

Thursday, 6th December, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY
THE HANSARD

Second County Assembly - Second Session

Thursday, 6th December, 2018

The House met at the County Assembly Chamber at 2.30 p.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR
CONVENING OF HOUSE BUSINESS COMMITTEE

Hon. Speaker: Hon. Members, the House Business Committee will convene after this and we are also aware that the Assembly membership will be meeting in Kisumu as soon as we are done with this session.

Where is the order paper? Have you circulated the order paper? Some people don't have it yet.

PAPER

SUPPLEMENTARY PROGRAM

Hon. Oor: Mr. Speaker Sir, I want to table supplementary program- based budget 2017/2018.

Hon. Speaker: Hon. Members, I consulted with the team to which I had committed supplementary budget and they are not yet ready with the report. They told me that the allocations of Wards is between Kshs. 27 million and Kshs.33 million with some other things, so I have decided to commit this to the Budget Committee to look at it vis-a-vis the resolutions of the House that are contained in the report to be sent back to the Executive and the Motion that we also sent to the Executive demanding details of all other projects. We shall do that and we must make sure that once the Committee has scrutinized all the Members are accessible to it.

That you will also consider the Motion that we passed after which we will call the Board membership of the House. Remember Members we were saying that the budget as was

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presented in the supplementary had reduced some figures from 30 million to 28 million; you will also have to report on that.

You can lay the report, the Charter? That is the report because the charter remains the report of the Lands Committee.

MOTION

REPORT ON MUNICIPALITY CHARTER

Hon. Madialo: Thank you, Mr. Speaker Sir. May I on behalf of the Chair of Committee on Lands lay on the table of the House a report on the same Municipality Charter as read before this House by His Excellency the Governor.

Hon. Speaker: I am trying to find out if the Auditor General's report has ever been submitted to this Assembly for subsequent committal to the Public Accounts Committee. So if that is established we will commit it before the end of this sitting.

NOTICE OF MOTION

ALTERATION OF THE ASSEMBLY CALENDAR

Hon. Speaker: On Notices of Motion let me guide you. Hon. Members, we are supposed to be closing today for two months but we have this business to deal with so we have decided that we do not close but instead we adjourn up to 18th when we will be able to make decision for the determination of the supplementary budget. As opposed to closing then we call for a special sitting and this is not an emergency that should occasion calling of a special sitting.

Do you have the notice? Then proceed.

Hon. Oor: Yes, Mr. Speaker Sir, I rise pursuant to Assembly Standing Order 25(1) which stipulates that the House Business Committee shall with the approval of the House determine the calendar of the Assembly. As you are aware the approval of calendar regular session for the second session ends today, Thursday, 6th December, 2018.

The House Business Committee in its last sitting considered the business pending before the House. It did find that there is business that the House should dispense with before going for the long recess. The Siaya County supplementary budget estimates for the Financial Year 2018/2019, has just been laid on the Table of the House. It would be prudent that the Hon. House considers and adopts the document before adjournment. This will enable the planned program of the County to fast track once the third session commences.

In this regard and with the approval of the House Business Committee to alter the calendar of the Assembly in order to allow more time for it to conclude on the pending business and further pursuant to Standing Order No. 25 (4) which stipulates that the House may by resolution to alter its calendar or the adjournment date. I therefore, wish to move: THAT this Hon. House alters its calendar regular session and resolve to adjourn for recess on Tuesday, 18th December, 2018. Thank you.

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REPORT ON THE ANALYSIS OF THE SIAYA MUNICIPAL CHARTER

Hon. Madialo: Mr. Speaker Sir, I rise to give a Notice of Motion:

THAT this House adopts the Report on the Committee on Lands, Physical planning, surveying and Housing on the Analysis of the Siaya Municipal Charter as laid before this House six days ago.

STATEMENT

LIQUID AND SOLID WASTE IN UGUNJA TOWN

Hon. Oor: Mr. Speaker Sir, pursuant to Standing Order No. 41, 2 (c) I rise to seek a Statement from the Chairperson of Health Service Committee on waste management in Ugunja town. The town is lately choking from uncollected solid waste and poorly managed liquid waste. This has posed serious health challenges to the traders and residents of the town despite their dedicated effort and contribution to the County revenue Basket.

In the statement the chairperson should explain the immediate waste management plan the County has put in place for appropriate and sustainable collection and proper disposal of both liquid and solid waste in Ugunja town, thank you.

Hon. Speaker: The secretariat, you must make sure that those Statements form part of the Order paper, but as we speak we don't have copies but it still stands committed. Remember Committee are still working even when we go on recess with the permission of the Speaker.

MOTION

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I therefore, wish to move that this Hon. House alters its calendar of regular session and resolve to adjourn for recess on Tuesday, 18th December, 2018. May I call upon Hon. Chief Whip to second.

Hon. Olasi: I rise to second

(Question proposed)

Hon. Speaker: Yes Hon. Adala.

Hon. Adala: Thank you, Mr. Speaker, Sir. I support the Motion as laid by the Majority Leader. In light of the fact that the items on the agenda that we still have are key to the citizens of Siaya County it is just right that we stretch a bit so that we are able to look at them and do what we can.

I know for sure that we have had a very rigorous year with very packed agenda in this House and this time it is just human enough that we are somewhat having a burnout. I want to appeal to the Hon. Members that for the sake of this county that we are able to stretch for the next two weeks so that we pass these things and do things that are good. I support.

Hon. Speaker: Yes, Hon. Oriaro.

Hon. Oriaro: Thank you, Mr. Speaker, Sir. I echo my voice in consonance with the Motion at hand. This is urgent and of course timely. For that we look down upon the long recess and still adjourn to allow for a Sitting on 18th December as a regular Sitting

Partly I want to support that one courtesy of the manner in which the Supplementary Budget was handled. We have learnt a lot that even this House was not respected because somebody somewhere was rewriting the approved estimates of 2018 and somebody somewhere by writing the approved estimates of 2017/2018.

We are the only legislature courtesy of current existing laws, The Constitution and the County Government Act. We are the only law making body here so I also suspect that by the alteration of the approved estimates somebody somewhere might have interfered with the Appropriation Law. In light of that now that we have another supplementary estimates we know the principle of finance management courtesy of Chapter 12 we can talk of 101, 201, 202 all the way to 207 where this House is see if that will give us space to ventilate into that matter. I will say yes

On a bigger scale and not partly there is this urgent matter of the approval of the municipal charter. I want to preempt this because it is one of the Motions that subsequently will be brought here and we are not sure whether Hon. Speaker will approve it.

