

**COUNTY ASSEMBLY OF SAMBURU**



**THE HANSARD**

**Thursday, 16<sup>th</sup> November, 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**

**STATEMENTS**

**STATEMENT ON CREATION OF MORE DEPARTMENTS BY THE EXECUTIVE**

**Leader of Majority**, (hon. Christopher Lentukunye): Thank you hon. Speaker, there was a statement sought by hon. Wonyang' concerning creation of extra offices. I did request that I need more time so that this response can be tabled before this House but since the authorities concerned are out of the country for official duties, I still request for more time so that this statement can be tabled before this House on Wednesday next week, thank you.

**The Deputy Speaker**, (hon. Jonathan Lemoosa): I do not agree with the Majority Leader because for once we need to be serious when it comes to statements. The statement has been referred two times now and as the Majority Leader has answered, we know that H E the Governor just left the other day. We therefore should be serious in responding to statements and this is a matter that needs to be looked into, thank you.

**The Deputy Speaker**, (hon. Lemoosa): What is it hon. Lorunyei?

**MCA Nachola Ward**, (hon. Lawrence Lorunyei): According to the statement, where need arises, we look for the solution. If the Executive saw the need of having another extra office, and request this hon. House to approve, then I think it has no harm, however, I request for your guidance. My question is, do we need a response from the Executive which came up with the idea of an extra office? Or should we; put a Motion as a result of the need of the upcoming office. It is true our county has a problem of water, so, how do we tackle the issue now that the department of water is one of them? Thank you.

**MCA Ang'ata Nanyokie Ward**, (hon. Paul Leshimpiro): We are not in a position to say the county government not or the Executive does deserve to have those offices but what the statement was requesting was, why was it created without following the right procedure. Unless we are told you did approve those offices before the election. If that was not the case, the whether the need was there or not, the procedure used was the one we are questioning.

**The Deputy Speaker**, (hon. Lemoosa): Hon. Members, the hon. Lawrence Lorunyei was requesting to understand and get guidance from the Chair whether it is the House or the

Executive that should approve the establishment of the extra offices. But I want to be guided by the County Government Act and the Standing Orders that of course the need to create any office is originated by the Executive; the Public Service Commission having in mind the budget and all that pertains to create an office.

The work of this hon. House is just to approve and because the executive has seen the need, and they have come up with the offices that the hon. Wonyang' wants to understand, guided by those facts (that it is the Executive that creates offices), and ours is to approve, then the hon. Majority Leader has a point that these answers are not forthcoming now because the authority concerned are not around. To me it is not demeaning the House but because the County Secretary, who is in charge (the CEO) of the government, whom the Majority Leader would have liaised with to get the needed answers, is not around. Why then don't we agree and give the Leader of Majority more time to engage and bring sufficient answers?

**MCA Nachola Ward**, (hon. Lorunyei): In the department of Water, the CEC was hon. Lekupe. May be he saw the need of creating another office to separate water from his department and it did not go outside. It was not the Governor who initiated but the office applied to the County Service Board for its creation. The Governor is just there for approval.

**The Deputy Speaker**, (hon. Jonathan Lemoosa): I will give guidance on that. hon. Lesoipa.

**MCA Suguta Marmar ward**, (hon. Shadrack Lesoipa): Thank you Mr. Speaker Sir. When you start advertising and interviewing the nominees, the budget must inform all the processes that you do. As we wait for the supplementary, you cannot purport to supplement a budget that was meant for development just to recruit an already burdened wage bill on the county government. It is the previous budget that will inform the advert and subsequent interviews of the said nominees. It is wrong to advertise and interview people for offices that will cost more than Kshs.60 million that is not informing the budget. That is an illegality but they can go ahead and identify the need to convince this House why they are creating such an office. As we stand now, there is no budget to support the recruitment.

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Hon. House, I think we are guided by the Standing Orders that clearly states that we should not anticipate debate. I want to give some

insights to the Members in accordance to the Standing Order number 46, (1) to (4), on approval of public appointment committal to committees.

1. Upon receipt of notification of nominees for appointment to an office, under any legislation required to be approved by the assembly, the nominee shall stand committed to the sectoral committee of the assembly for consideration.
2. Despite paragraph 1 clause 1, appointment under article 179, (2)(b) of the Constitution shall stand committed to the Committee on Appointment.
3. Before holding an approval hearing, the committee to which proposed appointments have been referred shall notify the candidate and the public of the place and time for holding the approval hearing seven days before.
4. The committee shall conduct the hearing.

I want to believe by creation of a division, and speaking as a CEC, I know that this House does not deal with a CEC but it should be furnished by the County Secretary of such hefty matters. But this does not mean that the separated departments from the ministry had no budget. Let us not anticipate that. I want to direct and rule that as a House we put aside all this and give the Majority Leader until Wednesday next week to come from that particular hearing. Let us continue to the next order.

### **MOTION**

**The Leader of Majority**, (hon. Christopher Lentukunye): Thank you once again Mr. Speaker. I stand to move a motion THAT, pursuant to the provisions of Standing Order number 29 (3), this Assembly adjourns until Tuesday, 28<sup>th</sup> November, 2017 at 2.30 pm. Thank you.

