

Wednesday 12th October, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA

COUNTY ASSEMBLY OF SIAYA

THE HANSARD

Second County Assembly – First Session

Wednesday 12th October, 2022

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

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

PRAYERS

COMMUNICATION FROM THE CHAIR

KENYA YOUNG MEMBERS OF COUNTY ASSEMBLY

Hon. Speaker: I received communication from Kenya Young Members of County Assembly asking the Speaker to nominate for them one Member as a coordinator representative on matters young legislatures in Siaya County.

I have looked at it, considered ages and discretion and I have decided to nominate Hon. Silas Madingu to represent Kenya Young Members of County Assembly. As he does that we expect that we look at youthful MCA's and also recruit in the same organization. Congratulations Hon. Madingu.

SELECTION OF COMMITTEES

Once we are done with this Motion of selection of committees, I will expect you to stay behind in those committees and elect your leadership. The Standing Orders require that you do it by way of secret ballot, consensus the better. If you can't do consensus do it by way of secret ballot.

I also want to bring to your attention the fact that I have been asked whether somebody can be in PAC and also be a member of the Committee on Budget and Appropriations at the same time. I have not applied myself or my mind to it. We look at the practice in legislatures across and give guidance as appropriate.

I am also suspecting that you will elect your leaders in the committees, that you will be full house and not just quorum. So where you are not full house and the difference and the gap between No. 1 & 2 is that which can be altered by the numbers absent then we shall have to repeat those elections when everybody is available tomorrow.

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I am saying that because we did not announce that we would have our elections today. So it is possible that 1 or 2 people are not there but if the gap between the No. 1 and 2 is that which can be tilted by the absentees then we shall repeat those elections tomorrow.

NOTICES OF MOTION

CONSTITUTION OF COMMITTEES

Hon. Speaker: Majority Leader will you just say that you will be moving a Motion on constitution of committees.

The Deputy Speaker (Hon. Odongo): Point of Order!

Hon. Speaker: Yes, Hon. Odongo

The Deputy Speaker (Hon. Odongo): We had an agreement as Sub Counties before the Sectoral committees met and there was an agreement consensus. According to what has been brought to me is not what we agreed on the committee.

As a Member for West Ugenya we agreed with our members in Committee on Selection that I be in the Committee on Finance where I cannot see my name indicated. So I request that before we start this we agree first and or amend because it was a consensus.

Hon. Speaker: Do we really want to go there? I am not sure because this is the position of the committee. If need be... Yes, Hon. Adala.

Hon. Adala: You realize that the numbers were very few. I was very interested in that but there was no way I would have been there. I looked at a number of factors, for example, Hon. Odongo finds himself in PIC and PAC, once you find yourself in that you have been left at a loss with some others. I looked at a number of factors to make sure I serve the best interest of Hon. Odongo.

Hon. Speaker: I want to plead with you that I know each one of you might not have gotten what they all wanted so we can just proceed. You either reject this list in total or accept it, those other details we can deal with going forward. You can even swap. For one reason or the other it will be changed.

Hon. Odawa: Thank you, Mr. Speaker, Sir. I would also like to register my reservation about the list. I had chosen at least 3 committees and I find myself in only 2. In my nature I don't like grabbing things. If my colleague the one whom I had sent to Selection committee did not feel I belong to this particular committee, I will be very much comfortable in serving at the level of oversight.

Hon. Madialo: Thank you, Mr. Speaker, Sir. It is true that collectively as a Sub County perhaps in the absence of only Hon. Masidis, slots were passed over to me. It is also true and my Member knows that the slots he gave me he changed them and came and called me out while we were in Session.

The Members that were there know this, and asked to talk to me outside and told me he had changed them. By the time he was changing what he preferred the most had already been preferred by another Member who was in the committee where it was pointed out where to take who.

I believe that those who come from Alego Usonga know with the exception of Hon. Masidis. If somebody told me this was my first preference all of them have gotten them to the extent that if you look at the list you will find that I am slotted in those sectors that have no takers myself as a person who was there with the exception of the Committee on Budget, the rest I left to my members.

I wanted to beg our Members, more so those who sent me, appreciate that we are 40 and when a committee requires only 9 people, if somebody from Alego has taken Committee on Water, it follows that perhaps we might not be able to reach Agriculture because these are 9 and there are additional 5 sub counties. There was no unfairness.

Hon. Speaker: Yes, Hon. Seth Baraka Ochieng. I will entertain that and then I will read the Standing Orders then we proceed.

