Committees. I want to commend the Leader of Majority for coming up with this list so that we commence discharging our roles and mandates.

Mr. Speaker, however, we have a few observations to make based on a few reasons. It is sincerely true that the leadership of this House is letting us down mostly when it comes to attendance of Committee meetings. You will realize that they don't attend Committee meetings yet they belong to these House Committees. It is advisable that they show leadership while in the House and in House Committees. This is because we value them, they are given responsibilities and they must adhere to these tenets. Mr. Speaker, it is my belief that my point has been driven home....

Hon. Okombo (MCA, Manyatta "B"): Point of order!!

The Speaker (Hon. Oraro): Hon. Okombo, what is the point of order?

Hon. Okombo (MCA, Manyatta "B"): Mr. Speaker, I arise while citing the provisions of Orders No. 89 on Statement of facts. I just want to request the Honourable Member on the Floor to kindly explain into details what he means by leadership. Mr. Speaker, the word leadership is broad and relative and so when the Honourable Member uses a block terminology like leadership, then, I believe that this includes Committee Chairpersons because they lead those House Committees. Therefore, I do not know what he means. I need a clarification because some of us are ardent attendees of committee meetings. Thank you.

The Speaker (Hon Oraro): Hon Ken Ouko.

Hon Ouko (MCA, West Kisumu): Thank you Mr. Speaker. I know some leaders do not know that they are leaders and do not lead by example. When I raised the issue of leadership, I believe that they are aware of those we are making reference to. I do not believe that the Deputy Speaker, Hon Okombo, should be worried because she has been attending the committee meetings. Those who do not attend meetings, please pull your socks. Thank you.

The Speaker (Hon Oraro): Hon Benny Oiko Pete.

Hon Oiko (MCA, Kabonyo Kanyagwal): The Honourable Speaker, the realignment of House Committees becomes absurd in Kisumu County Assembly since August 2022 when we came to this House. How many times have these House Committees been reconstituted? And what is the Standing Order saying on the reconstitution or realignment of House Committees? If my memory serves me well, this may be the fourth time, and as echoed by Hon Ouko, there is something wrong with the constitution of these House Committees. However, when you look at

it, more punishment is being served on some Members. The question now comes, is that how the Assembly should behave? The Honourable Deputy Speaker has echoed something here that we were taken for a seminar which was thorough. The main theme of the training was on House Powers and Privileges.

Mr. Speaker, when you look at the Standing Orders, the content of house Powers and Privileges Committee of Kisumu County Assembly is seriously mutilated, compared to what we were taught in Nairobi. And this gives the picture why the realignment is done from time to time. One key thing that came out from that workshop Mr. Speaker, do not deny a Member his benefit, for those who were keen on the content of the workshop. What constitutes denying a Member his benefit? It is what is being done in this Assembly by realigning House Committees from time to time. This Assembly has gone on record on that. A day will come when facts will be put on the table.

Mr. Speaker, another issue that I am wondering, since you were made the Speaker of Kisumu County Assembly in 2019, the Select Committee of General Oversight had not been removed from the Standing Orders. It appears that when these House Committees were being constituted, it was intentionally omitted. Now as an afterthought, it is been brought back, and that is where all Members are being heaped to. It is good, some leaders are making decision. However, these decisions you are making, how much better are they going to serve you as an individual and other elected leaders in this Assembly?

Mr. Speaker, there is the Kenyan Constitution and there equally is also Party Constitution and the Assembly Standing Orders. Which one supersedes the other? Let us be sincere when handling matters in this Assembly. Thank you.

The Speaker (Hon Oraro): Hon Gard Olima.

Hon Olima (MCA, South West Nyakach): Thank you Mr. Speaker. May I call upon the Mover to reply.

The Speaker (Hon Oraro): Hon. Leader of Majority, it is your time.

