

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – THIRD SESSION

Wednesday 09th October, 2024

House met in the Main Chamber at 02:30 p.m.

(The Deputy Speaker (Hon. Nereah Okombo) in the Chair)

PRAYER

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Clerk, can you take us through the order of the day?

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next order!!

COMMUNICATION FROM THE CHAIR

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, the County Assembly's Football Team is informed that on Friday, 11th October 2024 at 04:00 p.m. they will be having a friendly match against a team from AAR. The team is kindly requested to attend and participate in the match.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next order!!

PETITION

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, pursuant to Orders Number 215 (2) (b), I want to report that the County Assembly is in receipt of a petition No. 3 of 2024 by Kisumu Contractors and Suppliers Association to the County Assembly on the

matters of Prioritization of Pending Bills for Kisumu County Government. The House Business Committee considered the petition yesterday and made a proposal that the office of the Majority Leader to come up with the names of an Adhoc Committee that will look at this petition.

So, the office of the Majority Leader, you can share the names or what you have with the House because we need to have the petition committed. So, Honourable Members, the petition is here to the County Assembly under Article 37 of the Constitution of Kenya, Section 4 of the petitions to the County Assembly's Procedures Act 2020 and Standing Orders No. 210 of the County Assembly Standing Orders on the matter of Prioritization of Pending Bills for Kisumu County Government.

It reads, we the undersigned citizens of Kenya representing not less than 100 contractors and suppliers for Kisumu County Government under the Kisumu Contractors and Suppliers Association Kikosa draw the attention of the Honourable House to the following;

- a) Non-payment of Pending Bills in line with the provisions of Section 55 of the Public Procurement and Asset Disposal Act 2015. We are eligible Contractors and Suppliers for Kisumu County Government having been engaged by the County Government through various contractual agreements in accordance to the Constitution of Kenya 2010 and the Public Procurement and Asset Disposal Act 2015
- b) THAT, the Kisumu County Government has accrued significant Pending Bills for services rendered by Contractors and Suppliers many of whom have not been paid for extended periods despite fulfilling their contractual obligations.
- c) THAT, as of 30th June, 2024, we are owed substantial amounts by the County Government which has resulted in severe financial hardships for the affected businesses leading to layoffs, loan defaults and closure of businesses.
- d) THAT, despite numerous assurances from the County Government there has been no structured or equitable effort to prioritize the payment of these Pending Bills as Contractors and Suppliers continue to suffer from prolonged financial uncertainty.
2. THAT, the Kisumu County Government has been voiding certain files without a transparent process leaving contractors and suppliers without a clear explanation or remedy for payment delays. This practice creates significant confusion and leads to prolonged non-payment of legitimate claims. To voided files and preferential payments, that there is growing concern over preferential treatment of some contractors and suppliers who receive timely payments while others face delays for months or even years. This selective prioritization has undermined the principle of fairness and equality in the disbursement of public funds and continues to violate the spirit of Public Finance Management and the Public Procurement and Asset Disposal Act 2015.
- a) THAT, we demand the clearing of all voided files and a fair and transparent process for prioritization of payment of pending bills.

- b) THAT, the continued delay in payment of Pending Bills has caused significant financial distress for Contractors and Suppliers many of whom are small and medium enterprises whose financial stability heavily depends on timely payment from the county government.
- c) THAT, financial hardships and adverse economic impacts; one that our inability to meet financial obligations due to delayed payments has resulted in the downgrading of our credit worthiness reducing our access to credit facilities and in some cases the false cessation of business operations.
3. THAT, this situation also affects the wider Kisumu County economy as businesses are unable to reinvest employ more people or continue to local development which undermines the overall economic growth and welfare of the county's residents.
4. THAT, we have made the best efforts to have these matters addressed by the County Executive Committee Member for Finance and Economic Planning who has failed to provide satisfactory response.
5. THAT, none of these issues raised in this Petition is pending in any Court of Law Constitutional or any other legal body.

Therefore, your humble petitioners pray that the County Assembly;

1. Compels the Kisumu County Government to Prioritize and Expedite the payment of Pending Bills owed to Contractors and Suppliers in a fair transparent and equitable manner.
2. Directs the County Executive Committee Member for Finance to establish a clear structured process for reviewing and clearing voided files and providing Contractors and Suppliers with a timely resolution for outstanding payments.
3. Resolve to set aside within the budget a special amount of priority payment of Pending Bills owed to Contractors and Suppliers.
4. Directs County Government entities to conduct early procurement for tenders specifically within the First Quarter of every Financial Year.
5. Investigates and addresses the issues of preferential treatment in the payment of Contractors and Suppliers ensuring that all contractors are paid based on clear fair and transparent preservation system and not on favoritism or other improper considerations.

The petition is dated 16th day of September 2024 and we have a list of 32 contractors signing the petition here which we've read through and having considered all the prayers and all the concerns of the Contractors and Suppliers.

Again, I've confirmed with the Office of the Clerk that so far these matters are not pending before any court of law and if there is then there simply are not written receipt of any notice of such claims and so we want to commit this Petition because it concerns financial to the Standing Committee on Finance and ICT. The Petition is supposed to be looked at within 60 days.

Therefore, Honourable Carren, I do not know whether you have something to say on that but this should stand committed to your committee.

Hon. Carren Ajwang' (MCA, Kaloleni Shaurimoyo): Thank you Madam Speaker. I do agree that the Petition deals with finances and it should be committed to the House Committee on Finance and ICT but, due to the heavy workload we have, with your permission Madam Speaker, I request this Honourable House constitutes an Adhoc Committee to assist in addressing this matter. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Thank you Honourable Members. The House will look at that request and give a communication after we are done with today's businesses.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Next order!!

PAPERS LAID

REPORT OF INFRASTRUCTURE, ENERGY AND PUBLIC WORKS COMMITTEE ON
THE MATTER OF CONSIDERATION OF AKODHE LOTH ROAD IN CHEMELIL TAMU
WARD

BY

HON. REUBEN RAKWACH, MCA, KOLWA EAST.

