

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 9th October, 2024

The Assembly met at the County Assembly Chambers at 2.30 pm

Temporary Speaker, (Hon. Lenamparasio Phelix) in the Chair

PRAYER

PAPERS

MCA Wamba North Ward, (Hon. Lentukunye Christopher): thank you Mr. Speaker. I rise to table the report of the selection committee on nomination of members to County Assembly Committees. Thank you, Mr. Speaker.

NOTICES OF MOTION

MCA Wamba North Ward, (Hon. Lentukunye Christopher): Pursuant to standing Order number 47, 1, the County Assembly debates and adopts the second report on the selection for nomination of members to various committees of the Assembly.

STATEMENTS

Temporary Speaker, (Hon. Lenamparasio Phelix): Honorable members it is notified that the Speaker has approved the following requests for statements;

Statement number 024 of 2024 requested by Hon. Lorunyei MCA Nachola Ward to the Chairperson committee on agriculture, livestock veterinary services and fisheries in regard to agricultural extension officers across the ward.

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Thank you Hon. Speaker. Pursuant to standing Order number 45C, I hereby request for a statement from the Chairperson of the committee of agriculture, livestock, veterinary services and fisheries in regards to agriculture extension officers across the fifteen Wards.

Some parts of Samburu are known for having agriculture extension officers where they play a vital role in livelihoods of the residents. It is essential that we understand how these officers impact the people of Samburu County as their wellbeing is intricately tied to success of agriculture in the region. Hon. Speaker, the agriculture extension officers in the local area has profound impact on the economic development of the County, including food security, income generating activities and overall quality of life for the residents.

It is crucial that we obtain this information to assess the effectiveness of our agricultural programs and ensure that the needs of County Residents are being met in a sustainable and efficient manner. In view of this, the Chairperson should inquire into and report on:

1. Are there agricultural extension officers assigned to each of the fifteen wards?
2. If yes, who is designated Agriculture Extension Officer for Nachola Ward?

Thank you, Hon. Speaker.

Temporary Speaker, (Hon. Lenamparasio Phelix): Well Hon. Lorunyei, Chair, Committee on agriculture?

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker. Let me take this time to appreciate the member for Nachola Ward for coming up with this statement request. We are here to represent people and Samburu people need service delivery. With that, we understand that we are going on recess until 29th of this month so we will bring a response on the 29th October 2024 at 2:30pm. Thank you.

Temporary Speaker, (Hon. Lenamparasio Phelix): Hon. Lawrence are you okay with that?

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Yes, Hon. Speaker. I am okay with it. Thank you.

MOTION

MCA Wamba North Ward, (Hon. Lentukunye Christopher): Thank you Mr. Speaker. Pursuant to Standing Order number 47,1, the County Assembly debates and adopts the second report of the committee on selection on nomination of members to various committees of the County Assembly. May I call upon Hon. Leitoro to second the motion.

MCA, Elbarta Ward, (Hon. Leitoro Jeremiah): Thank you Hon Speaker. I stand to second the motion to support the motion and really want to appreciate the work that the committee on selection has done...

Temporary Speaker, (Hon. Lenamparasio Phelix): Hon. Leitoro just second the motion. You will get time to debate. Thank you Hon. Jeremiah. Honorable members I now propose the question that pursuant to Standing Order 47,1, the County Assembly debates and adopts the second report of the committee on selection on nomination of members to various committees of the County Assembly. Hon. Leitoro let me give you the first chance to debate.

MCA, Elbarta Ward, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker, I would like to take this opportunity to thank the Hon. Members...

(Interjection on a point of Order by Hon. Lanamatiyo Silapia)

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Hon. Speaker, how are we going to give the Members to discuss a on a report that has not yet been read. Let me remind you that let the mover of the Motion first read the report so that we can ventilate after that.

Temporary Speaker, (Hon. Lenamparasio Phelix): Okay, obliged. Very Sorry, Hon. Majority

The Majority Leader, (Hon. Lentukunye Christopher): Thank you Hon. Speaker. Article 185 of the Constitution of Kenya provides that the legislative authority of the County is vested and exercised in its County Assembly.

Mr. Speaker, a County Assembly my make any laws that are necessary or incidental to the effective performance of the functions and exercise of the powers of the County Government under the fourth schedule. A County Assembly while respecting the principle of separation of power, may exercise oversight over the County Executive Committee or any other County legislative organ.

