

**SAMBURU COUNTY ASSEMBLY**



**THE HANSARD**

**Thursday, 30<sup>th</sup> July 2015**

**The assembly met at the County Assembly chambers at 2.30 p.m.**

*Deputy speaker, (hon. Lanyasunya) in the chair*

**PRAYER**

**STATEMENTS**

**MCA Wamba West(Hon. Leitore):** Thank you Mr. speaker sir, Pursuant to the standing orders number 44(2) (c), I hereby request for a statement from the chairperson of the sectoral committee on Lands, Housing, Physical Planning and urban development concerning the land known as LR 8 Samburu/Lodung'okwe/8/ registered to one Job Mwaika Lalambaa. Hon. Speaker given that this land is situated within *Lpuus* group ranch of wamba west ward in Samburu county aware that this Land belongs those community and it was obtained irregularly by one Job Mwaika Lalambaa mindful of the fact that This Job Mwaika Lalambaa is a loan defaulter of AFC Bank and the Bank is auctioning this Land to cover the debts owed to the said person, Further aware that AFC bank has formally written to Samburu county Government to purchase this land for the county government and the community to lease, Hon. Speaker in the light of the above, therefore the chairperson should enquire into this issue and report on the following:

1. What plans does the department of land have pertaining the said land issue between the AFC bank, Job Mwaika Lalaamba and the community
2. Could the county government consider buying this land both for the county government and the community use as advice by the AFC bank
3. Whether any amount allocated in the budget to settle the AFC bank defaulted amount to revert back the land.

Hon. Speaker just to give more insight on the same, the said land as I have indicated in the statement is part of the land in *Lpuus* group ranch and Mr. speaker the land is 5,415.2 Acres, Mr. speaker, the way this gentleman or the said person allocated himself the land is totally irregular. Mr. Speaker this land was illegally acquired back in 1978 and the community remained complaining of the said land but the complain was not actually considered in any way because the authorities by then did not pay...

***Interjection***

**Speaker** (Hon. Adamson Lanyasunya): Order, Order Hon. Members kindly put off your phones because it is interfering with the proceedings of the House and the serjant-at-arms to monitor where the sound is coming form so that the member can be excused to go and continue with the phone, Continue Hon. Leitore.

**MCA Wamba west** (Hon. Leitore): Thank you Mr. Speaker for that intervention. So, Mr. Speaker I was saying that this land was acquired illegally back in 1978 so the community remained complaining to the authorities and due to the reason given illiteracy levels within the group ranch and the community so their complains were not taken seriously and so nobody has. Helped the community get back their land. Mr. speaker this is the second time that the said land is attempted to be auctioned, I remember in 2010 this land was advertised for auctioning by the said bank AFC be we complained, we raised eyebrows and complains through the media and as the community and so the auctioning did not actually take place, so this time round Mr. speaker I have a letter with me here that was directed to the Samburu County Government governor and the letter written by the Agricultural Finance Cooperation (AFC) bank requested the county government to consider buying the said land that is 5,415.2 Acres in order to benefit the area residents because the bank also understands that the land belongs to the people and it was acquired illegally, Mr. speaker the bank has also shown the interest of selling this land back to the county government of Samburu that represents people of Samburu this land being part of it

and Mr. speaker they indicated that this land can be used especially for conservation purposes and any other development by the county government that may deem it for the benefit of the people of that group ranch, so Mr. speaker I seek this statement with a lot of urgency because Mr. speaker the auctioning was to take place on 7<sup>th</sup> July 2015 but I understand it did not take place, so Mr. speaker the bank has shown social interests of selling back this land back to the government and the people in order to return back the land to the people and group ranch and Mr. speaker because the community does not have the power or the ability to buy the land that is why we seek intervention from the government so Mr. speaker we urge the department to give a response to this statement as quick as possible, thank you.

