

**COUNTY ASSEMBLY OF SAMBURU**



**THE HANSARD**

**Thursday, 6<sup>th</sup> April, 2017**

**The Assembly met at the County Assembly chambers at 2:30 p.m.**

*Temporary Speaker, (hon. Linda Naserian) in the Chair*

**PRAYER**

**STATEMENTS**

**Temporary Speaker,** (hon. Linda Naserian): The Speaker has approved the following tentative requests for statements for Thursday 6<sup>th</sup> April, 2017: statement No. 30 of 2017 from the Leader of Majority pertaining to the approval list for village councils. I call upon Leader of Majority to give a response.

*(The Speaker calls upon the Leader of Majority to give response but hon. Lemoosa responds instead)*

**MCA Nyiro Ward,** (hon. Jonathan Lemoosa): Madam Speaker, we had a lot of issues with the executive because the Governor has been going round the county and we have tried to reach the CEC for answers to the questions sought. Unfortunately, we have no sufficient answers and I urge you to give us more time until Wednesday next week, 12<sup>th</sup> at 2:30 pm.

**Temporary Speaker,** (hon. Linda Naserian): What is it hon. Loldepe?

**MCA Maralal Ward,** (hon. Elly Loldepe): Thank you Madam Speaker, I know hon. Lemoosa is just trying to request for more time and the Leader of Majority was within but he decided to move out most probably to escape answering this question. This is a very sensitive issue and one of the areas that the Governor will visit will be this community. It is a very sensitive issue because it is a breach of the law on the village councils passed by this house.

This is an issue that needs urgent attention as it can move to court. Because we need your guidance in this House instead of allowing this to take a different course; we request that it be answered quickly, thank you.

**MCA Nyiro Ward,** (hon. Lemoosa): It is true that the question that had been sought is of urgency and of importance and we do understand that the community concerned needs answers. It is their right but I just want to beg you and the hon. Members to give us time to reach the Leader of Majority and the executive member to give us the necessary answers, thank you.

**MCA Nachola Ward**, (hon. Lawrence Lorunyei): Thank you hon. Speaker, I do not know what is happening with the leadership of this hon. House. This House is a representative of the people and we are here to oversight and to monitor everything going on in this county.

On the issue of the village council, we need to get the picture whether it has been done according to the law or not. How many were employed? What of the gender balance? The places where the village elders have not been recruited? Now it is only four months to the conclusion and that is why it is an urgent issue... *(Interruption by hon. Leitore)*

**Temporary Speaker**, (hon. Naserian): What is the point of order hon. Leitore?

**MCA Wamba West Ward**, (hon. Benjamin Leitore): In reference to Point of Order No. 87, we need to be accurate on our contributions because we need to stick to our contributions on the statement sought by the hon. Member for Maralal ward. The hon. Member for Nachola should stick to his contributions to that statement unless he wishes to put across another statement.

If you can allow me to contribute, the Office of the Leader of Majority ... *(Interruption by hon. Lorunyei)*

**MCA Nachola Ward**, (hon. Lorunyei): Point of order hon. Speaker.

**Temporary Speaker**, (hon. Naserian): The hon. Member is on a point of order. Hon. Lorunyei. Let him finish.

**MCA Nachola Ward**, (hon. Lorunyei): But I have not yet finished.

**Temporary Speaker**, (hon. Linda Naserian): What is the point of order hon. Leitore? You ought to give your point of order and not your contribution.

**MCA Wamba West Ward**, (hon. Leitore): Thank you Madam Speaker, I was referring to the accuracy of our contributions to the statement sought by the hon. Member.

**Temporarily Speaker**, (hon. Naserian): Thank you. The hon. Member has been heard. Continue hon. Lorunyei.

**MCA Nachola Ward**, (hon. Lorunyei): The question of village councils is surrounded by many issues. Does every village now have the village council? What about the balancing? All these are issues surrounding the village council. If we can get the list, then we shall get the picture on how the recruitment was done. With the response, I will get a clear picture whether recruitment has been done according to the procedure and whether the law was followed. Thank you Madam Speaker.

**MCA Nyiro Ward**, (hon. Lemoosa): I wish to echo the sentiments of hon. Leitore that the hon. Member for Nachola is trying to bring a new avenue because what was asked by the hon. Loldepe was precise and to a particular representative and a particular village. Thank you.