This matter we must look at it afresh because new evidence has emerged that maybe the Executive are doing certain things against the established principles and as an Assembly we must also adhere to the established principles that in the end make us become a proper legislature that makes some decisions.

The Executive has since advertised vacancies in the management of municipality. From Central Alego, I am yet to know if allocations for personal emolument and others are captured in the Supplementary Budget.

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If somebody goes ahead to advertise for positions that are never addressed by an existing authority. All these are violations of the best practices and we are talking about good governance so to that extent I also contribute that by adjourning not going for recess will also allow us to have space to deliberating objectively to the best interest of the public. My fear is if he approved the charter today and already posts are advertised the public will go to court of law and negate our causes. It would be infra dig for this Hon. House to be considered a laughing stock in our villages. I support.

(Question put and agreed to)

Hon. Speaker: The Chairperson for Committee on Lands will have to address those concerns that have been raised by the time you will be moving your Motion because it is already in the Order Paper. You will have to address how you want to cure those concerns.

BILL

Second Reading

THE SIAYA COUNTY ANTI-PORNOGRAPHY BILL 2018
(COUNTY ASSEMBLY BILL No.14 OF 2018)

Hon. Speaker: Just give us the progress report in passing because we want to proceed

Hon. Adida: Thank you, Mr. Speaker, Sir. I believe all Hon. Members have copies of this Bill therefore I will just take them to the committee recommendations. Based on the deliberations that we had when we engaged with the stakeholders it was evident that the Bill still needs more time and it is our recommendation that having considered stakeholders' input the Committee recommends that the Siaya County Anti-pornography Bill be deferred to provide committee with ample time to review the Bill and accommodate more views more so from the Executive. Thank you

There were three Bills which were within our department. I request that all of them be deferred we still need more time

(Bill deferred)

BILL

Second Reading

THE SIAYA COUNTY FIRE AND RESCUE SERVICES BILL 2018
(COUNTY ASSEMBLY BILL No.15 OF 2018)

Hon. Speaker: Yes, Hon. Mboha

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Hon. Mboha: Thank you, Mr. Speaker, Sir. I would wish to give a progress report. We have done much work in regards to meeting the public and noting their concerns. As a committee we are looking at ignoring the Bill completely because we want to look at an amendment of the Siaya County Disaster Management Act 2015 which has all the disasters because in passing this Bill we realized that we are going to have so many legislations in regards to different disaster we want time to go and look extensively at the Siaya County Disaster Management Act 2015 and have the that much be incorporated to that particular Bill

Hon. Speaker: Thank you that is granted we defer the second reading to a future date

(Bill withdrawn)

BILL

Second Reading

THE SIAYA COUNTY LAWS INSPECTORATE COMPLIANCE AND ENFORCEMENT BILL 2018
(COUNTY ASSEMBLY BILL NO.17 OF 2018)

Hon. V. Odawa: Thank you, Mr. Speaker, Sir, I rise to give a progress report on three Bills. On the Siaya County Village and Administrative Units Bill we found out that since it is touching on boundaries it is emotive and we also need more input from the members so that is why we need time.

Hon. Oyuago: Point of Order!

Hon. Speaker: Yes Hon. Shirley

Hon. Oyuago: Thank you, Mr. Speaker, Sir, I need to clarify I think the Hon. Member should be giving a progress report on The Siaya County Laws Inspectorate Compliance and Enforcement Bill 2018 and not the Village Administration Unit Bill

We have agreed that I combine them that is why I have started with the reports that were committed to...

Hon. Speaker: Just mention each ...

Hon. Odawa: The bills that I want to give are;

- 1) County Law Inspectorate Compliance and ---Bill 2018
- 2) The Siaya County Village Administrative Units Bill 2018
- 3) The Siaya County Honors Awards Bill 2018.

I think I have dispensed with the Village Administrative Units Bill. We need more time on the Law Inspectorate Compliance Bill. You realize that the Committee needs to incorporate the training of reinforcement officers and we are still liaising with the CECM for Governance. On the Siaya County Honors Awards Bill, we seek for further time. Thank you

Hon. Speaker: Okay, that takes care for order number 12, 14 and 17. The Chair is advising, there is a Statement made by the Hon. Oriaro, that is tight to the charter and he was consulting the Chair if he could draft a Motion to be part of a Supplementary Order Paper to

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address the issue of advertisement for the positions of Municipal Board until the House is satisfied that there is budgetary allocation for them and also the Charter is operationalized.

I am in agreement because the Charter is a different issue from recruitment, so I have given the consent, it's being drafted and we will deal with it before we get to the Motion on the Charter. Yes Hon. Omwende!

Hon. Omwende: Thank you, Mr. Speaker. I sought your direction, I was requesting if we can go with the timeframe that can also help us so that we do away with this bill.

Hon. Speaker: I will guide at the end of it all, I will give direction. Remember, there are bills which we have to finish as soon as we open the Assembly in February. I will direct sternly that this will be the first Business for the Committee to deal with before any other Business. Next order!

BILL

THE SIAYA COUNTY SOLID WASTE MANAGEMENT FUND BILL 2018, COUNTY
(ASSEMBLY BILL NO. 18 OF 2018)

SECOND READING

Hon. Speaker: Hon. Shirley!

Hon. Oyuago: Thank you, Mr. Speaker. I would wish to give the progressive report on the Siaya County Solid Waste Fund Bill 2018. This Bill was considered in public participation and we had serious concerns from the public. I will just highlight the 3 key component concerns that were raised by the stakeholders and the public.

1. We have a number of waste, solid waste and medical waste but in the initial bill they only captured the solid waste
2. Waste management often has system that ensures waste properly taken care of. The bill creates a fund which only dwells in re-in fencing or financing around solid and ignores the management and human resource aspect of it.
3. The proposed amendments by the department of health services have a lot of gaps that require further research consultations.

Based on the 3 key issues, the Committee resolved that the proposed Siaya County Solid Waste Management Fund Bill 2018, second reading be referred until the Committee is ready with comprehensive amendment that will make a difference in sanitation in Siaya County, thank you.

Hon. Speaker: Next order!

BILL

THE SIAYA COUNTY EQUITABLE DEVELOPMENT BILL 2018, COUNTY ASSEMBLY
(BILL NO. 20 OF 2018)

SECOND READING

Hon. Madialo: Mr. Speaker, permit me to give a progress report. The Siaya County Equitable Development Bill 2018 is a bill that targets equitable sharing of resources across the County. Under the PFM Act, the supervisory or oversight role in planning across the board lies with the CECM of Finance. Determining what amounts to equitable distribution of resources that depends upon many factors inclusive the poverty index per Ward in the County.