**Speaker** (Hon. Adamson Lanyasunya): Hon. Lemulugo

**Hon Lemulugo:** Thank you very much Hon. Speaker, as seeking the statement by the Hon Member. Leitore, but we lack the copies of the statement Mr. speaker, to continue with my support on this statement Mr. speaker we see so many pieces of land which have disputes in this county and most of them are of people who had already got title deeds and committed the land to the Banks for the purpose of loan requests because Mr. speaker. And this land is big as we all know that our people have are quite huge land and the people who acquired those pieces of land just took them from the community group ranches without the knowledge of the group ranch members it just the committee and the person who want to acquire the land. So Mr. speaker we need to protect the land of this county, The group ranch and our people as a county government and as Hon. Leitore said if the county government can buy this land and give to the same group ranches that because 5,415.2 Acres is a big land Mr. speaker and I believe that it is the whole of the group ranch, there are small group ranches which only have 3000 Acres such as *Seketet* group ranch which is only 3000 Acres, so what about 5,415.2 Acres, it is a big land, I cannot imagine that this land was given out by the elders to that person in a legal manner Mr. speaker, so I think this is a big concern and I think we need to fascinate this statement and to know how to convince the bank to delay its auction time and the county government to also put more efforts to buy this land and distribute to the group ranch, thank you Mr. speaker I support the statement.

**Speaker** (Hon. Adamson Lanyasunya): Hon Leitore

**Hon Leitore:** Mr. Speaker allow me to table a copy of the letter addressed to the Governor

**Speaker** (Hon. Adamson Lanyasunya): Hon. Chair for lands, Hon. Leshoomo

**Hon. Leshoomo:** Thank you Hon. Speaker, I also stand to support the statement from Hon. Leitore on the issue on *Parsilinka* piece of land, Mr. speaker it is a piece of land among many pieces of land given out in 1978 through the group ranches Mr. speaker I think it is in order for the county government as stated by the letter tabled by the Hon. Member, for the County government to support these communities and recover that piece of land from the Agricultural Finance Cooperation (AFC) Mr. speaker. There are a lot of group ranches in Samburu county, I know a few like the *Misikiyoi* group ranch, *Lkuroto* group ranch they are piece of land given out in 1978 just as *Parsilinka* land Mr. speaker the same individuals went to the Financial banks and acquired loans that were not recovered absolutely Mr. speaker and the banks are now trying to acquire those pieces of land through auctioning and some of the communities were not even aware that the land was issued to individual or individuals in certain ways that could they could not understand Mr. speaker. Mr. speaker I think it is good for this county government to help these communities to acquire that land so that it can be given back to the community rather than selling through auctioning Mr. Speaker, I think it is a noble course that this house can adapt the

statement and urge the county government to support these communities recover that piece of land, thank you Mr. speaker sir.

*APPLAUSE*

**Speaker** (Hon. Adamson Lanyasunya): Hon Pius Lobuk

**Hon Pius Lobuk:** Thank you Mr. Speaker for this opportunity, Mr. Speaker I fully support this statement, one of the main reason for supporting it Mr. Speaker is that sometimes around 1970s there were some very few clever individuals in this county who had acquired leadership by then when Samburu's eyes were closed Mr. Speaker

*APPLAUSE*

And they went around searching for these title deeds through some shoddy means Mr. speaker without even consulting the entire community around that part for example that parcel of land, even the communities came to learn after ten years that this land belongs to somebody, it is not the only case Mr. speaker, it is just one case amongst many and because that has come up Mr. speaker I appeal to this house to entirely resolve that process Mr. speaker because this house also has immense muscles to revoke that Mr. speaker and then the county government to take over the process so that the land can be acquired back by their original owners Mr. speaker,

*APPLAUSE*

**Speaker** (Hon. Adamson Lanyasunya): Hon. Lesoipa

**Hon Lesoipa:** Thank you Mr. Speaker sir, it is so sad that the people of Samburu are losing their land through corrupt individuals Mr. speaker sir, but my worry Mr. speaker is the legality of revoking the said land Mr. speaker and I question the legality Mr. speaker because from the letter the Hon. Member for Wamba west tabled to this house I understand that the individual has the title deed as we speak, so, Mr. speaker I urge the members to come together so that we can be able to approach this issue on a legal aspect so that we cannot be challenged by the legality on acquisition of this land, so Mr. speaker I think the issue of legality should be a matter of concern for us to be able to help this community to acquire back this land because I think that the bank has the title as the security in the said loan, so Mr. speaker I think this issue should be looked at critically and all aspects should be considered as to be able to help these communities, those are my concerns.

