

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 10th February, 2016

The Assembly met at the County Assembly chambers at 8:30 a.m.

The Deputy Speaker, County Assembly of Samburu, (hon. Adamson Lanyasunya) on the chair

PRAYER

STATEMENTS

Pending response to statement on Maralal Energy Compaby

The Deputy Speaker, (hon. Adamson Lanyasunya): Hon. members are expecting responses of the statement No. 039/2015, from the chair for committee on Lands, Physical Planning, Housing and Urban Development concerning the concerning the operations of the Maralal Energy Company in Nyiro ward asked by member for Nyiro ward, hon. Jonathan Lemoosa. Hon. Fabian Lolosoli

Leader of Majority, (hon. Fabian Lolosoli): Thank you hon. Speaker. That statement was supposed to be responded to by the committee on lands and since it is like we have not been having enough time to respond to it, I request that we be given more time so that we can be able to deliberate on that and report to the House, thank you.

The Deputy Speaker, (hon. Adamson Lanyasunya): So can you give us tentative date?

Leader of Majority, (hon. Fabian Lolosoli): Maybe you can give us about two weeks.

The Deputy Speaker, (hon. Adamson Lanyasunya): So we will slot it for 23rd Tuesday at 2:30 p.m.

Majority Whip, (hon. Benjamin Leitore): Thank you hon. I disagree with the dates simply on the grounds that during the governor's trip to Nyiro, this was a burning issue and the public pointed out that if the solution is not found soon, then something serious might happen which we may not predict so we suggest that an answer should be given to this question within the shortest time possible.

The Deputy Speaker, (hon. Adamson Lanyasunya): I would then like to know the members of the committee and if the chair is not around then the vice chair should answer. Hon. Linda Naserian

Special Elected MCA, (hon. Linda Naserian): Thank you hon. speaker, I would like to agree with my colleague hon. Leitore as I do not understand where the problem is whether it is with the

members or the committee such that matters of importance are not treated with urgency. Because I agree with him when we went for the governor's trip, that was a very sensitive issue and we do not know what the people we represent might decide to do after. I would like to urge you Mr. Speaker to give direction on this because it is actually an issue that needs to be treated with urgency and the community is expecting response as soon as possible, thank you.

MCA Suguta Marmar ward, (hon. Shadrack Lesoipa): Thank you Mr. Speaker, I also echo the same sentiment given that the same question has been asked for a long time and we had a very long recess that we suppose the committee could have sat down and be able to give a comprehensive answer to the statement in question. This House is no longer taking issues of great importance seriously and I was in that meeting too. We want to know what transpired during that time although not in this government, we want to set records right and know exactly what happened pertaining to the issue in Nyiro ward as it has been a great concern to that community land. We want exactly to know what has transpired and who are behind it and what were the terms of agreement?

It has become a tradition of this House that whenever a question is asked. Are the chairs of the committees been presumed to be the whole committee of that department? It has become the tradition of this House that whenever the chair is not present, then all questions escape being answered and I think it is a very bad precedent if we go by it. I think the other members are able and that is why they are adopted to be part and parcel of that committee. Also the vice chairs should take the responsibility as we should not be taking positions as means of attaining benefits and we had a very tough regrouping of committee the other day, people requesting to be vice of several committees so that they can be able to bring their inputs to these committees. Therefore, it should not be an issue that if the chair is not around, the questions should be delayed to that extent. This is a question which has been asked for a very long time so I do not see the reason why it should be slotted again for another two weeks as they normally say justice delayed is justice denied. So I think the committee should come together so as to answer this question and Thursday is my proposal as this is a matter of urgency, thank you.

Special Elected MCA, (hon. Linda Naserian): Thank you Mr. Speaker for the second chance to address this issue. I did say before that I do not understand why this hon. House seems to be

giving a deaf ear to issues concerning Nyiro ward. We all know that it is two to three years down the line since I brought a statement concerning the purported; lease agreement between the Samburu county government and Stima Ken Company and that still concerns the same ward. I do not know if the committee is trying to play the same game that they played earlier on and may be that is the reason they are delaying the response.

In my point of view, we ought to form an ad hoc committee to address the issue because Nyiro ward should not continue suffering because of the committee (*APPLAUSE*) which does not want to carry out its responsibilities; we cannot continue to lie Mr. Speaker. And I being a resident of Nyiro ward, I can comfortably say we would rather form an ad hoc committee where we will be members of that committee so that we can address issue concerning our ward. Because, if the lands committee does not play its role and responsibilities, then there is no reason for that committee to exist. A statement stayed in this hon. House for three years without response and so I personally have lost trust with the committee, thank you.