The amendments intended to be introduced and be incorporated into the bill are such amendments that would require the CECM for Finance on behalf of the Executive advise the Assembly and give their opinion whether it will be taken or not. These are requirements that they must be consulted. Determining the poverty index is an exercise that requires expertise and which the Committee tends to invite through our secretariat.

For us to undertake all these steps, the Committee recommends that second reading be deferred purposed on the Committee consulting with the CECM and other relevant players to enable us come up with such a Bill that would measure up to equity for purposed of sharing resources across the County taking into account the sizes of the Wards, population density and other indicators that informs such an exercise. I beg your permission.

Hon. Speaker: Granted! Next order!

BILL

THE SIAYA COUNTY FINANCE BILL, 2018

(BILL NO. 13 OF 2018)

SECOND READING

Hon. Speaker: Before we go to that, Hon. Members, for all the Bills which we have deferred their second reading, the Chair directs that the first week of our opening we must deal with these bills conclusively because we cannot afford to delay them. That stands so directed.

Hon. Speaker: Yes, Chairman!

Hon. Oduor: Thank you, Mr. Speaker Sir. I wish to move that the Siaya County Finance Bill 2018 be read for the second time.

Hon. Speaker: Proceed!

Hon. Oduor: Mr. Speaker, Sir, the Committee on Finance, Trade and Industry went for public participation. What we realized on the ground is that there was not much, new things were not being introduced apart from the recommendations that we have that are not so much. Every Member of this House has the bill and has this report. I will only go to specific areas like observations if you allow me.

In no. 6, we observed that the revenue collection should be monitored and a report submitted to the County Assembly on a quarterly basis. Another recommendation that I thought is important is, the people with disability should not be charged any fee provided it is observed that such a person with disability is registered with the National Council of Persons with Disability pursuant to Clause 35 of the persons with disability Act 2003.

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I request if I can move to the Committee findings.

1. Pursuant to Clause 132(2) of PFM Act 2015, the Bill is submitted to the County Assembly for consideration together with a policy document expounding on the proposed revenue raising measures. Finance Bill ought to simply set out revenue raising measures and must be accompanied with a statutory policy statement expounding on the measures. This Bill does not set out any revenue raising measures and it has been submitted without any policy statement expounding on the same.
2. The County Government has consistently fallen short of realizing its total targeted revenue. In the previous year FY 2017/2018 it only realized 47.3% of the target. There is no evidence provided in the revenue. Mapping of new revenue streams that shall inform the increase which they are currently projecting. The FY2018/2019 target is set at Kshs. 275 million.

In the absence of these tools and reliable data, Government will fail to pick a correct forecast. In this regard therefore, the projected increase is baseless and will be impossible to realize. The last observation is that the Committee noted that the County Government of Siaya has not been implementing the County Assembly recommendations, with the regard to the previous annual finance bills.

The gaps that form the basis of this observation were captured in the earlier report of the Finance Bill 2017, and hence it would be important to know if the team considered the recommendations in the earlier report, when they are in the current Finance Bill 2018.

We move to page 17, where we have our recommendations, this time, our Committee decided to give the Executive timelines, the recommendations that are supposed to be implemented before the next financial year.

One condition was; preparations of the County Valuation roll. We gave them up to June 2019.

Second was Preparation of County Businesses Database. They were given up to June 2019.

Third is Sector Specific Laws (Domesticated or newly enacted) so that we don't collect revenue illegally, we also gave them up to June 2019.

Fourth is Revenue Automation. This one we said must be implemented by January 2019 if we want to realize what we were given in the Budget.

From there allow me to move to page 20 of 21 where there is proposed specific amendments. This is what was collected and this is what was proposed by the stakeholders.

Clause/Schedule	Public Participation Proposals	Proposed amendments
Second Schedule -Department of Enterprise and Industrial development (Pg. 19)	Kiosk: light or temporary construction less than 5sq.m in other towns should be reduced from 1,750/= to 1500/=	Page 19 Column 5-row no. 6; delete 1750 and replace with 1500
First Schedule ... Department of Lands Pg(12)	Building plans approval for temporary structures with village layout (maximum 6	Page 12 Column 4 and 5 -row no.4-delete 5000 and replace with 3500 and 1500

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	rooms of 3m*4m) for other towns should be reduced from 5000/= to 1000/=	respectively.
Page 8	Persons with disability should be exempted from the payment of levies, taxes and charges. To be in conformity with the Section 159 of the PFM Act 2012 and the PWDs Act 2003 that exempt PWDs from payment of tax	Amend by inserting a new Clause (on waiver for the PWDs after Clause 18
Page 19	Kiosks of less than 5m squared should be reduced from 1750/= to 1200/= too high for a common Mwananchi.	Amend column 5 row 6page 19 by deleting 1750 and replacing it with 750
Third Schedule Department of Agriculture (Pg39)	Tractor hiring services should be reduced to 1500 from 1850	Amend page 39-row 31on tractor hire fees by deleting 1850 and replacing it with 1200

Otherwise, the Bill as it is, I am through with it, and I would like to call upon Hon. Samuel Otieno to second.

Hon. Speaker: You are through with the Bill?

Hon. Oduor: Not yet, but I would like it to be seconded.

Hon. Siguru: Mr. Speaker Sir, as I stand to second, it has been highlighted that this is a very important Bill, and we know that it is a Bill that is time bound. So based on the recommendations that the Committee has done, and a few adjustments that has been noted as has been read by my Chair, it is my wish to second the Bill.

(Question proposed)

(Question agreed to)

Hon. Speaker: Next Order!

Hon. Members, as we will be getting into the Committee of the whole House, I expect that when I resume, and you are done with your reporting from the Committee of the whole, we will all have the copies of the Motion proposed by Hon. Oriaro regarding the recruitment of the staff for the Municipality. The proposed recruitment. Next Order!

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COMMITTEE OF THE WHOLE HOUSE

[The Speaker (Hon. George Okode) left the Chair.]