**Speaker** (Hon. Adamson Lanyasunya): Hon. Leakono

**Hon Leakono:** Thank you Hon. speaker sir, I also raise to support the statement by Hon. Leitore, pointing a few aspects here although the chair of Land and Physical planning is not with us in the house, but I think we actually are suppose to work for the interest of the common Samburu people, and in this case an advantage was taken over our people due to their illiteracy levels back then in 1970s and as such I feel that normally we had allocated some money to pay for the title deeds of our group ranches and if we can chip in for the acquisition of our group ranches title deeds I think it is more noble Mr. speaker for the same county government for us to allocate some money to pay for the piece of land that is *Parsilinka* on behalf of the people of Samburu county I do not see a big difference between paying some money to get the title deed and to actually paying this amount too for the people of Samburu county to get a piece of land at *Parsilinka* so may be..(Interjection)

**Speaker** (Hon. Adamson Lanyasunya): Point of information by Hon. Lesoipa

**Hon. Lesoipa:** Just to inform the Hon. Member that it is actually not in order for to pay money in this manner for Samburu county people to settle somebody's loan bank account, it is not in order

**Hon Leakono:** Thank you for the interruption Hon. member sincerely you are not paying for Hon. Lalambaa's loan but we are crying for the children of Samburu at *Parsilinka* or *Nkaroni* area who are going to be squatters in their ancestral land it is unfortunate that the money was owned by one Hon. Lalambaa but actually I am here for the interest of Samburu common people which I believe is the interest of this Assembly, that said I sincerely support that as a house we cannot just shut our eyes and ears to see the land of our people taken because of a mistake of one of us back then in 1970s, I urge this house to commit themselves in this either in individual capacity or as a county government because I think the role of the county government is to oversee the welfare of the Samburu people, thank you Hon. Speaker sir.

**Speaker** (Hon. Adamson Lanyasunya): I think I will give Hon. Leakono, the leader of majority and to also whip to put up the issue, call an urgent meeting by informing the chair of Lands committee and there is one aspect that you will consider;

1. The possibility of the county government coming in to acquire the title deed for the community and this can only happen through an agreement by the defaulter that he has agreed for the county government to pay for the title to go back to the community, but not to settle the debt on behalf of the defaulter, not that the title goes back to the defaulter but there should be an agreement between the defaulter writing to the bank and the government that I have agreed that the county government takes the title and be reverted back to the community through payment of the due arrears to the bank. I think that can be equated to other group ranches that the county is now trying to secure the titles because if we do not take action as the county government then it means that the land will be bought by any other bidder, it can be a rich man from any other part of the world and at the end of the day, the community will have lost the land. By that the committee will consider the value of the land because it is possible that the total amount of the Acreage can even bigger than the amount claimed by the bank so you will consider whether the defaulter will have some small revenue for the family so that he handles it in a way that balances all the parties.

**Minority Leader,** (hon. Romano Leakono): Thank you hon. Speaker Sir for you direction. We shall do that with consultations with hon. Leitore. With your permission, I will continue reading the statement. Pursuant to Standing Order 401 subsection 2 (c), I hereby request for a statement from the Chair for Public Investment and Accounts (**Interruption**)

**The Deputy Speaker,** (hon. Adamson Lanyasunya): What is it hon. Leitore.

**Majority Whip,** (hon. Benjamin Leitore): Mr. Speaker I don't think it is in order for the member to continue seeking an alternative statement without having the due date for... (**Interrupted by the Speaker**)

**The Deputy Speaker,** (hon. Adamson Lanyasunya): I thought hon. Leakono was contributing. I saw his hand earlier.

**Majority Whip,** (hon. Benjamin Leitore): Mr. Speaker because this is a serious issue and as indicated before (**Interruption**)

**The Deputy Speaker,** (hon. Adamson Lanyasunya): Hon. Leitore, now that I have given you the assignment, when do you want to bring the answer?