Hon. Baraka: Thank you, Mr. Speaker, Sir. I have a few questions to ask because I know Hon. Members gave out at least 4 committees that they wished to be placed in. What is the maximum number of committees that an Honourable Member is supposed to be into?

How possible is it that out of the 3 that you placed to be selected, if you find yourself in 2 or 3 committees that you didn't choose and you find yourself only in 1.

Hon. Onguuru: Thank you, Mr. Speaker, Sir. My question goes to you on matters of PIC and PAC, noting that this Assembly is a predominantly ODM Assembly and in Parliament, it has been a watchdog committee.

I would request your guidance on the chairmanship of this committee for we as the small parties in this Assembly. If your advice you will give that on this matter a Member from these small parties will chair this committee or it will be only Assembly predominantly chaired by ODM Members on all the committees. Thank you.

Hon. Arika: Thank you, Mr. Speaker, Sir. I want to invite you to look at the Committee on Administration and Governance by your wisdom. The Committee on Education I don't want to go deep into it. Just look at it properly and I also invite you to apply your wisdom and see whether it has been properly constituted.

Hon. Masidis: Thank you, Mr. Speaker, Sir, just for the record, I wanted to correct Hon. Madialo that I was asked to send the list and I did send the 3 names via WhatsApp maybe you didn't read it but in any case I am not complaining about where I have been put.

Hon. Eng. Olang'o: Thank you, Mr. Speaker, Sir. I need to make an inquiry on the number of committees one needs to be in because I see a lot of disparity. Some people are in 4 committees, others are in only 2. Maybe just to know what the criteria was and why some people are having less than others.

Hon. Akinyi: Thank you, Mr. Speaker, Sir. Just to find out if it's in order for 1 member to be in the Committee on Budget and Appropriations, the same Member is in PIC and PAC and also on Committee on Finance, Trade and Industrialization. Sometimes it causes a bit of conflict.

Hon. Omoro: Thank you, Mr. Speaker, Sir. I think there were irregularities in the allotments of the committees because even Hon. Odongo alluded to it. We compromised and said if one is taking Y the other person is taking Z.

What is happening here is a dismay to us and in fact it is really disheartening that we are not placed in the committees that we compromised over because a Sub Counties we were together and we were saying if you are in health then other person(s) should not be in health.

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You find that whoever went for those things, you find that somebody went and went for the big kill. For example, in the case of Budget, there is a sub county that has 3 and some with 1. I think this one should be looked into. Otherwise it may not auger well with some of us.

Hon. Speaker: I gave you that opportunity to ventilate, otherwise, I was not supposed to. The Standing Orders 165 on Committee on Selection says, “The Selection Committee shall within 7 days upon nomination of members to serve in the committee of the House present the list in the House for approval.

Wherever a Motion for approval of a list under paragraph 1 is moved in the House no objection against the proposed membership of a Member in a select committee shall be permitted and objections if any shall be formulated against the proposed membership as a whole”.

In other words, it is passed as it is or rejected as is. I am alive to your concerns and that is why the drafters of the Standing Orders provided that. There will never be a time when everyone will be satisfied with a list that puts Members in committees.

I want to try to address some. Ordinarily, how are people chosen to go to committees? The practice is that the Majority Party Leader will nominate. They can nominate you, they can remove you. Sometimes and a lot of the times there is no justification. What we have tried to do is to try as much as possible to have sub counties represented in committees.

In my informal conversation with you before, I told you that you should be talking about the old guards and the new guards. You will be talking about the nominated and the elected but the day we will constitute committees you will train all your guns to the leader from that sub county and that is what is happening.

If yourselves you were to be representatives of those sub counties, I am sure these guns would be trained at you. Therefore, this is expected and that is why Standing Orders have been drafted that way but again I have said it is possible that you can still negotiate at your own time somebody might even decide on your own Motion to withdraw from a committee or to replace.

At the national level when for example if you go against the wish of the political party then they nip you from a committee but where I stand now I will only be guided by the Standing Orders to advise you that you pass the list in total or reject in total.

There are questions which are valid and we may not want to derail us but we shall use those questions to the Committee on selection, you have heard those concerns. If you feel there is need to amend as per the issues raised then you are free to do that tomorrow. House Business Committee will slot and consider removal or addition.