IN THE COMMITTEE

[The deputy temporary Chairperson (Hon. Madialo) took the Chair]

THE SIAYA COUNTY FINANCE BILL 2018 (COUNTY ASSEMBLY BILL NO. 13 OF 2018)

Hon. Madialo: Hon. Members, this is a Committee of the whole House. We are considering The Siaya County Finance Bill 2018. County Assembly Bill number 13, 2018. Mr. Chairman, we are dealing with the County Finance Bill 2018, Committee of the whole House

(Question of clauses 2 and 3 being part of the Bill proposed)

Hon. Oduor: Mr. Speaker Sir, the clause is amended as appears in the Order paper.

(Clauses 2 and 3 agreed to)

*(Question proposed that schedules 1 and 2
Be part of the Bill)*

Hon. Oduor: Mr. Speaker sir, May it be amended as it appears in the order paper.

(Schedules 1 and 2 agreed to)

(Question proposed that Title be part of the Bill)

Hon. Oduor: Mr. Speaker Sir may it be so as indicated. I call upon Hon. Omwende to second.

Hon. Omwende: I second.

(Title agreed to)

(Question proposed that Clause 1 be part of the Bill.)

Hon. Oduor: Mr. Speaker Sir. May it be so, as indicated. I call upon Hon. Oriaro to second.

(Clause one to be part of the Bill agreed to)

We are now moving to the County Health Services Bill 2018

THE COUNTY HEALTH SERVICES BILL, 2018 (COUNTY ASSEMBLY BILL NO. 24 OF 2018)

(Question of the amendment as captured in Clauses 2 to Clauses 40 proposed)

Hon Oyuago: Thank you Mr. Speaker. I beg to read part one of the amendments in the plenary section under Health Sector Stakeholders forum, delete the number 32 and insert 37.

Hon. Madialo: Hon. Member, Madam Chair, the reason the Chair has decided to take clause 2 all the way to Clause 40 is because we have seen the volume of work that you have done, and we want to handle it omnibus. So we have proposed that Clauses 2 up to 40 be part of the Bill as amended.

Hon. Oyuago: Thank you, Mr. Speaker. Let it be so as it appears in the Order Paper, and I would like to call upon Hon. Adalla to second.

*(Question of Clauses 2 up to 40 being part of the Bill as amended,
Put and agreed to)*

Schedule

(Question, that the schedule be part of the Bill as amended, proposed)

Hon. Oyuago: Thank you, chair, I wish to propose that the schedules be part of the amendment Bill, and I call upon Hon. Oriaro to second.

(Hon. Oriaro seconded)

The Chairperson (Hon. Madialo): Yes, what is the point of Order?

Hon. Ochola: Thank you, chair, I wish to point out before we put to vote that we are deleting the content of schedule 4 and inserting what is not indicated to us, so I am at a loss what we are inserting.

The Chairperson (Hon. Madialo): The content of schedule 4 is deleted. Schedule 4 stands deleted and we are proposing the question that schedule 4 be deleted, if it is deleted then we are proposing that it be deleted.

Hon. Ochola: And insert the following from what I am getting?

The Chairperson (Hon. Madialo): Yes.

Hon. Ochola: What we are inserting is what I am not certain of chair.

The Chairperson (Hon. Madialo): Yes, if it is not there then it doesn't exist.

Hon. Oyuago: Thank you, chair, should I respond to the concerns of the Hon. Member? In the Bill, the original Bill, what should be inserted appears in the Bill. I hope they are just looking in the Order paper but not checking the Bill.

(Question that the schedule as amended be part of the Bill, put and agreed to)

(Question that the title be part of the Bill, proposed)

Title

Hon. Oyuago: Thank you, chair, I wish to propose that the title be part of the Bill, and I call upon Hon. Judy Patel to second.

(Hon. Oyugi seconded)

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(Question that the title be part of the Bill, proposed)

The Chairperson (Hon. Madialo): The chair didn't get your response.

(Question put and agreed to)

Clause 1

(Question that the clause 1 be part of the Bill, proposed)

Hon. Oyuago: Thank you, chair, I wish to propose that the clause 1 be part of the Bill, and I call upon Hon. Omoro to second.

(Hon. Omoro seconded)

(Question that clause 1 be part of the Bill, put and agreed to)

SIAYA COUNTY WATER AND SANITATION BILL 2018, BILL NO. 21 OF 2018.

The Chairperson (Hon. Madialo): We are now handling the Siaya County Water and Sanitation Bill 2018, Bill No. 21 of 2018.

Clauses 2 to 65

(Question that Clauses 2 to 65 be part of the Bill, proposed)

Hon. Booker: Mr. Speaker, Clauses 2 to 65, be part of the Bill as proposed.

(Question that Clauses 2 to 65 be part of the Bill, put and agreed to)

New schedule

(Question that the new schedule be part of the Bill, proposed)

Hon. Booker: Mr. Speaker, let the new schedule be part of the Bill as proposed, and may I call upon Hon. Philly Onditi to second.

(Hon. Onditi seconded)

(Question that new schedule be part of the Bill, put and agreed to)

Title

(Question that the title be part of the Bill, proposed)

Hon. Booker: Mr. Speaker, let the title be part of the Bill as proposed, and may I call upon Hon. Oriaro to second.

(Hon. Oriaro seconded)

(Question that the title be part of the Bill, put and agreed to)

Clause 1

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(Question that the clause 1 to be part of the Bill, proposed)

Hon. Booker: Mr. Speaker, I propose that clause 1 to be part of the Bill as proposed, and may I call upon Hon. Simon Ousa Nyaji to second.

(Hon. Ousa seconded)

(Question that clause 1 be part of the Bill, put and agreed to)

EDUCATION BURSARY FUND AMENDMENT BILL

The Chairperson (Hon. Madialo): We are dealing with the Education Bursary Fund amendment.

Clauses 2 to 6

(Question that Clauses 2 to 6 be part of the Bill, proposed)

Hon. Mboha: I propose that let clause 2 to 6 be part of the Bill as proposed.

(Question that Clauses 2 to 6 be part of the Bill, put and agreed to)

Clauses 7

(Question that Clauses 7 as amended be part of the Bill, proposed)

Hon. Mboha: I let clause 7 be part of the Bill as proposed and I ask Hon. Lonah Adida to second.

(Hon. Adida seconded)

(Question that Clauses 7 as amended be part of the Bill, put and agreed to)

Title

(Question that the title be part of the Bill, proposed)

Hon. Mboha: Mr. Speaker, let the title be part of the Bill as proposed, and I therefore call upon Hon. Oduor the Majority leader to second.

The Chairperson (Hon. Madialo): Member for South East Alego, Majority leader of this House is your name Peter Oduor or Odera?

Hon. Oor: Mr. Speaker, he should correct that name please!

