

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY
THE HANSARD

Second County Assembly – Second Session

Thursday, 29th March, 2018

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

[The Deputy Speaker (Hon. Odongo) in the Chair]

PRAYER

PAPERS

AUDITOR GENERAL'S REPORT 2015/2016

Hon. Kinyanyi: Thank you, Mr. Deputy Speaker, Sir, I wish to lay on the Table of the House the following Paper:

The Auditor General's Report on the Financial Statements of the County Assembly of Siaya for the 2015/2016, Financial Year

Draft Auditor General's Report on the Financial Statements of the County Government (Executive) of Siaya for the 2015/2016 Financial Year

(Hon. Kinyanyi laid the document on the Table)

PROPOSED AMENDMENTS TO STANDING ORDER

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

Hon. Oyugi: I wish to lay the following Paper on the Table:

The Report of the House Business Committee on the proposed amendments to the Standing Order pursuant to Standing Order No. 236

(Hon. Oyugi laid the document on the Table)

Thursday, 29th March, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

NOMINATION OF MEMBERS TO HOUSE BUSINESS COMMITTEE

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

Hon. Oor: I wish to lay the following Paper on the Table:

THAT, this House adopts the Report of the Committee on Selection on the nomination of Members to the House Rules Committee laid on the Table of this House on 29th March, 2018

(Hon. Oyugi laid the document on the Table)

NOTICE OF MOTION

PROPOSED AMENDMENTS TO STANDING ORDER

Hon. Deputy Speaker: Yes, Hon. Oyugi.

Hon. Oyugi: I wish to give notice of the following Motion:

THAT, this adopts the Report of the Committee on House Business on the proposed amendments to the Standing Orders pursuant to Standing Order 236.

NOMINATION OF MEMBERS TO HOUSE BUSINESS COMMITTEE

Hon. Oor: I wish to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Selection on the nomination of Members to the House Rules Committee laid on the Table of this House on 29th March, 2018

Hon. Deputy Speaker: Hon. Members, you have just realized that Hon. Opanga did not give the notice so we kindly request you to give the notice of Motion

Hon. Opanga: The notice of Motion was given yesterday by my Deputy so it stands committed.

STATEMENTS

DISMISSAL OF THE CHAIRMAN AND VICE-CHAIRMAN OF SIRONGO BEACH MANAGEMENT UNIT

Hon. Olasi: Thank you, Mr. Deputy Speaker, Sir.

Pursuant to Standing Order 41(2) (c), I rise on behalf of Hon. Joannes Andiego, MCA Central Sakwa Ward and the Majority Whip of this Assembly to seek a statement from the Chairperson of the Committee on Agriculture, Livestock and Fisheries on the unprocedural misuse of the Chairman and the vice chairman of Sirongo Beach Management Unit by the District Fisheries Officer.

In his statement the chairperson should categorically explain the circumstances under which the two duly elected officials were dismissed.

Thursday, 29th March, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

The chairperson should as well explain whether it is within the mandate of the District Fisheries officer to dismiss the officials of a BMU and appoint a caretaker committee. In case the officer has such a mandate the chairperson should explain the circumstances under which the mandate can be executed.

Hon. Deputy Speaker: Thank you, Hon. Olasi to the Committee on Agriculture, Livestock and Fisheries, the statement is committed.

MOTION

COMMITTEE ON IMPLEMENTATION'S ENGAGEMENT WITH THE STAKEHOLDERS

Hon. Opanga: I wish to move the following Motion:

THAT, this House adopts the Report of the committee on Implementation on their engagement with the stakeholders (CECMs), laid on the Table of the House Tuesday, 27th March, 2018.

I request Hon. Peter MCA for Ukwala Ward to second.

Hon. Oduor: I second.

Hon. Opanga: I believe we all have the Report, it was given out yesterday.

Special appreciation goes to the Chairperson and Members of the Committee on Implementation and the staff who participated in this exercise and ensured the success of this exercise. The committee would wish to extend gratitude to the office of the Speaker and that of the Assembly Clerk for its support towards planning and facilitating the exercise. The committee would wish to further extend its appreciation and gratitude to the CECMs and the CO's who religiously availed themselves for the meeting in Kisumu.

As you are all aware it is the Committee that interacts with each and every recommendation that this House passes. To do so in a manner that will be able to help Hon. Members we saw it wise to go and sit with each and every department that is concerned within Siaya County and with me we have some of the views that the members of those departments led by their CECMs and COs were able to give us.

We were also able to share with them what we feel needs to be done and how we need to go ahead of these 5 years to offer services to our people. It being a big document I will just peruse because the Hon. Members have the document. I will just pick few of the departments so that the save on time.

In the Department of Agriculture, the Committee on Implementation was made aware it is the backbone of the economy for the people of Siaya and that food security is a major problem in the County Government of Siaya. The Committee was further made aware that the department has three sub sectors namely crop, livestock and fisheries and it has more than twenty partners supporting it to achieve its vision which is Siaya County to be a food secure county with commercially oriented agriculture.

Thursday, 29th March, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

Attached in those reports is the pending projects per Ward and I believe being a huge document any Hon. Member who would like to make a reference based on your Ward you can visit our library. The appendices are there.

The Committee was informed that the following are some of the problems that made implementation of projects difficult: low Budgetary allocation to the agriculture sector in Siaya County, declining arable land sizes, low productivity in agricultural produce, high cost harvest losses, weak governance in farmer organizations especially the cooperatives, low uptake of appropriate agricultural technologies, irrigation based farming is limited.

Health Department; The Committee was made aware that the health department has a mission to provide quality health care for all and that the sector has population ratio of 1:1,197 to doctor population ratio of 1:3,851 and a total number of 2148 community health volunteers for community health services in Siaya County. Attached is appendix 2 and we will be able to give you the full Report for that.

