

Thursday 27th October, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA

THE COUNTY ASSEMBLY

THE HANSARD

Third Assembly-First Session

Thursday 27th October, 2022

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

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

PRAYERS

COMMUNICATION FROM THE CHAIR

CECM NOMINEES

Hon. Speaker: Hon. Members, I want to make the following communication, that on Wednesday 26th October, 2022, His, Excellency the Governor presented a list of the County Executive Committee members of the County government of Siaya to my office in compliance with section 6 (1) of the **Public Appointment** County Assemblies Approval Act 2017.

The list presented has the following names with corresponding portfolio list attached.

In the list we have:

1. Agunda Ochanda – Governance and Administration.
2. Benedict Obonyo Omollo – Finance and Economic Planning.
3. Dr. Martin Odhiambo Konyango - Health
4. Dr. Caroline Onyango – Water Sanitation, Environment, Climate Change and Natural Resources.
5. George Odhiambo Nyin'giro – Public Works, Roads Energy and Transport.
6. Sylvester Odhiambo k'okoth – Agriculture, Irrigation, Food, Livestock and Fisheries.
7. Dr. Edgar Otumba – Education, Youth Affairs, Gender and Social Services.
8. Grace Agola – Trade, Enterprise and Industrial Development.
9. Maurice Otieno Mcorege – Land, Physical Planning, Housing and Urban Development.
10. Anjeline Atieno Oduor – Tourism, Culture, Sports and Arts.

Thursday 27th October, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

Hon. Members the law requires that once the nomination has been notified the Speaker should report the notification to the Assembly then commit to the relevant Committee, which in our case is the Committee on Appointments.

Hon. Members, while the law is clear on what the Speaker should do after receiving such notifications there are also other important statutory considerations, which must be made regarding the content of the information submitted to the County Assembly about the nominated persons.

This means that the notifications by the Governor must fulfil certain provisions of the Public Appointments Act, which I now explain;

Section 6(4) of the Act requires that for a notification of nomination shall be accompanied by information of the nominee having regard to the issues specified under Section 7.

Section 6(5) of the same Act further provides that for the purposes of the Act a notification of the nomination shall be deemed to be duly given on the day in which it complies fully with the Sections 3 and 4.

Hon. Members, of the two sections I have mentioned that;

1. The notification must give information of the nominees as provided for in Section 7. I will shortly give information about the requirement.
2. If the said information is not provided then we assume that notification has not been fully given. Information that must be provided by the nominating authority who in this case is the Governor should provide the following;

Evidence of nominees' academic credentials, professional training and experience, personal integrity and background information, issues raised in the first schedule.

Hon. Members, I noted some gaps in the information accompanying the list that was presented. For example, in two nominees only CVs were submitted, there were no copies of academic certificates neither did we receive any evidence of previous' work experience.

For one nominee only CV and academic certificates was submitted. These were not testimonials showing evidence of experience.

Hon. Members, when we shall be vetting nominees we will need to observe the provisions of Section 35, (2c), of the County Government Act, which requires that the County Assembly shall not approve nominations for appointments to the Executive that do not take into account;

Community and cultural diversity within the County. In this regard I noted that the information on where each nominee comes from in terms of Sub County and Ward were not fully disclosed. Submissions of the evidence of the nominees professional, training and experience is important for purposes of checking compliance with Section 35, (3d) of the County Government Act, which states that

A person maybe appointed as a member of the Executive Committee if that person has knowledge, experience and distinguished career in not less than 5 years in the field relevant to the portfolio of the department to which the person is being appointed.

Thursday 27th October, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

Hon. Members, it is on the foregoing accounts that I infer the nomination of notification to the Assembly is currently considered not duly given in respect of Section 6(5) of the Act and the House stands guided.

In other words, I am saying that when a Governor is presenting names to the Assembly he must provide details about the nominees in terms of academic certificates, CVs and evidence of their work experience. When that is missing then we do not consider the list as having been duly forwarded.

I have therefore written back to the Governor to ask him to submit the missing information for us to proceed. Why this is important is that if we do not communicate that to him he will assume that the House has received the names and time will start running. Therefore, until that information is provided we do not have a list from the Governor.

PAPERS

The Majority Leader (Hon. Otieno): Thank you, Mr. Speaker Sir. I wish to lay on the Table of the House:

ALCOHOLIC CONTROL FUND

Report of the Auditor General on the financial statement of Siaya County Alcoholic drinks control fund for the year ended 30th June, 2021.

EDUCATION BURSARY FUND

Report of the Auditor General on the financial statement of Siaya County Education Bursary fund for the year ended 30th June 2021.

