

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – THIRD SESSION

Wednesday, 11th September 2024

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

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

PRAYERS

The Speaker (Hon Oraro): Honourable Members, I refer us to the provisions of Orders No. 32 (2) of the Kisumu County Assembly Standing Orders and direct that the quorum bell be rung for the first five minutes.

(The Quorum bell is rung for the first five minutes)

The Speaker (Hon Oraro): Please inform the Serjeant-at-Arm to stop ringing the quorum bell so that we proceed. Mr. Clerk, please take us through the order of the day.

The Speaker (Hon Oraro): Next order!!

MOTION

**ADOPTION OF THE REPORT OF THE SELECT COMMITTEE ON APPOINTMENTS ON
THE SUITABILITY OF MR. NASHON OTIENO ALUOKA OGOLLA FOR THE
APPOINTMENT TO THE POSITION OF COUNTY ATTORNEY**

BY
HON. KEN OOKO, MCA, AHERO

(LEADER OF MAJORITY)

The Speaker (Hon Oraro): The Leader of Majority, please approach the chair.

(Leader of Majority consults with the Speaker)

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

The Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you Mr. Speaker. On behalf of the Select Committee of Appointments, please allow me to grant the Chief Whip move the motion.

The Speaker (Hon Oraro): Honourable Chief Whip

The Chief Whip (Hon. Kanga, MCA, Market/Milimani): Thank you Mr. Speaker, I arise to move a Motion on the Suitability of Mr. Nashon Aluoka Agolla for the appointment to the position of the County Attorney.

Mr. Speaker and Honourable Members, Pursuant to the Provisions of Section 5 of the Office of the County Attorneys Act, 2020, read together with Section 6 of the Public Appointments (County Assemblies Approvals) Act, 2017; His Excellency the Governor submitted to the County Assembly the Nomination of Mr. Nashon Aluoka Ogolla; Nominee for the Position of the County Attorney for vetting and approval by the County Assembly.

The Nomination of Mr. Nashon Aluoka was conveyed to the Speaker of the County Assembly through letter Ref. CGK/CS/ADM/20/VOL.VI/203 dated August, 15, 2024. The Nominee's curricula vitae and testimonials were enclosed in the letter. *(See Annexure i)*

Consequently, on 28th August, 2024 pursuant to Section 6 of the Public Appointments (County Assemblies Approvals Act), the Leader of the Majority Party; Hon. Kennedy Ooko tabled the name of the Nominee on the Table of this Hon. House for approval; and was procedurally committed to the Committee on Appointments by the Hon. Speaker in accordance with Section 6 (7) of the Public Appointments (County Assemblies Approvals) Act, 2017 and Standing Order No. 187 for vetting and reporting to the House within twenty-one (21) days.

Pursuant to Section 7 (4) of the Public Appointments (County Assemblies Approvals) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on 29th August, 2024 notifying the Nominee of the time and place of the approval hearing and invited the public

to submit memoranda by way of written statements on oath (*affidavit*) on the suitability or otherwise of the Nominee in accordance with the Public Appointments (County Assemblies Approvals) Act, 2017 (*Annexure ii*). The Advertisement indicated that the submissions were to be received on or before 4th September at 4.00 p.m. By close of the submission deadline, the Committee had not received any memoranda in regards to the suitability of the Nominee for appointment.

Further in fulfillment of the provisions of Sections 87 of the County Governments Act, 2012 read together with section 7 (5) of the Public Appointments (County Assemblies Approvals) Act, 2017 and Standing Order No. 187 the Clerk of the County Assembly also notified the public through the print media that the Committee would conduct the approval hearing on Thursday 5th September, 2024 at 9.00am at the County Assembly Chambers. (*Annexure ii*)

The Nominee appeared before the Committee as scheduled on Thursday 5th September, 2024 at 9.00am for an approval hearing on his suitability or otherwise for appointment to the position of the County Attorney as per the requirements of the Constitution, the Public Appointments (County Assemblies Approvals) Act, 2017, the Office of the County Attorneys Act, 2020 and the County Assembly Standing Orders.

Therefore, pursuant to Section 8 of the Public Appointments (County Assemblies Approvals) Act, 2017 read together with Section 5 of the Office of the County Attorney's Act, 2020 the Committee observed:

THAT, in accordance with Article 78(1) and (2) of the Constitution the Nominee is a Kenyan citizen born in Kisumu County and does not hold dual citizenship.

THAT, in accordance with the requirements set out in Section 5 of the Office of the County Attorneys Act, 2024, the nominee possesses a Law degree from the University of Nairobi, a recognized University and is an Advocate of the High Court of Kenya, possessing over five years' experience as a legal practitioner. His academic credentials, professional training and experience thus comply with Section 5 (1) (a) of the Office of the County Attorneys Act, 2020 and section 8 (c) of the Public Appointments (County Assemblies Approvals) Act, 2020.

THAT, he meets the requirements of Chapter 6 of the Constitution on leadership and integrity. The Committee further observed that the DCI, KRA, HELB and EACC had issued the Nominee with clearance certificates.

THAT the nominee has not been charged in a Court of Law in the last three years.

THAT, as stipulated in Article 75(1) of the Constitution, the nominee has no potential conflict of interest.

THAT, the Nominee satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment.

THAT, the Nominee does not hold office in any political party and hence satisfies the provisions of Article 77(2) of the Constitution.

THAT, he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), Article 76 (financial probity), Article 77(restriction on activities of State Officers) and Article 78(2) (dual citizenship) of the Constitution and is therefore fit to hold office as the County Attorney.

THAT, the Nominee has exhibited immense knowledge of the law and understanding of the environment in which he is expected to serve as the County Attorney.

The Committee therefore, recommends that this House, approve Mr. Nason Aluoka for Appointment as the County Attorney.

May I take this opportunity therefore to thank all the Members of the Committee for their input and valuable contributions and time during the approval hearings and deliberations during the writing of the Report. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the County Assembly for the technical support accorded to it during the exercise.

On behalf of the Committee on Appointments and pursuant to Sections 5 of the Office of the County Attorneys Act, 2020, Section 9 (2) of the Public Appointments (County Assemblies Approvals) Act, 2017 read together with Standing Order No. 187 of the Kisumu County Assembly Standing Orders, it is now my duty and privilege to present to this House, the Report of the Committee on the Suitability of Mr. Nason Aluoka Ogolla; Nominee for appointment to the position of County Attorney for consideration.