**MCA Wamba West ward**, (hon. Benjamin Leitore): Hon. Speaker, the hon. Member for Maralal says that the Leader of Majority has just rushed out because he wanted to evade answering the question. That is not right because the Office of the Leader of Majority is not an individual. His deputy is seated in the House and is struggling to give an answer to the question. The answer given by the Leader of Majority is right and we need to adhere to it. Thank you.

**MCA Maralal ward**, (hon. Elly Loldepe): Thank you Madam Speaker. I need your guidance because we tend to be protective. I accept that this is an office. I am a member of this House but there is no Deputy Majority Leader unless he was chosen in a different House. It is misleading. We need to be precise and factual. We were with the Majority Leader and we discussed the

question this morning but when the order paper was brought, he rushed out... *(Interrupted by the Speaker)*

**Temporary Speaker**, (hon. Linda Naserian): I am sure you cannot substantiate that statement. Maybe he had personal reasons not to be here today. In regard to that and basing my decision on the request by the hon. Member on the response given by the Deputy Majority Leader, I direct that the response to the statement be tabled on Wednesday next week at 2.30 pm as requested.

**MCA Nyiro ward**, (hon. Jonathan Lemoosa): Most obliged Madam Speaker. Thank you.

### **PROCEDURAL MOTION TO ALTER THE CALENDAR**

**MCA Nyiro ward**, (hon. Jonathan Lemoosa): Thank you Madam Speaker. Pursuant to the provisions of the interim Standing Order number 25 clause 4, Calendar of the County Assembly, this Assembly alters its adjournment date from Thursday 6<sup>th</sup> of April, 2017 to Thursday 13<sup>th</sup> April, 2017.

I beg to move and I call upon hon. Muthoni to second.

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

**Temporary Speaker**, (hon. Linda Naserian): Hon. Members, I propose that pursuant to the provisions of the interim Standing Order number 25 clause 4 the Calendar of the County Assembly be altered from Thursday 6<sup>th</sup> of April, 2017 to Thursday 13<sup>th</sup> April, 2017.

The floor is now open for the members to deliberate on the motion. Hon. Lorunyei.

**MCA Nachola ward**, (hon. Lawrence Lorunyei): Madam Speaker, I stand to oppose. According to the calendar, this is the adjournment date. From 10<sup>th</sup> to 16<sup>th</sup> is a whole week and there will be Easter holidays and some of us needs to devote ourselves to God. A House without the fear of God is not good. 16<sup>th</sup> is the Easter Sunday.

Secondly, some of us have got nominations on 21<sup>st</sup> and need to go and campaign. In our absence, our opponents will take advantage of our absenteeism. If the House continues, it will encourage some of us to be absent from the House. Thank you.

**MCA Loosuk ward**, (hon. Adamson Lanyasunya): Asante Spika. Ni vyema jumba liendeleo hadi hiyo tarehe. Kwanza, sheria inakubali. Pili, kuna mengi ambayo yako mbele yetu kama bunge. Kuvunjwa kwa jumba hili ni kwa sababu ya sherehe ya Pasaka lakini tutakuwa pamoja na kuombea kaunti yetu.

Ukisoma bibilia, inasema kuwa ng'ombe yako ikipata shida jumapili unaweza kuishughulikia. Sisi pia tuko na ruhusa hiyo.

**Specially Elected MCA**, (hon. Osman Dube): Asante sana Spika. Mimi nakubali kuwa bunge iendeleo. Sisi huomba Mungu wakati wote, usiku na mchana. Mambo mengi yamesalia kupitishwa katika jumba hili.

**MCA Wamba West ward**, (hon. Benjamin Leitore): Thank you Madam Speaker. I stand to support. The budget is still with the committee and it was required to be passed on 31<sup>st</sup> but due to some unavoidable circumstances, it had to be taken to next week. It is only through the approval of the assembly that the budget will be effected by the executive and that is still our role as a house.

The hon. Member for Nachola should not be worried because we all believe that he will come back. Let him be assured that we believe in God even if we will be here. Good Friday will be on 14<sup>th</sup> when the House goes on recess.