As to how many; the Standing Order dictates that you should not fail to be even in 1 committee. Ideally it says you be in at least 1 committee but does not say how many. It is possible that you can belong to only 1 committee. So for you to belong to 3, if it is not by virtue of Standing Orders dictating for example that Member of this committee shall be the Deputy Speaker.

For example House Business, Appointments those ones are designated membership offices by them. You will have to differentiate when by virtue of office you are a member of a committee, there is no question about it.

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It is also possible that you are not an office holder but you are in 2,3 or 4 committees. If you are lucky to be there we also dare advise you that it is not the number of committees you belong to in fact it is advisable that you belong to few sectoral committees.

You will realize that a time will come when all those sectoral committees are meeting at the same time so you will be going here, attending this one attending the other one but payment will only be on one.

You also use your conscience to consider if you want one or to withdraw from a committee to create room for other people. As to how many, I have advised it doesn't say maximum but we appeal to those who are in more that you don't have to be in more. You can be generous, actively you can be in two sectoral committees.

In fact if you look at Parliament you will realize that you will be expected to belong in 1 or 2 and you let the rest be. Look at for example if you want to have gender, you have less women.

You have say 12 women and you have 17 or 15 committees and you want at least say 2 or 3 because of affirmative action you will find someone or 2 belonging to 2 committees because someone is chasing affirmative action. It's also a possibility.

On membership, this is not for a ruling but for good practice that sometimes we do not want if for example 2 members have a relationship that you feel can compromise their working, for example a son-in-law and a father-in-law or a man and the estranged wife, you find them to be in one committee. The wisdom of the Committee on selection should dictate that you consider placing them differently. It is not written, it is unwritten but that is the wisdom.

For that reason if that speaks to your mind, as members of the Committee on Selection, if we will bring this to your attention consider separating such cases. As to whether you belong to PIC and PAC, Finance and Budget, I will let you down. As at now I don't have that answer.

I want to give you answers which I will stand with then you have a reliable Speaker. It also speaks to the heart that somebody would say, if you are in Committee on PIC and PAC then don't be in Committee on Budget but if it is not written; if I have not accessed the writing for now and we have to move I will access it and give guidance and then we will ask you not to have such conflicts.

It would be unfortunate by that time that we would have elected leaders but do we go to committees to elect leaders or to function? And even if we will have elected leaders, there is nowhere where you are stopped from electing another leader because you even pass votes of no confidence in your leaders. So you still have that room to correct it when this ruling will have been made.

On the issue of minority party or independent providing leadership in PIC and PAC, the truth of the matter is that that is the best practice but is it a law? Why is it not the law? It is possible that you can have an Assembly with one political party being the total membership. Does that therefore mean that you will not have chair of Committee on PIC and PAC? It has happened!

In fact if you followed conversations of the National Assembly last time, they said if we are giving ODM this chairmanship of PIC and PAC but if they joke we can as well take it

because there is no law that prevents the majority party if it's the only party chairing PIC and PAC.

Secondly, look at the way of electing the chairperson or the officials. It is not a reserve for anyone. It says that it will be elected by the members and they will vote by way of secret ballot so even if we have 2 or 3 members who are not from the majority they are free to express their interest in chairing. They are free to express their interest in being the Deputy or Vice Chairs.

Where is the logic? Where is the guarantee that they will be elected to be the Chairperson? Just like we are trying very hard to make sure that every committee has women or opposite gender. Do you know that it is possible to have a committee with only 1 gender?

It happened in Kisii, it happened here before with the Committee on Liaison where for example all chairmen come together and form the Committee on Liaison so you get there by virtue of being a chair not by being of a different gender.

The practice is let us not have at least not more than 2/3rds of one gender but it is not a guarantee that that can happen. I therefore call upon because if I was to rule here today that the chairmanship belongs to minority and then they go and vote and get the majority as the chair, what happens to my ruling? I do not want to be that Speaker who make rulings which are in vain. They must be rulings which can be implemented.

Therefore, I can only encourage if in that Committee on PIC and PAC there is one person who belongs to a party or a Member who is not ODM. You have an opportunity to tell your colleagues of the good practice. Then you see you offer yourself then you get that position. If you don't get it, use your minority or non ODM to still add value to that Committee.

Having said that, any other matter that will concern this list, especially where guidance of the Speaker is required, I am open for such comments tomorrow, I will look at them, just like I am even being asked here if I can consider postponing this to the following day.