Preface

Establishment and Mandate of the Committee

Mr. Speaker and Hon. Members, the Committee on Appointments is established under Standing Order No. 187. Standing Order No. 187 (4) provides that the Committee on Appointments shall;

consider, for approval by the County Assembly, appointments under Articles 179(2) of the Constitution.

Committee Membership

The Committee on Appointments as currently constituted comprises of the following Members:

| Names | Position |
|----------------------|--|
| Hon. Elisha J. Oraro | Speaker of the County Assembly/ Chairperson |
| Hon. George Abajab | Vice Chairperson (MCA West Seme) |
| Hon. Ken Ooko | Leader of the Majority Party (MCA Ahero) |
| Hon. Lumumba Owade | Deputy Leader of the Majority Party (MCA S.E. Nyakach) |
| Hon. Seth Kanga | Majority Whip (MCA Market/Milimani) |
| Hon. Nereah Okombo | Deputy Speaker (MCA Manyatta B) |
| Hon. Zachary Okoyo | Member (MCA Central Kisumu) |
| Hon. Eunice Alando | Member (MCA Nominated) |
| Hon. Carren Odhiambo | Member (MCA Kaloleni/Shaurimoyo) |

Committee Secretariat

The Secretariat Comprises;

Mr. Owen Ojuok – Clerk of the County Assembly

Mr. Harman Moses – Clerk Assistant

Mr. Patrick Okoyo – Hansard Officer

Ms. Risper Wayuah – Serjeant-at-arms

Background Information

Notification to the House and Referral to the Committee.

Mr. Speaker and Hon. Members; pursuant to the provisions of the Standing Orders, the Hon. Kennedy Ooko; Leader of Majority on 28th August, 2024 tabled a Notice of Nomination of the Nominee and informed the House of the Governor's Nomination in regards to the position of the County Attorney.

Section 9 of the Public Appointments (County Assemblies Approvals) Act, 2017 provides that unless otherwise provided in any law, a committee shall consider a nomination and table its report in the County Assembly for debate and decision within twenty-one sitting days from the date on which the committee first sits to consider the nomination.

Pursuant to Section 8 of the Public Appointments (County Assemblies Approvals) Act, 2017 and Standing Order No. 187 the name and curriculum vitae of the Nominee were referred to the Committee on Appointments for approval hearings and reporting to the House within twenty-one (21) days.

Notification to the Public and the Nominee

Article 118 of the Constitution provides that the County Assembly shall facilitate public participation and involvement in the legislative business and other business of the County Assembly and its Committees.

Section 7(4) of the Public Appointments (County Assemblies Approvals) Act, 2017 provides that the Clerk shall notify the public of the time and place for holding an approval hearing at least seven days prior to the hearings.

Further, Section 7(10) of the Public Appointments (County Assemblies Approvals) Act, 2017 provides that *“any person may, prior to the approval hearings and by written statement on oath provide the clerk with evidence contesting the suitability of a candidate to hold office to which the Candidate has been nominated”*.

Pursuant to Article 118 of the Constitution as read with Section 7 of the Public Appointments (County Assemblies Approvals) Act, 2017, the Clerk of the Assembly placed an advertisement in the print media on 29th August, 2024 (*Annexure ii*) inviting the public to submit memoranda by way of written statement on oath (affidavit) on the suitability or otherwise of the Nominees in conformity with Section 7 of the Public Appointments (County Assemblies Approvals) Act, 2017. The Advertisement indicated that the submissions were to be received on or before 4th September, 2024 at 4.00pm.

Further pursuant to Article 118 of the Constitution, Section 7 of the Public Appointments (County Assemblies Approvals) Act, 2017 and Standing Order No. 187 the Clerk of the Assembly notified the general public that the approval hearing of the Nominee would be conducted on Thursday 5th September, 2024.

Clearance and Compliance Requirements

On 2nd September, 2024 vide letter Ref. CAK/EACC/VOL.III/8/24 the Clerk of the Assembly wrote to the Ethics and Anti-Corruption Commission (EACC) requesting for reports with respect to the ethics and integrity compliance and verification of the Nominee. (Annex iii)

As at the date of the adoption of this Report, the Committee was yet to receive a response from the EACC on the ethics and integrity verification of the Nominee.

Issues for Consideration during the Approval Hearings

Section 5 of the Office of the County Attorneys Act, 2020 provides as follows:

The County Attorney shall be appointed by the Governor with the approval of the county assembly.

A person qualifies for appointment as County Attorney if such person—

is an Advocate of the High Court of Kenya of at least five years standing; and

(b) meets the requirements of Chapter Six of the Constitution.

Consequently, Section 7 (8) and (9) of the Public Appointments (County Assembly Approvals) Act, 2017 provides that:

(7)

An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.

The criteria specified in the schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.

AND, Section 8 of the Public Appointments (County Assemblies Approvals) Act, 2017 provides that the issues for consideration by the relevant Committee in relation to any nomination shall be: -

Procedure used to arrive at the Nominee

Any Constitutional or statutory requirements relating to the Office in question, and

The suitability of the Nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the Nomination is being made.

While conducting the approval hearing, the Committee was therefore guided by the relevant provisions of the Constitution, Section 5 of the Office of the County Attorneys Act, 2020, Section 8 of the Public Appointments (County Assemblies Approvals) Act, 2017 and the provisions of the Standing Orders.

Leadership and Integrity

The Committee, in determining the suitability of the Nominee, was also guided by the provisions on Leadership and integrity as outlined under Chapter Six of the Constitution. In particular, Article 72 (2) of the Constitution which provides that the guiding principles of leadership and integrity include:

Selection on the basis of personal integrity, competence and suitability,

Objectivity and impartiality in decision making and in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives or corrupt practices;

Selfless service based solely on the public interest, demonstrated by –

Honesty in the execution of public duties; and

The declaration of any personal interest that may conflict with public duties;

Accountability to the public for decision and actions; and

Discipline and commitment in service to the people

Article 75 of the Constitution requires a state officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties. This Article further prohibits a state Officer who has been removed from office under it from holding any other state office.

Article 77(1) of the Constitution prohibits a full time State Officer from participating in any other gainful employment.

Article 77(2) of the Constitution prohibits an appointed State Officer from holding office in a political party. Article 78 of the Constitution disqualifies persons who are not Kenyan Citizens from appointment as State Officers. Further, a State Officer is barred from holding dual Citizenship.

