

**COUNTY ASSEMBLY OF**

**SAMBURU**



**THE HANSARD**

**Tuesday, 10<sup>th</sup> October, 2017**

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

*The Deputy Speaker, County Assembly of Samburu, (hon. Jonathan Lemoosa) in the Chair*

**PRAYER**

**PAPERS**

**COUNTY BUDGET REVIEW AND OUTLOOK PAPER (CIBROP)**

**MCA Ndoto Ward**, (Hon. Raisy Letura): Thank you Chair. Before I proceed to lay the Paper, I first wish to congratulate you to have been appointed the Deputy Speaker of the second Assembly of Samburu. I therefore wish to proceed. I wish to lay on the Table the County Budget Review and Outlook Paper CIBROP 2017.

*(Hon. Letura lays the Paper on the Table).*

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Hon. Members, I wish to commit budget and Review Outlook Paper CIBROP, 2017 to the Committee of budget and Appropriation and pursuant to Standing Order No. 119 (3), I wish to direct the committee on budget to carry out Public Participation of the said document, thank you.

(Notices of motion)

**MCA Ndoto Ward, (hon. Letura):** Thank you Mr. Speaker. I wish to give a notice of Motion **THAT**, Pursuant to provisions Standing Order No. 191 (1), the Assembly approves,

**The Liaison Committee as below:**

1. Hon. Jonathan Lemoosa
2. Hon. Solomon Lempere
3. Hon. Siriman Lukas Lekwaale
4. Hon. Christopher Lentukunye
5. Hon. Peter Lempei
6. Hon. Fred Kiragu
7. Hon. Lawrence Lorunyei
8. Hon. Jerias Leshoomo
9. Hon. Adamson Lanyasunya
10. Hon. Paul Leshimpiro
11. Hon. Paul Wonyang'
12. Hon. Raisy Letura

13. Hon. Shadrack Lesoipa
14. Hon. Benjamin Leitore
15. Hon. Joseph Leshipaayo
16. Hon. Edwin Lesiampe

**MOTION**

**MCA Ndoto Ward, (hon. Letura):** Thank you Mr. Speaker. I wish to move a Motion **THAT**, pursuant to provisions of Standing Order No. 191 (1), the Assembly approves,

**The Liaison Committee as below:**

1. Hon. Jonathan Lemoosa
2. Hon. Solomon Lempere
3. Hon. Sirman Lekwale
4. Hon. Christopher Lentukunye
5. Hon. Peter Lempei
6. Hon. Fred Kiragu
7. Hon. Lawrence Lorunyei
8. Hon. Jerias Leshoomo
9. Hon. Adamson Lanyasunya
10. Hon. Paul Leshimpiro
11. Hon. Paul Wonyang
12. Hon. Raisy Letura
13. Hon. Shadrack Lesoipa
14. Hon. Benjamin Leitore
15. Hon. Joseph Leshipaayo
16. Hon. Edwin Lesiampe

I call upon hon. Adamson Lanyasunya to second.

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

**MCA Suguta Marmar Ward, (hon. Shadrack Lesoipa):** Point of order

**The Deputy Speaker**, (hon. Jonathan Lemoosa): What is the point of order hon. Lesoipa?

**MCA Suguta Marmar Ward**, (hon. Shadrack Lesoipa): Hon. Speaker, I tend to understand the hon. Member for Lodokejek and the hon. Member for Loosuk ward do not share names. Why is hon. Leshoomo seconding the motion yet hon. Letura called upon hon. Lanyasunya to second?

**MCA Ndoto Ward, (hon. Letura)**: Ok, Once more I call hon. Jerias Leshoomo to second the motion.

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

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Thank you hon. Members, I now propose **THAT**, pursuant to provisions of Standing Order No. 191 (1), the Assembly approves,

**The Liaison Committee as below:**

1. Hon. Jonathan Lemoosa
2. Hon. Solomon Lempere
3. Hon. Sirman Lekwale
4. Hon. Christopher Lentukunye
5. Hon. Peter Lempei
6. Hon. Fred Kiragu
7. Hon. Lawrence Lorunyei
8. Hon. Jerias Leshoomo
9. Hon. Adamson Lanyasunya
10. Hon. Paul Leshimpiro
11. Hon. Paul Wonyang
12. Hon. Raisy Letura
13. Hon. Shadrack Lesoipa
14. Hon. Benjamin Leitore
15. Hon. Joseph Leshipaayo
16. Hon. Edwin Lesiampe

Hon. Members you can now ventilate on the matter as presented by the Majority Leader, thank you.