I have gotten that letter, but I am saying, if we postpone it tomorrow, where is the guarantee that there will be no complaints? Even if we deal with it today, and we still have room to deal with the issues tomorrow, and the day after.

Finally, to the people who asked for more and got less, I tell you, even if it were you, you would be having the same complaints addressed against you. What is it Deputy Speaker?

Hon. Odongo: Mr. Speaker, I would not want to go deeper on what you have advised on, but I would only want to request that we dwell on one area, that is the Budget Committee, where an Honorable Member, Hon. Omoro from my Sub County has had an interest.

It is public domain that in Siaya we have 6 Sub Counties. If at all we knew earlier that a Committee on Budget consists of 9 Members, whereby the list that has been brought before us has got 13 Members.

I would request that if the list is to have more than 9 members, then let each and every Sub County have 2 members in Budget and Appropriations Committee, where a Honorable Member from my Sub County had really requested earlier and wrote to the Honorable Member who was in the selection Committee that he is interested in the Budget (and Appropriations) committee. We should be fair to each and every sub county.

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Hon. Speaker: Hon. Members, I will take you through the Standing Orders next time. I have ruled that we are proceeding, and I am only asking those who are disgruntled, because your concerns are genuine.

If it is emanating from the Sub County, go deal with it, but remember, dealing with it without the approval of the selection Committee will be in vain. If you deal with it and it comes to the Selection Committee tomorrow, all those complaints, and they are changed, we will be able to admit the changes, if they are not changed, you just live with it.

Having given direction Honorable Members, will we move, you have the option of rejecting the whole list by the way, because this House will proceed after all we have General Oversight Committee, we have the House Business Committee, and General Oversight Committee can deal with all those matters as we wait for all these. So the choice is yours. You can reject in total, or pass it in total.

Those issues as I have said can be dealt with another time, as I have said. Yes.
Majority leader.

Hon. Otieno: Mr. Speaker, Sir, allow me to move the Motion:

THAT pursuant to Standing Order number 200, this House adopts the following Members to the Select and Sectoral Committee as laid on the table of the House today Wednesday 12th October, 2022.

MOTION

CONSTITUTION OF SELECT AND SECTORAL COMMITTEES

Hon. Speaker: Yes, mover, just move and allow another person to second

Hon. Otieno: Thank you, Mr. Speaker, Sir. Pursuant to Standing Order number 200, this House adopts the following Members to Select and Sectoral Committees as laid on the table of the House today Wednesday 12th October 2022.

[Leader of Majority Party (Hon. Otieno) laid the document on the Table of the House]

I want to ask Hon. Booker, the Majority Chief Whip to second.

(Motion Seconded)

(Question Put)

Hon. Odongo: Before we put the names, we must also consider the number of Members who sat in the Selection Committee. The number that sat on the Selection Committee is almost bigger than the number that was outside. Let us just have a consensus and sit aside with the selection Committee so that we approve what is right.

Hon. Speaker: Yes, Hon. Madialo: On a very gentle note, the Honorable Deputy Speaker belongs to the office of the Speaker. Once the Honorable Speaker has made a ruling,

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as part of the Speakership, should there be a disagreement, I thought it would be wise to approach your Boss without having to contradict his rulings.

Hon. Speaker: Okay Hon. Madialo, I will give directions on that. We are past that; we are at the point of voting. Whatever you want to do, put it in the vote. Can we proceed?

(Voting Commenced)

For Members who voted Nay with reason.

Hon. Adida: Just as my colleague had stated that if it was truly constituted the two Committees that is Education and Governance.

Hon. Speaker: Where properly constituted means what? The number is bigger, there is no gender balance or we have members who are not Members of the Assembly?

Hon. Adida: Okay, as we all know we come from one Ward and maybe we may not feel con...

Hon. Speaker: Okay. Your point is the relationship I was talking about?

Hon. Adida: Yes.

Hon. Speaker: Okay. Look at relationships.

Hon. Odawa: Thank you, Mr. Speaker, Sir. I had forwarded the list and I wish to be slotted in because we were selected from our sub counties.

Hon. Speaker: Just say which Committees you did want to be slotted in and your name is missing.

Hon. Odawa: PIC/PAC and it was my first choice.

Hon. Speaker: You wanted to be in Public Accounts and how about the rest of places you have been put? Are you comfortable with them or you can relinquish one?

Hon. Odawa: No! I only choose three and am in two so PAC is missing.

Hon. Speaker: So do you want to be in PAC? Okay.

Next!