In addition, the Committee considered section 10 of the Leadership and Integrity Act, 2012 in particular which provides that: -

*A state Officer shall, to the best of their ability –
Carry out the duties of the Office efficiently and honestly;
Carry out the duties in a transparent and accountable manner;
Keep accurate records and documents relating to the functions of the office; and
Report truthfully on all matters of the organization which they represent.*

Criteria used to arrive at the Nominee.

Pursuant to Section 8 (a) of the Public Appointments (County Assemblies Approvals) Act, 2017, one of the subject areas that must be vetted by the County Assembly is the procedure that was used to arrive at the Nominee. The purpose of vetting the procedure used to arrive at the Nominee by the County Assembly is to ascertain whether the process used to arrive at the Nominee for the position granted equal opportunity to eligible candidates.

The procedure for appointment of the County Attorney is outlined under Section 5 of the Office of the County Attorneys Act, 2020 and the Public Appointments (County Assemblies Approvals) Act, 2017. Section 5 of the Office of the County Attorneys Act, 2020 provides that the nomination of the County Attorney is a constitutional prerogative of the Governor as there is no further prescribed procedure in the Constitution or statute law.

Suitability of the Nominee for the proposed appointment having regard to whether the Nominees' abilities, experience and qualities meet the needs of the body to which the nomination is being made.

The Suitability of the Nominee was assessed based on the functions of the Office of the County Attorney provided for in Section 7 of the Office of the County Attorney's Act, 2020 vis-à-vis his academic credentials, professional training and experience, personal integrity, background and qualities as well as his performance during the approval hearing conducted on Wednesday 14th August, 2024.

Section 7 of the Office of the County Attorneys Act, 2020 outlines the functions of the County Attorney as follows:

The County Attorney—

is the principal legal adviser to the county government;

shall attend the meetings of the county executive committee as an ex-officio member of the executive committee;

shall, on the instructions of the county government, represent the county executive in court or in any other legal proceedings to which the county executive is a party, other than criminal proceedings;

shall advise departments in the county executive on legislative and other legal matters;

shall negotiate, draft, vet and interpret documents and agreements for and on behalf of the county executive and its agencies;

shall be responsible for the revision of county laws;

may liaise with the Office of the Attorney-General when need arises; and

shall perform any other function as may be necessary for the effective discharge of the duties and the exercise of the powers of the County Attorney.

Having considered the above requirements, and pursuant to section 7 of the Public Appointments (County Assemblies Approvals) Act, 2020, the Committee, through the Clerk of the County Assembly, invited submissions from the public on the suitability or otherwise of the nominee for appointment to the position of the County Attorney.

Memoranda from the Members of the Public in respect of the Nominees.

Pursuant to section 7(10) of the Public Appointments (Parliamentary Approval) Act, 2011 which provides that "*any person may, prior to the approval hearing, and by written statement on oath, provide the clerk with evidence contesting the suitability of a candidate to hold office to which the candidate has been nominated*", the Clerk of the County Assembly placed an advertisement in the print media on Wednesday, 28th September, 2024 (Annexure 2) inviting the public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominee in conformity with section 7(10) of the Public Appointments (County Assemblies Approvals) Act, 2017.

By close of business on Thursday, 5th September, 2024 at 5.00 pm the Committee had not received any submissions against the nomination and approval for appointment of Mr. Nashon Aluoka Ogolla for the position of the County Attorney.

Committee's Pass Mark Score for the Nominee

Following the Committee meeting held vide Minute NO. 2/APPOINTMENTS/8/24 (17) the Committee resolved to set its score-sheet pass-mark at 60% to assist the Committee accurately vet the competence of the Nominee.

Approval Hearing of the Proposed Nominee.

The Committee on Appointments held a sitting on Thursday, 5th September, 2024 at 9.00am to deliberate on the approval hearing and the following were highlighted:

THAT, by the deadline date and time of Wednesday, 4th September, 2024 at 4.00 pm, the Clerk of the County Assembly had not received any submissions against the nomination and approval for appointment of Mr, Nashon Aluoka Ogolla for the position of County Attorney.

THAT, the nominee had not notified the Clerk of the County Assembly of the withdrawal from the approval process as outlined under section 7 (12) of the Public Appointments (County Assemblies Approvals) Act, 2020.

The Committee therefore resolved to undertake the approval hearing as per the schedule that had been advertised by the Clerk of the County Assembly and which was communicated to the members of the public and the nominee. In conducting the approval hearing, the Committee on Appointments examined the nominee against the following criteria, as set out in section 8 of the Public Appointments (Parliamentary Approval) Act, 2011 and Section 5 of the Office of the County Attorneys Act, 2020 among others.

Gender - compliance with Article 27(8) of the Constitution that requires the State to take measures to ensure that not more than two thirds of members of elective or appointive bodies shall be of the same gender;

Nationality - to ascertain the nationality of the nominee to ensure compliance with Article 78 of the Constitution this provides that State Officers must be Kenyan citizens;

Educational background;

Employment record;

Honours or awards given to the nominee;

Membership to professional bodies;

Public office and political affiliations held - to ascertain whether the nominee does not hold office in a political party in compliance with Article 77(2) of the Constitution that prohibits an appointed State Officer from holding an office in a political party;

Information on whether the nominee has been removed from office under Article 75 of the Constitution which prohibits a State Officer who has been removed from office under this Article from holding any other State Office;

Nominee's finances;

External commitments that nominee intends to undertake while in office (if appointed). Article 77(1) of the Constitution prohibits a full time State Officer from participating in any other gainful employment;

Tax status and net worth;

Potential conflict of interest - Article 75(1) of the Constitution bars State Officers from engagements or association that may give rise to conflict between official duties and personal interest;

Whether the nominee has been charged in a court of law in the past three years; and

Whether the nominee has been adversely mentioned in a report of the County Assembly or a Commission of inquiry in the past three years.

Qualification of Mr. Nashon Aluoka Ogolla

Mr. Speaker and Hon. Members, Mr. Nashon Aluoka Ogolla, the Nominee to the Office of the County Attorney appeared before the Committee and was vetted under oath pursuant to the Oath and Statutory Declarations Act, (Cap. 15), the Public Appointments (County Assemblies Approvals) Act, 2017 and Standing Orders of the Kisumu County Assembly.

The Committee noted the following:

Date and place of Birth.