**MCA Lodokejek Ward**, (hon. Jerias Leshoomo): Thank you hon. Speaker, I stand to support the motion but we deliberated in the last *kamukunji* that hon. Lanyasunya be the Vice Chair of the committee although it is now not indicated in the proposed list. I therefore request for your indulgence.

**MCA Ndoto Ward**, (hon. Raisy Letura): Thank you hon. Chair. As the County Assembly Selection Committee, we have taken note of Standing Order No. 157 that guides on the members of the Committee to elect their own chair and the deputy chair. We are guided by our Standing Order No, 157 (1) that the members of this committee sit down and elect their chair and the deputy chair. I am sure that nobody opposes hon. Lanyasunya as the deputy chair of this Committee but rules of this House has to be observed since as we did not make any resolution as the House on the same. We did it on other Select Committees and the House Committees but not for this one. Therefore, the Liaison Committee will call a meeting to elect the chair and the deputy Chair. Thank you.

**MCA Wamba West Ward**, (hon. Benjamin Leitore): I support the list as proposed because it is automatic from our Standing Orders that The Deputy Speaker is the Chair of Chairs. I would also like to give my support to the list and echo the same sentiments as the Member for Lodokejek ward. As it appears now that the Deputy Speaker is the Chair for the Liaison Committee, who is actually the Chair for the Chairs and the Speaker is also appearing as the Vice Chair. This is my observation... *(Interrupted by a call for a point of information)* Please protect me Mr. Speaker because I don't want to be informed. I am still referring to Point of Order number 107.

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Hon. Leitore, the rules of this House calls upon a Member on the floor to be requested if he needs to be informed. But if you are okay with your information, go ahead.

**MCA Wamba West ward**, (hon. Benjamin Leitore): I am okay Mr. Speaker. *(Call for a point of order from hon. Lorunyei)*

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Which Standing Order are you standing on?

**MCA Nachola ward**, (hon. Lawrence Lorunyei): Number 157 (1a) which says that the chairperson of select committee ad quoram:

- a) A select committee shall upon appointment elect its chairperson and vice chairperson from among its members.

I was questioning which Standing Order was hon. Leitore referring to that says the Deputy Speaker is automatically the chairperson of the select committee. The Standing Order is contradicting this.

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Very well hon. Lorunyei. Before you answer that hon. Leshoomo... (*Interrupted by hon. Leitore*)

**MCA Wamba West ward**, (hon. Benjamin Leitore): Hon. Speaker, let me inform the member that Standing Order number 191 (1) on Liaison Committee says that *there shall be a committee to be known as a Liaison Committee which shall consist of the chairperson of committees as the chairperson of chair persons of all the committees of the assembly. The Liaison Committee shall guide and coordinate operations.*

We understand that the chairperson of all the chairpersons of all the committees is the Deputy Speaker... (*Call for a point of order from hon. Lorunyei*)

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Hon. Lorunyei, please refer to Standing Order number 191 (1) that guides the matter before us.

**MCA Nachola ward**, (hon. Lawrence Lorunyei): Mr. Speaker it just says that *there shall be a committee to be known as a Liaison Committee which shall consist of the chairperson of committees as the chairperson of chair persons of all the committees of the assembly.* I don't see where it reads the Deputy Speaker.

**MCA Ndoto ward**, (hon. Raisy Letura): Thank you hon. Speaker. I fail to understand where the hon. Member for Lodung'okwe draws the chairpersonship of this particular list. This list is written clearly in English and nowhere is written chairperson or the deputy chairperson. By the virtue of the hon. Speaker, Solomon Lempere, appearing to be number two does not in any way give him the position of the vice chair.

I want to refer the Member on the responsibility of statements of fact. I am on a point of order hon. Speaker, protect me. In the first place, nowhere in this list is indicated... *(Interrupted by a call for a point of information)*

I want to be informed hon. Speaker.

**MCA Wamba West ward**, (hon. Benjamin Leitore): Hon. Speaker let me inform the hon. Member for Ndoto that I am the hon. Member for Wamba West and not Lodung'okwe. Is that really in order? The political and electoral unit is Wamba West.

Allow me also to refer the hon. Members to Standing Order number 151: the Deputy Speaker to be Chairperson of committees. The Deputy Speaker shall be the chairperson of committees and shall preside over all committees of the Whole House. That is why I referred the hon. Members to 191 on who is referred to as the chairperson of the chairpersons. That is now clear.