Chief Whip, (hon. Benjamin Leitore): Thank you hon. speaker, I am just strengthening on the same as I remember the leader of majority who is also the vice chair for the lands committee saying before we went for the recess asking for a period of two weeks to respond to the statement then the same has been requested by him today. So, we do not see the reason as to why members should be vice chairs or chairs of committees if they do not respond to the questions sought from their departments.

It is painful to see a committee postponing responses that are expected from them especially when it comes to lands issues as pointed out by hon. Linda Naserian. Sarima issue is a burning issue which was raised by the community at *Loonjorin*. This one has been raised by the people of Waso Rongai and it is a burning issue, so if we keep on postponing responses then we are telling the public that they should take action that they found appropriate themselves because we are failing to address and we are failing to understand the roles of some committees here. As it has become their tradition not to respond to the questions asked by hon. members.

I ask the hon. leader of majority who is also the vice chair for the said committee that we need to reconstitute these committees afresh because, if some members fail to take up their responsibilities then, they are telling this House that they are incapable of performing their roles.

So, I think it is the high time that we constitute our committees afresh so that we give members who are able to take up issues of great importance like lands issues chance to serve the people. Mr. Speaker, that is my concern and we expect your response and direction on the same, thank you.

The Deputy Speaker, (hon. Adamson Lanyasunya): Thank you hon. members, it is true that there are statements that have been dragged for a long time and it is because of the inactiveness of the committees. I thought the chair and the vice were not here for the committee but now that the vice is here, I rule that we need that response on Tuesday next week in the afternoon after which we will have to reconsider reconstituting the committees that are not active.

I also propose that we will have a liaison committee meeting in the morning so that we will be able to review all the pending statements and bill, and any other policies that are ahead of us. I also instruct the clerks to bring the list of the committees tomorrow and I will be having the list of the chair of the committees here on the table every time we know members of various committees as sometimes they hide so that when I will be giving statements and the chairs or the vice chairs are not in, then I will be picking the members of the committees to pick up the statements and we will give very strict deadlines, this way we will do the work that will enhance quick service delivery to our people.

Today hon. Members, we are also expecting statement responses No. 041, 2015 from the Chair of the Committee on Medical Services, Public Health and Sanitation concerning the extraneous allowances for community health workers requested by hon. Modesta Ellie. Then response to statement No. 042, 2015 from the Chair, Medical Services, Public Health and Sanitation concerning the maternal health care in Maralal hospital requested by hon. Modesta Ellie, Hon. Leader of Majority.

MCA Waso Ward, (Hon. Fabian Lolosoli): Thank you Hon. Speaker. It looks like the Chair for the Committee of Health is not in the House. We have been having a lot of problems in the North and most of the Hon. Members from the North are not in the House. I request that we seek more time until Tuesday next week so that when they will be in the House they will be able to respond to that statement. Thank you.

MCA Lodokejek Ward, (Hon. Jerias Leshoomo): Thank you Hon. Speaker. I think that we have a lot of pending statements from this department. I also remember that I asked for several statements regarding the ambulance drivers and the casual's allowances in respect to our dispensaries. I do not think that it is only the Chair who can answer questions in this House. I can see that there are several Members from the committee who are seated here. I do not think that it is prudent for us to suspend several statements.

Some of the statements can be backdated to October last year. I do not think that we are doing justice to our people if we are not responding to statements raised by Hon. Members. We have been talking about the ambulance drivers for a long time. These people are working 24 hours for the sake of the citizens of this County. If we are not responding to statements then how can we know the state of the people at the community level? For the sake of this House and the community, I think that it is prudent for the Members of these committees who are sitting in this House to give responses to these statements rather than postponing them, Thank you Mr. Speaker.

MCA Suguta Marmar Ward, (Hon. Shadrack Lesoipa): Thank you Mr. Speaker. I think that it is becoming a song in this House. I remember what the Hon. Member for Lodokejek said in the request on the ambulance drivers. I think that the Committee sat here during the month of September last year. Until now, the findings have not been tabled in this House. Some of the Members (*inaudible*) of those Committees, I think that it is time as the Chair to give directions on how we are going to manage these Committees in the House. I even stated earlier that the Chair is not a committee. I think that the Committee is comprised of the vice chairs of these committees.