REPORT ON EDUCATION, TECHNICAL TRAINING, INNOVATION AND SOCIAL
SERVICES COMMITTEE ON THE INQUIRY ON TO THE STATE OF EARLY
CHILDHOOD EDUCATION PROGRAMME IN KISUMU COUNTY

BY

HON. SETH OKUMU, MCA, EAST SEME.

REPORT OF TRADE, TOURISM, MARKETING AND INDUSTRY COMMITTEE ON THE
BENCHMARKING EXERCISE AT BUSIA COUNTY ASSEMBLY

BY

HON. ALICE WAJEWAWA, NOMINTED MEMBER

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Yes, Honourable Rakwach.

Hon Rakwach (MCA, Kolwa East): Thank you Madam Speaker. Madam Speaker, pursuant to the provisions of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to Table today Wednesday, 09th October, 2024 a Report of Infrastructure, Energy and Public Works Committee on the matter of consideration of Akodhe Loth Road in Chemelil Tamu Ward. Thank you.

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

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Gard Olima and Honourable Joachim are on their feet. Do you want to lay a Paper (s)? Order!! Hon Gard. Do you have a Paper to lay? Please resume your seat Honourable Olima.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Thank you Honourable Members. I am in receipt of the report on the Matter of Construction of Akodhe Loth Road in Chemelil Tamu Ward by the Standing Committee on Infrastructure, Energy and Public Works; a document that had been forwarded to the House Business Committee and I know they have considered scheduling it for debate.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Seth Okumu.

Hon Okumu (MCA, East Seme): Thank you Madam Speaker. Pursuant to the provisions of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 09th October, 2024 a Report on Education, Technical Training, Innovation and Social Services Committee on the Inquiry on to the State of Early Childhood Education Programme in Kisumu County. Thank you Hon Speaker.

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

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, I want to confirm receipt of a Report on the inquiry on to the state of Early Childhood Education Programme in Kisumu County, by Committee on Education, Vocational Training and the Social Services and I want to commit it to the House Business for scheduling for debate.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Honourable Wajewa, you have a Paper to lay?

Hon. Wajewa (Nominated Member): Yes Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Please proceed.

Hon Wajewa (Nominated): Thank you Madam Speaker. Pursuant to the provisions of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Wednesday, 09th October, 2024 Report of Trade, Tourism, Marketing and Industry Committee on the Benchmarking Exercise at Busia County Assembly. Thank you.

(Hon. Alice Wajewa lays the report before the House for consideration)

The Deputy Speaker (Hon Okombo, MCA Manyatta “B”): Thank you Honourable Members, I am in receipt of a Benchmarking Exercise Report with Busia County from the Standing Committee on Trade, Tourism, Marketing and Industry.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next order!!

NOTICES OF MOTION

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Honourable Rakwach.

Hon Rakwach (MCA, Kolwa East): Thank you Madam Speaker. Madam Speaker, I rise to give a Notice of Motion that---

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Seth Okumu.

Hon Okumu (East Seme): On a point of order, Madam Speaker. In the Order of giving Notices, I believe that it is Honourable Rakwach is second to give Notice of Motion.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): He is the second, you come before him?

Hon Okumu (MCA, East Seme): Yes, Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): But the Member rose up before you?

Hon Okumu (MCA, East Seme): Madam Speaker, I do not know why the Member is in a hurry. He can just resume his seat.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Considering seniority and since you are the First Panelist, I give him priority.

Hon Rakwach (MCA, Kolwa East): Madam Speaker, but a signal to me that I should just continue. Anyway, I sit down.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Thank you.

Hon Okumu (MCA, East Seme): Thank you Madam Speaker. Pursuant to the provision of Orders No. 45 (1) of the County Assembly Standing Orders, I want to give a Notice of Motion that this House adopts the report of Education, Technical Training, Innovation and Social Services Committee on their inquiry onto the state of Early Childhood Education Programme in Kisumu County. Thank you Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Rakwach.

Hon Rakwach (MCA, East Kolwa): Thank you Madam Speaker. Madam Speaker, I rise to give a Notice of Motion that pursuant to the provisions of Orders No. 45 (1) of the Kisumu County assembly Standing Orders, this House adopts the Report of Infrastructure, Energy and Public Works Committee on the Matter of Construction of Akodhe Loth Road in Chemelil Tamu Ward. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next order!!

STATEMENT

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Honourable Adegga

Hon Adegga (MCA, Kajulu): Thank you Madam Speaker. I arise pursuant to the provisions of Standing Order No 41 (2), to withdraw my earlier scheduled request for a Statement that sought a response from the Chairperson of the Committee on Infrastructure, Energy and Public Works regarding the deteriorating condition of Ongadi-Osiepe Access Road at Thur-Kojewang in Kajulu Ward. Upon further consultation and consideration of the progress being made on this issue, I find it necessary to retract my request at this juncture without need for committal as per the requirements.

Madam Speaker, I remain confident that alternative measures taken by KeRRA are being pursued to address the concern raised and I will continue to monitor the situation closely on behalf of the residents of Kajulu. Thank you Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Adegga, your withdrawal of a Statement has been noted.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next Order!!

MOTION

BILL

Second Reading

KISUMU COUNTY FINANCE BILL 2024 (COUNTY ASSEMBLY BILLS No. 3 of 2024)

BY

HON JOACHIM OKECH, MCA, KONDELE

(CHAIRPERSON, SELECT COMMITTEE OF BUDGET AND APPROPRIATIONS)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Chairperson, Budget and Appropriation Committee.

Hon Joachim (MCA, Kondele): Thank you very much Madam Speaker. Madam Speaker, I would wish to Move that the Kisumu County Finance Bill, 2024 be read for the second time.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Clerk.

(Clerk-at- the- Table read the Kisumu County Finance Bill 2024 for the second time)

The Deputy Speaker (Hon Okombo, MCA Manyatta “B”): Yes, Chairperson, Budget and Appropriations Committee

Hon Joachim (MCA, Kondele): Thank you Madam Speaker. Madam Speaker, the Bill having been read for the second time, Madam Speaker, I would like to Move that this House reverts to the Committee of the Whole House. I would like to request the Majority Leader to second. Thank you.

