

SAMBURU COUNTY ASSEMBLY



THE HANSARD

Thursday, 7th May, 2015

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

(Temporary Speaker, (hon. Linda Naserian) in the chair)

PRAYER

PAPERS

MCA Lodojek ward, (Hon. Jerius Leshoomo): Madam Speaker we don't have the order paper in the floor of the House.

Temporary Speaker, (hon. Naserian): Clerks, supply members with the order paper.

STATEMENTS

Majority chief whip, (hon. Benjamin Leitore): Madam Speaker, I rise to raise a concern and this is an issue which has not been resolved when it comes to statements. I remember there was a statement sought by hon. Leshoomo pertaining to Maralal Safari Lodge that the chair gave a response that was directed by the speaker, that it should be comprehensive and have some recommendations of the committee. Up to now, the dates on when that statement should have been answered fully is not yet known and so madam speaker I require your direction on that. On the same, hon. Loldepe also sought a statement pertaining to departmental quarterly reports and up to now, there is no indication on when they should be forwarded to this House or should be tabled on the floor of this House. So we seek your indulgence on that as it has become a trend that most of the statements die naturally without being answered when members are expecting answers.

MCA Maralal ward, (Hon. Elly Loldepe): I stand to echo the sentiments of hon. Leitore. I am one of the members under the committee on tourism and as a committee we have deliberated at length on this statement and we have also completed the report because this statement was to be answered today and to my surprise, the hon. chair called the clerk not to give that report to any other member. So we are left wondering whether committees have turned out to be individual properties of the hon. chairs. **(Applause)** Madam Speaker this is a suspicious issue from the beginning and this one hour now raises our curiosity even more. I do not know whether chicken legs are exchanging hands so that people are fattening their stomachs at the expense of the people. **(Applause)** So, Madam Speaker, I say so because, firstly, the members of this committee have deliberated and have been sitting here for two consecutive days without the chair being there. He did not order that the members should not sit without his presence. And we have lost faith in him completely because how can the chair command the clerk not to allow any other member to have that report. I have called the clerk several times and because of instructions given to him, he has been eluding me like disease more dangerous than Ebola. So madam speaker I think we need your direction and I urge the committee on tourism to completely remove the hon. chair for tourism from that docket because he is fully compromised and that is my stand, he is compromised and he cannot continue to take people for a ride. People of Samburu County deserve that which is best for them. Not that which is best for the chairs of the sectoral committees. So we seek your indulgence and I had personally as what hon. Leitore had said I had requested the sectoral committees to furnish this house with quarterly reports

concerning what has been achieved because the pace of implementation has totally slowed down yet nothing has been reported to this house. We come here to sign books, we increase our pay roll or what comes into our banks accounts but we are not increasing what is going down to the people. And people deserve more than what goes into our accounts. I am bitter because the people of Maralal town have been waiting for justice to be done especially on Maralal Safari Lodge. Yet the chair dares to say nobody else should touch that report. When I was contributing to this statement, I had once said Napoleonic wars were ended by the people so that when the govern institutions which are given the money to represent the people fail, then the people will not fail themselves. So I urge this assembly to take action immediately so that if we cannot take action as the members of this house, then allows me to deal with the people because we can, thank you Madam Speaker.

Temporary Speaker, (Hon. Lindah Naserian): Thank you Hon. Members, yes Hon. Leshoomo.

MCA Lodojek Ward, (Hon. Jeurus Leshoomo): Thank you Madam Speaker, I just want to add my voice to what other members have contributed on the issue of quarterly reports. I think it's only the finance department that brought the quarterly report to this house and so I think it is necessary for the chairs of the committees to ensure that reports are tabled in this house so that they can be deliberated at length. The issue of Tourism, I talked at length last week at the Committee of Tourism. It is now coming out that the issue of the committee is none other than an individual running the committee. We have now seen the members of the committee are complaining and we have said the report should go back to the Committee of Whole House so, that they can elaborate and bring findings to this house. We have heard the report was complete but the chair is not bringing the report to the house. Things might be going on under the tables and if we will not be serious, then we might not get the report at all. I think it is now the right time to advice on the way forward in regard to the report on tourism. Thank you.