The Speaker left the chair

Hon. Oduor in the chair

The Deputy Speaker (Hon. Oduor): Hon. Members, the documents that have been laid stand committed to relevant Committee, which is PIAC.

Hon. Members, this is a continuation of the debate that has been running for the last two days, and I believe that today marks the end of the deliberation of the Governor's address.

Any Member who would like to contribute, the Floor is open for those Members who have not contributed, we are only allowed to debate once.

Hon. Okelo: Thank you, Mr. Speaker. Allow me to congratulate you for being re-elected in the third Assembly. I also take this opportunity to thank our beloved party ODM for nominating me to serve the 3rd Assembly, to represent women.

Disclaimer: *The electronic version of the official Hansard report is for information purposes only. A certified version of this report can be obtained from the Hansard Editor.*

Thursday 27th October, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

On to the Governor's speech I would like to thank the Governor for considering our small scale farmers in his plans. Our farmers need to be supported with certified seeds and fertilizers as stated by the Governor in his speech last time. Agriculture is the backbone of this economy and should be given a priority to ensure we have a food secure County.

Finally, I hope and believe that the Governor meant his words on the Yala swamp issues. More so, a team of qualified Agricultural personnel should be set to ensure that issues affecting and concerning Yala swamp area are resolved without interfering with the community around the swamp. Thank you.

Hon. Achieng: First of all I would like to thank the people of South Sakwa who decided to elect me. I also want to thank this House for the cooperation that we have been having since we came here.

I would say the Governor's speech was so good. I support especially on widows. I say that because I am a widow and I know that we are suffering.

On Agriculture, I think things are going to move well. We are going to have food on the table. His plans on Health, we have not been having sufficient employees on our health centres, and he is having a plan to employ more people in our health centres. That is very good.

The Governor's speech is well organized and everything is going to be okay. I would like to say that if we had a Governor like the one we are having right now then we would be very far.

Hon. Ragen: I would like to thank God and also the people of Central Alego for electing me. Secondly I would like to congratulate Hon. Members for their election to Third parliament in the County Assembly of Siaya, I know it was not easy.

On the Governor's speech, the County Strategic Plan, I would say it was well done, and I hope that this will not just be political rhetoric, that whatever is in the speech will serve the people of Siaya.

There are a few issues that resonate with my Ward. One is on Agriculture. The Governor talked about Yala swamp. I know that a few years ago we had an investor, who was really helping our community.

So I just hope that the issues surrounding the Yala swamp will be sorted out early and also the community that is living there. These decisions will be made and I hope that the Community will also benefit. The community will be left to use the land and also the investor will also work on our land.

On the issue of land, the Governor said that there is need to move away from building dispensaries and move towards equipping our hospitals. I would want the Governor also to take note that, as much as we are moving towards that direction, we also need to do a study around our wards. There are wards that have those dispensaries and there are others that don't, so there should be a balance between the two.

On the issue of drugs, I have greatly interacted with the healthcare workers, especially those who work in the Ward, and there is something that I have noted, that when procurement is being done for these drugs, they are not appreciating the fact that there are those health care workers who work down there who know the drugs that our people want.

The assumption is done up here, and I wish that they would adapt the bottom up method, so that the information emanates down from the dispensary, up to the offices. If you interact with

Thursday 27th October, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

them, you will get information that drugs are supplied to these facilities, drugs expire there because these are drugs that the locals do not use.

This information should also reach them, so that when procurement is being done, we budget for drugs that are used by our people.

On Infrastructure, the Governor highlighted the issue of Segere Ugaso road which has not been completed. The road connects Alego Usonga Sub County to Ugenya and the Western part of Kenya. I wish that that could be followed up and something can be done in the near future.

Lastly, this Assembly is unique to me in so many ways. It is historic, it is by the grace of God that I am sitting here with some of my mentors. People like Hon. Otare, people that I have looked up to in my political career.

Of importance is that I am sitting in this Assembly with someone who is so special to me, an uncle of mine, Hon. Fredrick, who is a very good friend, someone who has nurtured me from my childhood. So it is a very unique and special Assembly. So with those very many remarks, I thank you.

Hon. Deputy Speaker: Thank you Hon. Ragen. Honourable Members, I believe every Member has had a chance to contribute on the same, and this marks the end of the deliberation on the Governor's address, therefore clerks take us to the next order.

MOTION

ADJOURNMENT

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

Hon. Members there being no other Business, this House stands adjourned until 8th of November, 2022 at 2.30 p.m. in the Chamber.

The House rose at 3.43 p.m.