**Specially Elected MCA**, (hon. Sarah Lekisaat): Asante sana Spika. Naunga mkono kuwa, ng'ombe yako ikiingia kwa shimo, haijalishi kama ni jumapili ila utaitoa. Pia bibilia inasema, wakati Yesu alikuwa amefungia mbuzi wake, mmoja alipotea na akafungia 99 na akaenda kutafuta ile moja. (*Laughter*)

**MCA Nyiro ward**, (hon. Jonathan Lemoosa): Asante sana Spika. Mimi pia niliomba tuangalie makadirio ya mwaka ujao. Sio kwa kupenda kwa yeyote lakini ni kuwa hatujakubaliana kimaendeleo. Tutajaribu wiki ijayo kuweka sawa makadirio haya ya mwaka 2017/2018. Vile vile, ni bora kuweka wale waliokua wengi katika huduma zetu. Kama vile Mheshimiwa Dube, Leitore na Sarah walivyosema, natumahi huduma zetu zinafurahiwa na Mungu. Tunawaomba wenzetu kwa mambo ya kisiasa. Tutasaidiana nao vile tunaweza lakini bora zaidi tuangalie makadirio hayafungiwi nje na wakati.

Mheshimiwa Loldepe aliuliza swali ambalo ni la dharura na linahitaj jibu. Swali lake ni la maana kwa kuwa linahusu jamii mzima anapowakilisha, wiki ijayo tutatoa maarifa kulingana na ombi lake. Naungana na wote na kuwasih wenzangu pia tafadhali kwa hiyo siku mbili au tatu tuhudumie wananchi kwa sababu huduma bora kwa wanachi ni pia matoleo kwa Mungu. Asante.

**Specially Elected MCA**, (Hon. Josephine Statian): Thank you madam Speaker. I stand to support the changing of the calendar. It is good for us to change it and extend the time so that we can pass the Budget.

**Specially Elected MCA**, (Hon. Muthoni Lenolkirna): Asante Spika. Mimi pia naunga mkono jambo hili. Ikiwa tungekuwa na umoja, tungeweza kufanya kazi hata wakati wa likizo kwa ajili ya wale wanaotuhitaji huko nje. Kazi kama hii inamfurahisha Mungu. Nashukuru kwa vile mmejitolea kwa wakati huu. Tunajua kuwa wenzetu wanaungana katika madhehebu mbali mbali kwa ajili ya kuomba na pia kujiombea. Sisi pia tuungane hapa na tujiombee kwa kuwa kati yetu pia kuna wale wanaosimama.

Wakati kama huu tunamhitaji Mungu zaidi kwa kuwa yuko kila mahali. Tunastahili tuwe na nafasi ya kuomba na kufanya kazi ya wananchi linaotungoja kama hii ya bajeti. Bajeti ni jambo ambalo linatarajiwa na watu wengi kuwa litapita. Wengine wetu pia tunataka tujiweke ndani. Mambo haya ya budget tunajua kwamba ni jambo ambalo linatarajiwa na watu wengi. Wanatarajia tupitishie kwa sababu hii bajeti ni ya 2017/18. Asante sana Spika.

**Specially Elected MCA**, (Hon. Sophia Leajore): Asante sana Mheshimiwa Spika. Sikuwa tayari kuzungumza lakini naweza changia machache. Mimi nataka twende nyumbani kwa muda mfupi. Sioni jambo la muhimu sana ambalo tunaweza endeleza katika jumba hili. Wanaosema kuwa hatujapitisha bajeti wako na uzembe kwa kuwa tungekuwa tushaipitisha kitambo. Asante sana Spika.

**MCA Maralal Ward**, (Hon. Elly Loldepe): Asante sana Spika. Mimi pia nasimama kuunga mkono hoja hii lakini nitaomba kusema kwa kiingereza kwa sababu Kiswahili kinanikanganya. I support the motion as moved by honourable Lemoosa that we need to extend for a while. I support not as a brigadier of Jubilee administration but as a brigadier of KANU movement in Samburu County. Hon. Leitore said the majority are from Jubilee, I do not know whether it was from my brother, but I support the motion as it is. This is so because:

1. There is no need for us to know what is actually happening to our budget. This House has the powers. We discussed it and they are going behind our backs to alter it. This House will not allow alterations to be made on the Budget. This is why I support and request the mover of the motion, who also happens to be the Chair for Budget Committee, no matter the day you just call us to critically look at this Budget. Even on a Sunday.
2. I also have an issue which is pending and it is urgent to me because of the pressing issues within the community. The community needs to be aware so that they know what action to take. Thank you.