What I am seeing in this Assembly since inception is that this House has taken committees solely to be the chairs of these committees. For example, if the Chair of Public Works is not around, then I think that nothing will move in that department. It is the time that we should revisit the Standing Orders and point out what exactly are the work of the members of these committees. They can be able to seat in the absence of the Chair and be able to give reports. I am not encouraging the various chairs not to be responsible but in totality that is what we are seeing, thank you.

MCA Maralal Ward, (Hon. Elly Loldepe): Thank you Mr. Speaker. As a member of the committee, I request that we respond to this statement tomorrow afternoon, especially statement number 42. We will give a feed back to the statement number 41. I think that the committees of this House have turned out to be a money-making venture rather than functional committees. I say this because, ever since we came to this House, the Committees have been sitting. If you take the attendance list it indicates that the Committees have always been meeting and they have been paid for. The work that they do is not even tangible and it cannot be seen in any way which is a very big disgrace to the communities around us and to the people who we represent. I think that we lay a very bad precedent by allowing this kind of traditions to continue in this House.

Thirdly, the chairpersons of the committees have turned out to own the committees. Ownership of the committees is becoming a very big setback to this House. I remember one day we had reports from most of these committees are even pending. I even have messages here sent to Members requesting them that we meet so that we can respond to those statements. But since the communication did not come from the Chair who does not want to call for the meetings, no one responded. So how do we move on? I think that it is the highest time that the committees in this House are disbanded and anyone who has ever chaired any committee should not Chair again.

I think that we need to take bold decisions as a House rather than us singing songs just like my colleague Hon. Lesoipa has just said that we are making songs that we are not even ready to dance to the tunes. This is because the tunes that we are singing inside the House are different from the songs that we sing outside this House. I think that it is the right time to sit, think and look for a way forward. It is not just about that committee but about all the other committees.

I have called the PIC and PAC Committee to sit and finalize the report but they have not even tabled a single report despite the ten reports that are pending. I have requested for a statement from the Public Works but it is shelved because of interests. Health, Lands and several other reports are pending. So, which Committee does not have pending reports? I think that it is high time that we see what is happening in this House Mr. Speaker, Thank you.

(Call for a point of Information by Hon. Linda Naserian)

Specially Elected MCA, (Hon.Linda Naserian): Thank you Mr. Speaker. I stand to inform Hon. Shadrack Lesoipa who has just said that any member of a committee can take the responsibility of calling for a meeting. It is clearly stated in the Interim Standing Orders that is the guiding law in this Hon. House that it is the responsibility of the Chair to call for a meeting. If he or she is not in a position to call for the meeting, he or she can delegate the vice chair or any other member in the committee.

It is in order for us to expect the chairs to call for the meetings. If they cannot do so then they should communicate to any member of the committee to call for the meeting. I do not know how all the members of the committee can take the responsibility of calling for the meetings. You can only imagine if the nine members of the Appointment Committee take the responsibility of calling for the meeting. The Chair should not direct the blame to the other Hon. Members because it is the responsibility of the members to call for the meeting to address such issues concerning what I have raised in this Hon. House. Thank you.

The Deputy Speaker, (Hon. Adamson Lanyasunya): Thank you Hon. Members. We will slot for the response of the statement number 042 as requested by Hon. Elly. It is also good to note that the committee also has a role of playing checks and balance in the way that the committees play roles when carrying out their duties. Committee members can also complain if the Chair or the Vice or a particular Member is not active in the Committee. I also urge the Members to be active.

It is also obvious that Members were always very busy during the two months recess period. We just opened the Assembly yesterday and a big percentage of them are still in recess activities. Now that we have resumed the House, we need to be very active so as to familiarize ourselves with statements, bills and so on. The Liaison and the Appointments Committee should also be very active to play a key role to ensure that the committees are active.

It is also good that the Committees bring their work plans. I request the chairs, which has also been a song for a very long time, to give the work plans. If you do not have the work plan, then it is hard to even play the role as committees. Create your work plans so that you may be guided on daily activities. We will also be able to monitor other official work of the chairs or the vice chairs or the committees. Sometimes, you may be away for a week and the statement delays.

Sometimes we give a lot of blames when some members are also on another official duty. We will be able to understand all those dynamics, Thank you.

Hon. Members the time being 5 minutes past 3 o'clock and there being no other business, this Assembly stands adjourned until Wednesday afternoon, 10th February, 2015, at 2:30 pm. Thank you.