Hon. Mboha: I apologies Hon. Peter Oor Odera not Oduor.

(Hon. Oor seconded)

(Question that the title be part of the Bill, put and agreed to)

Clause 1

(Question that the clause 1 to be part of the Bill, proposed)

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Hon. Mboha: Mr. Speaker, I propose that clause 1 to be part of the Bill as proposed, and may I call upon Hon. Opanga to second.

(Hon. Opanga seconded)

(Question that clause 1 be part of the Bill, put and agreed to)

SIAYA COUNTY FINANCE BILL 2018

The Chairperson (Hon. Madialo): Hon. Peter Oduor that is the Siaya County Finance Bill 2018.

Hon. Oduor: Mr. Speaker, Sir, I beg to Move that the Committee do report to the House its recommendation of the Siaya County Finance Bill 2018 and its approval thereof with amendments.

(Question that the Committee do report to the House its recommendation of the Siaya County Finance Bill 2018, its consideration and approval with amendments)

(Question put and agreed to)

SIAYA HEALTH SERVICES BILL

The Chairperson (Hon. Madialo): Hon. Shirley.

Hon. Oyuago: Mr. Speaker, Sir, I beg to Move that the Committee do report to the House its consideration on the Siaya County Health Services Bill 2018 and its approval thereof with amendments.

(Question that the Committee do report to the House its consideration of the Siaya County Health Services Bill 2018, and its approval thereof with amendments)

(Question put and agreed to)

SIAYA WATER AND SANITATION BILL 2018

The Chairperson (Hon. Madialo): Hon. Booker.

Hon. Booker: Mr. Speaker, Sir, I beg to Move that the Committee do report to the House its consideration on the Siaya County Water and Sanitation Bill 2018 and its approval thereof with amendments.

(Question that the Committee do report to the House its consideration of the Siaya County Water and Sanitation Bill 2018, and its approval thereof with amendments)

(Question put and agreed to)

SIAYA COUNTY EDUCATION BURSARY FUND AMENDMENTS BILL 2018

The Chairperson (Hon. Madialo): Hon. Mboha.

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Hon. Mboha: Mr. Speaker, Sir, I beg to Move that the Committee do report to the House its consideration on the Siaya County Education Bursary Fund amendments Bill 2018 and its approval thereof with amendments.

(Question that the Committee do report to the House its consideration of the Siaya County Education Bursary Fund amendments Bill 2018 and its approval thereof with amendments)

(Question put and agreed to)

(The House resumed)

[The Speaker (Okode) in the Chair]

SIAYA COUNTY FINANCE BILL 2018

Hon. Madialo: Mr. Speaker, Sir, may I proceed? As we stand guided to wait for the Hon. Oriaro Motion, Mr. Speaker, Sir, I beg to report that Committee of the Whole House has considered the Siaya County Finance Bill 2018 and approve the same with amendments.

Hon. Speaker: Chair Finance Committee.

Hon. Oduor: Mr. Speaker, Sir, I beg that the House do agree with the Committee in the said report.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third time and passed)

SIAYA COUNTY HEALTH SERVICES BILL 2018

Hon. Madialo: Mr. Speaker, Sir, I beg to report that Committee of the Whole House has considered the Siaya County Health Service Bill 2018 and approve the same with amendments.

Hon. Speaker: Yes, Hon. Shirly.

Hon. Oyuago: Mr. Speaker, Sir, I beg that the House do agree with the Committee in the said report.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third time and passed)

SIAYA COUNTY WATER AND SANITATION BILL 2018

Hon. Madialo: Mr. Speaker, Sir, I beg to report that Committee of the Whole House has considered the Siaya County Water and Sanitation Bill 2018 and approve the same with amendments.

Hon. Speaker: Yes, Hon. Booker.

Hon. Booker: Mr. Speaker, Sir, I beg that the House do agree with the Committee in the said report.

(Question proposed)

(Question put and agreed to)

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(The Bill was accordingly read the Third time and passed)

(Question put and agreed to)

(The Bill was accordingly read the Third time and passed)

Hon. Madialo: I would like to report that the Whole House has considered the Siaya County Education Bursary Fund Amendment Bill 2018 and approved the same with amendments.

Hon. Speaker: Yes, Hon. Mboha

Hon. Mboha: I beg to Move:

THAT the House do agree with the committee on the said Report.

(Question proposed)

(Question put and agreed to)

Hon. Mboha: I beg to Move:

THAT the Siaya County Education Bursary Fund Amendment Bill 2018 be read a third time

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

Hon. Speaker: I want to direct that instead of handling what is in the Order Paper number 19 but the one for Report of the Committee on Lands, Physical Planning, Surveying and Housing on Siaya Municipal Charter before we dispense with it we will first of all deal with the Motion which is before us in our Supplementary Order Paper by Hon. Oriaro

NOTICE OF MOTION

MUNICIPAL CHARTER

Hon. Oriaro: Thank you, Mr. Speaker, Sir. I beg to give notice of the following Motion:

THAT, this House resolves that the County Executive be henceforth stopped from recruiting staff of the proposed Siaya Municipality Board until such a time when there will be a budgetary provision for the same and a Municipal Charter operationalized and reported to the County Assembly.

MOTION

MUNICIPAL CHARTER

Hon. Oriaro: Thank you, Mr. Speaker, Sir. I wish to Move the following Motion: THAT this House resolves that the County Executive be henceforth stopped from recruiting staff of the proposed Siaya Municipality Board until such a time when there will be a budgetary provision for the same and a Municipal Charter operationalized and reported to the County Assembly.

My contribution when we were opting to set aside on when to recess today so that we adjourn until 18th of this month was to draw our attention to one simple fact that for instance before we came into being as Members of County Assembly a law had to be in place and some arrangements are there like how the office had to be in place after which now we came into being. Drawing a different analogy, before you have a child you must have a mother. Let us move away from other scientific ways but naturally to have a child first you must have a mother.

There is no way we can begin recruitment and we are yet to create that office. We first create an office and do several arrangements like for those who will be occupying that office how will they be facilitated, what will be the nature of their work if any, how will they be compensated if their term comes to an end? That is all about having a Municipal Charter.

When the Assembly has approved it then other specs can come into being like how do you want to recruit them? Even before you talk about recruiting them, we must look at what the law says like for instance looking into a reasonable space where people will say we were employed but we don't have salary. For such persons to have a salary there must be budgetary provisions

This Motion is to just help the Executive do things right by waiting until such a time when the charter will be approved. Immediately after this Motion, we will ventilate into the matter of legislative approval of the charter and indeed when we shall have approved the Supplementary Budget because that is the only route through which their space for remuneration can arise hopefully if the Supplementary Budget shall capture that but before doing that.