The Deputy Speaker (Hon Okombo, MCA Manyatta “B”): Yes, Leader of Majority

Leader of Majority (Hon Ooko, MCA Ahero): Thank you Madam Speaker. I second that we move to the Committee of the Whole House. Thank you.

The Deputy Speaker (Hon Okombo, MCA Manyatta B): Honourable Members, the House converts to the Committee of the Whole House without question being put.

(House converts to the Committee of the Whole)

COMMITTEE OF THE WHOLE

[The Deputy Speaker (Hon Okombo) vacates the Chair]

IN THE COMMITTEE

[The Temporary Chairperson, Committee of the Whole (Carren Ajwang) in the Chair]

[The Temporary Chairperson consults with the Chairperson, Budget Committee]

Temporary Chairperson, Committee of the Whole House (Hon. Carren Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable member, apologies for the delay, we are still consulting. This House has reverted to the Committee of the Whole House and as per our Standing Order No. 125(1), I read;

“A Bill having been read a second time shall stand committed to a committee of the Whole County Assembly on the order of the day for committee on a bill being read, the Speaker shall leave the chair without question put.”

Sequences to be observed on a Bill in committee. That is Standing Order No.126.

“In considering a Bill in committee, the various parts thereof shall be considered in the following sequence. Clauses as printed excluding the clauses providing for the citation of the Bill, the commencement if any, and the interpretation.

Part B, new clauses. Part C, schedules. Part D, new schedules, Part E, interpretation. Part F, Preamble if any. Part G, Long Title, and finally, Part H, the clauses providing for the citation of the Bill and the Commencement. At this juncture, I want to request the Honorable Chairperson to propose whether we are going the guillotine way or otherwise. Thank you.

Chairperson, Budget and Appropriations Committee (Hon. Oketch, MCA, Kondele): Yes, thank you Madam Chairperson. That is precisely what I wanted to request. Having read the sequencing as stipulated in Standing Order No. 126, I wish to propose that we go the guillotine way. I request the Deputy Chairperson of the select Committee on Budget and Appropriations to second.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Yes Honourable Okumu.

Hon. Okumu (MCA, East Seme): Thank you so much Madam Chairperson. I rise to second that we go the guillotine way. Thank you.

Temporary Chairperson, Committee of the Whole House (Hon. Carren Ajwang', MCA, Kaloleni/Shaurimoyo): Honorable Members, we are going to adopt the Bill in parts. And I read,

THE KISUMU COUNTY FINANCE BILL 2024.

A Bill for an act of the County Assembly of Kisumu to provide for the various taxes, fees, charges for services, and for the other revenue raising measures by the County Government, and for the matters incidental thereto. Is there any change, any amendment? Chairperson, on the short title and the long title.

Chairperson, Budget and Appropriations Committee (Hon. Oketch, MCA, Kondele): Thank you Madam Chairperson. No amendments from the House Committee on the Long and Short Titles.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Okay, we proceed to Part I. Is there any amendment, Chairperson?

Chairperson, Budget and Appropriations Committee (Hon. Oketch, MCA, Kondele): Thank you Madam Chairperson. Though, in our sequencing, I thought we will put a question for the Short and Long Titles. If at all there was no amendment from the Floor, then we put a question, because we had proposed guillotine.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Thank you Hon. Oketch for that reminder. You are right.

Temporary Chairperson, Committee of the Whole House (Hon. Carren Ajwang', MCA, Kaloleni/Shaurimoyo): So, Honourable Members, we put a question that the Long and Short Titles be part of the Bill?

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members, the Long and the Short Titles are now part of the

Bill. Thank you. Okay, we are now in part one, under preliminaries. Is there any amendment, Chairperson?

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Yes, Madam Chairperson. On Part I, we have an amendment and if Members have the Bill, they can look at Clause 2. If you allow me to read, Madam Chairperson, that Clause 2 be amended to include the following definitions;

- a) As applied to the Schedules under Jaramogi Oginga Odinga Teaching and Referral Hospital, User Fees and Charges. ‘Special Rate’, refers to user fees payable through SHIF, which is Social Health Insurance Fund, or any other health insurance scheme.
- b) PHC, to stand for Primary Healthcare. Those are the only amendments on part one from the committee. Thank you.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang’, MCA, Kaloleni/Shaurimoyo): Secnder Honourable Chairperson?

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Thank you very much. I wish to call again the Vice Chairperson, Budget and Appropriations to second.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang’, MCA, Kaloleni/Shaurimoyo): Yes Honourable Okumu.

Hon. Okumu (MCA, East Seme): Thank you, Madam Chairperson. Madam Chairperson, I wish to second those amendments because we had agreed that without that definition, then people would think that Special Rates would mean that we are providing more special services other than the ones we are providing in other wings of the hospital. But the reason we were putting those rates was for charges that are being compensated by Insurance Companies that do not take into consideration that we pay the staff. So, they provide reimbursement including for the staff that we employ as the county government. So, Honorable Madam Speaker, I second those amendments.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang’, MCA, Kaloleni/Shaurimoyo): Honourable Members, Part I, under Preliminary, as read by the Chairperson and seconded by the Vice Chairperson, with the amendments, I now want to propose a question. And I propose that part one, under preliminary, be open for debate.

(Silence)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Silence means you are in agreement. And now I want to put a question.

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members, and Part I, on the Preliminary with the amendment, is now part of the Bill.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members, we now move to Part II that deals with taxes, fees, charges payable and rates applicable to our Honorable Chairperson, Hon. Joachim Oketch. Is there any amendment?

Chairperson, Budget and Appropriations Committee (Hon. Oketch, MCA, Kondele): No proposed amendments on Part II from the House Committee, Madam Chairperson.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members, I want to ask if there is any amendment from the Floor.

(Silence)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members, There is none. And I want to put a question of adoption.

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members, Part II, that deals with Taxes, Fees, Charges Payable and Rates Applicable, is now part of the Bill.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members, We are now in Part III that deals with Payments. Honorable Chairperson, is there any amendment?

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Madam Chairperson, no proposed amendments on Part III from this House Committee.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honorable Members, is there any amendments? None. And I want to put a question for adoption.