In relation to that, 151 becomes null and void because it is on select committees and we are talking of a Liaison Committee. The select committee will have a mandate to go and select their chair. It is expressly given here that the chairperson of committees is the Deputy Speaker. On the order of how the names are appearing, it is given that our hon. Speaker is placed as the vice chairperson.

I want to echo the sentiments of the hon. Member for Lodokejek that we would propose that the hon. Member for Loosuk ward be given the position of the Vice Chair of the Liaison Committee because we all believe in his expertise, experience and ability to also provide support to the chairperson of this Committee. We understand that the Deputy Speaker has a lot to perform in the House and the hon. Member for Loosuk will support the Chairperson of the Committee to execute its mandate. Thank you.

**MCA Ndoto ward**, (hon. Raisy Letura): Thank you hon. Speaker. I am sorry for the hon. Member for referring him as Member for Lodung'okwe. I usually identify him with Lodung'okwe which is the headquarters of the ward. I withdraw the statement thought you still remain a Member for Wamba West ward coming from Lodung'okwe.

If the Member is sincere with Standing Order number 15, it clearly states who should take charge if the chair is not present. I suspect the school where the Member was from, Lodung'okwe Primary and Baragoi Secondary, because it clearly states that the Deputy Speaker being the Chair of chairs and a Member of the Speaker's Panel takes charge as the deputy chair. Whoever is mandated to appoint the Speaker's Panel is the Speaker. I have no issue with the Deputy Speaker being the Chair of the select committee today. I have to defend the paper that was rightly brought and placed in this House.

I also have no issue with the Member for Loosuk ward because I know he is a very able man. If you read the Standing Order number 15 as a whole, it says the chair of chairs is the Deputy Speaker. In part 2 it says if the Deputy Speaker is absent, it is the Speaker's Panel member who chairs the committee. Are you trying now to say we place the Member in the Speaker's Panel? This can only be done by the Speaker who has the mandate. For now, it will remain as placed until the Speaker appoints his Panel and I hope the Member for Loosuk will be considered and then he can be placed as the deputy chair of chairs.

I want to make it clear that in no way is the Speaker of the House the Vice Chair of this Committee. It would be sub-judice to place him below his own Deputy. Naturally, no boss wants to be chaired by his junior. In this particular list, hon. Lempere is not the vice chair of the Liaison committee. Thank you.

**MCA Suguta Marmar ward**, (hon. Shadrack Lesoipa): Thank you hon. Speaker. This House is guided by rules and procedures which we have to follow. The Member for Wamba West is in order to speculate the list that is written with hon. Lempere appearing second as the Vice Chair. With all due respect to the Member for Loosuk ward who is a very hardworking man, I only pray that we let the Members of the Speaker's Panel have their time to select the Deputy Chair. Debating a list that was procedurally brought to the House is totally out of order. In your wisdom as the Speaker, please put things procedurally... *(Interrupted by a call for a point of order)*

**MCA Wamba West ward**, (hon. Benjamin Leitore): Mr. Speaker, I want the Member to point out the specific Point of Order that I have contradicted when I supported the sentiments of my colleagues to propose the hon. Member for Loosuk as the Deputy. I had not speculated.



**MCA Suguta Marmar ward**, (hon. Shadrack Lesoipa): Hon. Speaker, you cannot anticipate the debates of this House which the Member is doing. He is totally out of order.

**Specially Elected MCA**, (hon. Osman Dube): Asante sana Mheshimiwa Spika. Tunajua kuwa naibu Spika hutegemea chama. Spika wetu amerudisha tena mambo ya naibu mwenyekiti ambayo nikama kuturudisha nyuma sana. Naomba tumweke Mheshimiwa Adamson kama naibu mwenyekiti. Naomba tuketi katika *kamukunji* ili tubadilishe. Asante.

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): Hon. Members, as we know, this is a House of Rules and Procedures. I want to refer this hon. House to what hon. Letura had cited on Standing Order number 15 on (1), (2) and (3). 15(1) reads:

(1) The Deputy Speaker shall be the Chair of all committees and shall preside over all committees of the whole House.

(2) If the Deputy Speaker is absent, then a Member of the Speaker's panel established under Standing Order 16 shall preside over the committee of the whole House.

(3) If the Deputy Speaker is absent or if the Deputy Speaker or any other Member of the Speaker's panel considers that it is desirable that he or she should take part in the proceedings to be in the committee rather than the person presiding, the Speaker shall take the Chair.