**Majority Whip**, (hon. Benjamin Leitore): Mr. Speaker how can I answer a question that I sought myself? I am an interested party, a representative of the people and a member representing the same land. So, I cannot give an answer to myself. I think any other member of the committee... **(Interrupted)**

**The Deputy Speaker**, (hon. Adamson Lanyasunya): But your interest is valid. Then I will give it to hon. Leakono because I gave it to you on the basis of you being a Whip. You are not the Leader of Majority but then I will give hon. Leakono to give us the dates.

**Minority Leader**, (hon. Romano Leakono): Thank you Mr. Speaker Sir, this is a very awkward situation, being a Minority Leader, **(Interrupted)**

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Why is it awkward hon. Leakono? Hon. Elly.

**MCA Maralal ward**, (hon. Elly Loldepe): Thank you Mr. Speaker, being a member of the Lands Committee, we can take up the matter and report to this house on the progress in two weeks' time.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Thank you hon. Elly, then we leave it to the Committee on Appointments taking into account that you need to engage different stakeholders including the Office of the Governor, because we have the letter, the CEC for Land. Because the supplementary process is almost done so that such things can also be factored in the supplementary budget.

**MCA Maralal ward**, (hon. Elly Loldepe): Mr. Speaker, because there are so many illegalities which will be involved in this matter. In two weeks we can report on the progress and findings, not fully, as we consult further so that we have the best options out.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): We will give the committee until Tuesday on 16<sup>th</sup> August. Hon. Leakono.

**Minority Leader**, (hon. Romano Leakono): Thank you Mr. Speaker Sir, the select committee on Public Investment and Accounts is mandated by the county assembly's Interim Standing Orders to do the following:

- a) Examine the reports and accounts of the public investments.
- b) Examine the reports, if any, of the Auditor General on the public investments.
- c) Examine in context with the autonomy and efficiency of the public investments. Whether the affairs of the public investments are being managed in accordance with sound financial and business principles... **(Interrupted by the Speaker)**

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Sorry hon. Members, 16<sup>th</sup> falls on a Sunday, so we can have it on Thursday, 13<sup>th</sup> of August. Continue hon. Leakono.

**Minority Leader**, (hon. Romano Leakono): Thank you Mr. Speaker Sir, as follow up to this, the constitution under part 2 (a) of the section that provided for the principles and framework of public finance including all aspects of public finance in the republic. The mandates of the Auditor General according to the constitution of Kenya in article 229 subsection 7, is to submit the interim reports to parliament or relevant county assembly. In view of this, the chairperson should inquire into and report on:

- 1) The progress of the Auditor General's report for the defunct local authority of Samburu for the financial year 2012/13 and MAWASCO report for financial year 2011/12 and 2012/13.
- 2) The reasons as to why the Auditor General's report for the financial year 2013/14 and 2014/15 have not yet been received for interrogation by the select committee. The exact

timelines for the report previous financial years and timeliness for the tabling of such report by the select committee on Public Investment and Accounts is wanting.

So many eyebrows have been raised as to why this committee is not following the regulations as contained in the Standing Orders on financial accounts requirements in section 81 number 18. This gives room for the rumours that there is so much misuse of public funds in this county. As such, I urge this house to see to it that those reports are tabled, interrogated according to the constitution. Because, if the committee is not up to the task, maybe it is time we should change the committee. It creates some doubts on the good work done by our accounting officers in this county. I urge the committee to respond with the required urgency so as to clear the suspicion created by them not tabling and interrogating these reports, thank you.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Chair PIC and PAC, hon. Elly.