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable member, Part III, which deals with Payments, becomes part of the Bill.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members and Honorable Chairperson, we are now in Part IV, that deals with Offenses and Penalties. Honorable Chairperson, is there any amendment?

Chairperson Budget and Appropriations committee (Hon. Oketch, MCA, Kondele): No proposed amendments from this House Committee.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo) Honourable Members, is there any further proposed amendments?

(Silence)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honorable Members. Part IV, that deals with Offenses and Penalties, as in the Bill, I now want to put a question?

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable members, Part IV, that deals with Offenses and Penalties, becomes part of the Bill.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honorable Chairperson and Honorable Members, we are in Part V. That is on Miscellaneous. Honorable Chairperson, any proposed amendments from the house Committee?

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): No proposed amendments on Part V, Madam Chairperson.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Any further proposed amendment from the Committee of the Whole House?

(Silence)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): None!! Honourable Members, I would like to put a question that Part V on Miscellaneous as prescribed in the Bill be part of the Bill?

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Members Part V that deals with Miscellaneous is now part of this Bill.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni/Shaurimoyo): Honourable Chairperson, we are now on the Schedules. Are there any changes in the List of Schedules?

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Thank you Madam Chairperson. Yes, having accorded us the sequencing pursuant to the provisions of Orders No. 126 and having adopted the guillotine way. Please allow me to move that the First and the Second Schedules together. I want to bring to the attention of Honourable Members that, as a House Committee we have proposed a long list of amendments in the Schedules and I would like to request that members be a little bit keen.

Madam Chairperson, on the Schedules. THAT, the First Schedule be amended by deleting the User Fees and Charges as presented in this report domiciled under JOOTRH to be specific. Some of the proposed deletions called the User Fees were as follows;

- a) Everything under Absconders to be expunged.
- b) Code 19 page 30 of the Bill, please allow me read. THAT, Code 19 that is BS for malaria be amended by reducing the charges from Kshs 100 to Kshs 50 respectively.

Madam Chairperson please allow me read everything even though it is a long list.

4. Laboratory

The Charges under *Code 19, Pg. 30* – BS for Malaria be reduced from Kshs. 100 to Kshs. 50, aiming to reduce malaria morbidity and mortality.

5. Renal Unit

That, (*Code 9. Pg.175*) be amended by deleting the words “*without NHIF*” to the phrase Dialysis Kit without NHIF (Package). Again, we had read on how to replace NHIF because we do not have it anymore

6. Rental Income

Code 1, Pg. 176 - be amended by adding the words ‘*for Mortuary Canteen*’ after the phrase House Rent to give specification on what is exactly being charged.

7. WARDS

That, *Code. 25 Pg. 284* be amended by deleting the word private after the phrase Vacuum Dressing.

IV. ALL COUNTY, SUB-COUNTY HOSPITAL CHARGES AND PHC

8. *Code. 25, Pg. 336*

The bill be amended to reduce the charges for ambulance transport outside the City from Kshs. 5,000 to Kshs. 1,500. This reduction aims to improve affordability of the services and promote access to health care.

V. WATER ENVIRONMENT AND NATURAL RESOURCES

9. *Code 48, Pg. 341*

The provision for Borehole drilling be expunged from the bill to prohibit hiring of the rig machine for personal/private use.

10. *Code 51, Pg. 344*

Be amended by inserting the Conservancy Fee at Kshs. 70,000

11. *Code 52, Pg. 344*

Be amended by inserting the charges for Solid Waste Management at Kshs. 6,000

12. *Code 54, Pg. 344*

Be amended by inserting Dumping Charges for private vehicles per trip at Kshs. 8,000

13. *Code 55, Pg. 344*

Be amended by inserting charges for Noise Pollution per week per instance at Kshs. 2,200

VI. LANDS, PHYSICAL PLANNING, HOUSING & URBAN DEVELOPMENT

14. Code 102 (Pg. 362 & 263)

Be amended by deleting Charges for the following institutional houses due to duplication under Code 103;

KsmMun/B1 4/149 Bungalow (Kibuye Area-Mito Jura Road);

KsmMun/B1 8/258 3 Blocks (Milimani-Nzoia Road);

KsmMun/B1 8/259 Double Storey (Milimani-Nzoia Road).

15. Code 103, Pg. 368

Be amended by introducing charges for the following unrated sections for the former fire station;

- a. Medium Hall at Kshs. 60,000 per month
- b. New Stalls at Kshs. 10,000 per month
- c. Toilets lease at Kshs. 10,000 per month

16. Further, the charges for former fire station be vacated under Department of Lands and Housing and be transferred to City of Kisumu for effective administration. We proposed the transfer these functions so that effective service delivery be instituted.

17. New Stream

Amend *Code 103, Pg. 368* further, by introducing charges for the following Institutional Houses;

- | | | |
|---|----|-----------------------|
| a. Nyahera Health Centre Institutional Houses | at | Kshs. 4,000 per month |
| b. Sigoti health Centres Institutional Houses | at | Kshs. 2,000 per month |

VII. INFRASTRUCTURE, ENERGY AND PUBLIC WORKS

18. Code 136, Pg. 374

Be amended by deleting the charges provided from (a to k). This is because the County Transport Act, 2020 vacated hiring of Machinery and Equipment.

19. New Stream

The Bill be amended to introduce a new code, Code 145, following Code 144, Pg. 377, for the following new revenue streams. Subsequently, the succeeding codes be revised appropriately;

after insertion of the new Code then, we have to equally alter or amend the numbering because we are making replacements after Codes 144 which is in page 377; We add the following;

- a. Inspection of Motor Vehicle (Annually) at Kshs. 5,000
- b. Design and Building Drawing Generation at Kshs. 1,000
- c.

VIII. TRADE, TOURISM, INDUSTRY AND MARKETING

20. Code 151, Pg. 378

The bill be amended by revising the charges for Kibuye Toilets Lease per Ablution block per month from Kshs. 30,000 to Kshs. 50,000. This is based on the Committee's findings that average monthly collections at Kibuye amount to Kshs. 150,000.