Hon. Oduor: Thank you, Mr. Speaker Sir. In fact, my concern is drawn to Budget Committee. It is not evenly distributed to the Constituencies and there is only one Constituency that has not been addressed well but others you find 2 or 3 representatives so it's only Ugenya that is being represented by one person.

Hon. Speaker: So you are rejecting it because of representation of Ugenya or because you are not in it?

Hon. Omoro: Thank you, Mr. Speaker Sir. When I presented the list of my Committees and from what I presented, only two have been captured while I listed Budget as my first priority but it seems it has been swapped by...

Hon. Speaker: Ahaa! Just say that because you are not in Budget but you would prefer to be there.

(Loud consultations)

Hon. Omoro: Yes, I prefer to be in Budget.

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Hon. Speaker: Okay, so that is the only reason. Therefore, if you are told to forgo one of the two Committees indiscriminately, you do not decide you are removed from one and taken to Budget you would be comfortable?

Hon. Omoro: Yes, just remove one randomly.

Hon. Speaker: Okay. Next!

Hon. Achieng': I have been sorted out and am now okay.

Hon. Speaker: You did say no!

Hon. Achieng': I said no but according to what have heard my issue has been sorted.

Hon. Speaker: What was your issue? You thought you are not in some Committee and you have realized you are.

(Laughter)

Hon. Achieng': Have checked and have found that am okay.

Hon. Speaker: So are you under yes?

Hon. Achieng': Yes.

(Loud consultations)

Hon. Speaker: Next!

Hon. Angule: I said no because I am only in two Committees while others are in three or even four and being a minority I should be in either PAC, Budget or Finance which I chose.

Hon. Speaker: So what is the main issue here is it that you are in less Committees or you are not in PAC, Budget or Finance?

Hon. Angule: Am in less Committees.

Hon. Speaker: Are you aware that you are a Member for example the House Business Committee? These are not the only Committees, some Committees are already dealt with. So with House Business Committee how many Committees do you get?

I am not sure as minority if you will be in all Committees or if you have been considered in one Committee as minority it might not be over sufficient but your uniqueness has been appreciated. You are in House Business Committee, in other words, now you are rejecting it because you are not in the Committees you preferred or now that there is new information that you are in House Business, you are now comfortable?

Hon. Angule: Well am not in the ones I preferred but I just think I will be fine.

Hon. Speaker: So are you also a yes?

Hon. Angule: Am coming to yes.

(Laughter)

Hon. Speaker: Okay. By the way, for your information House Business Committee is so busy that even in the Sectoral Committee, you might not find time because every day we want to meet we will always be meeting and you slot Business.

Hon. Madingu: Thank you, Mr. Speaker, Sir, with utmost humility on behalf of the people of sub County where I belong there are some people who never proposed a Committee but they found themselves in them while those who did are nowhere.

Hon. Speaker: I would wish that and this would be my desire so that we address matters specific. You know if say for example on behalf of my people and when we go to the yeses your Sub Counties are yeses.

May be a larger percentage of your Membership from that Sub County are yes then the two are saying on behalf of all of us and plus the yeses we are saying no. How I wish you were just specific on the particular issue you are saying no.

Hon. Madingu: Mr. Speaker, Sir, on behalf of my Sub County we are five and 3 are on no. so that tells you of the silent majority and the ayes have it.

Hon. Speaker: Okay. What is the issue?

Hon. Baraka: Mr. Speaker, Sir. My main issue is that Hon. Seth Baraka and Hon. Dora have not found themselves in their preferred Committees. Thank you.

Hon. Speaker: Let me ask you, Hon. Baraka. What was his first preference?

Hon. Baraka: Budget.

Hon. Speaker: Then followed by?

Hon. Baraka: Roads then Water.

Hon. Speaker: So in which Committee is Hon. Baraka?

Hon. Baraka: Roads.

Hon. Speaker: So you got one out of three. One out of three is bad enough!

Hon. Madingu has a feeling, which he will mention because we are coming to him under no. Just register Hon. Madingu under no. Therefore, he has four because he is in House Business Committee.

(Applause)

Who is next? Were you aware that you are in the House Business Committee?

Hon. Baraka: I think what we presented yesterday and by yesterday, I did not even know this issue of the House Business Committee. I was confronted today in the morning and I was asked to get that Business Committee.

I do not know even what it deals with. Therefore, I do not know whether it was planned that I was not going to get the Majority so I was pushed in the House Business but out of the main four Committees that we discussed and presented I have only found myself in one.