We don't want a situation whereby people will go to court that we were employed, we are not earning. They have petitioned this House again just as others have been petitioning the House that now this is our 10th month, we are yet to get our salaries yet we know very well that that was not in the Budget.

I call upon Hon. Madialo to second.

Hon. Madialo: I wish to second and state the following in brief. The Office of the Board is going to be created by the charter. You cannot recruit before the charter is enacted. The qualifications of the occupants of those offices is going to be defined by the charter. You cannot know the qualifications you are employing before the charter is adopted. The number of members of the Board is in the charter you cannot know the number taken to the board before the charter is approved.

The functions of the board are in the charter. You cannot tell the job description of the people you are recruiting before the charter is adopted. This is a case of putting the cart before the horse and must be stopped. This Motion serves to enable us adopt the charter at the same

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time negating irregularities that may have been reported by the alleged recruitment exercise of members of the board before the charter is adopted

Lastly, the board is a board of the entire Siaya Municipality. All residents of Siaya should be given an equal opportunity to compete and to serve in the board. That competition we can see is envisaged in the draft charter that the recruitment shall be competitive. We do not know and we might not be able to tell which body is interviewing people for purposes of recruitment before the charter is adopted because it is the charter that describes the manner of recruitment. I support the Motion.

(Question proposed)

Hon. Speaker: Yes Hon. Adala.

Hon. Adala: Thank you, Mr. Speaker, Sir, I support this Motion as raised by Hon. Oriaro. We cannot start an exercise as serious as issues of staff recruitment when we are aware that the Assemblies are looking at this document now. The ideal situation would be we first enact this charter. You cannot have somebody whose salary you do not know where it will come from.

This is something that we really need to support as a way of helping those that shall be employed because if we go ahead and allow the Executive to do this then we may sit here after a few days because we don't know where it comes from. I rise to support.

Hon. Speaker: Yes Hon. Shirley

Hon. Oyuago: Thank you, Mr. Speaker, Sir. I rise to support the Motion. I really want to thank Hon. Oriaro for condemning the illegal doings of the Executive wing of the government.

We need to send a team to investigate the charter that the Executive is using to recruit the board members this document is still not official it is still with us in the Assembly and they are not even aware of the recommendations we are going to do as a House

We have had various recommendations even on the composition of the Board so we need to form a team to investigate the charter that the Executive is using to recruit the board members. I support.

Hon. Speaker: Yes Hon. Nick Ochola.

Hon. Ochola: Thank you, Mr. Speaker, Sir, as always this is a House of rules and must therefore be guided by laws accordingly. It is very outrageous and I find it demeaning to this House that the Minister whose office is in charge of this charter could hide facts about this charter and yet they were pleading literally that we pass this document because there are facts which are likely not to be realized. In as much as we have very good intentions I am seeing a situation where the Executive was playing some cards under the Table.

I thank the Member who has brought this Motion to the House. How I wish that we go further and get the advert for whichever form which is inviting applicants because as it is we are going to propose that nothing moves but we can go ahead and put an ... against the advert which is put that such an advert which has been put inviting people for positions in a board which is non-existent is null and void so that the matter is not just discussed here but let it come out very clearly that some illegality was taking place.

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A strong message should now go to the Executive because reading the mood of the House yesterday and today we had very good intentions of passing this charter but I am not sure what will be the ramification if we teach them a lesson and they refuse to pass this charter in the debate today. Let them come out very clearly why certain things are happening in the Executive contrary to the law.

I wish to support the Motion which has been brought my colleague that we stop them from recruitment until the charter is operationalized and reported to this County Assembly and we go further and place an ... that the purported recruitment or advertisement which was put on whichever date which this House should established is annulled. I beg to support. Thank you.

Hon. Speaker: Yes Member for South Sakwa

Hon. Odhiambo: Thank you, Mr. Speaker, Sir, I rise to support the Motion. Based on the points raised by my fellow colleagues it seems that the Executive are doing things which are not right and the Motion has just come timely and when they were pushing and they wanted to get us off-guard but it is good we have bright brains in this House.

I want to confirm that we have been handing this Municipal Charter in our committee of Lands, Physical Planning, Survey and Housing but the team from the Executive has never come clear on what they want us to do. They keep on going round with things as if they don't know what to do but I think what they have been trying to do is to put us in a very small box where we may not have time to pray. Based on that, I want also to recommend we hold on this until we are given the right thing in this House.

As we have recommended in the past that each and every page of the budget leaflet be stamped officially, let this also be stamped because we may pass what is not right and as well they have another copy. I also want to recommend that let each and every page of this Municipal Charter, by the time they shall bring the right one, it be stamped officially so that we pass what we know is right. Otherwise thank you.

Hon. Speaker: You are all aware that the Motion before the House is on stoppage of the executive from recruitment of staff to the proposed Municipality Board until such a time there will be budgeted provision on the same and Municipal Charter operationalized and reported to the County Assembly. Your contributions are like we are contributing on the Charter, they are connected, no problem.

Hon. Olasi: Thank you, Chair. I agree that we should not allow these people to use the money to pay the salaries. This Government is totally dishonest. The CECM came yesterday and told us that they are in dilemma so we need to pass so that the money should come. We even did some recommendations here, how we wish the board to be formed and yet we are going ahead to recruit the public. Are these the people to be trusted? No way! Thank you.

Hon. Speaker: Yes Hon. Ambrose Akuno!

Hon. Akuno: Thank you, Mr. Speaker. I support the Motion. When I first saw this Municipal Charter I was very happy. I thought this was going to be like a ---in France, totally independent and isolated. But it seems there is a game here. We must understand that this is a grant from the World Bank, if we mess this grant in the next 50 years, Siaya won't get anything.

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But if you use this grant properly I am sure even in the next years we will get some addition. Let us not play with this Municipal Charter, thank you and I support.

(Question put and agreed to)

Hon. Speaker: My communication on this matter is that the secretariat of the Assembly to ensure that this resolution is communicated to the;

1. The Secretary (County Public Service Board)
2. The CECM in charge of Lands and Physical Planning
3. The CS (County Secretary)

By tomorrow midday and the service be done by the Committee Clerk, the Sergeant at Arms and a representative of the registry. An evidence of service be brought to the Assembly tomorrow by close of business and they must receive. Next order!