The department has a total of 12 partners who have been assisting the department to achieve its mandate and mission and has been facing the following challenges impending them from achieving their goals. Unrest in the health sector, inadequate staff, low uptake of health insurance, inadequate funding, too many health facilities being constructed and not in use due to lack of staff, equipment and medicine.

Land Department; The committee was informed that it consists of four directorates namely land, physical planning, survey and housing with a vision to provide excellent land and housing management to sustainable development and vision to facilitate administration management of land and access to adequate and affordable housing. The Directorate of Lands Department has different and specific work areas to handle and have been able to complete 99.52% of projects that were budgeted on the FY 2016/2017 and 90.48 projects are yet to be done and are ongoing on appendix 3 as attached.

The following are some of the challenges reducing speed of work in the department low budgetary allocation for the department yet the 3rd highest revenue collector in the county, lack of mobility in the department it has no vehicle for field work, lack of technical staff to execute mandate of the department, preparation and implementation of the county partial plan that will facilitate collection of revenue of the County Government in terms of billions.

As you are aware yesterday the department of land as they were giving their report the issue of counties partial plan also came out and as a department of implementation they were able to explain to us and give us. If this county's partial plan is implemented the county will be able to make revenue and also increase its revenue in terms of collection.

Department of Finance; they submitted a written submission in appendix 4 on their mandate partners and pending projects. They clearly stated that they monitor, evaluate and oversee the management of public finances and economic affairs in County Government of Siaya. They also listed seven partners who assist them in working towards vision 2030 and one pending project which is automation of revenue collection.

They are facing the following challenges and many more that are derailing their work towards offering services to the people of Siaya; delay in receiving funds from the national Treasury into the County Revenue Fund which should always be disbursed by every 15th ...

Hon. Olasi: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Olasi.

Hon. Olasi: Is it in order for the Chairperson of Implementation to keep on referring to appendices that are not there? He is informing the Hon. Members to go to the library.

He should have all the documents as a matter of reference.

Hon. Deputy Speaker: I think that you highlighted that the Hon. Members have got all the copies with them. I don't know why you are referring them to the library.

Hon. Opanga: These copies were given yesterday, with me I have a very huge document and we were able to produce four documents of the same which the clerks have one, one is at the library.

I would kindly request the Hon. Members...

Hon. Olasi: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Olasi.

Hon. Olasi: The Hon. Member is misleading the House. This Assembly is not that poor to fail to afford photocopy papers to print these appendices on behalf of the House. We are being misled!

Hon. Deputy Speaker: Yes, Hon. Oriaro.

Hon. Oriaro: I am in consonance with the perspective of Hon. Olasi. Before Businesses are brought in front of us they must undergo some approvals. I pity you Chair because even at your desk I have not seen the bulkiness of the document he is talking about.

We are not new in this House in terms of procedural matters. The moment a document is brought to the House it is a property of the House in our collectivity but a Member for Central Alego being referred to a nonexistent library. We know that once a document is approved it is when it is taken the library so what is brought before us is for those who know the trajectories of parliamentary practices based on matters that are non-vector based. Thank you, Mr. Deputy Speaker, Sir.

Hon. Olasi: It is not in order! This is a serious matter then the chairperson is laughing! This is where we go wrong. Even you as the Chair you should not preside over a document which is halfway and this is a committee which all committees rely on. Then they bring a Report which is halfway to debate on and he keeps on laughing!

Hon. Oyuago: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Shirly

Hon. Oyuago: I want to concur with Chair of Tourism and Hon. Member of Central Alego. This is a committee that should lead by example because it is a committee which every committee in this House depends on so if the Chair keeps on referring to a ghost document that the House cannot get access to I would really plead with you to guide the House on it.

Hon. Omwende: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Omwende.

Hon. Omwende: Thank you, Mr. Deputy Speaker, Sir. I kindly request that because it is a serious Report that is in front of the House, all the Members should have it so that they can follow. For that reason if you are wise I would kindly request the subject we are discussing be kindly suspended for some time. Thank you, Mr. Deputy Speaker, Sir.

Hon. Otiato: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Otiato.

Hon. Otiato: You have heard what Mr. Omwende, has just said. Is it parliamentary questioning, 'If you are wise', is he insinuating that you are not?

Hon. Olasi: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Olasi.

Hon. Olasi: Is it in order for Hon. Otiato to refer to Hon. Omwende as "Mr." in this Hon. House?

Hon. Deputy Speaker: Thank you Hon. Members you are aware that Hon. Opanga has mentioned that the document in front of him is a very big document that cannot be put in front of Hon. Members. I request the Chairperson for Implementation to seek for some guidance so that we can defer this matter to the next Sitting.

Hon. Opanga: I am made aware that this Report when it was being prepared it was in consultation with the clerks concerned and they agreed to give the Report the way it is minus the appendices which what I have communicated. It is what was communicated to me by the secretariat.

All the same as the Chair I would kindly request Hon. Members, we have given directive for the appendices to be brought as we move ahead with this Report knowing too well that today is the last day that this Assembly is going for recess.

Hon. Booker: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Booker.

Hon. Booker: Thank you, Mr. Speaker, Sir, as an MCA representing the interest of the people of Uyoma North, those people need this book right here with their representative.

Hon. Deputy Speaker: Yes, Hon. Edwin Otieno.

Hon. Odhiambo: Thank you, Mr. Deputy Speaker, Sir, I think whatever is being discussed here is on the Committee on Implementation and the Hon. Member have made the tendency of not going to the library so with consultation with the clerk of this Assembly it was very wise that the Hon. Members get in touch with this voluminous document at the library.

Hon. Olasi: Point of Order!

Hon. Deputy Speaker: Yes, Hon. Olasi.

Hon. Olasi: Thank you, Mr. Deputy Speaker, Sir, if it was true that they want us to get the appendix from the library, it was in order. We don't deny that some of us are bad readers, but it is in order for us to be informed.