**MCA Maralal ward**, (hon. Elly Loldepe): Thank you Mr. Speaker, I am neither the chair nor the vice but I am a member of the committee. The concerns by hon. Leakono are valid. One of the concerns I raised in social media today and on our WhatsApp page was because of such things. Sometimes it is good to open up your mind so that others can also know. The report by the Auditor General was tabled in this house and the committee interrogated it. The report is ready and we had requested that it is tabled but the committee leadership has not been able to convene any meeting on the said report. All the reports for 2012/13 are ready, interrogated by the committee but tabling has been a problem. Other than for 2013/14, tabling of the others can even be done by next week on Tuesday. I have a concern on the composition of the committee. It is a general rule that committees, especially PIC and PAC, are led by the opposition. But in Samburu County they are led by those in the right wing of the government. Sometimes, it also affects its functionality. As we look into tabling the report, it is also good to note that there is no way that PIC and PAC can be effective as long as it is led by supporters of the sitting government, thank you.

**Majority Whip**, (hon. Benjamin Leitore): Thank you Mr. Speaker, those are comments said by my fellow colleague of my committee. I understand that the report also took long to be tabled and I want to agree with the sentiments of the mover of the statement that these reports need to be tabled as soon as possible. There were a lot of technicalities experienced by the committee especially in preparing this report. It is ready only that it does not have the recommendations of the committee. But last week, the committee made an attempt to peruse and make recommendations to the said report on advice from Office of the Clerk. The committee was advised that it is good to have the technical people, especially the auditors, in giving recommendations to the said report before tabling it. Before we pre-empt on the answers that we would be given by the chair, the Clerk is also preparing a committee to meet the Auditor General's Office so that we could have final recommendations to the report so that it can be tabled. **(Interrupted by a call for a point of order)**

**The Deputy Speaker**, (hon. Adamson Lanyasunya): What is the point of order hon. Leakono.

**Minority Leader**, (hon. Romano Leakono): Is it in order for the hon. Member to refer back to the Auditor General's report when he has done his part to the best of his knowledge and it remains that this hon. House also does its part.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Continue hon. Leitore.

**Majority Whip**, (hon. Benjamin Leitore): Mr. Speaker I indicated that it is only the recommendations of the committee that are not final. But with the advice of the Clerk's Office that once we are set to give in our recommendations, we need to invite the Office of the Auditor General for technical recommendations to the report... **(Interrupted by a call for a point of order)**

**The Deputy Speaker**, (hon. Adamson Lanyasunya): What is the point of order hon. Leakono.

**Minority Leader**, (hon. Romano Leakono): I think the hon. Member should withdraw the statement that the report is going back to the Auditor General. It is common sense that once the report leaves the Auditor General's office then it is here to be deliberated by the committees, presented to this house and then taken to the public through publications for their consumption. It cannot be the other way round, thank you.

**Special Elected MCA**, (hon. Osman Dube): Asante sana bwana Spika, namuunga mkono Mhe. Leakono kwa sababu kutoka 2013 hadi 2016, kamati hii imekuwa na idara yoyote isipokuwa nzuri, kamati pia haiwezekuwa sawa.. Kwa hivyo kamati hii ya PIC na PAC hakuna kazi ambayo wamefanya. Ukiangalia miaka mitatu hadi sasa, hakuna hata idara moja iliyoshughulikiwa. Kwa hivyo, naona kama kamati hii 'imetiwa mfukoni' na watu Fulani. Naomba iangalie wengine.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): What is the point of information hon. Lesoipa.

**MCA Suguta Marmar ward**, (hon. Shadrack Lesoipa): Mr. Speaker, I am only standing to inform hon. Dube that I happen to belong to that committee and what normally happens... **(Interrupted by the Speaker)**

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Hon. Member, we are discussing a report which has not been tabled. The point of concern here is that I want the members for PIC and PAC to tell us when they are tabling the report.