The Nominee is Male born in Bondo on 19th April, 1980. The Nominee confirmed that he is a Kenyan citizen and does not hold any other citizenship.

Academic and Professional Qualifications

| Ref | Level | Institution | Year/Period | Verification |
|-----|--|----------------------------|-------------|--------------|
| 1. | Postgraduate Diploma in Law (P105/1356/17) | Kenya School of Law | 2015 | Successful |
| 2. | Bachelors of Laws | University of Nairobi | 2014 | Successful |
| 3. | Masters of Arts (Anthropology) | University of Nairobi | 1999 | Successful |
| 4. | Bachelor of Arts (Anthropology) | University of Nairobi | 1994 | Successful |
| 5. | Kenya Advanced Certificate of Education | Ambira High School | 1989 | Successful |
| 6. | Kenya Certificate of Education | AlooGumbi Secondary School | 1987 | Successful |

Advocate Practicing Status - Active in more than last five (5) years.

Public Service Record

| Ref. | Position | Institution/Organization | Year/Period |
|------|----------|--|-------------|
| 1. | Member | Kisumu County Service Board | Since 2018 |
| 2. | Member | Board of Management, God Abuaru Secondary School | 2014 -2017 |

Work and Litigation Experience

| | Title | Partner | Cases handled (among others) |
|--|--------------------------------|---|---|
| | Lawyer and Litigation Advocate | Otieno Aluoka & Co. Advocates, Nyaku House, | MoraraKebaso & 7 others v Attorney General, Kenyatta University Judicial Review 201 of 2018. Rose Owira & 23 others v Attorney General & Another |

| | | | |
|--|--|--|---|
| | | | Sigar James Agumba v IEBC and WafulaChebukati (HCCHRPET/E390/2022) |
|--|--|--|---|

Professional Association and Membership
Law Society of Kenya

Sources of Income received during the calendar year preceding the Nomination

Farming - Kshs. 1,000,000
 Rental - Kshs. 600,000
 Legal Practice - Deferred income of Kshs. 3,000,000
 Farm Plot God Abuoro Scheme - Deferred income Kshs. 5,000,000

Net Worth: Approximately;

Kshs. 27,000,000 based values of Rentals, farm land and profits from legal practice.

Published writings

| S/No | Publication | Year of Publication |
|------|---|---------------------|
| | BA Dissertation; The Socio Economic Significance of Water Bodies in Central Nyanza – Case Study of South West Kisumu Sub-Location | 1993 |
| | MA Thesis: The Impact of Sugarcane Farming on Household Food Security in Muhoroni Division, Western Kenya | 1999 |
| | The Role of NGOs in the Constitutional Review Process in Kenya, 1990-1997 – Sponsored by Sasakawa Foundation, Japan | 2000 |
| | Diaspora Philanthropy; The promise and Limitations in Giving to Africa by African Americans and African Immigrants through Community Foundations. | 2001 |
| | Kenya's Post Election Crisis: Analysis of Causality Factors (www.tokyofoundation.org) –Tokyo Foundation, Japan | 2007 |

Potential Conflict of Interest

None

Pro-bono/Charity Work

Involved in faith-based charities and Community Philanthropy Projects on youth empowerments and Legal Aid.

Honors and Awards

None

Clearance Requirements

The Committee received the following up-to date clearance Certificates from relevant clearance bodies in accordance with the requirements of Chapter six of the Constitution:

Tax Compliance Certificate (KRA)

HELB Compliance Certificate (HELB)

CRB Clearance Certificate (CRB)

Police Clearance Certificate (DCI)

Certified EACC Self-Declaration Form (EACC)-

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

The Committee made the following observations having considered the nominee's curriculum vitae, filled questionnaire pursuant to the Schedule to the Public Appointments (County Assemblies Approvals) Act 2020 and the oral submissions during the approval hearing: -

THAT, in accordance with Article 78(1) and (2) of the Constitution he is a Kenyan citizen born in Kisumu County and does not hold dual citizenship.

THAT, in accordance with the requirements set out in Section 5 of the Office of the County Attorneys Act, 2024, the nominee possesses a Law degree from the University of Nairobi, a recognized University and is an Advocate of the High Court of Kenya. He possess over five years' experience as a legal practitioner. His academic credentials, professional training and

experience thus comply with section 8 (c) of the Public Appointments (County Assemblies Approvals) Act, 2020.

THAT, he meets the requirements of Chapter 6 of the Constitution on leadership and integrity. The Committee further observed that the DCI, KRA, HELB and EACC had issued the Nominee with clearance certificates. The nominee has not been charged in a Court of Law in the last three years.

THAT, as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest.

THAT, he satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment.

THAT, he does not hold office in any political party and hence satisfies the provisions of Article 77(2) of the Constitution.

THAT, he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), Article 76 (financial probity), Article 77(restriction on activities of State Officers) and Article 78(2) (dual citizenship) of the Constitution and is therefore fit to hold office as the County Attorney.

THAT, he has exhibited immense knowledge of the law and understanding of the environment in which he is expected to serve as the County Attorney.

the Nominee was awarded a score of 79.77%.(refer scoresheet) by the Committee vetting Panelists being above the set pass-mark of 60% as indicated in the scoresheet analysis below:

SCORES FOR MR. NASHON ALUOKA OGOLLA; NOMINEE FOR POSITION OF COUNTY ATTORNEY

| No | Score Area | Max. Score | P1 | P2 | P3 | P4 | P5 | P6 | P7 | P8 | P9 | TOTAL |
|----|--|------------|----|----|----|----|----|----|----|----|----|-------|
| | PART I – PERSONAL PROFILE | | | | | | | | | | | |
| 1 | 1. Academic & Professional qualifications Candidate to describe: Years of Work experience (as it relates to the position) 10 + (5mks) 5-10+ (5mks) 1-5+ (5mks) 2. Demonstrable Achievements and Past pro bono voluntary engagements (5mks) | 20 | 15 | 15 | 19 | 18 | 16 | 15 | 20 | 16 | 10 | 144 |
| 2 | 1. Education/training (relevant to the position) Doctorate Degree (3mks) Masters Degree (2mks) Bachelor's Degree (5mks) | 10 | 7 | 7 | 9 | 7 | 6 | 10 | 10 | 6 | 7 | 69 |

