

Tuesday, 15th October, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY
THE HANSARD

Second County Assembly - Third Session

Tuesday, 15th October, 2019

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

[The temporary Speaker (Hon. Opanga) in the Chair]

PRAYER

CO MMUNICATION FROM THE CHAIR

VISITING GUESTS

Hon. Speaker: Hon. Members, we have the privilege to be visited by great persons from this County from West Alego Ward, and they are professor Dismas Masolo who is a lecturer at Louisville Kentucky in the United States of America and Madam Christine Adalla Masolo. Could you be upstanding, could we all come down, please kindly?

(Applause)

Thank you very much, professor you can take your seat. Feel free to invite Members of this Assembly any day and equally feel free to visit us any day. At that point, I know there is a Member who introduced them to me and I would equally request the Member to welcome them in a special way.

Hon. Awita: Professor Dismas Masolo and Mrs. Masolo have been my good friends for many years. Professor Masolo taught at Nairobi University for many years too and during problems with President Moi, he is one of the people who had to flee the Country.

He went to Texas where my husband was and he taught at Rise University where my husband was teaching. From there he went to Louisville Kentucky and he has been teaching there. He has tried to retire but I think he is still going to do sometime there. Mrs. Masolo is also a teacher but she has since retired.

They come from Hon. Felix's Ward, which is West Alego. Apart from being my good friends, am also a godmother to their children because I have known them for a very long time. So when they are a round they are a family to me and they wanted to come and see our Chambers, so I took them to the Speaker's office and introduced them because they belong to this County.

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Tuesday, 15th October, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

Professor Masolo is a professor of philosophy, and has written so many books. So those who have interest in philosophy and want to know more in that field can get in touch with him or even borrow or buy his books.

He was a good friend to my husband for a long time and even though my husband is deceased, they have remained friends of my family. Therefore, I welcome you and feel free when you are around to come and say hello as well as give some words of advice to fellow Members. For those travelling to the USA, you can always contact them and they will receive you there. Thank you.

(Applause)

Hon. Speaker: Hon. Felix Okumu, those are your constituents; would you say a word.

Hon. Okumu: Thank you, Mr. Speaker Sir, for giving me this opportunity to greet my prominent visitors from Ndere, but before that allow me to accuse Jane a little bit...

Hon. Speaker: Hon. Felix Okumu, stick to welcoming the visitors. This is an opportunity to share your M-Pesa number, but instead you are accusing your colleague.

(Laud consultations)

Hon. Okumu: It is not like that. Hon. Jane is my good friend and that is how we always talk to each other. May be you are the one who does not understand us. Okay, let me take this chance to again welcome Mr. and Mrs. Masolo to this Assembly and just tell them that this is where everything happens and you can see for yourself, and I believe that all your questions will be answered here.

Allow me also to give my immediate neighbor, Hon. Madialo who is also a senior advocate in this County. Hon. Madialo, can you take a minute to welcome them.

Hon. Madialo: Thank you, Mr. Speaker, Sir. I imagine that Hon. Okumu is inviting me to welcome Mr. and Mrs. Masolo because before he came to stay where he resides, their family comes from Usonga. I have quite a number of their classmates in Usonga. Besides that, I have been his assistant guest in functions that were going towards assisting the Community.

I wish to state that the professor is a helpful personality in our community and I want to remember that very recently, he and three or four other persons were our guests at Mwer when we were conducting a joint fundraiser to enable Self Help Groups advance their financial intentions.

He did what people who stay in America do not do and I have never seen them do. Jane I didn't mean you. He was himself the guest of honor in a function that was generally local, organized by Abedo women and Boda Boda youth groups and he helped us raise quite some money to go towards developing those youths. Thank you, professor and thank you, Mr. Speaker.

Hon. Speaker: At some point when Hon. Felix Okumu mentioned that Hon. Madialo is an advocate, I thought they had a land dispute, but that is fine. Feel welcome.

PAPER

Tuesday, 15th October, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

REPORT OF THE AUDITOR GENERAL ON FINANCIAL STATEMENT ON SIBO WATER AND SEWERAGE

Hon. Oor: Thank you, Mr. Speaker, Sir. I wish to lay on the Table the report of the office of the Auditor General on financial statement on SIBO water and Sewerage Company for the year ending June, 2018.

Hon. Speaker: Hon. Members, you remember we just established the Committee on Public Investments before we went for recess. Therefore, this is a matter that should have been committed to that Committee and in the absence of the Selection Committee; we said that the Majority Leader or the leadership of the political parties; the Majority and the Whip were to give us names for the Membership.

I am giving you until tomorrow 10.00 a.m. and if you do not have the list of the Membership then the Speaker will direct where to take the Auditor General's report.

There is no guarantee that it will go to PAC, it can go anywhere the Speaker so desires. We could even take it to the Committee on General Oversight. As it stands, it has not been committed to any Committee but awaiting committal.

Hon. Adida: Thank you, Mr. Speaker, Sir. Allow me to Table in the House a report on Committee on Education, Gender and Social Services on Statement request by Hon. Leonard Oriaro on mismanagement of Liganwa Vocational Training by the Board. We conclude the report by today midday.

Hon. Speaker: Did you have a chance to share the report with the interested persons?

Hon. Adida: Yes we did.

Hon. Speaker: Hon. Oriaro, did you see the report and were you invited?

Hon. Oriaro: Thank you, Mr. Speaker Sir. I whole-heartedly confirm that I was just invited so that they read the report to me. It never considered my technical equip as per the origins of the report itself.

Hon. Speaker: Have you seen the report itself?

Hon. Oriaro: I did not see the report because they took me through a power point approach to it. Then by that time, the report had not been agreed on by the Committee and owned by them, so it was raw.