Thursday, 29th March, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

Let it go on record, the fact that we are proceeding to recess does not mean that we hurriedly pass the document because we want to make some people happy. Let it go on record that the implementation is the first committee to fail us detrimentally.

Hon. Deputy Speaker: I need to give guidance to this House. As I had said earlier, that the Honorable Chair for implementation, we need to suspend this debate on your order and we move to the second order please. Next Order!

(Applause)

MOTION

REPORT OF THE HOUSE BUSINESS COMMITTEE ON PROPOSED AMENDMENTS TO THE STANDING ORDERS PURSUANT TO STANDING ORDER NUMBER 236.

Hon. Oyugi: Mr. Speaker, Sir, I stand to move the Motion:

THAT this House adopts the Report of the House Business Committee, on the proposed amendments of the Standing Orders pursuant to the Standing Order 236 laid on the Table of the House today, the 29th day of March, 2018. I request Hon. Irene Shirley to second

Hon. Oyuago: I second.

Hon Oyugi: Mr. Speaker Sir, the House Rules and Business Committee is a select Committee of the Assembly deriving its mandate from Standing Order 161, which states;

(1) There shall be a Select Committee to be designated the House Rules and Business Committee, consisting of:

- (a) The Speaker who is the Chairperson,
- (b) The Deputy Speaker, Leader of Majority party,
- (c) The Leader of Minority party, and
- (d) Not less than five or not more than eleven Members who shall be nominated by the County Assembly practice and approved by the County Assembly at the commencement of every Session.

Reflecting the relative majorities of the seats held by each of the County assembly, practicing the County Assembly and taking into consideration the interest of Independence.

(2) The House Rules and Business Committee shall be appointed within seven days on Assembly of a new County Assembly

(3) In nominating the Members to the House Rules and Business Committee, each County Assembly party shall include its Whip into the Membership.

(4) In the absence of the Speaker, the Deputy Speaker shall chair the meetings of the Committee.

(5) The House Rules and Business Committee shall in turn,

(a) In respect to the House Business,

I) Prepare and if necessary from time to time adjust the Assembly calendar with the approval of the House

II.) Monitor and oversee the implementation of the House Business and programs.

III) Implement the Standing Orders affecting the scheduling, programming of the Business the House and the functioning of the Committees of the House.

IV) Determining the order in which the Reports of the Committees shall be debated in the House.

V) May take decisions and issue directives and guidelines to prioritize or postpone any Business of the House acting in concurrence with the Leader of the Majority Party and the Leader of minority Party as the case may be, and consider such matters as may from time to time arise in connection with the Business of the House, and shall have and perform such powers and functions as are conferred on and ascribed to it by these Standing Orders or from time to time by the House,

V) Considering Reports or all matters relating to the Standing orders.

6) In respect of the matters and as paragraph five reads, the Committee may;

(a) Propose amendments to the Standing Orders and any such amendments shall upon the approval of the House take effect and in time appointed by the House.

(b) Propose Rules from the Quarterly and effective conducts of the Committee Business and any such Rules and upon approval of the House continue in force until amended or repealed by the Assembly.

7) Any rules approved under paragraph C, shall be annexed to the Standing Orders and shall be binding upon Committees, to the same extent as these Standing Orders.

COMMITTEE MEMBERS

The Committee comprises;

1. Hon. George Okode -Chairman
2. Hon. Peter Odero Oor -Member
3. Hon. Vincent Odawa -Member
4. Hon. Judith Oyugi - Member
5. Hon. Fredrick Opanga - Member
6. Hon. Simon Ousa Nyaji - Member
7. Hon. Irene Shirley Oyuago -Member
8. Hon. Emily Agnes Awita - Member
9. Hon. Samuel Otieno Siguru - Member

The Committee held a meeting on the 20th February 2018 and reviewed the Standing Orders. This was necessitated by the need to split the Committee of the House rules and Business into House Rules Committee and House Business Committee on the Standing Orders of the Assembly and expanding the Membership of Chairperson's Panel.

Honorable Speaker,

That, Pursuant to Standing Order 236, this House proposes the following amendments to the Standing Orders;

- (1) Deleting the word 'Rules' from the entire Standing Orders 161 for the Committee name to read 'House Business Committee' and NOT House Rules and Business Committee.
- (2) Inserting a new Standing Order number after Standing Order number 161 as follows;

Procedure and House rules Committee, 101

- 1) There shall be a Select Committee to be designated as House Rules Committee, the Chair will be the Speaker
 - 2) The Committee shall comprise of; The Speaker, The Deputy Speaker, and not more than seven Members.
 3. The Committee shall consider and report on all matters relating to these Standing Orders.
 4. The Committee may propose amendments to these Standing Orders and any such amendments shall upon approval by the House take effect from the time of approval by the House.
 5. The Committee may propose Rules for the orderly and effective conduct of Committee Business and any such rules shall upon approval by the House continue in force until amended or repealed by the House
 6. Any Rules approved under paragraph five shall be annexed to the Standing Orders and shall be binding upon Committees to the same extent as these Standing Orders
- (3.) Amending Standing Orders 15(1) and (3) by removing the word 'and' between the word 'and' between the words 'fourth' and 'fifth' and inserting the word 'sixth' and 'seventh' after the word 'fifth'.

Mr. Speaker Sir,

I wish to call upon the Honorable House to adopt the Report of the House Rules and Business Committee on the proposed amendments to the Standing Orders Pursuant to Standing Order number 236 and that the said Committee is part and parcel of the Siaya County Assembly Standing Orders. Thank You.

(Question proposed)

Hon. Deputy Speaker: Yes, Hon. Oriaro!

Hon. Oriaro: Lakini Bwana Speaker, mjadala huu haujapewa kipau mbele na mtu wa kuisahihi kabla hatujaendelea nayo.

