

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Tuesday, 8th February, 2022

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

Temporary Speaker, (Hon. Paul Leshimpiro) in the Chair

PRAYER

COMMUNICATION FROM THE CHAIR

Temporary Speaker, (Hon. Leshimpiro Paul): Hon. Members, I take this opportunity to welcome you back to the sixth session of this House this term. It has been a long session and as you know this will be our last session in this Assembly and so I request the Hon. Members to take the opportunity to be concerned on all the activities and legislations ahead of us because time is not on our side and we wish to accomplish all that we wanted to do by the end of the session; let us not forget that we are still in a period of COVID-19 so we need to observe the protocols as required and we will do better as a Country and as a County we are doing fairly well and we will overcome it.

I wish to request all the Hon. Members to go for COVID-19 vaccines including those who have got the two doses of Astra Zeneca to take the booster dose, otherwise, welcome all.

PAPERS

Chairperson, Committee on Budget and Appropriation, (Hon. Lempei Peter): Thank you Hon. Speaker I also wish to join you in welcoming all the Members back from the long recess.

Mr. Speaker I wish to lay before the House the following papers:

1. The County Fiscal Strategy Paper 2022/2023.
2. The Medium Term Debt Strategy 2022/2023, 2023/2024, 2024/2025.

Thank you Hon. Speaker.

Temporary Speaker, (Hon. Leshimpiro Paul): Hon. Members, as a tradition, I commit both papers to the Committee on Budget and Appropriation.

Chairperson Committee on Budget and Appropriation, (Hon. Lempei Peter): Much obliged Mr. Speaker.

NOTICES OF MOTION

Chairperson, Committee on Lands, Physical Planning, Housing and Urban Development, (Hon. Lekwale Lucas): Pursuant to Provisions of Standing Orders No. 46 this House debates and

approves the report of the Committee on Lands, Physical Planning, Housing and Urban Development on Maralal part development plan (PDP). I request Hon. Lesoipa to second.

MCA Suguta Marmar Ward, (Hon. Lesoipa Shadrack): Thank you Hon. Speaker, I stand to second the Motion moved by the Member for Wamba East hoping that each and every Member has the report and read it properly. Hon. Speaker I beg to second.

MCA Elbarta Ward, (Hon. Lempei Peter): Hon. Speaker, I am aware that indeed there were concerns from the Hon. Members on sufficiency of information consequent to the Motion that was moved by Hon. Lekwale, Member for Wamba East, and seconded by Member for Suguta Marmar.

Hon. Speaker, much as it was an informal arrangement I think it was in unison that the Hon. Members had concerns of debating the report before us when they have not been supplied with sufficient information on the same.

(Applause)

Mr. Speaker, it is my plea that this business be moved to the following day or the day after as convenient so that the Hon. Members are able to read this report and be content including the technicality that are involved in the same and are in custody of our clerks and the same information be supplied to the Hon. Members before they proceed on to make this debate, thank you Mr. Speaker

(Applause)

MCA Lodokejek Ward, (Hon. Leshoomo Jerias): Thank you Hon. Speaker, I stand on Standing Order No. 53 (1) and (3). *53 (1) when a Motion has been moved and if necessary seconded, the Speaker shall propose the Question thereon in the same terms as the Motion, and debate may then take place upon that Question.*

53 (3) Despite paragraph (2) the Speaker may, on the request of a Member, defer the putting of the Question to the following day in which case the Speaker shall there upon nominate time at which the Question shall be put.

Hon. Speaker we all agree and concur with Hon. Lempei that we change the caucus as a House and we agreed to postpone the Motion until the following day so as to give Members enough time to deliberate and come with recommendations to the Committee before tomorrow, thank you Hon. Speaker.

Temporary Speaker, (Hon. Leshimpiro Paul): Thank you Hon. Leshoomo, Hon. Members I think we are just trying to jump the gun because as far as we are concerned, it is order number 6 that is supposed to have been Notice of Motion. Therefore, we are jumping the gun to debate on while I suppose the Member read the Notice of motion.

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you Hon. Speaker for guiding us. Mr. Speaker, I think it is by default and by the instructions of the Chair that we all have read the wrong motion and that is the response from the Members based on the motion that was moved by the Member for Wamba East, Hon. Lekwale. Therefore, Mr. Speaker, I think much of the problem is coming from the Chair.

Temporary Speaker, (Hon. Paul Leshimpiro): Okay, now that was still Notices of Motion. So let us be patient and we will deliberate on other things whether to differ or not but that will come thereafter. We are still on Notices of Motion, so there is Notices of Motion number two.