**Majority Whip**, (hon. Benjamin Leitore): Mr. Speaker before the interruption by hon. Romano, I was requesting to be given time to table that report in two weeks because, it requires consultations between the Clerk's and the Auditor General's Office so that we can have a representative of the Auditor **(Interrupted by a call for a point of order)**

**Minority Leader**, (hon. Romano Leakono): The hon. Member cannot mislead this house. He keeps repeating again and again on the Auditor General.

**Majority Whip**, (hon. Benjamin Leitore): Please protect me Mr. Speaker.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Hon. Leakono now that the tabling of the report will be done. We will give you until next week on the 11<sup>th</sup> to table the report.

**Majority Whip**, (hon. Benjamin Leitore): Thank you Mr. Speaker.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Hon. Leakono you are making noise in the house. Are there any other statements? Hon. Lesoipa.

**MCA Suguta Marmar ward**, (hon. Shadrack Lesoipa): Thank you Mr. Speaker, it is just a concern. I am yet to be informed whether this house is going to be adjourned.

**The Deputy Speaker**, (hon. Adamson Lanyasunya): You are speculating hon. Lesoipa. Any other member with a statement? **(Silence)**

#### **MOTION**

**Minority Leader**, (hon. Romano Leakono): Hon. Speaker Sir, pursuant to the Interim Standing Order number 25 sub-section (c). Further aware of Standing Orders number 24 sub-

section 3 and 28 sub-section 1, I now seek leave to move that this house be adjourned until Tuesday 1<sup>st</sup> September, 2015 at 2.30pm. I beg to move. I beg hon. Jerius Leshoomo to second this motion.

**(Hon. Leshoomo bows in seconding the motion)**

**The Deputy Speaker**, (hon. Adamson Lanyasunya): Thank you hon. Members, I now propose the question on the adjournment motion as moved by hon. Leakono. Pursuant to the Interim Standing Order number 25 sub-section (c). Further aware of Standing Orders number 24 sub-section 3 and 28 sub-section 1, I now seek leave to move that this house be adjourned until Tuesday 1<sup>st</sup> September, 2015 at 2.30pm. Hon. Leitore.

**Majority Whip**, (hon. Benjamin Leitore): Thank you Mr. Speaker, I am standing to oppose the motion. I think the idea of adjourning this house is not called for. Having in mind that this house has a number of roles to perform, I think this is not the right time to adjourn this house. We have a critical drought situation affecting our people starting from Marti down to Sare aiparua. So, our people need this house to continue deliberating on how to assist this people. What plans are there within the assembly during this period of adjournment? There should be clear plans be it trainings for the members, be it...

**The Deputy Speaker (Hon. Adamson Lanyasunya)**: Hon. Leitore for your information maybe you have forgotten that there is a calendar for the Assembly and we did move as a house on that calendar so there is a calendar covering the whole twelve months, so it is there in the calendar and the Assembly already approved it, so your argument should be based on not really having a clear work plan, that if there is a very urgent business that the house needs to address then that will come up, continue Hon. Leitore

**MCA Wamba West (Hon. Benjamin Leitore)**: Yes Mr. Speaker, on the issue of land as you had referred, that the issue of Parsilinga land is an issue that needs to be tackled in this House, and we are also sure that this is the time that this County Government is trying to implement the strategy, we are expecting the funds anytime and this house needs to approve a number of expenditures, starting from bursaries to development Mr. Speaker, it is not that I am opposing the calendar of the house, we should have specific reasons as to why we should to adjourn the house, so we cannot just adjourn because the calendar has called for it, we should have clear guidelines and plans from the Assembly, Thank you.