Hon. Speaker: May I guide that when a Committee invites you, it is not for benefiting for your technical equip. It is for sharing of and getting a deeper understanding of the issues that you raised, but what I have said, I have made communication on how we want to process statements. So if we are not careful, we will be off the mark.

We wanted that when we present the reports, which are in Statements raised by ourselves, then in processing that question, you will have to involve the relevant offices from the Executive; you have to involve the Member who asked the Statement/question and when you are reporting, you must have had a session with the Member. When you are bringing the report, there has to be also the Statement where he asked the questions so that we marry answers with the questions.

If somebody asked about the attire for the Speaker, we want to be sure that your report is addressing the attire. It doesn't stop you from digging further and giving other findings. Like I said before, we want that these reports when they come, we share them with the technical team, it is brought to the House Business Committee to look at it, then we finally approve it and allocate it time in the Assembly.

Tuesday, 15th October, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

Last week Hon. Edwin asked that the matter of Liganwa is very pertinent that we don't want the House to be bombarded with another report that is discussed the same time, and I ruled that before we will discuss that report, Members will have an opportunity to go through it.

Now we have the report being laid, Members have not had copies, it has not gone through the House Business Committee, and maybe the technical team of the Assembly has not looked at it. I want to advise that tomorrow morning at 9.00 a.m., if you can give Members the report if you have copies now, then I would want us to have Committee on General Oversight, so that you give us a presentation on what the Hon. Member had sought, and the report that you will have brought depending on the observations and the findings that you encountered. We discuss it at that level, and then we decide on how we will proceed with it.

Members, I have even observed, I heard this along the corridors, people thinking that this report would result into removal of an officer. You don't remove people from office by way of report of this nature. When the law is clear on the procedure of removal, then you use that procedure for removal. So let us have the report shared with all the Members, and Members you go through the Report as if it's a draft.

Don't go out there and start saying this is the debate that we are debating for tomorrow. Go through it, and tomorrow we look at it vis-a-vis the questions that were asked, and also considering the mandate of the House. If need be we will process it tomorrow, if we can't then we will discuss it first thing tomorrow morning.

For those of us who thought this is an impeachment Report, Health Committee brought a Report here. It is not that report that impeached a CEC Member; it is through the findings that we now started following the impeachment process. So I rule that all Members be given the copies of the report, they go through it then tomorrow at 9.00 am, we meet the Education Committee which will take us through like the appointments Committee has been doing before. Take us through the report. Consider the issues raised.

I would also expect Hon. Oriaro at that time to also share with us what he had sought. If the report does not address what he had sought then we will rule on the way forward. Chairperson, what is your take on that?

Hon. Adida: Thank you, Mr. Speaker. Allow me to say that your decision always stands. But it is true even according to the Committee based on what was on the Order Paper; the Committee was advised that this Report has to be laid into the House today. So the Committee also had to do it so much in haste so that the report reaches the House. So I agree with your recommendation.

Hon. Speaker: But for progress reporting, can you report that you have concluded the report now?

Hon. Adida: According to the Committee, we have done our part, based on the issues that were raised from the Statement, and I think even the response from the Department of Education, have actually answered the Statement request accordingly.

It is important to note that so Many supplementary issues arose and the Committee went further out of its way to invite more witnesses who also came and together with the Committee investigated those issues and we have a report on all those.

Tuesday, 15th October, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

Hon. Speaker: Okay. You will attach the Statement that Hon. Oriaro brought as an appendix to the Report that you are giving Members and make sure that all of them receive copies today. Yes Hon. Wandera.

Hon. Wandera: A whole Committee of ten consisting of wise men and wise women sit for a whole week and come up with observations, findings and then solutions, and then the report is declared as raw? This report is very cooked and even if today we were to deliberate on it, and have it go through, I would have asked Members to support this report. It is very unfortunate to refer to this report as raw. That Statement should be withdrawn.

Hon. Speaker: Just a minute. Who said it is raw?

Hon. Wandera: The mover of the Statement Hon. Oriaro said, as he sat with us, the Report sounded raw.

Hon. Speaker: But it is true it was raw at that time. Even now by the way, I think it is only the Speaker who has a signed copy. It is still draft. Do you have signed copies of the report? You are talking about what you don't have. It is as raw as until when signed. It is a draft until signed and we will only consider it properly before the House when I will have accepted that it is tabled and it becomes a property of the House.

So raw or not raw, let us address it tomorrow. Use that energy to convince your colleagues to consider it favorably tomorrow.

Hon. Odongo: Thank you, Mr. Speaker. I don't want to dwell on a matter that has been ruled on, but sending my welcome speech to the Professor that is seated up, I realized that I have some of my constituents in the gallery that were not recognized. Some of the Teachers who are: Omwende, Oloo, and one known as 'Governor'. Allow me to welcome them and I would like to put this to you, that you recognize my constituents or my Visitors, Mr. Speaker.

(Laughter)

Hon. Speaker: Hon. Deputy Speaker, I know you are looking for votes, but anyway feel most welcome, voters

(Laughter)

Hon. Speaker: But the procedure normally is that when you are coming, the Speaker is notified in good time, so that at the point of communication, we recognize your presence. Otherwise feel most welcome. Hon. Deputy Speaker, make sure you give your people adequate time for recognition. So you welcome them by stamping your feet. You alone

(Laughter)

Hon. Speaker: He has fought so hard for you to be recognized. Don't deny him votes please, and any other person whose constituent is there, we recognize you wherever you are, Next Order.

Tuesday, 15th October, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

MOTION
ADJOURNMENT

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

Hon. Members, there being no other Business, this House adjourns to tomorrow morning Wednesday 16th of October, 2019 at 9.30 a.m.

The House rose at 3.00 p.m.