IX. SPORTS, CULTURE, GENDER AND YOUTH AFFAIRS

21. The schedules be amended by adding a column for the Department of Sports, Culture, Gender and Youth Affairs immediately after Code 185, Pg. 390 for proper classification of charges domiciled in Department.

22. Hence, the bill be further amended by transferring the Charges for Kisumu Museum and Jomo Kenyatta International Stadium from the Department of Trade and Tourism to the Department of Sports and Culture as the responsible Sector. So, we have proposed the removal of these functions plus the charges that were proposed for the Department of Tourism to Sports and Culture.

23. Moi Stadium

The Schedules be amended by incorporating charges for Moi Stadium in the bill retaining the Charges as per the previous Finance Bill, 2023 as presented in the (*Second Schedule*) of this report.

24. Kisumu Museum

The bill be amended by including Internship Fees for Kisumu Museum at Kshs.3,000, as the charges were erroneously omitted.

X. CITY OF KISUMU

25. The bill be amended by introducing the following rates for leasing of County Parks, domiciled under City of Kisumu;

- | | |
|------------------|-----------------|
| a) Jamhuri Park | – Kshs. 100,000 |
| b) Uhuru Park | – Kshs. 10,000 |
| c) Victoria Park | – Kshs. 10,000 |

- d) Oile Park - Kshs. 30,000
- e) Baby Pendo Park - Kshs. 30,000

26. The bill be amended by including charges for Jaramogi Oginga Odinga Sports Complex retaining the charges as per the previous Finance Act, 2023 as presented in the (*Third Schedule of this report*), with the following reductions;

- a) Photography Space reduced from Kshs. 7,500 to Kshs. 3,500
- b) Stalls reduced Kshs. 15,000 to Kshs. 10,000

We are borrowing the Charges from the previous Bill.

Madam Chairperson, on the Schedules those are the proposed amendments. Again, allow me to request Honourable Seth Okumu to second these proposed amendments. Thank you.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni/Shaurimoyo): Honourable Okumu.

Hon. Okumu (MCA, East Seme): Thank you so much Madam Chairperson. I arise to second the proposed amendments in the Schedules as proposed by the Chairperson. Madam Chairperson, if you look at the proposed amendments, the biggest part of this Bill is on the Schedules. And, as a House Committee, we had to go through each and every part of these Schedules and compare them with the Public Participation Reports and the Memorandums that were presented by the various stakeholders and again look at the rates that we as a County charge in the previous Finance Bill, 2023 and put those into consideration before arriving at any decisions on the Schedules. So, the changes that have been proposed are in concurrence with the Public Participation Reports on the Kisumu County Finance Bill as it was approved last year and of significance and I repeat that we resolved to reduce the charges for Testing for Malaria as a measure to enhance the management of malaria in Kisumu County. I second.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni/Shaurimoyo): Honourable Members, I now want to propose a question and I propose THAT, the Schedules as presented and read by the Honourable Joachim Oketch, Chairperson, Budget and Appropriations Committee with proposed amendments is now open for debate?

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni/Shaurimoyo): Honourable Obaso, I can see you raise your hand while seated?

Hon. Obaso (Nominated Member): Madam Chairperson, I am just urging you to proceed.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni/Shaurimoyo): Honourable Members, silence means concurrence. I now want to put a question.....

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni/Shaurimoyo): Yes Honourable Oginga.

Hon. Oginga (Nominated Member): Madam Chairperson, if you look at the proposed rates on the Parks, I can see the list of parks indicated where the first one is Jamhuri Park at Ksh100,000, then we have Uhuru Park at Ksh 10,000.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni/Shaurimoyo): Honourable Oginga, could you please inform us of the code, so that other Members can follow?

Hon. Oginga (Nominated Member): These are New Clauses or Revenue Streams.

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Madam Chairperson, if I can help? These are new rates, which we are proposing and therefore they still do not have a Codes attached to them. Therefore, I believe that the Member is within the right to propose further amendments, Madam Chairperson. Thank you.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni/Shaurimoyo): Proceed Honourable Oginga.

Hon. Oginga (Nominated Member): Thank you, Madam Chairperson. As you can see, the list of Parks mentioned there, we have Jamhuri Park, quoted at about Ksh 100,000, Uhuru Park at Ksh 10,000, Victoria Park at Ksh 30,000, Oile Park at Ksh 30,000 and Baby Pendo Park at Ksh 30,000.

Madam Speaker, it is my belief that there is a confusion on the naming of these parks, which I believe might also bring confusion later as we use this document. This is because according to my knowledge, Jamhuri Park, I think, should be the one that is referred to as Victoria Park. And since they have two different rates, I do not know which rate is meant for which one of them. Maybe the Chairperson, Select Committee on Budget and Appropriations can clarify this. Okay, I would like to propose amendment on the naming of these parks, because we have the same Jamhuri Park, the same Victoria Park. It is the same park. So we have different rates. So I would like to call on Honourable Seth Okumu to second the proposal.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Oginga, what is the proposal?

Hon. Oginga (Nominated Member): Madam Chairperson, the proposal is that we amend. We either delete one of the Parks, because we have one park with two different names. Or we introduce Taifa Park, which has been omitted in the list of the parks within Kisumu.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Oginga, you have only given choices. I would prefer you propose a name and we go by it.

Hon. Oginga (Nominated Member): I propose that we delete Victoria Park and introduce Taifa Park.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni Shaurimoyo): Thank you.

Hon. Oginga (Nominated Member): Madam Chairperson, I would like to call on Honourable Seth Okumu to second.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Seth Okumu.

Hon. Okumu (MCA, East Seme): Thank you, Madam Chairperson. You know, the Honourable Oginga has stayed in this town since her childhood. You know, me and the Honourable Chairperson of Budget, we just came here when we were adults.

So the Member might know the naming of some of these parks more than us. So from the Member's explanation, if it is confirmed that Jamhuri Park is the same as Victoria Park, then, Chairperson, I propose that we write Jamhuri/Victoria Park and charge it at Ksh 100,000. Which makes a lot of sense, because we have a swimming pool in that park, it is nicely fenced with nice landscaping and it even has a kitchen area where people can cook.