**MCA Suguta MarMar Ward (Hon. Shadrack Lesoipa)**: Thank you Mr. Speaker, I think I also stand to help my good friend from Wamba West, there is one burning issue that I see that this house needs to deliberate on, it is long overdue, and this is the issue of the bill that have been tabled in this house the other week and this is the bill of the village administrators, this is a bill that needs to be tackled once and for all, (*Applause*), in fact the year is almost ending, we made so many promises when we moved around seeking votes in this County, where we told our elders that you will be employed, this issue of ward administrators have been budgeted for each and every financial year and has not been implemented, so my concern has been tabled in this house the other week, the issue of the village administrators and the village elders needs to be deliberated once and for all, it is taking so long and we have been budgeting each and every financial year, and it is becoming a concern to our people back there at home, whenever you go for a baraza this is the first thing that you will be asked by these elders and people who are aspiring for this jobs, so it is point of concern that needs to be deliberated before this house goes for recess thank you Mr. Speaker

**MCA Lodokejek Ward (Hon. Jarius Leshoomo):** Thank you Hon. Speaker, I also stand to support the adjournment Mr. Speaker, according to standing orders no 25. , the calendar of the County Assembly and I stand to read, ‘That the County Assembly committee shall with the approval of the County Assembly determine the calendar of the County Assembly, so Mr. Speaker, so once the approval of the County Assembly calendar shall be published in the County gazette, the County Assembly website and at least two issues of the National circulations, Mr. Speaker if you read No. 3, one day when the County Assembly is scheduling to adjourn the house, other than the next normal sitting in accordance with the County Assembly calendar, the leader of majority or the leader of the minority and other members of the County Assembly members of the committees shall, move a motion of adjournment, I disagree with what the Hon. members are saying when they say the issue of the bill of the village elders, Mr. Speaker the issue of the village elders, are being held by the committees, the sectorial committees of this house, Mr. Speaker, adjournment of the house is not restricting any business between the County Assembly and the County Government, there are issues like the settlement of parsilinga, that the Speaker gave out the mandate to the sectorial committee of land, to pursue it when the house is in recess, I do not think that it is necessary for us to adjourn this Assembly to let the house when the committees can handle when we are in recess, I do not think it necessary for us to hold the house as scheduled in the calendar of this Assembly to let the members stay in the house while some committees can handle when we are in recess, I think it is wrong for some of the Hon. Members to oppose the motion for small businesses that can be handled when we are in recess, I support the adjournment of the Assembly.

**The Deputy Speaker (Hon. Adamson Lanyasunya):** Okay Hon. Members for your information on the discussion whether the adjournment should be held with tending bills stage and it is also in the committee stage and it is also on the publication stage, so when it is ready a special sitting can also be called, Hon. Elly I saw you raise your hand

**MCA Maralal Ward (Hon. Elly Loldepe):** Thank you Mr. Speaker for the opportunity but my conscience has already been overtaken by events; because I do not think that this house can disobey its own calendar and Hon. Leshoomo had already that we have a calendar that we follow and also we have some of those bills that have moved to public participation and some of them are also in committee stages, so unless Hon. Members have other issues I don’t think that we can disagree with our own calendars, because we formed it we agreed with it and we have to abide by it Mr. Speaker, we call it a house of rules and procedures, Hon. Lesoipa who is opposing always reminds us that this is house of rules and procedures, and Mr. Speaker if you still remember today we are still a house of rules and procedures, so that which we do must abide by the rules and procedures, so Mr. Speaker going for recess or adjourning this house does not mean that the committees will not function, I think the Hon. Members should remember that the committees can still function and handle the work that they are mandated to do, so Mr. Speaker i support the adjournment motion as moved by Hon. Leakono, Thank you

**MCA Wamba West (Hon. Benjamin Leitore):** Thank you Mr. Speaker, I am worried here, because the argument of the said motion is informed by the standing orders, and once an issue has not been deliberated then it means automatic, that we are debating on the motion of adjournment because we have the mandate to determine as a house whether to adjourn or whether not to adjourn, but inform on issues that are based....Mr. Speaker there is a

statement that I sought, a very pertinent issue on land, and the Chair directed that it needs to be answered by 13<sup>th</sup> August which will be a recess period for this house, the Chair also directed that the report on audit should be tabled by the relevant committee on 11<sup>th</sup> August, which is also a recess period for this house, so I am still to be convinced because all these need to be deliberated and disposed on by this house, Mr. Speaker I am informed that with the need of the people that I represent in Wamba West, and with the issue of land...