The Leader of Majority (Hon Ooko, MCA, Ahero): Thank you Honourable Speaker. I take this opportunity to thank Members who have contributed including Hon Gard Olima. I want to start by saying that we had a training in Nairobi as was mentioned by Hon Nereah. It was a comprehensive training on how we should conduct our committee work, effectively and efficiently. I similarly concur with the sentiments made by the Deputy Speaker that the House Committees are not only for the Chairpersons. All Members of a House Committee have the responsibility to ensure that their committee work. Additionally, I want to agree with both Hon Emily Oginga and Hon Kennedy Ouko about the leadership in various House Committees. You have been mentioned and with exception of a few like Hon Nereah, let us to strive to attend committee meetings. When we miss, there will be lack of quorum.

Honourable Speaker, my friend Hon Oiko mentioned that this might be fourth. However, I want to confirm that it is the third realignment of House Committees that as a house we are undertaking. Realignment is not based on any punishment. It is my considered opinion that Members should not look at me as Kennedy Ooko. I am here as Leader of Majority and I consult before we make these changes. Therefore, it is not an individual decision. It is good that Hon Oiko mentioned about the Kenyan Constitution, the Party Constitution and the Standing Orders. Placement of Members to various House Committees is entirely on the Party positions and we have mentioned it severally that loyalty to the Party is paramount when it comes to placement of Members to House Committees. We have shared this and we know. I believe that there are Members who changed their loyalty back to the ODM Party. After consultations, I believe that you have realized that they are in a number of House Committees based on their loyalty to the Party. Therefore, being loyal to the Party is not something that you hide, it is something that is visible in the public domain.

Mr. Speaker, I urge all Members to support this report and approve it. Thank you very much Hon Speaker. I reply.

The Speaker (Hon Oraro): Honourable Members, now that the Motion on adoption of the Report of Selection Committee on the Realignment of respective House Committees as moved by the Leader of Majority, seconded by the Hon Deputy Speaker, Hon Nereah Okombo, I now want to put a question.

(Question put and agreed to)

The Speaker (Hon Oraro): Honourable Members, the content of that Report takes effect immediately. Thank you.

The Speaker (Hon Oraro): Next order!!

MOTION

THE MATTER OF PROACTIVE DISCLOSURE OF GOVERNMENT INFORMATION

BY

HON NEREAH OKOMBO, MCA, MANYATTA "A" WARD

The Speaker (Hon Oraro): Hon Nereah

Hon Okombo (MCA, Manyatta B): Thank you Mr. Speaker. I rise to Move a Motion on the Proactive Disclosure of Government Information.

THAT, Aware that Article 35 of the Constitution guarantees that every citizen has the right of access to- information held by the County Government; and that the County Government is obligated to publish and publicize any important information affecting the

County.

NOTING THAT, the Constitution articulates two sets of obligations of the County Government in regard to the right of access to information. That is; the obligation of active transparency contained in Article 35(3) of the Constitution which imposes on the County Government a mandatory duty to proactively publish and publicize information affecting the County and passive transparency obligation contained in Article 3(1) which imposes an obligation on the County Government to ensure access to sources of information including information held by private persons, where such information is necessary for protection of rights.

ACKNOWLEDGING THAT, the Constitution read together with the Access to Information Act therefore establishes a duty to disclose information to citizens and general members of the public except those sets of information which are exempt from disclosure as per the law. This duty obligates the County Government to publish and publicize information as widely as possible, especially that which is of significant public interest.

FURTHER ACKNOWLEDGING THAT, in order to fulfill the duty to disclose information established in the Constitution and the Access to Information Act, the County Government must establish an infrastructure of open and transparent disclosure of information within the legal, operational and other practical considerations that are necessary to preserve the interests of the Government, as well as those of its staff, the Public and third parties with which the County Government collaborates.

DEEPLY CONCERNED THAT, the County Government is yet to fully implement sufficient proactive disclosure of information by its public officers in a publically and electronically accessible format and is still marred with unclear procedures established to guide requests by the Public and lack of resources to foster proactive disclosure of such information.