In addition, Madam Chairperson, the way the Member has mentioned Taifa Park, which is the park opposite Octopus. Now it is not Octopus, opposite what? Behind New Kisumu High School is omitted in this. So, we will delete now Victoria Park and in place of Victoria Park, we introduce Part C to be Taifa Park, being charged at Ksh 10,000. And then the rest can remain.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang; MCA, Kaloleni Shaurimoyo): Honourable Seth Okumu, you stood to second what Hon. Oginga has proposed but you are saying a different thing.

Hon. Okumu (MCA, East Seme): No I am not saying a different thing. Madam Chairperson, the Honourable Oginga mentioned that Jamhuri Park and Victoria Park are the same thing. And I am now just saying, in our Bill, we can write Jamhuri/Victoria Park to be charged at Ksh 100,000. And then we delete where Victoria Park is, which Part C is, and then we introduce Taifa Park to

be charged at Ksh 10,000 and then we leave the rest of the charges as they are. Thank you, Madam Chairperson. I second.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Members, you have heard the amendment from Hon. Oginga which was seconded by Honourable Seth Okumu. It is now open for debate.

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Madam Chairperson, I want to also support the amendments and this is because I am also struggling to just locate Jamhuri Park in my mind. But of course, I am aware of Victoria Park. So, I probably think, I do not know if there is anybody who knows where Jamhuri Park is, but I am aware that Victoria Park is just behind the Governor's Office. I mean, probably Prosperity. Let me use Prosperity.

In addition, if you look at the amenities in that park, it is probably one of the most developed parks within the town. With a swimming pool, and well-designed kerbed road walking paths. So, if nobody can trace where Jamhuri Park is and probably the intention of the drafters, I also think Jamhuri Park and Victoria Park are one of the same.

So, I would wish that on the same breath as Honourable Okumu, we put Jamhuri/Victoria Park, but we retain the fee at Ksh 100,000. And again, it is true we left out Taifa Park, which I also support that we introduce it here and charge it at Kshs 100,000 as proposing Ksh 10,000, but I do not know. Yeah, we should charge it at Ksh 30,000. So that we do not retain. So, I support the amendments and they all agree that Jamhuri/Victoria Park at Ksh 100,000. Then we left out Taifa Park. We introduced Taifa Park at Ksh 30,000, Madam Chairperson. Thank you.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni Shaurimoyo): Honourable Members, an amendment by Hon. Emily Oginga, which had been seconded by Honourable Seth Okumu, also supported by our Honourable Chairperson for Budget and Appropriations, Joachim Oketch. And now, I want to put a question, and I put as follows, that the bill be amended by introducing the following states, policies on County Parks, domicile under City of Kisumu, we include, it is Jamhuri Park/Victoria and then we retain it at Ksh 100,000. Same to Uhuru Park at Ksh 10,000, Victoria Park, we now change to Taifa Park at Ksh 30,000, Oile Park, Ksh 30,000 and Baby Pendo Park at Ksh 30,000.

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Member, the New Rates that will be charged will be as follows, that is Jamhuri/Victoria Park Ksh 100,000, Uhuru Park Ksh 10,000, Victoria Park, which has change to

Taifa Park Ksh 30,000, Oile Park Ksh 30,000, Baby Pendo Park Ksh 30,000, is now part of the Bill. Thank you.

(Silence)

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni Shaurimoyo): Honourable Okumu, I can see you on your feet.

Hon. Okumu (MCA, East Seme): Thank you, Madam Chairperson. I want to propose further amendments to the Schedules. Madam Chairperson, if you look at the rates, Madam Chairperson, just give me a little bit of time.

Thank you Hon. Emily Oginga. Madam Chairperson, if you look at the rates, the charges for Jaramogi Oginga Odinga Sports Complex, we had charges for Photography which was reduced from Ksh 7,000 to Ksh 3,500. Madam Chairperson, we are doing this because we appreciate the hard economic times that our business people are facing. Madam Chairperson, we have stalls at the same place that we had proposed to reduce from Ksh 15,000 to Ksh 10,000.

Madam Chairperson, having heard and listened to the plea of those who are doing business in those areas, I want to request the Members that we reduce these charges further from Ksh 15,000 to Ksh 8,000 for this Financial Year to allow them to recover from the hard economic time and then we can change that should the situation improve. And I want to ask the Hon. Emily Oginga to second.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni Shaurimoyo): Honourable Oginga.

Hon. Oginga (Nominated Member): Madam Chairperson, I second the amendment.

Temporary Chairperson, Committee of the Whole House (Hon. Ajwang' MCA, Kaloleni Shaurimoyo): Honourable Members, an amendment has been proposed by Honourable Seth Okumu the Photography space be reduced from Ksh 7,000 to Ksh 3,500 and then it suggests that we also amend the Stalls be further reduced the charges from Ksh 10,000 to Ksh 8,000. And I just want to put a question and the amendment is open for debate.

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Yes, Madam Chairperson, because we do not have any further amendments proposed. During Public Participation there was a lot of push and shove that we reduce these amounts to Ksh 5,000. This House Committee in their own wisdom, probably proposed Ksh 10,000. But I think at Ksh 8,000

will not be so bad because we basically meeting at the middle. The public really wanted us to have them at Ksh 5,000 which we thought was very low.

So Madam Chairperson, I, as a Chairperson for Budget Committee, I think for the fairness to traders and just like has been explained, to allow them recover... because basically we have had challenges even people occupying those stalls, and then we have a lot of movements, people coming in and because of the tough economic times, people are coming in and they keep on moving out. So, as a county, we want somebody who can pay the rents for a longer period. So, I also support that we reduce them to Kshs. 8,000 and probably living at that point. Thank you very much.

Temporary Chairperson, Committee of the Whole (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Members, a proposed amendment has been put forward regarding the rent charged on stalls, suggesting a further reduction from Kshs. 10,000 to Kshs. 8,000. This amendment was seconded by Honourable Emily Oginga and also supported by our Honourable Chairperson, Honourable Joachim Oketch. I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Members, Further reduction of amount being charged to stalls will remain at Kshs. 8,000 and therefore forms part of the Bill.