**MCA Wamba West**, (Hon. Benjamin Leitore): Hoja ya nidhamu Mheshimiwa Spika.

**Temporary Speaker**, (Hon. Linda Naserian): Unawezatoa hiyo hoja ya nidhamu Mheshimiwa Leitore.

**MCA Wamba West**, (Hon. Benjamin Leitore): Mheshimiwa Spika, ningependa kupata ufafanuzii wa neno *uzembe* kutoka kwa Mheshimiwa Sophia kwa sababu sioni kama ni neno la



heshima kutumiwa katika jumba hili. Ninavloelewa, uzembe ni kuwa hakuna kazi unayofanya. Jumba hili limekua likikaa kila siku kulingana na sheria ambazo ziliwekwa.

**MCA Lodokejek Ward,** (Hon. Jerias Leshoomo): Thank you Madam Speaker. I also stand to support the extension of the house to enable the house to deliberate on the pending issues. I also concur with what Hon. Leitore said on the term *uzembe*. This is an Honourable House. Honourable Members cannot discuss each other using terms like *uzembe*. As hon. Members, we want to know what it means.

**Temporary Speaker,** (Hon. Linda Naserian): I would like to call upon hon. Sophia Lekuiye to explain to the house the meaning of the word she used because the members feel offended.

**Specially Elected MCA,** (Hon. Sophia Leajore): Asante Spika. Ningependa kujulisha Mheshimiwa Leitore maana ya neno *uzembe*. Linamaanisha kutokuwa na haraka. Halina uzito jinsi unavyodhani.

**Temporary Speaker,** (Hon. Linda Naserian): I now give a final chance to the mover of the motion hon. Lemoosa to respond before I make my ruling.

**MCA Nyiro Ward, (Hon. Jonathan Lemoosa):** Asante sana Mheshimiwa Spika. Tunavyojua ni kuwa, neno hilo haliambatani na heshima na kwa hivyo tungemuomba mheshimiwa wakati mwingine kuwa kama hatuelewi kile ambacho tunamaanisha sio bora kutumia neno lolote bila kuelewa yawezaleta nini.

**MCA Nachola Ward,** (Hon. Lawrence Lorunyei): Point of order.....

**Temporary Speaker,** (hon. Naserian): Continue hon. Lemoosa this is the final chance for the mover of the motion.

**MCA Nachola Ward,** (Hon. Lawrence Lorunyei): Madam Speaker but I have got an issue.

**Temporary Speaker,** (hon. Linda Naserian): What is it hon Lorunyei?

**MCA Nachola Ward**, (Hon. Lawrence Lorunyei): Madam Speaker, if you have been told that you have relaxed in your work which is an obvious thing? What is wrong with that?

**Temporary Speaker**, (Linda Naserian): Which point of order is that hon. Lorunyei?

**MCA Nachola Ward**, (Hon. Lorunyei): 87. Can I read it?

**MCA Nyiro Ward**, (Hon. Lemoosa): Mheshimiwa Spika nafikiri wale wanaosema jumba hili limezembea ni wao wenyewe wamezembea kwa sababu yapata wiki mbili iliyopita jumba lilikuwa linakaa hadi saa mbili au saa tatu ya usiku. It is in the record of this house na huo sii uzembe. Labda tu tungesema kwamba tunapojaribu kutengeza makadirio ni nadra sana kupata tukielewana. Inakubalika kwa sababu namna tunavyogawa rasilimali chache ndio sababu jumba hili halingeweza kupata mapatano mara moja.