Hon. Deputy Speaker: Honorable Member, Deputy Majority Leader, it was not seconded.

Hon. Oyugi: It was seconded! I think Hon. Shirley seconded.

Hon. Deputy Speaker: Hon Oriaro? You were assuming?

Hon. Oriaro: Ndio. No problem. On behalf of the people of Central Alego, I want to observe that for the Plenary to effectively do its work, It has to empower itself by having strong Committees, Committees that shall go down deep into the root causes of issues that are supposed to be transacted, having good Standing Orders is what shall naturally entrench that perspective. The motion at hand aims at putting our House in order so that we are better placed to represent our people. I am left with no option, Mr. Speaker, just see my eyes.

(Laughter)

Hon. Deputy Speaker: Yes, Hon. Otiato!

Hon. Otiato: Thank you, Mr. Speaker. You know this is one of the Motions that you easily read how the House is staring at the Mover. Being a Sociologist, having had a round look at the faces of the people while the Motion was being moved, I see everybody nodding their head in support, and instead of taking a lot of our time, I request that you propose the question. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Yes, Hon Olasi?

Hon. Olasi: Thank you, Mr. Speaker. Let a Member not say that he can read people's minds. Having said that, we need to cascade these things down. If we try to repeal most Standing Orders for effectiveness, who am I not to support?

While supporting and possibly not going outside the order, it is in order to have things being done the right way, and if we talk of right things, done the right way, who am I again not to appreciate what the Committee of Agriculture did, when the Committee of Agriculture brought their Report in this House. They went as far as taking full coloured pictures to portray what they were doing.

Hon. Omwende: Point of Order, Mr. Speaker. Is it in order for the Honorable Member to flash back on a Report that had already been discussed while we are discussing a different thing?. He is already reminding us a Report that already we had forgotten? Is it in order?

Hon. Olasi: Thank you, Mr. Speaker. We never fail to appreciate something that is good, as compared to what we have just cancelled here.

Hon Deputy Speaker: Yes, Hon. Opanga!

Hon. Opanga: Is the Honorable Member in Order to give a reference on something that you had already ruled?

Hon. Deputy Speaker: Hon. Olasi, can you kindly straight away go to the point?

Hon. Olasi: Mr. Speaker, the message is home. Thank you, Mr. Speaker.

Hon. Deputy Speaker: So you are supporting the Report?

Hon. Olasi: Yes.

Hon. Deputy Speaker: Thank you. Yes, Hon. Otiato!

Hon. Otiato: Mr. Speaker, maybe just to ask for clarity. You know, the tradition of reading the mood did not only start with Siaya County Assembly.

Hon. Ochieng: Point of Order, Mr. Speaker.

Hon. Deputy Speaker: Yes, Hon. Willis!

Hon. Ochieng: Is it in order for the same Honorable Member to speak twice in the same Motion?

Hon. Deputy Speaker: Hon. Willis, I think Hon. Otiato just stood on a Point of order, not to contribute, but thank you for the advice.

Hon. Otiato: Yes. Thank you, Mr. Speaker for correcting him. I rose on a point of Order. Therefore I was just saying that it is not unique for somebody to read the mind, and I know you see the trend of what is happening, and that is why I was saying, with the mood, this matter must be taken care of very seriously, because even yesterday we had to pass a Motion here, without even a quorum. As we are more, we continue wasting time here and people are going and they are not going to return!

Hon. Opanga: Mr. Speaker Sir!

Hon. Deputy Speaker: Yes, Hon. Opanga on a point of order!

Hon. Opanga: Hon Otiato you are out of order because yesterday there was no Motion that was passed without a quorum.

Hon. Otiato: Mr. Speaker, he is not to tell me I am out of Order, you are the Speaker, not him.

Hon. Deputy Speaker: Hon Otiato you must seek Orders from me. The Hon. Member was still on the floor. Hon. Members, we can proceed.

Hon. Deputy Speaker: Yes. Hon. Winga!

Hon. Winga: I stand to support the Motion, as it has just come at the right time. Quite a number of the new Members do not know some of these House Rules. Therefore I support it.

Hon. Deputy Speaker: Can we call upon the Mover to reply?

Hon. Oyugi: Thank You, Mr. Speaker. I appreciate the contribution and the Support from the Honorable Members, and I thank you for adopting the Motion.

(Question put and agreed to)

THE COMMITTEE OF SELECTION ON THE NOMINATION OF MEMBERS TO THE COMMITTEES

Hon. Oor: Mr. Speaker, Sir, I wish to move the Motion:

THAT this House adopts the Motion of the Committee on Selection on the nomination of Members to the Committees laid on the Table of this House, on the 29th day of March 2018. May I call Hon. Omwende for seconding?

Hon. Omwende: I second.

Hon. Oor: As I will be continuing, you have this document with you, and the Members of the Committees, they are listed there.

Hon. Deputy Speaker: Yes, Hon. Shirley?

Hon. Oyuago: Where is the Report of the Selection Committee? I can't see the Report. We don't have the Report.

Hon. Deputy Speaker: Hon. Shirley, the Report has already reached you. Allow the Honorable Majority Leader to continue.

Hon. Oriaro: Point of Order Mr. Speaker. The Majority Leader is going ahead to move the Motion and it has already been seconded. Why can't you propose a question so as to anchor the process?

Hon. Deputy Speaker: Hon. Member, maybe the Majority Leader wanted to highlight some areas that maybe the Members had not gone through.

Hon. Oriaro: Mr. Speaker sir, it has been seconded, so you should invite us to debate into it!

Hon. Deputy Speaker: Hon. Member, I think you are aware of the rules of this House, and how these things need to be done, so kindly don't mislead the House.