| | | | | | | | | | | | | |
|--|--|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| | | | | | | | | | | | | |
| | PART II – TECHNICAL AND PROFESSIONAL QUALIFICATION | | | | | | | | | | | |
| | <i>(award 10 mks for each question)</i> | | 21 | 24 | 26 | 20 | 21 | 30 | 28 | 25 | 25 | 220 |
| | Question 3 Question 4 Question 5 | 30 | | | | | | | | | | |
| | PART III – GENERAL KNOWLEDGE | | | | | | | | | | | |
| | <i>(award 7.5 mks for each question)</i> | | 15 | 25 | 28 | 20 | 15 | 30 | 28 | 21 | 21 | 203 |
| | Question 6 Question 7 Question 8 Question 9 | 30 | | | | | | | | | | |
| | PART IV – COMMUNICATION AND PERSONAL ATTRIBUTES | | | | | | | | | | | |
| | Capacity to express self Clarity of speech General attitude and personality Interpersonal skills Self confidence | 10 | 8 | 5 | 9 | 9 | 9 | 10 | 8 | 10 | 10 | 78 |
| | Total | 100 | 66 | 76 | 91 | 74 | 67 | 95 | 94 | 82 | 73 | 718 |

Av. Score = 79.77%

Committee Recommendation

Mr. Speaker and Hon. Members, having conducted the approval hearings for the nominee pursuant to Section 5 of the Office of the County Attorney's Act, 2020, section 7 and Section 8 of the Public Appointments (County Assemblies Approvals) Act, 2017 and Standing Order 187; the Committee recommends that this House approves the appointment of Mr. Nashon Aluoka Ogolla as the County Attorney of Kisumu County Government.

Mr. Speaker, I want to call upon the Hon. Caren Ajwang, the member representing Kaloleni/Shaurimoyo and equally a Member of this House Committee to second. Thank you.

Hon. Ajwang (MCA, Kaloleni/Shaurimoyo): Thank you Mr. Speaker. I second.

The Speaker (Hon. Oraro): Honourable Members, now that the motion on the adoption of the report of the Select Committee on Appointments on the suitability of Mr. Nashon Otieno Aluoka Ogolla for appointment to the position of County Attorney has been ably moved and seconded. I want to propose a question that, this House Committee Report is now open for debate.

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

Hon Were (MCA, Nyalenda "B"): Thank you Mr. Speaker. I equally rise to support the report of the Select Committee on Appointments on the suitability of Mr. Nashon Otieno Aluoka Ogolla for appointment to the position of County Attorney. If you look at what is contained in the House Committee report, the proposed nominee has educational background and the professional qualification that is required to be a County Attorney. Again, if you look at the work experiences, yes the proposed nominee Mr. Ogolla has the requisite experience that is required to carry-out his mandate as the County Attorney.

Mr. Speaker, if you look at the past track records as documented in the report, yes the proposed nominees has what it takes to hold the position of County Attorney of Kisumu County. Similarly, if you look at the understanding of the local issues that affect Kisumu County? Yes, Mr. Nashon Ogolla has the requisite experience on County matters. Mr. Speaker, I therefore concur with the report. Thank you.

The Speaker (Hon Oraro): Honourable Obaso.

Hon Obaso (Nominated Member): Thank you, Mr. Speaker. Mr. Speaker, I want to attest to the fact that I was here when Mr. Aluoka was being vetted. And I want to confirm that, from my understanding, I feel that the proposed nominee has the requisite documents and he is capable to move this county forward on legal issues.

Mr. Speaker, we know that our county has had a problem on legal issues. There are instances where we've seen exorbitant interest being charged, losing of cases which should not be lost.

And I think Aluoka will be the person to move this county forward. Therefore, I support. Thank you.

The Speaker (Hon Oraro): Honourable Ouko.

Hon Ouko (MCA, West Kisumu): Thank you Mr. Speaker. I commend this House Committee for the work done according to the law. I support the report. Mr. Speaker, when we are doing vetting in the House, we look for the necessary papers. We look for the requirements under Chapter Six, and again we go through the academic documents, which in my belief is right. But, Mr. Speaker, the moment we give these people work, to work as legal officers or even the County Attorney, they fail us in very many ways. We have had a lot of hefty fines charged against the County Government of Kisumu. And these same people, who are failing the cases in court, were once vetted in this House, Mr. Speaker.

Mr. Speaker, it is advisable that when we vet these proposed candidates, and approve that they be given that kind of job, it is advisable that we make a follow-up on these people, so that they deliver on what is expected of them. Otherwise, Mr. Speaker, it is just a matter, we cannot know really, because a human being is not like a maize cob, where you can see if it is ripe or raw. But we see the papers that they present before this House. Based on that, we are very much convinced that this person can deliver.

But we should not just allow them to go start performing without following up, because one of our roles is oversight. We should be oversighting, we should see actually them actually delivery, what somebody, the production in terms of the qualifications somebody has. Therefore, it is very important, Mr. Speaker, that we do a follow-up on these people, so that we don't fall a victim of hefty fines, which we have experienced before. Thank you, Mr. Speaker, I support the Motion. Thank you.

The Speaker (Hon Oraro): Honourable Pamela Oyoo

Hon Oyoo (MCA, Migosi): Thank you, Mr. Speaker. I stand to support the Motion, because I feel the County needs a substantive Attorney. This County has suffered in the hands of lawyers. More than half of our pending bills have emanated from lawyers who have charged our County. I believe that it is important we have a Substantive Attorney to handle our legal cases, and Kisumu County can move forward. I stand to support.

The Speaker (Hon Oraro): Hon Boitone Ratib

Hon Boitone (MCA, Nyalenda "A"): Thank you, Mr. Speaker. Mr. Speaker, this is a report that doesn't need a lot of literature. Mr. Speaker, it is evident, and it's not the first Attorney of Kisumu County. We've had Mr. Obondi and Mr. Idris as County Attorneys, and all these Attorneys had qualifications, just as good as the qualifications of Mr. Aluoka. Having qualifications and doing the work are two different things, and this is now where I would like

this House to be very vigilant about. The two Attorneys that I mentioned earlier never won any single case on behalf of the County Government of Kisumu.

This should sound a warning bell to the nominee, if approved by the House. We are not going to sit pretty, waiting for him to lose cases. The first case, the second case, and the third case, if lost, Members of this County Assembly should stand up and not wait until things go haywire. I support. However, Mr. Speaker, we are on the lookout.