Nahurumia sana wenzetu ambao wanasema hivyo kwa sababu hawakuonekana wakikanusha. Sitasema pole kwa sababu ni kweli. Bila kuchosha jumba hili, mimi ningependa tu kuomba kwa heshima bajeti au makadirio ya jumba hili pekee sisi tumekuwa na baraka ya kuwakilisha wale wako nje na tutumie nafasi hiyo vizuri ili wao pia waridhike na tupatie wao haki zao. Nasihi jumba hili la heshima kwamba tuwe na hizo siku mbili kama kwaresma. Unajinyima raha ambayo ungefanya na ni matoleo pia. Labda tutasikizana makadirio yapite na tunapokutana hizo siku mbili tutakuwa tumehudumia wenzetu na kumpendeza Mungu.

Madam Spika nataka kushukuru jumba hili la heshima kwa kuangalia na kutilia maanani utowaji wa kazi kwa mwananchi. Asante.

**Temporary Speaker**, (Hon Linda Naserian): Thank you. Having heard from the mover of the motion... (*Interrupted by hon. Loldepe*) what is it honourable Elly?

**MCA Maralal Ward**, (Hon. Elly Loldepe): Madam Speaker, something is disturbing my mind because of the respect for this house.

**Temporary Speaker**, (Hon Linda Naserian): Please speak so that you don't get disturbed any further.

**MCA Maralal Ward**, (Hon. Elly Loldepe): Thank Madam Speaker, am sorry for speaking after the mover of the motion, but the word uzembe is disturbing my mind and it needs to be withdrawn and an apology given. This house is a house of honour and uzembe means laziness and a don't-care attitude. We don't have that attitude in this house and we are not lazy. I think Hon. Sophia needs to withdraw and apologize to this house and, if it is allowed, she can even bring a Kiswahili dictionary for that.

**Temporary Speaker**, (Hon Linda Naserian): Thank you honourable member, I would like to base my ruling and guidance in regards to the word that has just been used that most members feel offended about. The Standing Order 87 on responsibility for statement of facts reads:

*“A member shall be responsible for the accuracy of any facts which the member alleges to be true and may be required to substantiate any such facts instantly. If a member has sufficient reasons to convince the speaker that the member is unable to substantiate the allegation instantly, the speaker shall require that such member shall substantiate the allegation not later than the next sitting day, failure to which, the member shall be deemed to be disorderly within the meaning of the standing order 109 which is grave disorder unless the member withdraws the allegations and gives suitable apology if the speaker requires so”.*

I now call upon the hon. Member that has just used the word to either substantiate to the honourable House or to withdraw the allegation and apologize to the members.

**Specially Elected MCA**, (Hon. Sophia Leajore): Asante Spika, nadhani hii sii mara ya kwanza mimi kusema hivyo na nashindwa mbona hilo jambo linawachosha sana waheshimiwa. Sikukuwa nimesema kwa ile uzito ambayo mnaibeba. But I withdraw.

**Temporary Speaker**, (hon. Speaker): Thank you honourable Member for such a respectable act. Who is the mover of the motion.

**MCA Nyiro Ward**, (hon. Lemoosa): Mheshimiwa Spika, kuambatana na nakala ambayo umesoma, imesema bayana kwamba ni withdraw na apologize. Tungependa itamkwe sahihi.

**Temporary Speaker**, (hon. Naserian): I just don't want to imagine that this is the much hon. Members are offended by the word such that besides withdrawal you still need to apologies.

**MCA Wamba west Ward**, (Hon. Leitore): Yes Madam Speaker.

**Temporary Speaker**, (hon. Naserian): The law requires that hon. Sophia and the members want to hear you apologize to the hon. House.

**Specially Elected MCA**, (Hon. Sophia): Thank you Madam Speaker. If my apology is going to change your faces or your colours, I apologize.

**Temporary Speaker**, (hon. Linda Naserian): Order honourable members. With all due respect, we cannot stay here for the whole day debating on the use of the word uzembe. Just take the honourable Member's apology because am pretty sure that the word uzembe will not be written on anybody's face after this session and neither will it make anybody who is not lazy to be lazy.

I, therefore, put the question that pursuant to the provisions of interim Standing Orders 25 section 4, the calendar of County Assembly alters its adjournment date from Thursday 6<sup>th</sup> of April to Thursday 13<sup>th</sup> April, 2017.

*(The motion was passed)*

Honourable Members, the time being 25 minutes past 4 o'clock and there being no other business, this Assembly stands adjourned until Tuesday, 11<sup>th</sup> April, 2017 at 2.30pm.