Hon. Oor: Mine was just to summarize it, not how long it was, so just listen to me please. As a Member, you must respect your colleague. As I have said, you have the document with you so I will just straight away read the Report, the combination of the Members of the Selection Committee.

The Assembly Standing Order 191 (1) states that there shall be Select Committees to be known as Sectorial Committees, the Members of which shall be nominated by the County Assembly Business Committee in consultation with County Assembly parties at the commencement of every County Assembly.

Standing order 191 (2) A Member appointed to a Sectorial Committee at the commencement of a County Assembly or at any other time during the term of the County Assembly shall, unless the County Assembly otherwise resolves, serve for the term of that County Assembly.

The Committee considered the provisions of Standing Order 154 (2) and Nominated the following Members to the Committees as per the attached annex which you have with you, all Committees which you were selected.

The last Committee recommendation to the House that this House adopts the Report on the nomination of Members to Select Committee, Pursuant to the Standing Order. Thank you Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Majority Leader.

(Question Proposed)

Hon. Members, as you are all aware that the Report that has been laid, was discussed yesterday in our informal meeting, and I think everybody is aware of this Report and what we discussed yesterday when our Speaker was in.

My humble prayer is that we adopt the Report, so that we move on. Thank you. Hon Oriaro?

Hon. Oriaro: Mr. Speaker, to err is to human. We don't belong to the status of the gods. Even going by your own perspectives, what Motion are we really engaging in as to approve it Mr. Speaker? In the interest of going down the details, we have got the answer. I don't think this is what the Central Alego people had sent me to transact on their behalf. I want to be particular on this one.

Hon. Deputy Speaker: Yes, Hon. Omwende!

Hon. Omwende: Mr. Speaker, how I wish we are discussing the same thing. The annex that Majority Leader is talking about is not even attached to this Report. So in other words, we can't even see those Members. This put us in an awkward situation. I don't know whether it will augur well because already they are in records, and for sure, history will judge us. I don't know whose mistake is this; I am yet to know and to find out, but anyway, thank you.

Hon. Deputy Speaker: Hon. Member, we are already aware and we were informed that there were some technicalities on the issues of the printing department and that is why some copies are not with us, but also, this matter was deliberated yesterday in our informal meeting and Hon. Omwende, as you can see there is also an error occurring in our Report.

Hon. Oponga: Mr. Speaker, Sir, just the same way, at times these errors might not be caused by us Honorable Members. When I was moving my Report, due to lack of the annexes, the Report did not see the light of the day, it was differed. So I would also kindly request Mr. Speaker Sir, that if the annexes are not there, use your good judgment to differ and stop us from debating something that is not there. Thank you.

(Applause)

Hon. Deputy Speaker: Hon. Member, I would request the Hon. Majority Leader to re-read that, because I believe that he has the Report and the annex copy. This is also favoring Hon. Omwende who was seated here as we discussed yesterday, and some other Members. I think the Report is on allowances that we discussed yesterday.

Hon. Oriaro: Mr. Speaker Sir, going by that revelation, my prayer is that we even adjourn for 5 minutes, we sort out our messes and come back and adequately assert our authority on the Motion in the best interest of Members, because, I want to pre-empt it here, and that it has got a financial bearing. What about if the payroll went ahead to give Members allowances, without the full votes of the House? It is not appearing anywhere.

When auditors can come, they will want to know, how did these Members end up into such Committees. So in such technicalities, if people were held the way things are, it means that your action will be approaching individual Members, and that one may belittle your Honorable House, Mr. Speaker, Sir.

Hon. Deputy Speaker: Hon. Oriaro, allow the Deputy Majority Leader to read, and it will be captured on Hansard, it will be captured as you have mentioned.

Hon. Oor: Thank you, Mr. Speaker, Sir, let me continue to read the names that correspond with each Committee:

A.HOUSE BUSINESS COMMITTEE

1. Hon. George Okode...

Hon. Opanga: Hon. Temporary Speaker, Sir!

The Temporary Speaker(Hon. Odongo):Yes, Hon. Opanga.

Hon. Opanga: I had the same document to be read and to be confirmed in the Hansard but I was not given the time to read the report, so I would kindly request you to allow every Member to have that appendix so that this report goes ahead if we want to pass the report. I would also request, because I have the mind that if I read it will be captured in the Hansard, so use the same power you used to give direction on this matter. Thank you.

The Temporary Speaker(Hon. Odongo):Hon. Oyuago, do you have something to say?

Hon. Oyuago: If you make a ruling on what Hon. Opanga said, I shall be at a loss, so I beg for your guidance.

The Temporary Speaker(Hon. Odongo):Hon. Oyuago, we are not here to revenge on what happened to that matter of Chair Implementation. So you want the Majority leader to fail because you failed? Kindly, give us time to discuss the document, and Majority leader was requesting that his deputy to read it for him. Kindly give it to her to read.

Hon. Adida: Thank you, Mr. Temporary Speaker, Sir. I think money has been “poured” in this House to cancel some of the reports because if you go with what is required, the people I represent from North Sakwa I know will hear me from the Hansard records.

If we go with this thing as the Majority Leader is putting it as task annex. You know actually the Hon. Member; the chair for Implementation had the same document just as the Majority leader had. We kindly request the Majority Leader or the secretariat of this House to provide us with the annex.

The Temporary Speaker(Hon. Odongo):Hon. Omoro, Member for East Ugenya.

Hon. Omoro: Thank you, Mr. Speaker, Sir. I think we are dwelling over one matter for a long time and there is no need for that. So if we talk of a Selection Committee, “what do you mean by a Selection Committee?”

Should there be an annex attached on the report on a Selection Committee? Because going by the establishment of Committee on Selection, the Committee on Selection is one the select Committees established under Standing Order No. 153 with the mandate to nominate Members who serve in the Committees, say for the Membership of the County Assembly, Business Committee and Committee on Appointment.