Hon. Speaker: The Selection Committee while you will be addressing matters in relation to Hon. Baraka, kindly take cognizant that he is not aware of the functions of the House Business Committee.

From where I sit if we are talking of Business, I can tell you the House Business is the busiest unless now it is about interest in the Sectoral Committees. Therefore, take care of that and address it.

Hon. Dora: Thank you, Mr. Speaker, Sir. With my case, I was interested in Agriculture Committee but I think we can organize locally with Hon. Madingu so that he leaves for me the position.

Hon. Speaker: You can make local arrangement?

Hon. Madingu: Yes, through our able chair of the Selection Committee.

Hon. Speaker: So that is a Yes and No.

Hon. Baraka: My issue has been addressed.

Hon. Onguuru: Thank you, Mr. Speaker, Sir. My issue is drawn not now but from the onset of this process. I was never consulted on matters of who is to be in the three Committees you had directed from the Sub County of Rarieda to be presented to you. One of our Members bulldozed his way and decided...

Hon. Speaker: That is unparliamentarily but we will learn how to communicate.

Hon. Onguuru: Sorry, and I apologize. One of our Members decided to present a list to you. From my own perception they decided to be the ODM side of Rarieda and decided to choose...

Hon. Speaker: Just say where you are missing Hon. Onguuru. Where did you want yourself to be?

Hon. Onguuru: I wanted to be in the Budget, Appropriation, Planning and Vision 2030 Committee where I see three Members from Rarieda from ODM party there yet am not alive to it.

Hon. Speaker: So you would have wished to be in the Budget Committee, how about PAC? Did you also have interest in PAC?

Hon. Onguuru: Yes, am there!

(Applause)

Hon. Speaker: Next!

Hon. Akinyi: Thank you, Mr. Speaker, Sir. By the way my microphone does not show light.

Hon. Speaker: It doesn't light but does it function?

Hon. Akinyi: I think it does just that if it I

Hon. Speaker: If it is okay, forget about the light.

Hon. Akinyi: Okay, it is only that if it does not light you might not notice me that is my problem.

Anyway, just back to what I said earlier that I think out of good practice it is not proper for one Members to be in Budget Committee, same Member to be in PAC as well as Finance Committee. Therefore, as much as it is not a law anywhere we can adopt that as a good practice.

Individually I also feel unfairly treated from my Sub County because each person I believe managed to get what they wanted apart from me. However, not to complain so much I am a Member of the Committee on Delegated County Legislation.

Unfortunately, I don't know what it does but I am happy to be schooled. Otherwise, I said unfairly treated because initially I had chosen Public Accounts Committee and I was told to move.

Hon. Speaker: Which Committees do you belong to?

Hon. Akinyi: I am in Delegated County Legislation, Health and Water but I am happy---

Hon. Speaker: Alright, we hear you, you would have wished to be in which Committee?

Hon. Akinyi: Finance, Health and Water.

Hon. Speaker: It's Committee of preference; note that. Next!

Hon. Osoo: Thank you, Mr. Speaker, Sir; I come from a very dry area but married in a rainy area and I love farming so my interests in Agriculture. I am just requesting...

Hon. Speaker: She is saying no because she is in Agriculture and she is married in a wet area but she comes from a dry area. You will consider that, next!

Hon. Adiala: Thank you, Mr. Speaker, Sir; the team that represented us did a good job only that they placed me in a Committee that I am not familiar with which is Delegated County Legislation, I would humbly request the House that if there is anyone who is interested in that Committee we can swap with Committee for Water.

Hon. Speaker: He would wish to be in Water. So far we have 27yeses, and 12 nos. Some of the reasons advanced by the no's---. Did you ask Hon. Oduor Odongo?

The Deputy Speaker (Hon. Odongo): I believe that our concerns have been raised a number of times and I also want to say that as I was advised by Hon. Sylvester I understood the advice of the Speaker and I really concurred with him earlier.

The concern was on the regional balancing of the Budget Committee; that's where our concern is. The other ones I had raised and advised appropriately. Mr. Speaker, Sir; I request that you kindly take cognizant of balancing on the Committee of Budget and Appropriations.

Hon. Speaker: When we talk of balancing is it in all Committees or just Budget Committee? The rest of the Committees are balanced? Can I advise that tomorrow; at 11.00 a.m. you need not to solve but where you can solve the better for us then the people who have complaints can appear before you to address those issues.