NOW THEREFORE, in order to fulfill the requirements of the Constitution and relevant laws; I PRAY THAT THIS ASSEMBLY DO RESOLVE:

- a) THAT the County Executive provide information relating to the County Government's functions, operations and responsibilities and the same be made available and accessed from the County Government's website <https://www.kisumu.go.ke/> within 21 days upon adoption of this motion.
- b) THAT the following information, as a matter of Right; be provided for in the County Government website with 21 days upon adoption of this Motion.

#	County Processes	Documentation that MUST be availed to the Public in the County Website
1.	Planning and Budgeting	<ul style="list-style-type: none"> • Current Integrated development plans(CIDP), Spatial plans, Sector • Current Budget Review and Outlook paper (CBROP) • County Fiscal Strategy Paper (CSFP) • Current Budget Circular, Budget estimates and Simplified Citizen Budget • Current Supplementary Budget Estimates
2.	Implementation Framework	<ul style="list-style-type: none"> • County Procurement Plan • Tendering and Evaluation • Tender results including Final Contract Awards • Performance Contracts • Performance management Plan • County Legislations and Regulations
3.	Monitoring and Evaluation	<ul style="list-style-type: none"> • Quarterly Implementation reports • Quarterly and Annual Reports (Financial and Non-Financial) • Periodic Performance Appraisal/Evaluation
4.	Evaluation and Review	<ul style="list-style-type: none"> • Office of the Auditor general’s Report and corrective Measures adopted by the County • Mid and Final review of the County Integrated Development Plan Implementation • County Assembly Committees and House Reports

c) THAT the County Executive through its Department responsible for matters related to access to information to formulate an access to information policy to address matters related to procedures for the consideration of the following issues affecting access to information:

Disclosure of information, Access to information application process, Processing of information requests and response timelines, Strengthening of County Government’s Institutional Capacity to facilitate Access to Information.

Hon Okombo (MCA, Manyatta “B”): Mr. Speaker, I ask Hon Warindu to second the Motion.

Hon Warindu (MCA, Miwani): Thank you Mr. Speaker. I rise to second the Motion on Proactive Disclosure of Government Information to their citizens. You will all agree with me that the Governments are formed to serve the interest of the citizens. How can we make this

active? We can only make this effective and active if each and every information that the Government has is given to the citizens and the stakeholders in good time.

Mr. Speaker, when I was looking at this, I came to the realization that proactive disclosure of information to the citizens is giving information in advance and in anticipation of public interest and needs. Information is power and we can only participate effectively if we know and understand each and every step that the Government is going to take in implementation and in satisfying the needs of the citizens. If we really need an open, transparent and accountable County Government and any other institution, then it is proper for us to get these pieces of information in good time.

Mr. Speaker and Honourable Members, you will all agree with me again that if we take a case in point, most of our public participations have not been conducted actively and effectively. This is because, when we go out to the public, it often seems like it is the first time the citizens down there are learning about then documents that is brought to them to discuss. You will agree with me that in many cases, we just conduct these exercises as a formality because you cannot participate, discuss or get fully involved without prior information. I want to believe that if this is going to make a difference in whatever we are doing in the County, then let us really support this motion. I beg to second, thank you.

The Speaker (Hon. Oraro): Honourable Members, now that a motion has been moved by Hon. Nereah, MCA for Manyatta “B” ward, and the Deputy Speaker, on the Matter of Proactive Disclosure of Government Information, seconded by Hon. Warindu of Miwani Ward, as per our Standing Orders, I want to propose a question. I propose that the motion on Proactive Disclosure of Government Information as moved by Hon. Nereah Okombo and seconded by Hon. Warindu is open for debate.