We progressively relate to 16 on the Speaker's panel, 16(1) reads that there shall be a panel to be known as the Speaker's panel shall comprise three Members to be known respectively as the first, second and third person or committee who shall entail to exercise all the powers vested in the Chairperson of committees. It goes on all along.

I want to refresh the Members' memory that in relation to what we have read that each and every committee sits down and elects unless directed as in Standing Order number 15 that it is the committee that takes leave and sits to elect the Chairperson and if directed and thereafter, the issue of the Vice Chair in this particular Committee in front of us does not give the express authority to the Hon. Speaker of the House that:

Hon. Lemoosa Jonathan is the Chair director as in Order number 15. It does not say that number two falls as the Vice Chair. It does not read like that. The Vice Chair of this particular Liaison

committee is drawn from the Speaker's panel. In this case, we did not have the Speaker's panel as it still stands today. Since we did not have the Speaker's panel, why don't we give ourselves some space that the Speaker will be due in today or tomorrow? He consults the Speaker's panel and other persons of his wish and come up with the panel. From there, this particular list if need be he can even insert other names and then come up with our first sitting which the Vice Chair to the Liaison Committee will be elected. I beg this Hon. House to give us space and wait for the Speaker to come so as we can consult widely.

Hon. Leshoomo had an issue that some Members were left out, in the *Kamukunji* it was agreed that the hon. Adamson Lanyasunya who is still there because he Chairs the Committee. Hon. Lesoipa said that we do not anticipate some debates, the Committee will sit and elect because the powers are vested on the Committee. We do not have to worry or rush, we need to consult out Standing Orders. Hon. Lanyasunya is still part and parcel of the Committee. Let us wait and consult, let the Committee sit and make amendments and elect. Thank you.

**MCA Nachola Ward**, (Hon. Lawrence Lorunyei): Thank you Mr. Speaker. According to the Standing Order, this Committee has no Vice Chairperson if it is only there ceremoniously. The Chairperson of the Committee is the Deputy Speaker. In the absence of the Deputy Speaker, the panel as you have read in the Standing Order number 15, 1, 2 and 3 when you read the whole, we have seen that in the absence of the Deputy Speaker, the panel of the Deputy Speaker will take the 1<sup>st</sup>, 2<sup>nd</sup> and third according to that panel. There is nowhere that says the Vice Speaker or the Vice Chairman of the Committee to exercise any power. Maybe we should discuss about the list and leave the rest to take the procedure on it course. Thank you hon. Speaker.

**The Deputy Speaker (hon. Lemoosa)**: Hon. Members of this House, I have given my decision on the matter just the way I have read it. I expect no further debate on the matter. The matter is put to rest and let us now deliberate on what is in front of us on the list. If the Members do not have any other issues with the list, we will go ahead and put the question on the motion and pass as we wait for the panel of the Speaker to come along and just as hon. Lorunyei has said on the Standing Order. Thank you so much. We still have room to ventilate on the list and we do not want to bar Members from exercising their democratic rights before we put the question. Thank you.

**MCA Maralal Ward**, (Hon. Fred Kiragu): Thank you Mr. Speaker. I wish to support this list and these Chairmen...

*(Point of order by Hon. Fred Kiragu)*

**MCA Lodokejek Ward**, (Hon. Jerias Leshoomo): Hon. Speaker you have already ruled on the motion.

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): Thank you hon. Leshoomo. Take your seat. I therefore go ahead and put the question. Hon. Members I now put a question that pursuant to the Provision of the Standing Order number 191(1), the Assembly approves,

**The Liaison Committee as below:**

1. Hon. Lemoosa Jonathan Lekuram
2. Hon. Lempere Solomon
3. Hon. Lekwale Siriman
4. Hon. Lentukunye Christopher
5. Hon. Lempei Peter
6. Hon. Fred Kiragu Kanyiri
7. Hon. Lorunyei Lawrence Sebastian
8. Hon. Jerias Leshoomo
9. Hon. Lanyasunya Adamson
10. Hon. Leshimpiro Paul Husima
11. Hon. Paul Ekutan Wonyang
12. Hon. Letura Raisy Ahmed
13. Hon. Nakini Lesoipa Shadrack
14. Hon. Benjamin Leitore
15. Hon. Leshipayo Joseph Koris
16. Hon. Lesyampe Leteipan Edwin

*(Question put and passed)*

Hon. Members the time being 28 minutes to Four O'clock and there being no other Business, this Assembly stands adjourned until Wednesday, 11<sup>th</sup> October 2017 at 9:00 am.