MOTION

SIAYA MUNICIPAL CHARTER

Hon. Otare: Thank you, Mr. Speaker. May I move a Motion that this House adopts the report of Lands, Physical Planning, Survey and Housing in the analysis of Municipal Charter laid on the Table of this House today Thursday 6th 2018. I hope every Hon. Member has the document. I will put my weight on pg. 11. We have the recommendations and we are pleading with the House that it should be approved with amendments.

1. Amendment No. 1, all processes affecting the Municipality shall be vested on the Municipal Manager.
2. Legislation and Municipality by-laws should be inserted
3. Amendment No. 3, Instead of the word by-laws it should be legislation
4. Amendment No. 4, Siaya County Legislation
5. Amendment No. 5, The Municipal Manager should be the Secretary to the Board of the Municipality
6. Amendment No. 6, Inserting the word benefits after the word allowances
7. Amendment No. 7, Convene ordinary meetings be included
8. Amendment No. 8, Insert the word shall constitute
9. Amendment No. 9, The provision of this charter shall take effect on the date it is endorsed by the Governor
10. Amendment No. 10, The Board of the Municipality shall within the boundaries of the Municipality of Siaya impose such fees, levies and charges as may be authorized by the County Government for delivery of services by the Municipality.

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11. Amendment No. 9, the CEC may delegate to the Municipality the following functions within its jurisdiction.
12. Amendment No. 10, In the final draft Charter which created the principal agency is deleted entirely from the final document.
13. Amendment No. 11, the procedure for the removal or petition for removal of a member shall be provided by regulations made under the Urban Areas and Cities Act and in the absence of the regulations in accordance with the Kenyan Laws and fair labour practices.
14. Amendment No. 12, the Municipal Manager shall be competitively recruited and appointed by the County Public Service Board with the approval of the County Assembly.
15. Amendment No. 13, sources of the Municipality's fund and revenue. The Board of the Municipality shall derive its revenue and funds from; monies appropriate by the County Assembly for the purposes of the Management and service delivery of the Board.
16. Amendment No. 14, all borrowing by the Board of Municipality shall be approved by the County Assembly.
17. Amendment No. 15, a Member of the County Assembly may upon receiving a petition from the public initiate an amendment of the Charter by the County Assembly. Article 10.2.4., all amendments to the Charter shall be approved by the County Assembly before they take effect.

I think Members can agree with amendments so that they can have a say in the document any time they wish is best for them. The reason why this document should be fast, it will allow Siaya County Government to receive funds from the donors. Secondly, I support the Motion from Hon. Oriaro and if you look at the Charter or the document they are providing the acting person and if they are willing to start the process they can second people in acting capacity. I beg the Members that this Motion can be passed. I ask Hon. Edwin to second.

(Hon. Edwin Odhiambo stands to second)

(Question proposed)

Hon. Speaker: Hon. Madialo!

Hon. Madialo: Thank you. I will start by echoing the views of my brother Hon. Ambrose of West Asembo. I observed that this puts us between a hard place and a rock. On one hand it is our responsibility to ensure that the flow of donor fund if it is available flows into the County. On the other part, there is need to demonstrate and ensure to ourselves that the donor fund will add value to the lives of our people.

Even as I support, I wish to point out 2 or 3 witnesses though mheshimiwa indicated that there is an inbuilt right to amend. I still worry about the definition of Siaya Municipality because the donor is bringing in money and saying 'Siaya Municipality' and the Charter does not tell us where it begins and ends.

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Supposing I was running the Municipality and I think Hon. Mboha loves me, then I will say that I stay in the municipality and I direct water there, direct sewerage there, moving forward even without us as an Assembly initiating an amendment I will urge the Executive and the Chair of Lands to communicate and address it upon the CECM that there is need to come back with an amendment that tells us where it begins from/where the boundary is.

Another weakness that we would have to be addressed is the manager, is he the equivalent of the Chief Officer or is he below? When operating does he report to the Chief Officer or is he an authority to himself, because these are being appointees of the County Government and the hierarchy lines should be clear.

There is another one, we have said, appoint the board to manage the town and left it blank without saying the board member shall be a form 4. It is just there just as a board, it means that actually you may be able to rise in the morning take your herds man and make him a board member because there are no qualifications attached thereto.

Those fears if addressed will go a long way in addressing our problems but I wish to support but may I repeat that I echo the fears of my brother the other side, those problems ought to be addressed and addressed urgently. I beg to support.

Hon. Speaker: Member for West Yimbo!

Hon. Ochieng: Thank you Chair. I am on my foot to support this statement. I want to put it very clearly that in our last Assembly I happened to be a Member of the Lands Committee and I attended a meeting that was sponsored by the World Bank and while in that meeting, Siaya County could not benefit from the funding because we didn't have the Municipal Charter.

Now that we have this document here with us, it has come in the right time and I must just give it support in view that all the funding that comes in our County are not enough to support the infrastructure work that we have. I think this is a source of revenue that when we give it a go ahead I want to believe that all will go well and Siaya County will develop just as other towns or cities that we can see in the outside world.

I want to echo that all these advertisements we are blocking here now, as much as they would have wished to this Charter as early as this year, I want to believe that let them wait we pass this Municipal Charter because all the formation of the Municipal Boards are anchored in this document. Otherwise I want to support and I call upon all other Hon. Members to support it.

Hon. Speaker: Hon. Ambrose Akuno, Member for West Asembo!

Hon. Akuno: Mr. Speaker, I am still a worried man. The donors have good intention for Siaya County and that is why they say Siaya Municipality. It is not indicated Siaya County, this thing is meant for Siaya Municipality.

I think we are remaining with four years to end this term, if we mess with this fund, I believe if in the next election maybe the Independent form the next government we will lose this cash. If we use this cash properly I believe next year we will get some funds from donors. I don't know how I can convince these people and reject this one, I don't want to be the person to reject alone, but I wish you could understand we reject this right now.

Hon. Speaker: Yes, Hon. Oriaro, Central Alego?

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Hon. Oriaro: Thank you Mr. Chair. My rising is all about to support the being overseer Municipality, the birth of which is our enactment of the Charter. At times, it is reasonable to allowing exceptions, as allowing those exceptions may not necessarily become a creation of the President. Laws themselves worldwide have never become a confliction, even the Constitution we are talking about today, the 2010 Constitution, you can see how the Prime Minister is sweating Morning and evening, and it is a document that came into law just recently.