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

Hon. Oiko (MCA, Kabonyo-Kanyagwal): Thank you Mr. Speaker, this is a very important information to this Assembly, and as the eye of Kisumu County people, we should take it seriously and stamp authority on both levels of Government in this County. Information is power, but when people do not get the right information, people would do nothing. People would start speculating, which should not be the order of the day. Mr. Speaker, I beseech our Members to pass this and make a very strong follow up and inform the County Executive that we want information availed to the public on time, so that the public would understand what their Government is doing. They would also understand what oversight role is played by the County Assembly.

Mr. Speaker, this matter is the reason that members of Kisumu County are in darkness. For instance, last week, Mr. Speaker, when “*Huduma Mashinani*” was being launched at Tom Mboya Labour College, members of the public who were there, were left wondering what kind of Government we have. A lot of information was disseminated to them but when they wanted a

point of reference, they could not be given. Even the website of the County which would have been an alternative to them to get information, had no information. Interestingly, it is coming out that Kisumu County Assembly and Executive have no Library for reference, and all these pieces of information are not stored in the websites. We are being opaque. Let us be transparent to our people so that they have access to information that they should have.

Mr. Speaker, from my own experience and observation, I have noticed that when we go for public participation, we follow the one for the County Executive, and the Assembly follows but the documents do not tally. I thank the author of the motion to have done a very good work for this County. When you are keen on the documents from the County Executive, and that forwarded to this Assembly, they do not tally. Another example Honourable Members is last year when we passed the Budget here, I stood up and complained that we were being taken for a ride. What happened when the approved budget came up? The figures were different, and some wards were favoured. When you look at the Budget that was passed here, the instruction was that every ward be allocated Ksh. 20 million for infrastructural projects, but there are wards that got more than Ksh. 78 million, others Ksh. 50 million. So, you wonder what kind of Government we have and what this County Assembly really passes. Once they pass a document, do they make a follow up on what was presented to them or these things are just brought here for the sake of it? We must be keen on the documents.

Mr. Speaker, I have also given you a document here of the Standing Orders of Kisumu County Assembly, that is highly mutilated. We must be keen on the records presented to us in this Assembly, and the public must also be well informed so that we do not beat about the bush. You know what the Government is doing when you are not keen on the Government. Hon. James Orengo and several others have repeatedly said that 'The Government eats its own people'. Even here, we shall be used because we simply lie that this is a document from the County Executive or the County Assembly. Let us be critical of any document presented, and we know the source and the record of reference, then we shall be doing our oversight. Once we pray that a document has been brought and then we say 'Ayes', then we shall be a laughing stock in our community. In the long run, we shall have left behind very poor history as legislators. When legislators leave a poor history behind, what do you think the community will do? How do you expect the community to move? We must open our eyes on things happening in this County, so that we leave a mark as leaders of the common man.

Mr. Speaker, I beseech our Members to pass this, and that the Committee on Implementation and any other respective House Committee to make a follow up. The Sectoral Committees should also play a role in the documents presented before them. Yesterday, the Standing committee on Agriculture, Livestock and Fisheries appeared before the line committee and was complaining about their Wage Bill, and some of us who are lucky to be here for a Second Term, could make reference to the past records. When we make references to past records, a department becomes numb on the issue. Records are very important, and they must be on the website, and Library

should be established and be equipped for easy access to information. Let us not take this for granted. Mr. Speaker, I so contribute, thank you.

The Speaker (Hon. Oraro): Hon. Mildred Ajumbo.

Hon. Ajumbo (MCA, Central Seme): Thank you Mr. Speaker; I stand to support the motion. I want to begin by saying that the Constitution of Kenya, 2010, rejected the bad precedence of the past years. We lived in this Country during dark days when information was not available to the public, until the Constitution of Kenya, 2010 was promulgated and we all celebrated in this Country. For the first time in life, we were going to have access to information, which was to be free and without intimidation, and no one would be arrested if they called out for access to information.