**The Deputy Speaker (Hon. Adamson Lanyasunya):** What is the point of order Hon. Leakono

**MCA Elbarta Ward (Hon. Romano Leakono):** Is it in order for the Hon. Member himself to correct the Chair of this house the Hon. Deputy Speaker by trying to say that you knew that we are going to adjourn and yet we didn't know until the motion came up, because when we said in two weeks' time, I think the Hon. Member of this house the most respected Adamson Lanyasunya, was actually in accordance with his mandate as the Speaker, so our brother Hon. Leitore is saying...

Point of information

**The Deputy Speaker (Hon. Adamson Lanyasunya):** What is the point of information Hon. Leitore

**MCA Wamba West (Hon. Benjamin Leitore):** Mr. Speaker in my contributions I did not indicate that I oppose the directions given by the Chair, but I had only reminded the house that we had such directions, that the statement needs to be answered in the specific time so Mr. Speaker that is my concern because with the issue of land in my ward that is Lpuus group ranch, this is a very pertinent issue

**The Deputy Speaker (Hon. Adamson Lanyasunya):** Hon. Leitore just to give you some information, the calendar is there for adjournment, and the committees are still working officially, and when we indicate the terms of statements that a particular committee is supposed to respond to a certain statement and matters that have great concern like the one of Barsilinga assuming for example that it requires an urgent consideration of the Assembly as regards maybe the approval of the supplementary budget to support the committee to acquire the land, it is not a rule that a special sitting can be called so the adjournment does not block house to do anything, and I am not also preempting your request your contributions and also you request are also very valid and if you refer to standing orders 25 no. 3, it says that once the motion has been made for adjournment, it shall be debated for not more than 3 hours, and that the County Assembly shall adjourn without a question put, and if a continuation is required then it becomes like a rule so if the extension is required then any member can bring a motion to extend the sitting, then we do not have any, continue

**MCA Suguta MarMar Ward (Hon. Shadrack Lesoipa):** Thank you Mr. Speaker, before I come back to support the adjournment, it is clear that my good friend who consult with this books of the procedures the Hon. Leshoomo puts it clear and I can be able to stand up now and support the motion, but Mr. Speaker, I think that there are some issues, that is why before you tell me that I am anticipating the adjournment because with the ruling that is very clear how the member for Wamba West put it that this statement should be responded in two weeks' time, and it contradicts and this issues are in Hansard, it contradicts the response and the adjournment of this house Mr. Speaker, that was my concern before you shut me down, I was anticipating that this house be adjourned and those issues should be responded when this house resumes, we are not calling for something to happen to this house Mr. Speaker to

continue but it should be dictated by urgency, and that is some of the issues that needs to be settled once and for all, this are very busy members they need even time to some issues in their respective wards, that have been pending for a very long time, my good friend like Leakono all the way from Elbarta has been caught up in this town, for more than seven months, I think it could be the happiest moment for the electorate to go back to Elbarta ward, it is so fortunate that the Hon. Member for Suguta normally travels in the evening and comes back all the time so I do not have much issues that might hold me from getting my people, and as we go back to recess, there are some issues that might arise when this house is not around, I think that even as we talk the committees are supposed to be functioning, but let me be sincere Mr. Speaker that once this house is not functioning it is hard to even see this committees here Mr. Speaker, none of this will perform, so it is an initiative as the leaders of this County Assembly to see if there are any other pertinent issues that needs to be handled when this house is in recess will be at liberty to do that, thank you very much.

**The Deputy Speaker (Hon. Adamson Lanyasunya):** Thank you Hon. Members, the time being 15 minutes past four,

You did not put the question,

**The Deputy Speaker (Hon. Adamson Lanyasunya):** Read the standing orders, it says that the debate spends not more than three hours and it stands adjournment without any question put, read the standing order 25, part 3, so Hon. Members the time being 15 minutes past four o'clock and there being no any other business, this Assembly stands adjourned until Tuesday afternoon, 1<sup>st</sup> September 2015 at 2:30 pm, Thank you.