

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 26th February, 2025

The Assembly met at the County Assembly Chambers at 9:30 am

The Speaker, (Mr. Lenamarle Stephen) in Chair

PRAYER

PAPERS

THE MARALAL MUNICIPALITY INTERGRATED

DEVELOPMENT PLAN 2025-2030

The Minority Leader, (Hon. Leleruk James): Hon. Speaker, I beg to table Development Plan of Maralal Municipality

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, The Maralal Municipality Integrated Plan (IDeP) 2025-2030 stands committed to the Committee on Lands, Physical Planning, Housing and Urban Development.

(Paper Laid)

MOTION

REPORT ON THE REVIEW OF COUNTY

ASSEMBLY STANDING ORDERS

Member, Committee on Procedure and Rules, (Hon. Lenamparasio Phelix): Hon. Speaker I beg to move the following Motion:

THAT, pursuant to Standing Orders No. 47, the House debates and adopt The Report of Committee on Procedures and Rules on the Report of the review of the County Assembly Standing Orders.

Mheshimiwa Spika nachukuwa fursa hii kumuomba Mheshimiwa Lenolkulal Esther kuliunga mkono mjadala huu, ahasante Mheshimiwa Spika.

Specially Elected MCA, (Hon. Lenolkulal Esther): Ahasante Mheshimiwa Spika, naunga mkono.

The Speaker, (Mr. Lenamarle Stephen): Hon. Member, I now propose the Motion; **THAT,** pursuant to Standing Orders No. 47, the House debates and adopt The Report of Committee on Procedures and Rules on the Report of the review of the County Assembly Standing Orders.

Member, Committee on Procedure and Rules, (Hon. Lenamparasio Phelix): Hon. Speaker, Standing Order 194 of the County Assembly of Samburu establishes the procedures and Rules Committee; with the mandate to, among others consider and report all matters relating to the County Assembly of Samburu Standing Orders including amendments.

Pursuant to Standing Order No. 194 (1); *there shall be a Select Committee, to be known as County Assembly Procedures and Rules Committee, consisting of the Speaker as the Chairperson, The Deputy Speaker as the Vice Chairperson and not less than three and not more than seven other members.*

Hon. Speaker, the Committee on Procedures and Rules as constituted by this House comprises of the following Members:

1. Hon. Lenamarle Stephen – Chairperson
2. Hon. Lelenkeju Jackson – Vice Chairperson
3. Hon. Leleruk James – Member
4. Hon. Lenolkulal Esther – Member
5. Hon. Lenamparasio Phelix – Member
6. Hon. Lekirimpoto Stacy – Member
7. Hon. Lemoosa Jonathan – Member
8. Hon. Osman Dube – Member
9. Hon. Loloju Joseph – Member

Hon. Speaker, the proposed amendments seek to amend the County Assembly of Samburu Standing Orders to provide for:

- a. The change in the hours of the meeting of the County Assembly; where the Assembly will be sitting on Tuesday and Wednesday from 9:30 AM and 2:30 PM.
- b. The appearance of the County Executive Committee Members before the County Assembly to respond to questions and report on matters under their dockets.
- c. The procedure for asking questions to the County Executive Committee Member by a Member and content of the questions.
- d. Procedure for removal of the Clerk and County Assembly Service Board Members (CASB).

- e. Alignment of membership of the Committee on Public Accounts and Investment; increase of membership from five to seven; and the Chairperson and majority of the members comes from the party not forming the government.
- f. Recognition of the women, youth and people with disability caucus.
- g. Introduction of virtual sittings in the County Assembly.

Hon. Speaker, may I take this opportunity to thank all members of the Committee for their input, valuable contribution and time during the review exercise. The Committee also takes the opportunity to recognize and appreciate Frontier Counties Development Council (FCDC) for their collaboration in review of these Standing Orders.

Frontier Counties Development Council played a role having facilitated validation workshop for the Members and technical committee held in Nakuru on 28th – 30th November, 2024. The Committee further thanked the Office of the Speaker and the Office of the Clerk of the County Assembly of Samburu for the technical support accorded to the Committee during this exercise for the support to the Committee during this exercise. Mr. Speaker we as Hon. Members have been sitting on Tuesdays, Wednesdays and Thursdays, due to a lot of work from Committee and from the Wards I think it is prudent that we sit on Tuesdays and Wednesday's morning and afternoon so that we may get a day to do Committees because it is somehow tedious if it is only on Mondays and Fridays this necessitated the change to the Standing Orders and I just hope that Members will adopt this report.

We change these Standing Order so that the County Executive Committee Members will be appearing in this House is because every time we do Statements in this House we get late responses and also responses that are not standard and this one will make sure that our time will be saved because each and every other time that we have an issue we will not be going back to the executive for Statements so having come here to answer the questions it will save our time.

Mr. Speaker I think a number of times you saw Members here brushing shoulders against each other just because a Chair person may intend to support the executive and that one is now coming to an end. There is no need to fight amongst ourselves here on matters better known by the executive. Them coming here we will have some peace between the Members.