If we are reading from the same page, this thing was just to rectify that. Membership for Committee on Selections was done following due process so that later on nobody cannot be on our neck that how was this done? And as you know there were some alterations that were made and some Members were moved from one committee to another.

This is why we are doing this purposefully to reaffirm that this thing was procedurally done according to Law. Therefore, with my little knowledge I don’t know whether there needs to

be an annex tied this. Annex for what? May whatever the Majority misconstrued for an annex may be would have been the Committee Membership. Otherwise, I don't think there should be a big debate over this.

We are simply to pass this so that it goes in record that the Membership of the Selection Committee was duly done and therefore, if later on someone may come tracking, he/she will find that things were done in the right way. Otherwise thank you and I support.

The Temporary Speaker(Hon. Odongo): Thank you, Hon. Omoro for giving us the advice. I think as we discuss this matter whatever that needed to be attached is being photocopied, so kindly let us just be patient as we discuss the report. And I request the Deputy Majority leader to be ready to read so that we can proceed.

Hon. Oor: Thank you, Mr. Speaker, Sir. I am ready to read it. I am the Leader of Majority and there is no need of someone reading while I am here.

A. HOUSE BUSINESS COMMITTEE

- | | |
|---------------------------------|----------------|
| 1. Hon. George Okode | -Chairman |
| 2. Hon. Simon Ousa Nyaji | -Vice Chairman |
| 3. Hon. Peter Bernard Odero Oor | -Member |
| 4. Hon. Vincent Odawa | -Member |
| 5. Hon. Judith Anyango Oyugi | -Member |
| 6. Hon. Fredrick Ochieng Opanga | -Member |
| 7. Hon. Irene Shirly Oyugi | -Member |
| 8. Hon. Emily Agnes Awita | -Member |
| 9. Hon. Samuel Otieno Siguru | -Member |

B. PROCEDURE AND HOUSE RULES COMMITTEE

- | | |
|---------------------------|----------------|
| 1. Hon. George Okode | -Chairman |
| 2. Hon. Andrew Omwende | -Vice Chairman |
| 3. Hon. Peter Bernard Oor | -Member |
| 4. Hon. Andericus Odongo | -Member |
| 5. Hon. Joannes Andiego | -Member |
| 6. Hon. Maurice Aringo | -Member |
| 7. Hon. Judith Oyugi | -Member |
| 8. Hon. Linda Juma | -Member |
| 9. Hon. Lorna A.O. Adida | -Member |

C. COMMITTEE ON DELEGATED COUNTY LEGISLATION

- | | |
|---------------------------|----------------|
| 1. Hon. Winnie Otieno | - Chairperson |
| 2. Hon. Leonard Oriaro | -Vice Chairman |
| 3. Hon. William Kinyanyi | -Member |
| 4. Hon. Sylvester Madialo | -Member |
| 5. Hon. Joannes Andiego | -Member |
| 6. Hon. Felix Okumu | -Member |
| 7. Hon. Peter Odero | -Member |
| 8. Hon. Susan Okwiry | - Member |

D. COMMITTEE ON SELECTION

- | | |
|---------------------------------|----------------|
| 1. Hon. Peter Bernard Odero Oor | -Chairman |
| 2. Hon. Ambrose Auma Akuno | -Vice Chairman |
| 3. Hon. Joannes Andiego | -Member |
| 4. Hon. James Otare | -Member |
| 5. Hon. Joseph Mboha | -Member |
| 6. Hon. Booker Bonyo | -Member |
| 7. Hon. Maurice Aringo | -Member |
| 8. Hon. Joseph Wandera | -Member |
| 9. Hon. Nick Ochola | -Member |
| 10. Hon. Fredrick Omoro | -Member |

E. COMMITTEE ON APPOINTMENTS

- | | |
|---------------------------------|-------------------|
| 1. Hon. George Okode | -Chairman |
| 2. Hon. Irine Shirly Oyugi | -Vice Chairperson |
| 3. Hon. Peter Benard Odero Oor | -Member |
| 4. Hon. Joannes Andiego | -Member |
| 5. Hon. Sylvester Madialo | -Member |
| 6. Hon. Samuel Olasi | -Member |
| 7. Hon. Lorna Adida | -Member |
| 8. Hon. Joseph Peter Oduor | -Member |
| 9. Hon. David Onyango Audi | -Member |
| 10. Hon. Abigael Perpetua Awino | -Member |

F. BUDGET, APPROPRIATIONS, PLANNING AND VISION, 2030

- | | |
|----------------------------|-----------------|
| 1. Hon. Sylvester Madialo | - Chairman |
| 2. Hon. Nick Ochola | - Vice Chairman |
| 3. Hon. Joannes Andiego | - Member |
| 4. Hon. Samuel Olasi | - Member |
| 5. Hon. James Obiero Otare | - Member |
| 6. Hon. Hellen Winga | - Member |
| 7. Hon. Lorna Achieng | - Member |
| 8. Hon. Fredrick Omoro | - Member |
| 9. Hon. Joseph Mboha | -Member |

G. PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE

- | | |
|-------------------------------|--------------------|
| 1. Hon. William Kinyanyi | - Chairman |
| 2. Hon. Susan Achieng Okwiry | - Vice Chairperson |
| 3. Hon. Judith Anyango Oyugi | - Member |
| 4. Hon. Joseph Wandera Kidera | -Member |
| 5. Hon. Leonard Oriaro | -Member |
| 6. Hon. Willis Okoth Ochieng | -Member |
| 7. Hon. Andericus Odongo | -Member |
| 8. Hon. Perpetua Awino | - Member |
| 9. Hon. Francis Otiato | -Member |