Temporary Speaker, (hon. Linda Naserian): Thank you, hon. Members, we all know that there are laws that guide the operations of this hon. House and I would like to read from Standing Order number 41(C) which says that a member may request for a statement from the committee chairperson related to matters under the mandate of the committee and the speaker may either appoint the day for the statement or direct the statement be issued on the same day. That explains clearly that each and every member in this hon. House has the right to request a statement from the chair of any sectoral committee and the chair must take responsibility of providing answers to the hon. Member. Further, the Standing Orders clearly indicate the roles of a chairperson of a sectoral committee or any other committee. In Standing Order number 14(B), the chairperson of committees should preside over all committees of the County Assembly but in absence of the chairperson, the member elected by the county assembly for that purpose should preside. It is the chair who is responsible for carrying out all duties that have been delegated to the sectoral committee. Further, we all know that we have Liaison Committee whose responsibility is to guide and coordinate the operations, policies and mandate of all committees according to

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Standing Order 192(1) and further section 3, the Liaison Committee shall consider reports of the committee that have not been deliberated in the county Assembly and shall report to the county Assembly for consideration of such report. Hon. Members, on 25th of March 2015, there was a response to a statement requested by hon. Jerius Leshoomo and I can see it is tabled here. I therefore call upon the hon. Chair for Trade, Cooperative Development and Tourism to respond to the statement sought by hon. Jerius Leshoomo.

Majority Chief Whip, (hon. Benjamin Leitore): Madam Speaker, the response was supposed to be given today as per the direction of the Speaker. We are told the Chair called the Clerk not to put the response in the order paper...

Temporary Speaker, (hon. Linda Naserian): Is there any written communication from the Chair?

Majority Chief Whip, (hon. Benjamin Leitore): No Madam Speaker but this is the directive that the Chair gave to the Clerk of the committee. And as part of the information the committee found time to deliberate on the report and even gave some recommendations and findings of the committee that were missing in the statement that the Chair tabled on the floor of the house. But the shocking information is that the Chair decided to call the Clerk not to table the report and that contradicts the Standing Orders as you had indicated which shows that any other member of the committee could move a motion or table a report on behalf of the committee. That is the information that is present.

MCA Maralal Ward, (hon. Elly Loldepe): Thank you Madam Chair, I don't want to table the report because it was commanded not to be tabled. But this is the copy of the entire report done by the committee and it is full, thank you.

Temporary Speaker, (hon. Linda Naserian): Thank you hon. Elly, we all know that the report is not yet official unless it is signed and approved by the House Business Committee for the tabling. I have just received communication that the House Business Committee has allocated for tabling of the report today afternoon and at the same time, a notice of motion to be moved to adapt the report. Since the members of the said committee are not ready to table the report today, I therefore give direction that the report be tabled on Tuesday next week at 2.30 pm. What is it hon. Leitore.

Majority Chief Whip, (hon. Benjamin Leitore): Madam Speaker, I seek your indulgence on the delaying of statements because it has become a trend that other than this statement alone, other statements have been pending before this house. I remember of a statement that the hon. Linda sought on Sarima land that has not been responded to up to now.

Temporary Speaker, (hon. Linda Naserian): Thank you hon. Member, I believe it is not my first time to give an advice concerning the same. It is the responsibility of chairs of the sectoral committees to give response to statements once they have been sought. And, maybe, the best I

can advise concerning that is to just apply Standing Order 174 that is vote of no confidence in the chair or vice chair. Because, if a person continuously fails to respond to statements, that shows clearly that that member is not fit to lead that committee. That is what I can advise the members of the sectoral committees who feel dissatisfied with their chairpersons to just apply Standing Order 174 and get appropriate chairs who can be in a position to report to the hon. House whenever it is required. Also I would wish that the Liaison Committee also plays its role very well because from the roles of the Liaison Committee, which I have just read to the hon. Members, it is the one to make sure that the sectoral committees do report to this hon. House. It should ensure that committees submit reports as required by these Standing Orders. And the Liaison Committee should also take responsibility and consider reports of committees that have not been deliberated by the County Assembly and shall report to the assembly on the consideration of such reports. I have given direction concerning the statement sought by hon. Jerius Leshomo that it should be responded to on Tuesday next week at 2.30 pm. Thank you hon. Members, there being no other order to deliberate and the time being 20 minutes past 3 o'clock, this assembly stands adjourned until Tuesday 12th May, 2015 at 2.30 pm.