Temporary Chairperson, Committee of the Whole (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Chairperson and Honourable Members, I would like to ask if there are further amendments. Yes, Honourable Chairperson.

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Madam Chair, as a House Committee we don't have any further proposed amendments.

Temporary Chairperson, Committee of the Whole (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Members, are there any further proposed amendments?

Temporary Chairperson, Committee of the Whole (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Silent means none. Honourable Members, I now want to put a question on the adoption of the entire Schedules with amendments.

(Question put and agreed to)

Temporary Chairperson, Committee of the Whole (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): Honourable Members, the Schedules with amendments now forms part of the bill.

Temporary Chairperson, Committee of the Whole (Hon. Ajwang', MCA, Kaloleni Shaurimoyo): At this juncture, I want to invite Honourable Chairperson to propose that we revert to plenary.

Chairperson, Budget and Appropriations Committee (Hon. Oketch, Kondele): Thank you very much. Madam Chair, I would move that we revert to plenary and I want to request Honourable Rakwach to second.

Hon. Rakwach (MCA, Kolwa East): Honourable Chair, I second. Thank you.

(House reverts to plenary)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Honourable Members, resume your seats. Chairperson, please give a report on the deliberations of the Committee of the Whole House on the Kisumu County Finance Bill, 2024.

Hon. Ajwang' (MCA, Kaloleni Shaurimoyo): Thank you, Madam Speaker. I rise to give a report on the resolution of the Committee of the Whole and I want to report as follows. Madam Speaker;

I. PART 1 – PRELIMINARY

1. *Clause 2*

The clause be amended to include the following definitions, as applied to the schedules under Jaramogi Oginga Odinga Teaching and Referral Hospital user fees and charges;
Special Rate – Refers to user fees payable through (SHIF) or any other health insurance scheme.
PHC –stands for Primary Health Care.

AMENDMENTS TO THE DEPARTMENTAL FEES, RATES AND CHARGES

II. EDUCATION, TECHNICAL TRAINING, INNOVATION AND SOCIAL SERVICES

2. *Code 9, Pg. 12*

The bill be amended by deleting (code 9, Pg. 12) Charges on Alcohol Drink Control Directorate which is incorrectly listed under the Department of Education and be correctly placed under the Department of Trade, Tourism, Industry and Marketing as the responsible Department.

III. JARAMOGI OGINGA ODINGA TEACHING AND REFERRAL HOSPITAL

3. The bill be amended by deleting the user fees and charges presented in the (*First Schedule*) of this report, domiciled under JOOTRH. These charges are proposed for deletion due to repetition, non-applicability, conflict with existing laws and policies, and consideration of public submissions, such as the controversial charges for viewing deceased bodies under Kwe Farewell Home (Code 12, Pg. 29) and Prime Care Kwe Funeral Services (Code 12, Pg. 86).

4. Laboratory

The Charges under *Code 19, Pg. 30* – BS for Malaria be reduced from Kshs. 100 to Kshs. 50, aiming to reduce malaria morbidity and mortality.

6. Renal Unit

That, (*Code 9. Pg.175*) be amended by deleting the words “*without NHIF*” to the phrase Dialysis Kit without NHIF (Package).

7. Rental Income

Code 1, Pg. 176 - be amended by adding the words ‘*for Mortuary Canteen*’ after the phrase House Rent to give specification on what is exactly being charged.

7. WARDS

That, *Code. 25 Pg. 284* be amended by deleting the word private after the phrase Vacuum Dressing.

IV. ALL COUNTY, SUB-COUNTY HOSPITAL CHARGES AND PHC

8. *Code. 25, Pg. 336*

The bill be amended to reduce the charges for ambulance transport outside the City from Kshs. 5,000 to Kshs. 1,500. This reduction aims to improve affordability of the services and promote access to health care.

V. WATER ENVIRONMENT AND NATURAL RESOURCES

9. *Code 48, Pg. 341*

The provision for Borehole drilling be expunged from the bill to prohibit hiring of the rig machine for personal/private use.

10. *Code 51, Pg. 344*

Be amended by inserting the Conservancy Fee at Kshs. 70,000

11. Code 52, Pg. 344

Be amended by inserting the charges for Solid waste management at Kshs. 6,000

12. Code 54, Pg. 344

Be amended by inserting Dumping Charges for private vehicles per trip at Kshs. 8000

13. Code 55, Pg. 344

Be amended by inserting charges for Noise Pollution per week per instance at Kshs. 2,200

VI. LANDS, PHYSICAL PLANNING, HOUSING & URBAN DEVELOPMENT

14. Code 102 (Pg. 362 & 263)

Be amended by deleting Charges for the following institutional houses due to duplication under Code 103;

KsmMun/B1 4/149 Bungalow (Kibuye Area-Mito Jura Road;

KsmMun/B1 8/258 3 Blocks (Milimani-Nzoia Road);

KsmMun/B1 8/259 Double Storey (Milimani-Nzoia Road).

15. Code 103, Pg. 368

Be amended by introducing charges for the following unrated sections for the former fire station;

d. Medium Hall at Kshs. 60,000 per month

e. New Stalls at Kshs. 10,000 per month

f. Toilets lease at Kshs. 10,000 per month

16. Further, the charges for former fire station be vacated under Department of Lands and Housing and be transferred to City of Kisumu for effective administration.

17. New Stream

Amend Code 103, Pg. 368 further, by introducing charges for the following Institutional Houses;

a. Nyahera Health Centre Institutional Houses at Kshs. 4,000 per month

b. Sigoti health centres Institutional Houses at Kshs. 2,000 per month

VII. INFRASTRUCTURE, ENERGY AND PUBLIC WORKS

18. Code 136, Pg. 374 be amended by deleting the charges provided from (a to k). This is because the County Transport Act, 2020 vacated hiring of Machinery and Equipment.

19. New Stream

The Bill be amended to introduce a new code, Code 145, following Code 144, Pg. 377, for the following new revenue streams. Subsequently, the succeeding codes be revised appropriately;

- d. Inspection of Motor Vehicle (Annually) at Kshs. 5,000
- e. Design and building drawing generation at Kshs. 1000

VIII. TRADE, TOURISM, INDUSTRY AND MARKETING

20. Code 151, Pg. 378

The bill be amended by revising the charges for Kibuye Toilets Lease per Ablution block per month from Kshs. 30,000 to Kshs. 50,000. This is based on the Committee's findings that average monthly collections at Kibuye amount to Kshs. 150,000.