H. COUNTY SECTORAL COMMITTEE ON HEALTH SERVICES

- | | |
|--------------------------------|-------------------|
| 1. Hon. Abigael Perpetua Awino | -Chairperson |
| 2. Hon. Bernard Onyango Adalla | -Vice Chairperson |
| 3. Hon. Irene Shirly Oyuago | -Member |
| 4. Hon. Emily Agnes Awita | -Member |
| 5. Hon. Leonard Oriaro | -Member |
| 6. Hon. Vincent Odawa Otieno | -Member |
| 7. Hon. Fredrick Oluoch Omoro | -Member |
| 8. Hon. Judith Anyango Oyugi | -Member |
| 9. Hon. James Obiero Otare | -Member |

I. COUNTY SECTORAL COMMITTEE ON EDUCATION, YOUTH AFFAIRS, GENDER AND SOCIAL SERVICES

- | | |
|---------------------------------|--------------------|
| 1. Hon. Lorna A. O. Adida | - Chairperson |
| 2. Hon. Joseph Wandera Kidera | - Vice Chairperson |
| 3. Hon. Andrew Omwende Omollo | - Member |
| 4. Hon. Joseph Oloo Mboha | - Member |
| 5. Hon. Benard Adalla | -Member |
| 6. Hon. Andericus Oduor Odongo | -Member |
| 7. Hon. Hellen A. Winga | -Member |
| 8. Hon. Nancy Adhiambo Wamwayi | -Member |
| 9. Hon. Susan Achieng Okwirry | -Member |
| 10. Hon. Winnie Akoth Otieno | -Member |
| 11. Hon. Truphosa Apondi Odinga | -Member |

J. COMMITTEE ON PUBLIC WORKS, ROADS, TRANSPORT & COM

- | | |
|---------------------------------|----------------|
| 1. Hon. Eric Z. Abungu | -Chairman |
| 2. Hon. Joseph Mboha | -Vice Chairman |
| 3. Hon. Maurice Aringo | -Member |
| 4. Hon. Joannes Andiego | -Member |
| 5. Hon. Booker Washington Bonyo | -Member |
| 6. Hon. Nick Ochola | -Member |
| 7. Hon. Caren Atieno Ayika | -Member |
| 8. Hon. Truphosa Apondi | -Member |
| 9. Hon. David Onyango Audi | -Member |

K. COUNTY COMMITTEE ON IMPLEMENTATION

- | | |
|----------------------------|----------------|
| 1. Hon. Fredrick Opanga | -Chairman |
| 2. Hon. Edwin Odhiambo | -Vice Chairman |
| 3. Hon. Peter Oduor Omondi | -Member |
| 4. Hon. Maurice Aringo | -Member |
| 5. Hon. Carren Ayika | -Member |
| 6. Hon. Filly Akoth Onditi | -Member |
| 7. Hon. Emily Agnes Awita | -Member |

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L. COUNTY SECTORAL COMMITTEE ON WATER AND IRRIGATION

- | | |
|----------------------------|----------------|
| 1. Hon. Booker Washington | -Chairman |
| 2. Hon. Felix Okumu | -Vice Chairman |
| 3. Hon. Eric. Z. Abungu | -Member |
| 4. Hon. Linda Juma | -Member |
| 5. Hon. Ambrose Auma | -Member |
| 6. Hon. David Onyango Audi | -Member |
| 7. Hon. Irene Shirly Oyugi | -Member |
| 8. Hon. Filly Akoth Onditi | -Member |
| 9. Hon. Joseph Omondi | -Member |

M. COUNTY SECTORAL COMMITTEE ON ADMINISTRATION AND GOVERNANCE

- | | |
|------------------------------|----------------|
| 1. Hon. Vincent Odawa | -Chairman |
| 2. Hon. David Onyango Audi | -Vice Chairman |
| 3. Hon. Maurice Aringo | -Member |
| 4. Hon. Peter Odera | -Member |
| 5. Hon. William Kinyanyi | -Member |
| 6. Hon. Linda Juma | -Member |
| 7. Hon. Andrew Omwende | -Member |
| 8. Hon. Jane Atieno Odhiambo | -Member |
| 9. Hon. Francis Otiato | -Member |

N. COUNTY SECTORAL COMMITTEE ON FINANCE, TRADE, INDUSTRY, LABOUR AND COOPERATIVE DEVELOPMENT

- | | |
|---------------------------|----------------|
| 1. Hon. Peter Oduor | -Chairman |
| 2. Hon. Samuel Siguru | -Vice Chairman |
| 3. Hon. Truphosa Odinga | -Member |
| 4. Hon. Eric Z. Abungu | -Member |
| 5. Hon. Willis Ochieng | -Member |
| 6. Hon. Booker Washington | -Member |
| 7. Hon. Samuel Olasi | -Member |
| 8. Hon. Nick Ochola | -Member |
| 9. Hon. Ambrose Akuno | -Member |

O. SPEAKER'S COMMITTEE

- | | |
|---------------------------|-------------------|
| 1. Hon. George Okode | -Chairman |
| 2. Hon. Peter Bernard Oor | -Vice Chairperson |
| 3. Hon. Joannes Andiego | -Member |
| 4. Hon. Maurice Aringo | -Member |

P. COMMITTEE ON TOURISM & WILDLIFE CONSERVATION

- | | |
|------------------------|--------------------|
| 1. Hon. Samuel Olasi | - Chairman |
| 2. Hon. Nancy Wamwai | - Vice Chairperson |
| 3. Hon. Judith Oyugi | - Member |
| 4. Hon. Ambrose Akuno | - Member |
| 5. Hon. Simon Ousa | - Member |
| 6. Hon. Filly Onditi | - Member |
| 7. Hon. Andrew Omwende | - Member |
| 8. Hon. Bernard Adalla | - Member |
| 9. Hon. Caren Ayika | - Member |