Mr. Speaker, section 14 of the County Governments Act, 2012 provides that a County Assembly may establish Committees consistent with its Standing Orders in such a manner and for special purpose and for general special purposes as it may consider fit and regulate procedure of any Committee so established.

Mr. Speaker, we underscore the important the importance of the County Assembly Committees in the exercise of the noble duty bestowed upon this House; these Committees will help to organize the most important work of its Assembly, considering changing and passing of Bills and other legislative documents, overseeing agencies, progammes and activities within their jurisdiction and determination of any manner that may come to deliberation of this House.

Mr. Speaker, the late Hon. Leshimpiro Paul was a member of several Committees of this House and therefore, following his demise the Committee on Selection in accordance with Standing Orders No. 161 (1) is mandated to do replacement.

The Committee on Selection took up the task and made effort to constitute the committees within reasonable time. Mr. Speaker, during the replacement; the Committee observed the principles of equity, two-thirds gender rule, community and cultural diversity and protection of the interests of minority as set out in the Article 197 of the Constitution of Kenya and Standing Orders No. 161 (2) of the County Assembly of Samburu Standing Orders.

On behalf of the members of the Committee on Selection and pursuant to the provision of Standing Orders No. 160 (2) which states that *the Committee on Selection shall nominates members to serve in all Committees*. It is my pleasure and duty to present to the House the Committee's report on the replacement of the late Hon. Member.

Mr. Speaker, pursuant to Standing Orders No. 160 *There shall be a select Committee to be designated Committee on Selection consisting of The Leader of the Majority party who shall be the Chairperson, The Leader of Minority and not less than three and not more than seven other members nominated by Assembly parties and approved by the Assembly.*

Its mandate amongst others is to nominate members to serve in Committees safe for the membership of the County Assembly Business Committee and Committee on Appointment

The Committee on Selection as constituted by the House comprises of the following Members:

1. Hon. Lentukunye Christopher – Chairperson
2. Hon. Leleruk Koleiken – Vice Chairperson
3. Hon. Leitoro Jeremiah – Member
4. Hon. Lenamatiyio Silapia – Member
5. Hon. Lenanguram James – Member
6. Hon. Lemartile Francis – Member
7. Hon. Lekuchula David – Member
8. Hon. Lolosoli Rebecca – Member
9. Hon. Lenamparasio Caunda – Member

Mr. Speaker, the County Assembly is a creation of Article 176 of the Constitution of Kenya, the Constitution under 185 provides that the legislative of a County is vested in and exercised by the County Assembly in order to give effect to chapter 11 of the Constitution parliament enacted The County Government Act, 2012 that gives County Governments powers, functions and responsibilities to deliver services.

Mr. Speaker, the Committee on Selection is one of the Committees established under Standing Orders No. 160 (1) which provides *There shall be a select Committee to be designated Committee on Selection consisting of The Leader of the Majority party who shall be the Chairperson, The Leader of Minority and not less than three and not more than seven other members nominated by Assembly parties and approved by the Assembly.*

Mr. Speaker,

MCA Wamba North, (Hon. Lentukunye Christopher): The standing Order No. 60/ 3 further states that the Committee on selection shall be appointed within 5 days on assembly of a new assembly. Pursuant to Order N0. 164/1 states that the Committee on Selection shall within 7 days upon nomination of Members to serve many Committees on County Assembly present the list of the County Assembly for approval.

Further Standing Order No. 164 (2) states that whenever Motion for approval of the list under paragraph 1 is moved in the County Assembly no objection against the proposed Membership of a Member in a select Committee shall be permitted and objection if any shall be formulated against the proposed Membership as a whole.

The Committee sat on August 13th Tuesday, 2023. Mr. Speaker I find that this might be a typo error I think should be 2024 the clerk should note that error. 2024 to deliberate the replacement and the nomination of Members to different Committees.

Mr. Speaker pursuant to Standing ORDR No. 161 (1) and 161 (2) which states that unless otherwise provided by any written law of the Standing Orders the Committee on selection shall in consultation with the County Assembly parties nominate Members who shall serve on a select Committee.

The Committee on selection so far as may be practicable ensure that no more than two thirds of Members of the Committee of the Whole House including a committee established through a resolution of the House shall be of the same gender.