Mr. Speaker, individuals should not look for or demand for information, but should be freely given to them through publications. Article 254 of the Constitution of Kenya, 2010 is very clear, that information shall be publicized and published, and I do not expect the members of the public to beg for information from this County Assembly or from the County Executive. Sometimes reports are done and just tucked away in dirty files, Mr. Speaker, but the purpose of this Proactive Disclosure of Government Information is for accountability and transparency. Much has been said by Hon. Pete Oiko that I would not wish to repeat. I therefore want to support the motion that moving forward, this information that we are talking about, is going to be accessible to the public and this is either through the media or through online platforms or through any other way. Mr. Speaker, I would want to encourage this Assembly to ensure that all the documents that have not been published that they ensure they are done so that the members of the public are able to access them, thank you.

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

Hon. Oraro (MCA, Kolwa Central Ward): Thank you Mr. Speaker, I also rise to contribute on this motion brought by my Deputy Speaker. The motion is timely. I do not know if we will even achieve the intention of the mover of the motion.

Mr. Speaker, to some extent, if you look at the County Government, we talk about the two arms of the County Government. That is; the Assembly and the Executive. To some extent the Assembly has tried to make their activities open. It is also a milestone to have Assembly like this one whereby their presentation is being seen on a public forum such as Facebook, YouTube and other forums. That is a milestone achieved that shows openness to our activities.

Mr. Speaker, sometimes without Members knowing, we are actually live and whatever we say during our contributions, some people tend to play and listen to them and that alone shows openness. In Article 35 of the Kenyan Constitution 2010, it talks about rights to information; that public members have right to some information. Some Members here today can be vindicated from what they say during debates and that alone shows progress. My only worry is

that if I start with the Assembly, there are some behaviors that to some extent can also be categorized to things that are not clear.

Mr. Speaker, it is not wrong if the Leader of Majority or his/her Deputy or the Chief Whip just brings letters sometimes maybe from the Party Headquarters and they read that these are the instructions given rather than using the words 'consultation'. To some extent you might rule, you might lead and you might think that this is the best way of using your ways of negotiating behind the curtain but sometimes, it is always advisable that some of the things that we need is documentation. So that with the documentation, and then a letter of correspondence and then requirements that is needed are always tabled to your office. If that is not done, that alone shows darkness in how we operate.

Mr. Speaker, moving forward, the motion brought by the Deputy Speaker Hon. Nereah Okombo tries to talk about the County Executive and their failures in tabling other very important document. To ascertain the importance of document there is also the complain of differing documents at the end of the day. We do public participation and your office organizes it so well so that each and every ward ensures that a public participation conducted. The various staff and clerks were able to be given opportunity to visit our wards and also listen to the people we represent. From that alone, they got information and that document that was being taken to the public it was a good show. The only unfortunate part about that is that some of the content that are taken to the public at the end of the day you will realize that do not actually represent the real contents as per the deliberations on the ground. When you have documents that are presented to the public in the name of the County Executive or the County Government, then to a large extent you realize that the information that was relayed is not right that alone is against Article 35 of the Constitution.

Mr. Speaker, my worry about the motion brought by Hon. Nereah is that I believe that a proper research should have been done in that the area on which she wanted us to tackle on mostly like the Assets and other things. That should come as an independent motion. Therefore, a committee which is related to that like Public Investment and Accounts Committee should be given the ability through a question to establish the Assets. With the report of that House Committee, it will then become official from that tabling a lone.

Mr. Speaker, information can only be relayed if you want it. To a larger extent, there are other information that are known as confidential information which can as well be categorized so that we know which one can be regarded in that category. You will find some letters written as "Top Secret" indicating that the information should not reach the public because of its nature and contents. So, in the process of trying to come up with a motion and access to information then, a process should be followed and there are issues that should be taken into consideration; there are issue that should be passed through this Assembly to show information that the County Executive can be compelled to put certain information to the public to consume. But, there are other information that can be left for the Assembly to consume as top secret. With that Mr.

Speaker, I support the motion, but, if not a motion or through a question or a statement; we should come up with a different category so that we achieve what you actually wanted.