The Deputy Leader of Majority, (Hon. Elizabeth Kalapata): Thank you Hon. Speaker. I beg to be guided here, are we on Notices number two or three? Number three, okay. I proceed. Approval of the Members to serve in the House Business Committee, THAT Pursuant to the Provisions of the Standing order No. 46, I wish to give notice of the following motion; THAT Pursuant to Standing Order 150(1), the Assembly approves the following Members nominated to serve in the House Business Committee. In addition to the Speaker of the Assembly, who pursuant to Standing Order No. 157 (1) (a) (b) to (e) shall be the Chairman of the Committee, the Deputy Speaker who shall be the Vice Chair and the Majority Leader, the Minority Leader, the Members are; Hon. Asha Mohammed, Hon. Lesoipa Shadrack, Hon. Lucas Lekwale, Hon. Josephine Lesilampa. Thank you Hon. Speaker.

MOTION

Chair, Committee on Lands, (Hon. Lucas Lekwale): Thank you Hon. Speaker. Mr. Speaker, I just want to be clear, that in my mind when I rise up, it is you who has appointed me to rise up. And I stand by that Mr. Speaker. So Mr. Speaker then, I don't mind repeating the motion.

Mr. Speaker, I beg to move the following motion, THAT Pursuant to the provisions of Standing Order No. 46, this House debates and approves the report of the Committee on Lands, Physical Planning, Housing and Urban development on the Maralal Part Development Plan (PDP). This time Mr. Speaker, I call upon Hon. Silapia to second the motion. Thank you.

(Hon. Silapia bows to second the motion)

Temporary Speaker, (Hon. Paul Leshimpiro): Hon. Members, I propose the Question **THAT** Pursuant to the provisions of Standing Order No. 46, this House debates and approves the report of the Committee on Lands, Physical Planning, Housing and Urban development on the Maralal Part Development Plan.

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you Hon. Speaker, I think now we have it right. Hon. Speaker, from the onset I do not intend to oppose or propose the motion. Hon. Speaker, I rise looking at the mood of the House and consequent to an informal conversation we had in regard to the report before us. Hon. Speaker, it is our contention that indeed that we have not gone through this report sufficiently to be able to debate before this House. Because so many Hon. Members have serious concerns in regards to enriching this report, in regards to amending this report, looking at this report in complex whole so that it can come as negotiated document or a document that has a parting point.

Hon. Speaker, I wish to request that this Business, consequent to our Standing Orders that it be moved and allocated another time so that we are able to sit down, interrogate the report in complex whole. I beg the Members to support me in ensuring that this will be allocated another time and we have a debate when we are contented. Thank you Hon. Speaker.

MCA Maralal Ward, (Hon. Fred Kiragu): Thank you very much Mr. Speaker, and thanks a lot for remembering to call us the Honourables because this morning you forgot in the function that

we were in and I also wish to welcome the Hon. Members back from the recess. I also think these long recesses are not good because it is like today we are mixed up; right from the clerks to everybody and following the order paper.

Like my colleague, Hon. Lempei has said and Hon. Leshoomo had said there earlier on, Mr. Speaker we have not interrogated this report. It was availed to us this afternoon. As the Member in charge of the area under question who I represent in this House, we are just begging. We are not opposed to the report as such. Let us not be understood like we are opposing the report. We are not. But we just want to interrogate it, go through it and then make some one or two recommendations if need be. We cannot debate something that we have not gone through, and because it was availed to us, Mr. Speaker I am asking for your indulgence so that we just given today we go through the report and then we debate it tomorrow when we know what it entails and we know what change, what we might require. Thank you Mr. Speaker.

Chair, Committee on Lands, (Hon. Lucas Lekwale): Thank you Hon. Speaker. Mr. Speaker, I also agree with the Members because we took time to go through this report as a Committee and actually, we gave the best recommendations having of course done public participation, engaging the community and meeting the department in charge.

I just want to request the Members, honestly let us not deny our people tittle deeds. This process of issuing PDPs or issuing tittle deeds to our people is very dear to our hearts. I believe the Members to take that very seriously. Therefore, for me, I would urge the Members to go through the report make the necessary recommendations, and I believe tomorrow God willing we will all be in consensus to pass this report. So thank you so much, and God bless you Mr. Speaker. Thank you.

Temporary Speaker, (Hon. Leshimpiro Paul): Hon. Members, our Standing Orders No. 52 (3) reads that *Despite paragraph (2) the Speaker may on the request of a Member defer the putting of a question to the following day in which case the Speaker shall there upon nominate a time at which the question shall be put.*

In this regard as requested by the Hon. Chairperson, Committee on Lands, Physical Planning, Housing and Urban development I direct that we defer putting of the question until tomorrow Wednesday 9th February, 2022.