In view of the above provisions, Committee on selection based their nominations on the following criteria;

- Priority
- Preference
- Gender and Special Representation
- Balancing of sub-counties
- Professional Qualifications and Experience
- Skills and Expertise

The County Assembly Committees in which replacements are done are as follows;

1. Sectoral Committees on Agriculture Livestock Veterinary and Fisheries
2. Medical Services Public Health and Sanitation
3. Budget and Appropriation Committee
4. Public Accounts and Investments Committee
5. Committee on Procedures and House Rules

The selection Committee deliberated comprehensively and eventually nominated the Members to the various County Assembly Committees as shown below; I believe each Member has a copy, Mr. Speaker the Committee recommends that this Assembly adopts the report of Committee on selection... (*Murmurs*) there is a mix up here...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): Yes that one you should read it as the last page

MCA Wamba North, (Hon. Lentukunye Christopher): Yes thank you.

Temporary Speaker, (Hon. Lenamparasio Phelix): Just go to page 10

Mr. Speaker the select Committee on selection on this meeting held on Tuesday 13th Aug, 2024 respectively deliberated on the replacement and nomination of Members to different Committees

consequently pursuant to the provision of Standing Order 164/1 the select Committee nominated Members to serve in the select Committee as follows;

County Public Investment and Accounts Committee-

THAT pursuant to the provision of Standing Order No. 194 this Assembly approves the appointment of the Member to the Committee on Public Accounts and Investment. Mr. Speaker the Member referred in that paragraph replaced Hon. Paul Leshimpiro in the Committee of Public Investments is Hon. Christopher Lentukunye.

County Budget and Appropriation Committee –

THAT pursuant to the provision of Standing Order No. 195 this Assembly approves the appointment of Member to the Committee of Budget and Appropriation the Hon. Member is Esther Lenolkulal.

The provision of Standing Order No. 196 this Assembly approves the Appointment of Member to the County Assembly Procedures and Rules Committee the Hon. Member filled the position that was vacant Hon. Loloju Joseph Lekoren.

Agriculture Committee Livestock Veterinary and Fisheries pursuant to the provision of Standing Order No. 195 this Assembly 200(1) and (2) this Assembly now approves the appointment of the Member of the Committee on Agriculture Livestock Veterinary and Fisheries Hon. Francis Lemartile Medical Services Public Health and Sanitation, Thank you. It is now time for Members to react, I hope Jeremiah Leitoro you still have something to say.

MCA El'Barta Ward, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker, I hope this time round I will not be made to sit again for the third time and I really want to my colleague Hon. Silapia. We almost started debating on a motion that has been read by the majority leader. I really want to make my contributions on this issue.

I thank the Hon. Members on the Committee on selection for the wonderful job that they have done, I did know the assignment entirely was on replacement of the late Hon. Paul Leshimpiro and before I continue making my contributions, today when Hon. Majority leader reading the name of the late Hon. Paul Leshimpiro, it really reminded me a lot.

We served with him on many committees mentioned here, the medical services and public health, served in the same committee, also public investment and accounts committee, budget and appropriation committee, procedure and rules, in short I served in all committees that the late Hon. Paul Leshimpiro was serving. And tells that he was an icon and also my mentor. We really lost a very legislator. May his soul continue resting in peace however we are yet to get the justice? I think we need to come to that time and we will need to know what has transpired what happen to him. Some of us will feel good.

We all understand how these committees are and sometimes now that I have said I happen to be of the various committees that the late was a member, most of the time you find there a times we do not usually get quorums simply because we are operating on lesser number. Now that the replacement has been done, we want to congratulate the Hon. Members who have been appointed take the replacement and we welcome you, we are going to work together on ensuring our mandates, legislations and presentations and ensure the services that we have been appointed to do is therefore done. With those few remarks, I beg to sit.

Temporary Speaker, (Hon. Lenamparasio Phelix): Thank you so much Hon. Jeremiah. Any other Member who wishes to contribute?

(The question was put and passed).

MOTION

Temporary Speaker, (Hon. Lenamparasio Phelix): Hon. Jeremiah.

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker, I have been given this opportunity by the majority leader to move this motion. I beg to move the following Motion THAT pursuant to standing order No. 27(3), this Assembly adjourns today 9th October, 2024 and resumes on 29th October, 2024. Thank you.

Temporary speaker, (Hon. Lenamparasio Phelix): Hon. Members, I now proposed that this Assembly adjourns today 9th October, 2024 to 29th October 2024 at 2:30pm.

ADJOURNMENT

Hon. Members, the time being 26 minutes past 3 O'clock and there being no other business, this Assembly now adjourns until Tuesday, 29th October at 2:30pm.