I call upon hon. Leparsaiya to second the motion.

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

**The Deputy Speaker**, (hon. Jonathan Lemoosa): Hon. Members, I propose that pursuant to the provisions of Standing Order number 29 (3), this Assembly be adjourned until Tuesday, 28<sup>th</sup> November, 2017 at 2.30 pm.

**MCA Suguta Marmar ward**, (hon. Shadrack Lesoipa): Thank you Mr. Speaker Sir. It is good that the mover of the motion gives clarity to convince this House to support the motion.

**The Leader of Majority**, (hon. Christopher Lentukunye): Thank you Mr. Speaker. Given that there is an inter-governmental sports association supposed to take place from Monday next week, it is prudent that this assembly joins other assemblies of Kenya in interacting. It is important that the House adjourns to allow the Members to participate in the activity as it will enable members to interact with members from other assemblies. I, therefore, call upon the hon. Members to approve the motion. Thank you.

**The Deputy Speaker**, (hon. Lemoosa): Please if you have an input, put your hand up. I cannot see who wants to talk.

**MCA Nachola Ward**, (hon. Lawrence Lorunyei): The Majority Leader needs to give us details. This is because today is on the 16<sup>th</sup>, if you add 12 days it becomes 28<sup>th</sup>, does this mean that we will have 12 days for sports? Thank Mr. Speaker.

**Majority Leader**, (hon. Christopher Lentukunye): Thank you hon. Speaker. I believe the hon. Member is a senior Member of this House; every Member is aware of the House calendar. This is our last day. The next sitting is on Tuesday next week. Nothing is new. Mr. Speaker I need to consult with you first.

**The Deputy Speaker**, (hon. Lemoosa): Yes.

**Majority Leader**, (hon. Christopher Lentukunye): Thank you Mr. Speaker. I beg to continue. As I said earlier, this is the last day of our plenary. Our activities will begin from Monday next week where it will add to our next sitting which will be on the 28<sup>th</sup> Tuesday which will be the other week. I do not have anything to explain further because it is self-explanatory.

**MCA Suguta MarMar Ward**, (hon. Shadrack Lesoipa): Thank you hon. Speaker and the Majority Leader. As you posed to consult the Speaker, there is also a consultation that you may have probably forgotten to consult; it does not add up that the previous Statement will be answered on Wednesday. If this House will be adjourned until 28<sup>th</sup> then it will be a great

misdirection to this House. For records purposes, I think it should be expunged from the Hansard recording.

*(Call for a point of Order by the Majority Leader)*

**The Deputy Speaker,** (hon. Lemoosa): Hon. Lesoipa, we have concluded that if there will be no plenary on Wednesday 22<sup>nd</sup> it does not mean that the question will not be answered in any other plenary session. Let us not anticipate all these factors; the House has already given the direction on the answering of hon. Wonyang's question. That is a direction.

**MCA Suguta Marmar Ward,** (hon. Shadrack Lesoipa): To add on that, today is Thursday 16<sup>th</sup> and we may arrive on the event on the 20<sup>th</sup>, if this House is not prepared enough for the sporting activity then we might drop out from the preliminary of the sporting activity. I do not know if we do not make it to the sports then what will we be doing.

**The Deputy Speaker,** (hon. Lemoosa): I want to give some directions on this matter, when we talk of the 19<sup>th</sup>, where the Majority Leader seeks leave from the House from 19<sup>th</sup> to 28<sup>th</sup>, it means that 19 plus six days is 24<sup>th</sup> where it is followed by a Saturday or a Sunday, I believe that maybe all the Members will not be successful next round every Member will have a per diem for six days. There is no way that a Member can come back again and do any other official duty which can be paid. What matters here is the per diem which is official. May be the House is trying to say that they are not prepared, they should take days per diem and go and come back to continue. Thank you.

**MCA Nachola Ward,** (Hon. Lawrence Lorunyei): It seems that I have understood and I beg to support the Motion on adjournment because we know that from next week 20<sup>th</sup>, the sports will take a whole week. Because of this official activity I urge the hon. Members should at least support the Motion so that they can go and do that activity for that week. Thereafter on the 28<sup>th</sup> we shall come back and continue with our business. Thank you Mr. Speaker Sir.

**The Deputy Speaker,** (hon. Lemoosa): Thank you hon. Lorunyei.

**MCA Wamba East,** (Hon. Lekwaale): Thank you Mr. Speaker, I also support the Motion because it also time for the hon. Members to bond. I want to ask that we should not be postponing Statements. That is just my worry, thank you Mr. Speaker.

**The Deputy Speaker,** (hon. Lemoosa): If the hon. Members are comfortable with the adjournment, I now propose that Pursuant to the Provisions of the Standing Orders number 28/3 this Assembly stands adjourned until Tuesday 28<sup>th</sup> November, 2017 at 2:30 pm.

Hon. Members, the time being half past 3 o'clock, and there being no other business, this Assembly stands adjourned Tuesday November 28<sup>th</sup>, 2017 at 2:30 pm. Thank you.