It is true, the Charter had flaws, majority of which have been addressed by those amendments, but the reason why I am for us resolving positively on this, in my Motion a matter came up very clearly in the stoppage of recruitment, until the Municipal Charter is operationalized, and reported to this Assembly.

I am in the belief that before they even report to this House on its operationalization, there would still be a room to address matters that partly we have addressed by the stoppage of those recruitment, even to anchor the aspect that Hon. Madialo is talking about, because to having the office bearers, it would be all about having the office properly set.

One of the conditions of setting that office properly is the situation of the worker. So as addressed by Hon. Madialo, through the Clerk's Committee where this Motion was domicile, all those matters may be easily looked into. To doing justice on behalf of the people of Central Alego and general public in ubiquity, and I plead to the members, let us just approve it, and we see how the Executive is responding, because it will not be like this every day. I support.

Hon. Speaker: Yes, Hon. Mboha.

Hon. Mboha: Thank you Mr. Speaker. I also rise to support the work that the Committee of lands have done on this Charter. I think we have our reservations in regards to how these funds will be expended, and I think that we can address as soon as the implementation of this Charter starts, because we are not able take all other considerations at the moment because there are things that are going to come up as the implementation will be taking place.

I would also urge Members, that there is something that needs to be done since you has seen the animosity, we should also create room for amendments that may arise during the implementation. I also want to urge other Members that we may allow it to go on, for us to have this Charter go on and have this Charter created, for us to not block funds that are supposed to be coming, because we still have 4 years that we will be able to monitor the effectiveness of this Municipality. Otherwise I support.

Hon. Speaker: Yes, Member for North Gem, Hon. Nick Ocholla.

Hon. Ochola: Thank you, Mr. Speaker, Sir, I support the creation of the Charter as tabled by the Chairman of the Committee of Lands. We have had a number of challenges here. We know that our budgetary allocation will never be enough, from the National Government.

To this extent that we have this document standing between us, and money which is supposed to be flowing into this County, then I would be the first person to say that we pass this document so that we have this money come in, notwithstanding the document may not be as perfect as they want it, it is very difficult to have a perfect or an ideal document, but given

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that the Committee has gone through it, it has been shared with us, upto this point, I believe we have a document that is fair.

It is fair because, should we have any short coming, in the event that we are operationalizing this Charter, then we have succeeded in starting a clause which gives any Member of the public to peg in an amendment. So I think that is the strongest point that I would go by, and then I also support that we pass this Motion.

I am on record to be an advocate of flagship projects and I don't have regrets about that, but this now is God sent. That my prayers have been answered. One way or another, despite the Budget that we have, from the coffers of the National Government, we are having another source of funds which will help us in the flagship projects in this County.

It's a shame, if you come with friends from other Counties, and Siaya is known to be a County of intellects, it is known to be a County which has produced sharp brains, but when they reach our town, they ask you, is this Siaya that we hear about? They imagine skyscrapers, magnificent buildings, and yet we don't have those. So if this can be a God sent opportunity,

So that Hon. Otare has just stated that he wants to do a modern market that is one flagship project that we will be bragging and boasting about here in Siaya County. That is one reason why I support this document.

Number two; we have a problem of employment and this in one way that will create for us employment, so that we will be having one avenue of employing our people as long as it is done correctly and within the law, but my reservations are; and this we can apply in future;

We have the boundary, as the Hon. Madialo has said. This boundary is not defined. They mentioned Boro and another place.

How I wish this would be put clearly in the Charter that this is where the boundary ends, so that we avoid in future when some particular projects come and there is a conflict. We saw this in the Konza City. We had a tug of war between Machakos and Kitui. That this should be here, and this should be here.

So that next time I don't wake up and say this particular project which is funded by World Bank should be a project of Kodiaga Town, because it is also part of the municipality. If that is put clearly the better.

Lastly, they have also put that the boundaries can be reviewed from time to time, but I would also say that some future considerations that the Committee ought to consider, or when we will be envisaging for amendment, these reviews must be very specific.

We need to say that we will be reviewing the Boundaries after every 5 years , for example, after every 2years, after every ten years, so that this thing starts growing and developing so that at some point, it will outgrow Alego Usonga, because apparently it is the headquarter of Siaya, the definition of the new Charter, so that next time it will touch part of Gem, when we do review that, so that twenty years down the line, we will also be

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having a market worth Kshs. 50 million like what Hon. Otare is going to be having very soon, should we pass this Charter.

I just want to allay the fears of Hon. Ambrose Akuno, that ODM as a party is very strong, we are not going to allow this Charter to be messed up, so don't be worried because come next term it may not be your party running it but we will still run the Charter, and make sure that things run accordingly and that is why we are very particular about making changes so that nobody messes around with it, and I would invite you that you cross the floor so that in the coming Government, you be part of this party. Otherwise we assure you that we are not going to mess it up. So thank you and I support this Motion.

Hon. Speaker: Yes, Hon. Oor, Majority Leader.

Hon. Oor: Thank you, Mr. Speaker, Sir. I rise to support, but the Auditor who is going to audit the Company, where will it come from. The Manager of the Board will be reporting to who, and who is going to be their boss? What is going to be their objective after the project is over, and lastly amendment should be done before implementation. Thank you.

Hon Speaker: Any other contribution? Yes, Hon. Helen Winga. Let's not repeat ourselves because we have business in Kisumu this evening.

Hon. Winga: Thank you, Mr. Speaker, Sir. I want to support the report. First of all allow me to thank the Lands Committee for the work that they have done. I only have one observation. This is money coming into the County, and we should all support it. What I would ask is, after amending the Charter, and it is 250 million, we have 6 Sub counties, so we can find a way through which all these sub counties can benefit.

(Laughter)

(Question put and agreed to)

Hon. Speaker: So, Hon. Members on that may I direct, that this communication is relayed to the CEC in charge, and he would be asked to consider the observations of the House made in its deliberations which will be in the votes and the proceedings, and the Secretariat ensures that each page of the Charter is stamped as approved by the County Assembly, and copies retained by ourselves and copies submitted to the Executive.

Also as you do that, communicate to them the need for express provision on the location which they said I remember that is as Gazetted. Having said that, we go to the next Order.

MOTION

ADJOURNMENT

Hon. Speaker: Hon. Members, there being no other Business, will you be upstanding for adjournment.

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I had asked the House Business Committee to convene, but now that has since been revised. Just make sure you see the Clerk of that Committee at your free time. There being no other Business, this House adjourns until Tuesday, December 18th, 2018, in the Chamber.

The House rose at 4.30 p.m.