The Speaker (Hon Oraro): Hon Millicent Omuya

Hon Omuya (MCA, North Seme): Thank you so much. Mr. Speaker. I stand to support the approval of the appointment of Commissioner Aluoka to be the County Attorney. As indicated by some Members, we've had Mr. Obondi, who resigned, and he was followed by Mr. Idris, who was removed under unclear circumstances. Now we have Mr. Aluoka.

First, I want to say that I'm seeing a lawyer in Aluoka, and one good thing is that Mr. Aluoka has been an employee of the County. I can say that this proposed nominee has a historical background and he knows what is happening in this County. I have this request, and I'll just wish that he's thinking the way I'm thinking.

When you come to the County, we have a department of County Attorney. It is a department with staff and a budget. I believe that this proposed nominee is going to utilize his position as a County Attorney and ensure that the staffs who are working under that office do the work that they were employed to do. Why am I saying so? I'm saying this because, like the previous Attorneys, we employed them, they were employed by the county, earning salaries, yet when it comes to legal cases that people are going to the court or Counties being taken to court, they are also hiring lawyers. It is my belief that we just need to give them some time or give the incoming Attorney a test so that he fails in his first case, he fails in the second case, the third case so that he be fired. So that we, instead of, and in fact we can even disband that department of County Attorney. So that we hire lawyers to go and represent us. Otherwise, I'm supporting the appointment. Thank you.

The Speaker (Hon. Oraro): Honourable Bill Oliver

Hon. Oliver (MCA, Kobura): Thank you, Mr. Speaker, I also want to rise to support this proposed nominee for that position. I was there when the interview was being done, and if you listen to this proposed nominee and everything that he was saying, Mr. Speaker, he is a very qualified lawyer. I believe he is not going to do business with that position because if you look at the trend of what has been happening, the previous lawyers that we had, it is somehow obvious that the cases were lost for some reason. I want to believe that this time we are going to have some change. Because we have bills to be paid, the legal fees that have been accumulated here. And I believe that if he is going to have the same trend that was there, then we will fail as a County. I want to believe that is going to give us a different

direction. A direction where we will be winning cases as Kisumu County. I rise to support. Thank you.

The Speaker (Hon. Oraro): Honorable Onditi.

Hon. Onditi (MCA, Ombeyi): Thank you very much, Mr. Speaker. I stand to support the report. I also join in support of the sentiments expressed by my colleagues in support of the report. Mr. Speaker, it is being said, and it is all over the town that most counties lose cases because sometimes they have to only do business with lawyers. Mr. Speaker, looking at the content of the report, it gives you the indication of the person of Otieno Aluoka. This is a person I have known far way beyond coming to the County Government of Kisumu. He is a man of high integrity, and he is a man who is very difficult to bend. I know him as a very straightforward person, and I am very sure that being approved to take over this office, he is going to bring a lot of value in the office of the Attorney of the County government of Kisumu.

Mr. Speaker, as my colleagues have said, I think this is a report that should have been passed overwhelmingly, so that the County also has a substantive Attorney, Mr. Speaker, so that the County can move forward. Otherwise, I stand to support.

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

Hon. Omollo (MCA, West Nyakach): Thank you, Mr. Speaker, I also want to stand and support the motion as was presented by the Chief Whip on the appointment of Mr. Aluoka to the position of the County Attorney. The lawyer we are passing today, whose credentials we have read, and Mr. Speaker, I followed the interview online, and I must say that I was very much impressed at how he carried out himself beyond reproach. It is high time we get people of integrity like him to head our departments. This is a department which has really suffered and has made us lose a lot of millions in terms of collusion with the lawyers, and we failed to get any court case awarded to us, but we have lost so much. It is high time we got someone of this calibre and cadre to be the County Attorney substantively and make sure that he undertakes his mandate as a County Attorney.

So, I'm really impressed, and I believe that the proposed nominee will do his best to make sure that that department runs optimally. It is for a long time we have really not got it right in terms of that department. I support. Thank you, Mr. Speaker.

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

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Mr. Speaker, I support the approval of Mr. Aluoka to become the Attorney of Kisumu County Government. Mr. Speaker, I first interacted with this proposed nominee in 2019 when we were vetting him to become a Commissioner in the Public Service Board. He is a good character. He is a good professional in law, Mr. Speaker.

But, Mr. Speaker, the members have heaped praise on Mr. Aluoka, but I want to raise these reservations. As County Attorney of Kisumu County, we expect much from him. Just the way we expected much from the previous Attorneys. However, where is the problem? When Members are raising matters here that the County government has been losing cases in court, why has that been happening? Will Advocate Aluoka and his team go represent the County in court, or when court matters come, they will urge the County to hire lawyers?

Mr. Speaker, when you also look at the budget of Kisumu County and the practice, do they depend on the office of the County Attorney to represent it in the court? Or when court matters come, it is normal they will go hire the lawyers? And that is the practice in Kenya in government offices. That lawyers are being hired, and when matters of court come, they go to hire lawyers outside. They do not hire lawyers but now hire advocates to represent them. What kind of advocates will they hire to represent them? And what will be the cost implication? That is where the problem is. We are talking of high legal fees in Kisumu County. When we look at the matter of pending bill, it is only being said to be Ksh. 2 billion. The Chairperson of Justice and Legal Affairs Committee at one time raised that matter, then he went mute.

Mr. Speaker, there was a meeting of standing Committee on Justice and Legal Affairs with the department where that issue was also raised, then things went mute. So, we must take the County Executive to task, so that we know, as Mr. Aluoka enters the office, the Legal Fee Pending Bill in Legal Department is how much? That one now, no one will tell you, and no one will bother about it because, who is supposed to pay these pending bills? The Department of Finance. Let us find out from the Department of Finance, what the legal bill had been, and what they paid, and the outstanding.

Mr. Speaker, another matter, lawyers are very clever people. They go represent you in court, they work out their charges, as they come out, they ring-fence their charges. That means, if you do not pay, the interest will keep on accumulating. And that is why the legal fees has become enormous in every government. So these are matters which the legislators need to know. And that, when employment is being done in the legal office, do they employ the first people who are going to represent them in court or they just employ the first people who will gain experience over the years. When court matters come, they go out to hire the advocates. These are matters that we need to address, when we want to talk of legal charges which have become enormous in every government department.