IX. SPORTS, CULTURE, GENDER AND YOUTH AFFAIRS

21. The schedules be amended by adding a column for the Department of Sports, Culture, Gender and Youth Affairs immediately after Code 185, Pg. 390 for proper classification of charges domiciled in Department.

22. Hence, the bill be further amended by transferring the Charges for Kisumu Museum and Jomo Kenyatta International Stadium from the Department of Trade and Tourism to the Department of Sports and Culture as the responsible Sector.

23. Moi Stadium

The Schedules be amended by incorporating charges for Moi Stadium in the bill retaining the Charges as per the previous Finance Bill, 2023 as presented in the (*Second Schedule*) of this report.

24. Kisumu Museum

The bill be amended by including Internship fees for Kisumu Museum at Kshs.3,000, as the charges were erroneously omitted.

X. CITY OF KISUMU

25. The bill be amended by introducing the following rates for leasing of County Parks, domiciled under City of Kisumu;

- a) Jamhuri Park – Kshs. 100,000
- b) Uhuru Park – Kshs. 10,000
- c) Victoria Park – Kshs. 10,000
- d) Oile Park - Kshs. 30,000
- e) Baby Pendo Park - Kshs. 30,000

26. The bill be amended by including charges for Jaramogi Oginga Odinga Sports complex retaining the charges as per the previous Finance Act, 2023 as presented in the (*Third Schedule of this report*), with the following reductions;

Photography Space reduced from Kshs. 7,500 to Kshs. 3,500

Stalls reduced Kshs. 15,000 to Kshs. 10,000

At this moment Honourable Speaker, I would like to call upon Chairperson of Budget Committee to second.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Chairperson, Budget and Appropriation Committee.

Hon. Oketch (MCA, Kondele): Thank you Madam Speaker, those are the true reflection of the amendments made during the Committee of the Whole House. I want to thank the Chairperson of the Committee of the Whole House for properly representing exactly what we resolved. Some of these changes are warranted. That is why we also reduced the Stalls at Jaramogi Sports Complex because of the tough economic times. There were Institutional Houses that were not there anymore and we had to vacate the charges, Madam Chair. Therefore, I want to second as the Chairperson, Select Committee of Budget and Appropriations that those are the true reflection of the amendments that we had. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, the report from the Whole House Committee on the 2nd Reading of the Bill having been read, I want to refer us to Standing Order No. 131 (2). It reads;

‘That the question on any motion moved under Paragraph 1, where Paragraph 1 says that when a Bill has been reported from a committee of the whole County Assembly, the County Assembly shall consider the Bill as reported upon a motion that the County Assembly do agree with the committee report’.

So, in view of that Part 1, the question on that motion shall be put forthwith. No amendments, adjournment or debate may be allowed unless any Member desires to delete or amend any provision contained in a Bill or to introduce a new provision in the Bill. But at this point, there

are no proposals of an amendment, adjournment or introduction of a new provision in the Bill. I want to put a question on the adoption of the same.

(Question put and agreed to)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next Order!

MOTION

3RD READING OF THE COUNTY FINANCE BILL 2024, COUNTY ASSEMBLY BILLS NO. 3 OF 2024,

BY

HON JOACHIM OKTCH, MCA, KONDELE

(CHAIRPERSON, SELECT COMMITTEE, BUDGET AND APPROPRIATIONS) .

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Chairperson, Budget and Appropriations Committee.

Hon. Oketch (MCA, Kondele): Thank you Madam Speaker. Madam Speaker, I wish to move that the Kisumu County Finance Bill 2024, County Assembly Bill No. 3 of 2024 be read for the third time.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Clerk!

Honourable Members, 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 the other revenue raising measures by the County Government and for the matters incidental thereto is now read for the third time.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, the Kisumu County Finance Bill, 2024 County Assembly Bill No. 3 has been read for the third time. At this point Members can still debate. Chairperson!

Hon. Oketch (MCA, Kondele): Madam Speaker, at this point I just want to urge our Members that in one of the instruments that are very key for achieving our Own Source Revenue which is the Finance Bill and therefore urging the Members to pass this Bill. Madam Speaker, we have been very considerate in looking at this Bill and all the interests of Members of the public have been taken care of. Madam Speaker, we have been very objective in our deliberations and I

believe for the first time we have gone through this Bill vote by vote, page by page, line by line. We did a very thorough Sectoral engagement with line departments where as a House Committee invited all the departments.

Madam Speaker, again, we spent considerable time with JOOTRH, having missed many provisions in the 2023 Act. As a result, this time around, the Bill is much more comprehensive. We felt it was better to broaden the tax base rather than increasing rates vertically. Therefore, we have introduced rates that were not previously included, and even in today's amendments, many new rates have been added to the Bill. I believe we are now providing the Revenue Board with a very strong tool, leaving no room for excuses when it comes to revenue collection. I urge my fellow Honourable Members to pass this Bill, so we can equip the Board to effectively collect these fees and charges on behalf of Kisumu County. Thank you very much.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, the Kisumu County Finance Bill 2024 has now been read for the third time I therefore want to put a on the adoption of the same.

(Question put and agreed to)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, the Kisumu County Finance Bill 2024 stands adopted today, today Wednesday 09th of October 2024 at 16:22 hours and I direct that the Bill together with the addendum and the Hansard be prepared and forwarded to the Governor for assent. Honourable Members, I have said, that was a slip of the tongue.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next Order!!

ADJOURNMENT

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Member, there being no any other business to transact, the House stands adjourned to Tuesday 15th October 2024 at 02.30pm.m Thank you for your time.

(House rose at 4.23 p.m.)

Addendum

Hansard Team

| | | |
|------------------------|---|--|
| <i>Zablon Otiende</i> | - | <i>Senior Hansard Reporter (Acting Editor)</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> |
| <i>Jactone Obonyo</i> | - | <i>Attache'</i> |