Hon. Members let us be orderly and hear from the Hon. Chairperson on when he wants the Question to be put.

Chairperson, Committee on Lands, Physical Planning, Housing and Urban Development, (Hon. Lekwale Lucas): Hon. Members, since you have the whole night to go through the report and I understand the urgency of this Partial Development Plans (PDP). I request Members to have it tomorrow at 9 Am.

(Hon. Members in disagreement)

Temporary Speaker, (Hon. Leshimpiro Paul): Hon. Members, I think the report I saw is just three or four pages unless you do not understand I do not think that that is a report that requires 24 hours.

For this reason, therefore, I direct that the Question will be put tomorrow Wednesday at 9 Am.

(Applause)

(Some Members disagree with the Temporary Speaker's ruling)

MOTION

Specially Elected MCA, (Hon. Kalapata Elizabeth): Approval of the calendar of the County Assembly for the sixth session (2022). **THAT,** Pursuant to the provision of Standing Order 28, this House approves the Calendar of the County Assembly that is regular sessions for the sixth session (2022) as contained in the schedule.

I call upon Hon. Zamzam second the Motion.

(Hon. Zamzam bows to second the Motion)

Temporary Speaker, (Hon. Leshimpiro Paul): Hon. Members, I now propose the Question **THAT,** Pursuant to the provision of Standing Orders 28, this House approves the Calendar of the

County Assembly that is regular sessions for the sixth session (2022) as contained in the schedule.

Specially Elected MCA, (Hon. Kalapata Elizabeth): Calendar of the House for 2022 regular sessions;

Tuesday 8th February, 2022 to Monday, 8th August, 2022. First part:

(A) Sitting days; Tuesday 8th August to Thursday, 3rd March, 2022 that is Tuesdays, (afternoon) Wednesday, (morning and afternoon).

(B) Short recess; Friday, 4th March – Monday, 14th March, 2022

(C) Sitting days; Tuesday, 15th March – Thursday, 14th April, 2022 that is Tuesdays, (afternoon), Wednesdays, (morning and afternoon) and Thursdays (afternoon).

(D) Long recess; Friday, 15th April – Monday, 9th May, 2022

Second part:

(E) Sitting days; Tuesday, 10th May – Thursday, 9th June, 2022 that is Tuesdays(afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)

(F) *Sine Die* recess period: Friday, 10th June – Monday, 8th August, 2022 that is *Sine Die* recess

End of term of the second Assembly -8th August, 2022 at midnight. Thank you Hon. Speaker.

MCA Elbarta Ward, (Hon. Lempei Peter): Thank you Hon. Speaker, I am not very certain that this Motion should have been seconded. I ask for your guidance before I proceed.

Temporary Speaker, (Hon. Leshimpiro Paul): Hon. Lempei, are you asking whether...

(Interrupted)

MCA Elbarta Ward, (Hon. Lempei Peter): Mr. Speaker I was just asking for your guidance whether this Motion needed to be seconded before I proceed for the purpose of records and legalities.

Temporary Speaker, (Hon. Leshimpiro Paul): Yes, it required to be seconded and give it back to Hon. Kalapata.

The Deputy Leader of Majority, (Hon. Kalapata Elizabeth): I call upon Hon. Leshoomo to second.

(Hon. Leshoomo bows to second the Motion)

MCA Elbarta Ward, (Hon. Lempei Peter): Thank you Hon. Speaker. First of all, I wish to welcome the members of the public in the public gallery and whose rights is envisaged in the Constitution and in our Standing Orders that they have the right to be in the public gallery to listen to the business of this House and to also evaluate the performance of the Members of this House, actually being the employers of the Members sitting today here.

Mr. Speaker, the calendar is very certain, clear and regulated by our Standing Orders. Looking at the calendar it really fulfills the requirements of our Standing Orders and the regulations put by the National Assembly and indeed everything should move intended and must also mirror how our National parliament runs but my only worry is it ends with a *sine die* which we all know it is not a pleasant word and it shakes all of us.

Mr. Speaker, with not much ado, I wish to support the Motion moved by the Deputy Majority Leader Hon. Kalapata.

(Question put and motion passed)

Temporary Speaker, (Hon. Leshimpiro Paul): Hon. Members, the time being 20 minutes to 3 o'clock and there being no other business this Assembly now adjourns until Wednesday the 9th February, 2022 at 9:00 am. Thank you