Mr. Speaker, when I look at the legal experience of Mr. Aluoka, this proposed nominee deserves to be in this office. He has given us his background and the experiences he has in legal field, which is very important. So, if he is given good support, I hope things will work out better in this County. His Policy Development experience on Page 2, Public Service Experience on Page 2 and when you go to Page 3, Work and Litigation experience and Page 4, we also see his Achievements, Page 5, the Published works he has done and sample Consultancies and papers.

Mr. Speaker, which means, this is not just a lawyer, he is also a publisher, to prove his experience and knowledge in this field. And as I look at this Report, Mr. Aluoka deserves to become the County Attorney. As Members have echoed, that they will want to know his achievements, the cases he has won, the legal matters he has handled in his office. If we go that way, we will get the courage and going that way, we shall help this county. Mr. Speaker, I so contribute, and Mr. Aluoka deserves to be in that office, the way he has served Kisumu County in the Public Service Board. I so submit.

The Speaker (Hon. Oraro): Honourable Moses.

Hon. Ochele (MCA, East Kano Wawidhi): Thank you Mr. Speaker. May I join the queue in supporting the Motion today. The Motion of approving the nomination of one Mr. Nashon Otieno Aluoka. Mr. Speaker, it is worth noting, that Mr. Aluoka deserves the approval. I was seated when he was being vetted, Mr. Speaker, in this Chamber. Mr. Speaker, apart from high academic background, this proposed nominee is one person who I believe convinced the Select Committee on Appointment that he is worth what his papers indicate. Mr. Speaker, I realize that, the Aluoka I normally know and the Aluoka I heard explaining facts, exuding high experience in international matters, in areas he has worked, Mr. Speaker, it is my belief that the County, has one of the best brains in Mr. Nashon Aluoka.

Mr. Speaker, one thing which bothers me, is how he is going to face the challenges ahead of him. He is going to a department which is difficult, heavily indebted and Mr. Speaker, which is full of very incompetent staff. When we talk of pending bills, Mr. Speaker, this is the department which has the highest pending bills and most, the better percentage of these bills, are created by lawyers who are geared towards...

(Hon. Oiko rises on a Point of Order)

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Point of order, Mr. Speaker.

The Speaker (Hon. Oraro): What is your Point of Order, Hon. Oiko?

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Mr. Speaker, the Chairperson, Justice and Legal Affairs Committee (JLAC Committee), had used a very strong adjective, describing the staff at the County Attorney. May he withdraw, because he will give a very bad picture of the Assembly, when that comes out, that that was the word used on the staff.

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

Hon. Ochele (MCA, East Kano/Wawidhi): Mr. Speaker, sometimes, Hon. Benny Oiko amuses me. He stated himself, that the Chairperson, Justice and Legal Affairs Committee had stated, the rot at that department. I am just using his words, by just twisting them. Unless you

are forgetting that you had just mentioned the same or unless English semantics is making it different. Mr. Speaker, I am just sympathizing with...

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Point of Order, Mr. Speaker. Mr. Speaker, I never used that adjective.

The Speaker (Hon. Oraro): Honourable Oiko, what is it? What is the Point of Order?

Hon. Oiko (MCA, Kabonyo/Kanyagwal): The Point of Order, Mr. Speaker, Point of Fact, I never used that adjective to refer to the staff at the County Attorney.

The Speaker (Hon. Oraro): Honourable Moses.

Hon. Ochele (MCA, East Kano/Wawidhi): Mr. Speaker, when I use a word, he should have been patient enough to allow me to qualify, what I intended to mean, and what I will say about it. But he hurriedly interjected.

Mr. Speaker, this County has a serious problem, with that department. Mr. Speaker, it is a department which has got six advocates in the payroll. Mr. Speaker, none of these advocates will wish to go to court. They earn salary from the County, and Mr. Speaker, when we were making the budget, some of them could come, and talk of, like, the pending bills should be paid, because the pending bills are giving them bad names. And most of these pending bills, Mr. Speaker, were inherited from the Former Defunct Municipal Council. I was just wondering, how are these pending bills making them have bad names? I do not know.

Mr. Speaker, the second challenge that Mr. Aluoka will face, if approved by this House, which I know he will be approved, is the level of interference. That is a department where everybody is interested, and the level of interference is massive.

And, Mr. Speaker, going by the words of the former acting Attorney General, County Attorney, Mr. Ouma Njoga, he was scared of even staying in that office for even one hour because of interference. If Mr. Aluoka can develop a thick skin, where he can repulse any attempt of interfering with the performance, then we will achieve. But, if he can be subdued, then I think the solution will not be attained. Whether he is appointed or not appointed, we will not attain any solution if he will succumb to the pressure which is all over this county and get to that office.

Mr. Speaker, finally, the County Attorney, Mr. Speaker, should be the advisor of the government and the Governor on matters of legal practice and legal defenses in the county. Mr. Speaker, the pending bills that we have, like there is a case which the Select Committee of PIC PAC brought before this House.

A consultancy firm was hired to collect money on behalf of Kisumu Municipality, those days of Municipal Council. Mr. Speaker, they collected 40 million. They were to take their commission out of the 40 million and deposit the rest of the municipal account. Mr. Speaker, what did the consultancy firm do? They consumed all the 40 million, ran away from the contract, they didn't run the contract to its fullest. Mr. Speaker, when the county government came in place, the same lawyers colluded with the county government staff, then together they went to court and today, they are being paid because they consumed money from the Municipal Council.

Mr. Speaker, it is a pity. And the trend is even live today. It calls for someone who is, I don't know, who is stone made to protect the money of this government.

Mr. Speaker, there are several cases. We were dealing with cases of Contractors. A contractor who is not paid his dues of Kshs 3 million goes to court, colludes with our advocates. Then today, from 2018, the Kshs 3 million is now, has given birth to Kshs 62 million, Mr. Speaker and that is the trend. So, it calls for wisdom and prayer for the Department of the Attorney to get a way of protecting the county....

(Hon. Oiko rises on a Point of Order)

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Point of order, Mr. Speaker.

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

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Yes, Mr. Speaker, what Honourable Ochele is raising is true, but there is one fact which we need to know. The invoices last for 30 days, 60 days, 90 days. If they are not paid, the supplier will now go to court to demand his rights and once that is done, the court will give him the powers that he will be paid his invoices. If that is not done, the principal sum will be sealed, and then the interest will start increasing, the interest. That's why you are talking of the Kshs 62 million. Whose mistake it was so that the Kshs 3 million was not paid within the invoice period? It is not the mistake of the County Attorney; it is that of the Department of Finance. Thank you.