Q. COMMITTEE ON AGRICULTURE, LIVESTOCK & FISHERIES

- | | |
|-------------------------|-----------------|
| 1. Hon. Willis Ochieng' | - Chairman |
| 2. Hon. Fredrick Omoro | - Vice Chairman |
| 3. Hon. Felix Okumu | - Member |
| 4. Hon. Edwin Odhiambo | - Member |
| 5. Hon. Simon Ousa | - Member |
| 6. Hon. Nancy Wamwai | - Member |
| 7. Hon. Linda Juma | - Member |
| 8. Hon. Hellen Winga | - Member |
| 9. Hon. Joseph Wandera | - Member |

R. COMMITTEE ON LAND PHYSICAL PLANNING, SURVEYING & HOUSING

- | | |
|------------------------------|--------------------|
| 1. Hon. James Otare | - Chairman |
| 2. Hon. Truphosa Odinga | - Vice Chairperson |
| 3. Hon. Andericus Odongo | - Member |
| 4. Hon. Winnie Otieno | - Member |
| 5. Hon. Felix Okumu | - Member |
| 6. Hon. Susan Okwiry | - Member |
| 7. Hon. Edwin Odhiambo | - Member |
| 8. Hon. Jane Atieno Odhiambo | - Member |
| 9. Hon. Samuel Siguru | - Member |

S. CHAIRPERSONS' PANEL

- | | |
|--------------------------------|--------------------|
| 1. Hon. George Okode | - Chairman |
| 2. Hon. Andericus Odongo | - Vice Chairperson |
| 3. Hon. Sylvester Madialo | - Member |
| 4. Hon. Fredrick Oponga | - Member |
| 5. Hon. Jane Atieno | - Member |
| 6. Hon. Filly Akoth Onditi | - Member |
| 7. Hon. Emily Akoth Awita | - Member |
| 8. Hon. Abigail Perpetua Awino | - Member |
| 9. Hon. Eric Odawa | - Member |

T. SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

- | | |
|------------------------------|-------------------|
| 1. Hon. Francis Otiato | -Chairman |
| 2. Hon. Hellen Winga | -Vice Chairperson |
| 3. Hon. Leonard Oriaro | -Member |
| 4. Hon. William Kinyanyi | -Member |
| 5. Hon. Winnie Otieno | -Member |
| 6. Hon. Fredrick Opanga | -Member |
| 7. Hon. Edwin Odhiambo | -Member |
| 8. Hon. Jane Atieno Odhiambo | -Member |
| 9. Hon. Simeon Ousa | -Member |

U. PRIVILEGES COMMITTEE

- | | |
|------------------------|-------------------|
| 1. Hon. George Okode | -Chairman |
| 2. Hon. Carren Ayika | -Vice Chairperson |
| 3. Hon. Linda Juma | -Member |
| 4. Hon. Samuel Siguru | -Member |
| 5. Hon. Andrew Omwende | -Member |
| 6. Hon. Edwin Otieno | -Member |
| 7. Hon. Bernard Adalla | -Member |
| 8. Hon. Agnes Awita | -Member |

That's the end, and if you have not heard your name let me know. Thank you.

The Temporary Speaker(Hon. Odongo): Thank you, Hon. Majority leader. I think we are now in a position to debate because everybody has been furnished with the documents. Hon. Oriaro, I think you are now safe.

Hon. Oriaro: Mr. Temporary Speaker, Sir, I can now contribute on the Motion but I must admit that at times issues of Laws or procedures are shunted in the best interest of the organic hole. So we go matters legitimate and in that context I now stand to give a hand to the Motion as Moved by the Majority leader.

I must observe that while in our transactions the administrative wing of the Assembly is not featured anywhere. The messes that are attendant to this Motion are from without and it is like we are going to be painting a bad picture. We are on Motion number 10, and even if we were to go through it, the Motion reads; Report on the Committee on Selection on nomination of Members to the House Rules Committee.

That is why I am saying we will be allowing an exception as to considering the elevation of new Membership to all Committees. Assembly cannot transact without its strong Committees. So I support it because if we fail to approve it, technically the Assembly is not having the Committees.

So it is a matter of allowing and option is not to create precedence. In future if it is amendments, inclusion of new Members to the existing Committees. Let it be only a Motion of introduction of those specific Members names know and we give it a node. I support!

The Temporary Speaker(Hon. Odongo): Thank you, Hon. Ayika.

Hon. Ayika: Thank you, Mr. Temporary Speaker, Sir. I have a question on page six on Powers and Privileges. As I can see, I was supposed to be the vice chair of powers and privileges but from what I am seeing here Linda is the vice chair. So rectify that and I support.

The Temporary Speaker(Hon. Odongo): Thank you, Hon. Ayika. I will refer that to the clerk and it may be a typing error so your point is noted.
Hon. Omwende.

Hon. Omwende: Thank you, Mr. Temporary Speaker, Sir. I am very keen about the quorum and I would kindly request that seeing the mood of the House that you call the Mover to reply so that we are not caught up with the quorum.

The Temporary Speaker(Hon. Odongo): Thank you, since the Mover has stood almost three times I therefore, put the question that;

(The question put and agreed to)

Do I need to repeat the question because Members are few and some are not active?

Hon. Opanga: I want to go clearly on record that if it is retrieved from the Hansard we might be told that we made the report not to see the light of the day because the way you put it, it's like you are putting it down...

The Temporary Speaker(Hon. Odongo): Thank you, Hon. Opanga, your point is noted. So kindly, seat down so that I reape it again.

(The question put and agreed to)

Hon. Oor: Mr. Temporary Speaker, Sir. I wish to Move pursuant to Standing Order page 5(3), that this House adjourns until Tuesday, 8th May, 2018.

The Temporary Speaker(Hon. Odongo): Thank you, Hon. Majority. Hon. Members would be upstanding for adjournment.

Hon. Members pursuant to Standing Order 25(3), this House adjourns until Tuesday, 8th May, 2018.

The House rose at 3.35 p.m.