Mr. Speaker, the issue of Assets and Liabilities are very serious and there is a way in which we need to tackle that as an Assembly. That is because the Assembly enjoys the privileges of getting raw information from the County Executive by compelling by virtue that the constitution which has accorded this House the power to follow on that. With those remarks, Mr. Speaker, I rest my case and I support my sister to continue in that line so that our Assembly is given an opportunity to learn and to know many things that we do not know. Thank you once again, Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Zachary Okoyo.

Hon. Okoyo (MCA, Central Kisumu): Thank you Mr. Speaker, I beg to rise in support of the motion brought by Madam Deputy Speaker. Since my colleagues have spoken and I would not want to repeat what they have said. Please allow me to just borrow some few words which they have used.

Mr. Speaker, indeed communication is fundamental to the public and even to the Honourable Members. There is a saying that by words that “information is power”. Let me start by appreciating what the Assembly is doing by making the Assembly proceedings live and I believe the general public can follow what the Assembly is doing. This has also given us an easy task. The general public rarely asks about what we are doing because they can follow and they know. However, Mr. Speaker this is not happening with the County Executive. Yesterday I was privileged to join the sister committee that is Justice and Legal Affairs Committee when they were meeting the Department of Governance when they appeared before the line Committee to discuss their programs in the CFSP FY 2024/2025. The agenda of the communication rose and as a friend of the House Committee I felt I wanted to know why the communication from the County Executive is not reaching the general public. Mr. Speaker, this to me is our undoing because we need to give the general public information to know what the County Government of Kisumu is doing. The general public rarely knows the members of the County Executive. When they want information concerning the County Government, they will ask either the area MCA or the Governor is they can get access to him. That is because these are the people they voted for. But, if members of the public cannot get access to information of whatever is happening from the other side, Mr. Speaker, then it is my belief that we are also being duped. Therefore, I would request the Members to support this motion because it will help us to relay information to members of the public of what is happening in the Kisumu County Government. Mr. Speaker, I beg to support.

The Speaker (Hon. Oraro): Hon. Kennedy Ouko.

Hon. Ouko (MCA, West Kisumu): Thank you Mr. Speaker. It is very important to note that information is power and moreso to Members of the County Assembly whom the citizens of Kisumu depends, on various information including from the National Government.

Mr. Speaker, at times we feel bad when we go down there and we are asked matters of National Government, we can only answer these because people have a lot of trust on us if we have the information and it should be accessible. The most important thing is, it should be timely, accurate and verifiable information. It is important that we go down there with complete information and therefore our people should be getting complete information. We have to commend the Assembly for broadcasting proceeding of this House live and giving the right information as it is in the Assembly and for us so that we can question the County Executive on this and we have proved that we are free with our information and there would be no name calling when we ask this. It is also important that, although I did not go through this earlier enough to know whether we have an Act and I hope we have the Speaker and if somebody wants to talk to the Speaker, unless Speaker has left the seat...

The Speaker (Hon. Oraro): Honourable Member, please proceed.

Hon. Ouko (MCA, West Kisumu): The most important thing is application and equipmation. If we have that then there is a regulation in the House to reinstate whatever we're talking about, because that is our duty and if we are failing in our duty at the same time we are asking other people to do other things, It is quite unfortunate on our side so we must come up with a regulation and we have to do a proper research on this before we just pass it as a Motion because we might pass motions that will not be implemented and are not workable. It is very important to do that.

Mr. Speaker, I would like to say something on Asset Register. It is unfortunate that most of the time we come here and the auditor comes to the assembly. Audited queries are mostly repeated on the issues of the Asset Register. Mr. Speaker, it is indeed true that it is unfortunate that Kisumu District or Referral Hospitals don't have title deeds for those facilities and we don't know why it is.

So as said by Hon. Oraro, I would suggest that we separate the two so that when we are talking about a motion concerning the Asset Register, this is clearly brought out as a Substantive Motion so that we know what we have to do to compel the Land Ministry to do and what is expected of them.