The Speaker (Hon. Oraro): Honourable Ochele.

Hon. Ochele (MCA, East Kano/Wawidhi): Mr. Speaker, I'm not getting this point of order, Mr. Speaker, and I think you are unfairly protecting Honourable Oiko Pete. It is like Honourable Pete did not debate enough, or he didn't get enough facts to debate on. I'm just helping him reconsider what he should have been debating on. Because what he's doing is simply debating. There's nothing out of order. So, I beg Mr. Speaker, just protect me, I conclude my debate.

Mr. Speaker, I was talking of how pending bill multiplies, and I want a way where we can be protected. I was saying, it is not bad for an aggrieved supplier to go to court, but colluding in a way of pleasing the county government, it's dangerous to us, it's dangerous to the public, and it is a way of kind of indirectly looting, Mr. Speaker. So, it calls for a very strong personality, with the knowledge of Mr. Aluoka, then I think he can formulate a way of protecting the county from such kind of collusion.

Mr. Speaker, it is in the public domain that we are not good at paying the suppliers, that is very true, Mr. Speaker. But, Mr. Speaker, there are certain instances where a smart lawyer can always opt for out-of-court settlement. Why do you allow such cases, like failure to pay, to go to full length of hearing, to an extent where now the court awards such unconvincing sums? Mr. Speaker, a smart attorney, like Aluoka, will take the advice of always opting to go on out-of-court settlements, so that it obstructs the payment of these aggrieved contractors in time, and avoid and protect the county from losing a lot of money.

Mr. Speaker, I have faith in him, I know that this proposed nominee will deliver, and I only sympathize with the challenges that he will face. Thank you, Mr. Speaker. I support.

The Speaker (Hon. Oraro): Honourable Samuel Onyango.

Hon. Samuel Onyango (MCA, Railways): Thank you, Mr. Speaker. Mr. Speaker, may I call the mover to reply?

The Speaker (Hon. Oraro): The Honourable Chief Whip, Hon. Kanga.

The Chief Whip (Hon. Seth kanga, MCA, Market/Milimani): Thank you Mr. Speaker. First of all, Mr. Speaker, I want to commend Members of this House for debating robustly and adding their concerns as far as the suitability of the office of the County attorney is concern.

First of all Mr. Speaker, the issues raised by the Honourable Members in regards to the suitability of Mr. Aluoka are addressed in his litigation experience, whereby Mr. Aluoka has got experience and especially judicial jurisprudence on matters of civil, constitution, human rights, land environment, criminal law, labour issues, and finally, issues to do with administrative law, whereby the county usually get litigations where unfair administrative actions are concerned.

Mr. Speaker, the County Attorney assured this House that all legal matters on behalf of the county will be handled by his office and the employed attorneys, as emphasized by Honourable Ochele. Should any need arise, this proposed nominee committed to hiring pre-qualified lawyers, ensuring that their services are within the budgetary limits set for legal matters by this Honourable House.

Mr. Speaker, during the interview of this proposed nominee Mr. Aluoka, several concerns were raised regarding pending bills related to legal issues. He assured this House and the relevant House Committee that he would strictly adhere to the rules, ensuring that legal costs incurred by the county are managed within the budgetary confines.

Mr. Speaker, the matter of Pending Bills, as highlighted by Honourable Ochele, was also discussed. Mr. Speaker, he gave further assurance that he would address these pending bills in accordance with the law. Specifically, the issue of bills originating from the Former Defunct Municipal, Councils, and Town Councils was raised. Mr. Speaker, he assured us that he will review these matters and ensure that those who provided genuine services to the county will be duly considered.

Finally, I beseech Honourable Members to approve Mr. Aluoka's suitability for the position of County Attorney. Mr. Speaker, I so reply. Thank you.

The Speaker (Hon. Oraro): Thank you Chief Whip. Honourable Members, now that the motion on the adoption of the report of Appointment Committee on the suitability of Mr. Nashon Aluoka for the appointment to the position of County Attorney has been moved, seconded, and debated, I now 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 the adoption of the report of Appointment Committee on the suitability of Mr. Nashon Aluoka for appointment to the position of County Attorney has been adopted today, Wednesday, the 11th of September 2024 at 1528 hours. I direct that the Hansard report be prepared for communication to the Governor for purposes of appointing Mr. Nashon Aluoka as the Kisumu County Attorney. Thank you.

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

MOTION

1ST READING OF THE KISUMU COUNTY FINANCE BILL 2024

BY

HON JOACHIM OKETCH, MCA, KONDELE

(CHAIRPERSON, SELECT COMMITTEE, BUDGET AND APPROPRIATIONS)

The Speaker (Hon. Oraro): Honourable Seth Kanga will move that motion on your behalf OF Hon. Joachim Oketch who is out on official duties, so Honourable Chief Whip.

The Chief Whip (Hon. Kanga, MCA, Market Milimani): Thank you Mr. Speaker and Honourable Members, on behalf of Honourable Joachim Oketch, who is the Chairperson of Budget and Appropriation Committee, I take this opportunity to ask the clerk to take us through the first reading of the Bill as per our Standing Order No. 121 of the Kisumu County Assembly Standing Orders.

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

The Kisumu County Finance Bill, 2024, a bill for an act of the County Assembly of Kisumu, to provide for the various taxes, fees, and charges for services and for other revenue-raising measures by the county government, and for the matters incidental thereto.

And the bill has been read for the first time.

The Speaker (Hon. Oraro): Honourable Members, I want to commit this Bill to the Select Committee of Budget and Appropriation, and I believe every Member has already received a copy of the Bill. If not, then each Member should be furnished with a copy of the Bill, and alongside the draft report on Finance Bill that we had yesterday. So, the Select Committee of Budget and Appropriations to proceed as per our Standing Orders, to seek comments by conducting public participation on this Bill and report back to the House.

The Speaker (Hon. Oraro): Next order!

The Speaker (Hon. Oraro): We can be upstanding. And before we adjourn, the Members of the Appointment Committee, we are meeting at Committee Room No.1 immediately after the session, so you proceed alongside Honourable Samuel Dede and Honourable Ratib.

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable Members, there being no other business, the House stands adjourned until tomorrow, Thursday, 12 September 2024 at 02.30 p.m.

(House rose at 03.34 p.m.)

Addendum***Hansard Team***

| | | |
|------------------------|---|--|
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