If changes are to be made you require that you talk to some other Members. Feel free to do that even if they are not finished tomorrow.

What we are able to deal with tomorrow should be addressed tomorrow. There are some which will require further research like if one can be in committees which are perceived to be conflicted; that I may not have an answer tomorrow but you deal with.

Some you can even share with me so that we really see if in your very honest opinion you feel those concerns are genuine and we can find a way of addressing them amicably.

Hon. Eng. Olang'o: I voted yes because maybe there are people like me who voted yes and will still vote yes but still have some reservations which we would like to be addressed as we address the nays.

I had already indicated that I found myself in only two Committees; I am willing to forgo one so that I be in another Committee.

I am placed in Roads which was my top priority and on that account I am ok and going to ask Members of the said Committee to give me the chairmanship position. I have been placed in the Lands Committee but Lands was least in my priorities.

I would like to request if the Selection Committee can consider to put me in Water; if they can't allocate me three Committees I would give up Lands to be in Water Committee.

Hon. Otiato: Thank you, Mr. Speaker, Sir; I want to thank the Selection team that we worked with and I understand it was a very delicate issue.

While I was doing this working representing Bondo I also realized that among all the Committees possibly I only got two and I didn't get the other ones. I have noted as a representative the issue between the two Committees that have been raised and we are going to work on it.

The other issue about balancing; if we want to revisit issues of balancing it is the Party that puts people in the Committees. If we go into balancing in every Committee, then we will be in total shit.

Hon. Arika: I also want to echo what my senior Hon. Otiato has said but I believe Hon. Members in this House we need to be fair and I want to echo what the Hon. Deputy Speaker was complaining about.

If we can refer to the leadership by then there was no complaint; I don't know what the Budget Committee entails but I would really want to know because probably everyone is interested in this Budget Committee.

I would really like my sisters and brothers from Ugenya Sub County that if you look at the leadership; all the leadership went to that Sub County. When it comes to Budget I really plead with them that the issue of balancing should not come from them; at least it should come from elsewhere and I beg to be corrected if I am out of order but I believe with all fairness---

Hon. Speaker: Selection Committee you will have to look at things holistically because when they come before you may have even answers having come from this team. I will then declare that the House has adopted the following Members of Selection Sectoral Committee as laid on the Table of the House today, Wednesday 12th October, 2022.

I also direct that the Committee on Selection meet tomorrow at 11.00 a.m. at a venue to be communicated by the committee Clerks and the people who have genuine concern kindly appear before the Committee and express yourself so that by afternoon if they will be genuine concerns that can amount or lead to amendment we will amend accordingly.

My other directive is you go to your Committees now and elect your leadership now; if you don't then for me when you come tomorrow we just want to have the names. You told me the spirit why we had to wait all this time is because you wanted to finish today.

If you change your minds now you don't want to finish today and we are here up to 8.00 p.m. then it will be double speak. You better just go into those Committees, elect your leaders and if you don't want to elect agree there that you don't want to elect but we would have wished that you elect so that we communicate there tomorrow morning.

Hon. Otiato: Mr. Speaker, Sir; going by the other practices sometime back I saw this in the National Assembly; when we are here some of these Committees are 9,11 and so and we have got our Members who are now out---

Hon. Speaker: That I talked about; I said that you have quorum but when the results indicate something that can be altered by the number of persons absent then you can now convene election meeting tomorrow and invite them.

I am saying that because it was not communicated earlier that elections would be today but if it had been communicated I would have said that you proceed. There this issue of sharing Committees but you can organize yourselves; you have leadership in this House.

Hon. Onguuru: Mr. Speaker, Sir; I beg to disagree. We are just not electing Chairmanship and the leadership of this Committee for the sake of it. I wish you would allow

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us to elect on merit and equally the same way you have given us opportunity look at credentials of these people whom we elected for the House leadership pushing us to elect today---

Hon. Speaker: Order! Order! Hon. Onguuru sit down. I have ruled on that matter you elect and if you can't elect decide at the Committee level that you don't want to elect. Tomorrow when we meet we will have your leadership and if you don't have your leadership we will make the next decision. Hon. Members, there being no other business would you be upstanding for adjournment

MOTION

ADJOURNMENT

Hon. Speaker: There being no other business this House stands adjourned until tomorrow Thursday 13th October, 2022 at 2.30 p.m. in the Chamber.

The House rose at 4.29 p.m.