Mr. Speaker, we are also very sorry that it was disclosed in this House that the equipment's in the hospitals they don't have any register. That is outside the scope of the debate and you expect this to be done despite enticing because those are expensive. Equipment's, remember theft cases that have transpired, it is quite unfortunate because those are some expensive equipment that we are talking about. These are some of the experiences we have and it is very important that we get the right information just as I say it should be timely, accurate and verifiable. It is very important that we do that and this is when we will be appreciated on the kind of oversight role we are doing. Thank you Mr. Speaker I support.

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

Hon. Were (MCA, Nyalenda “B”): Thank you Mr. Speaker. Mr. Speaker, this motion is timely and we know it is the right of any government to provide information to the citizens. Mr. Speaker, many a times we have been embarrassed when we attend government functions like the Public Participation, where sometimes they only select what they want or key information that they want the public to know.

Mr. Speaker, every single information should be provided to our people to be aware, all those important documents that form the basis of the services that our people get should be provided. Mr. Speaker, it is the duty of that government to communicate that information to its citizen so I support that we stamp our authority to ensure that our people are provided with the key information. Let us make our county website busy so that whenever our constituents want a document retrieval becomes easy, they can get access to it so that they don't think that every single information should be gotten from the MCA. When we get to our offices on Friday, you find that the public believe that that information they can get from our offices. The important government information should be accessed from our website where they are easily available. Otherwise, I beg to support thank you.

The Speaker (Hon. Oraro): Hon. Emily Oginga.

Hon. Emily (Nominated Member): Thank you Mr. Speaker. Foremost, I want to support this Motion because Access to Information is key and it's enshrined in the Constitution pursuant to the provision of Article 35 and it's a right for every citizen of this country to access information.

Mr. Speaker I'd like to support this motion because it's timely and it's come at the right time because as we access information, we are able to know exactly what is going on and also we are able to correct all the wrongs that have been done.

Mr. Speaker, if the public don't have access to information you can actually tell that without timely information, we're not able to carry out our duty. Mr. Speaker, I earlier on tabled a motion in the floor of this House on access to information by a special group. In as much as we are praying that we are not able to access information. But this is just a particular section of information that we're looking for. But what about those who are not able to access information at all? Do you know what they're going through? Because up until now. We are carrying out our business each and every day. But you're still denying a section of the citizens that don't discount information. Mr. Speaker, I'd like to request your office to actually sit back and think about this and see what we can do.

Mr. Speaker, as I finalize, I'd like to thank my sister Hon. Okombo for bringing this motion in the House, if possible, if we can actually fill in the gaps because I'm just learning that we have a Bill on Access to Information but if we can actually push the County Executive so that we are able to get a Regulation so that we are able to ensure that each and every citizen of this county is able to access information at the right time. Otherwise, thank you Mr. Speaker. I support this motion.

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

Hon. Boitone (MCA, Nyalenda "A"): Thank you so much, Mr. Speaker. I also want to support the motion on the Floor. Mr. Speaker, just as it has been said that "information is power", I want to concur with that.

Mr. Speaker, I want to thank the Assembly because all the business that we transact in this House is always in the public domain and I would also want to encourage the County Executive to follow suit but all the information that they have as a county should reach the public at an appropriate time. Mr. Speaker, I don't know what is happening outside but I hope that we are protected...

The Speaker (Hon. Oraro): Hon. Ratib, please proceed.

Hon. Boitone (MCA, Nyalenda A): Thank you, Mr. Speaker. There is one aspect that I don't properly understand and where it couldn't be addressed. Mr. Speaker, the world has gone digital and when the information are uploaded in some of our forums but it reaches a time when the public wants particular information but downloading it fails. This has always been a problem that should be addressed. Because failing to download information actually hinders that kind of communication.

Lastly, I want to say this, after the dissemination of information, what do the public do with this information? The information that is given to the public should also be used effectively. Many a times information and reports are stored and therefore not being implemented. We want to encourage the public that upon receiving any government information, they should get the information and put their input where there is need be. Information is two way and it is something that should create some sort of understanding. Thank you.

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

The Deputy Whip (Hon. Obonyo, MCA, South West): Thank you Mr. Speaker, I wish to call the mover to reply.

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

Hon. Okombo (MCA, Manyatta “B”): Thank you Mr. Speaker, I want to thank the Honourable Members for positively debating and supporting this motion. Mr. Speaker, and Honourable Members, a number of Honourable Members have shared their concerns over the opaqueness and inconsistency in documents presented for ventilation by the public and that which is presented to the County Assembly for consideration.

Hon. Speaker, omission is another key area that Members have noticed and it is therefore very important that any documents and all documents that the County Government presents to the public for ventilation and the County Assembly for consideration be ratified and dually stamped for ownership by the publishing department.

I have a privilege of sitting in the Select committee of Budget and appropriations and when we were considering the Proposed Kisumu County Supplementary Budget Estimates FY 2023/2024 we saw a number of County Executive Committee Members disowning their own reports; a document that had passed through the Cabinet and you wonder whether the CECMs are the same Members that sit in the cabinet.

Hon. Ajumbo also echoed the sentiments of Hon. Oraro on the need for openness and transparency in the matter in which the County is governed and managed. There are Members that are also concerned that the matter on County Assets and Liability Register which is very key and has been long overdue and therefore a comprehensive enquiry needs to be undertaken to ascertain the net worth of Kisumu County.

Mr. Speaker, it has been a concern by Members that the matter on the County Assets and Liability Register is very key that cannot be sufficiently addressed by a motion on just asking for that information to be published in the County website. Therefore there is a common reasoning by Members that a comprehensive inquiry be undertaken to ascertain the net worth of Kisumu County. Maybe an Ad Hoc Committee needs to be constituted to undertake that very key responsibility.

Hon. Oginga has suggested or given a need for the establishment of a Regulation to operationalize the Kisumu County Access to information Act. Mr. Speaker and Honourable Members, I am glad to report that this was put in place in 2015 and I want to gladly state that I was the sponsor of that Bill that became an Act on 4th August, 2015 and whose commencement officially began on the 31st December, 2015.

Mr. Speaker, I really want to support that this regulation needs to be put in place as soon as possible. Members have all agreed and showed concern over information that is presented to the public. A point in case is the information on the Kisumu County Fiscal Strategy Paper FY 2024/2025 that was presented to the public for consideration. That document showed an absolute lack of transparency in reporting including disclosure of actual figures for Departmental Allocations and absence of Sector Ceilings and in my observation I feel that this hindered meaningful participation from the public and other Government stakeholders.

Mr. Speaker, this information is key and I want to thank the Members for considering this motion and it is my hope and prayer that if the motion is adopted the Implementation Committee will follow-up on its and ensure that the prayers of this motion are implemented by the County Executive. Thank you.

The Speaker (Hon. Oraro): Honourable Members, now that the motion on the Proactive Disclosure of Government Information was moved, seconded 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 on Proactive Disclosure of Government Information is hereby adopted today Wednesday, 03rd April, 2024 at 10:34 hours. I direct that the recommendations in the motion be communicated to the right department for action.

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

The Speaker (Hon. Oraro): Honourable Members, you can here that there is some commotion outside there and I have been informed that it is a group of traders from Kibuye Market even though I don't understand where they got the authority to get inside the premises of the Assembly. Our Constitution allows for picketing and demonstrations but not in the precincts of the Assembly. So you are safe since I have organized for your safety and appropriate actions will be taken on the person who did that.

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable Members, there being no any other business to transact, the House stands adjourned to today Wednesday, 03rd April, 2024 at 02.30 p.m.

(House rose at 10.35 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>Jacklyne Otieno</i>	-	<i>Hansard Reporter</i>
<i>Valery Achieng'</i>	-	<i>Hansard Reporter</i>