On the criteria for asking questions it has to appear in our Standing Orders that we become very orderly when the CECM comes here. This is making our work easier. Last time here we had some big fight because there were some Members of the Service Board that we wanted removed, we followed procedure, we had a court case and now having in our Standing Orders a clear way of removing the Clerk and the County Assembly Service Board I think now it is very important that we have these procedures in our Standing Order. Before I give Members sometime to ventilate there is one Standing Order that is just want to bring to light Standing Order number 178 so I hope each and every other Member has this report and I will go very quickly to Standing Order number 178 that is one of the new Standing Order that we are introducing, I wanted the Standing Order that will bar the two County Service Board it is 178; this report is not numbered so amending Standing Order number 178 I hope every Member is on that page.

Standing Order 178 is amended by inserting the following paragraph. Secondly, Standing Order 78/2 will be reading as follows “A Member of the County Service Board appointed under Section 12/2/c of the County Government Act 2012 shall not be eligible to stand for election as the Chairperson or the Vice Chair of any select Committee”. So being in the board is a very big responsibility for Members and for them having two responsibilities maybe being in the board and again being the Chairperson of a Committee, it becomes very hard for the Member to perform the duties as required. So, the Members sitting in the board will only be members to the Committee but not Chair and Vice Chairs.

I now from a Committee that I sit in the Chair sits in the County Assembly Service Board so I may not know the other Committee who the Hon. Lealmusia Chairs Implementation I hope so but for this one of Roads the Hon. Members has been having a lot of issues because of the work for the Board and the Committee so it is prudent to release him to become a member and select another Chair as soon as this report is adopted. Mr. Speaker may I now take the opportunity on behalf of the Committee on Rules and Procedures and Pursuant to the Section 114/1/A of the County Government Act 2012 and the Provision of the Standing Order number 46/4 it is my pleasure and duty to present to the House the report and recommended to the County Assembly for adoption, thank you so much Mr. Speaker.

Minority Leader, (Hon. Leleruk James): Thank you Mr. Speaker I like also to thank the office of the Clerk for facilitating us to do this work. I urge the Hon. Members of the whole House that

we pass this amendment so that our work becomes easier. I wanted the Members to note that we have also amended Standing Order number 33 and the amendments seek to amend Standing Order number 33/1 by changing hours of meeting of our normal sittings this necessitates that we will fully that we will commit ourselves that on Tuesday and Wednesday we will commit what is supposed to be done within the House so that on the other days we will do our oversight to the Committee sittings.

It is prudent and many Members have been having issues not to be able to attend all the days to be able to be so active so I am urging Hon. Members let us support these amendments and let us do our work as it has been required and also Mr. Speaker what is so important to Members that we have been usually asking some questions to the Chairpersons of the Committee this is now an opportunity where we have amended new Standing Order no. 48,49,50,51 and 52 have been sit to insert new orders. This new insertion provides guidance to procedures of asking questions and responding to questions.

The current standing Orders only provides for statements and it is therefore important to provide a venue though which the County Executive Committee Members will appear in the County Assembly to answer questions asked by the members in the plenary.

So, it is a very important one and things will not be normal as usual. When we are asked question the CECM himself\herself will stand here and give what is required. Also, I wanted Members to note that there is a time when we tried the removal of Public Service Board Members and it was hard to do it. But now in our Standing Orders we have incorporated.

Standing Order no.78 Removal from the Office of the Member of the County Assembly Service Board:

1. A member of County Assembly supported by at least one quarter of all the members of County Assembly may propose a Motion for the removal of a member of the County Assembly service board only for the various reasons:
 - a) Serious violation of the constitution or any other law including contra vision of Chapter 6.
 - b) Gross misconduct.
 - c) Physical or mental capacity to perform the function of the office.

- d) Incompetence.
- e) Bankruptcy.

I think now when we did the last of removal of Public Committee service board, we did not have the standing orders. Now it is clear we will follow what is in our amendments and I urge all Hon. Members to note that amendment to standing order 179 (b) Amended through follows:

The Clerk shall appoint a place, date and time for the first meeting of our Committee within 7days of its constitution by the County Assembly or search further period as the speaker may approve and as soon as the majority of the Committee is present.

The clerk shall by a secret ballot conduct the election of the Chairperson and Vice Chairperson of the Committee. The candidate for election as Chairperson, Vice Chair of the Committee shall submit his nomination paper writing to the Clerk by 5:00 pm.

All Hon. Members first through the amendments and the reason why we want this to pass today. Hon. Members as House Committee if we pass this amendment today then will review receipts and draw the calendar of the House so that everything will start working as what the Members required and the flow of the activities will flow.

So, I urge every Hon. Members to make sure that we pass these amendments because the Committee has tried its level best and urge Hon. Members let us pass it with an open minded. I also urge The Speaker to find time so that all our members plus the clerks will go through what we have amended will maybe go for a refresher something like 2days so that everybody understands what entails in these standing orders that we have changed. Thank you.

Specially Elected Member, (Hon. Nareyo Stacy): Thank you Hon. Speaker. Mine is also to support the Hon. Members myself also being a member of the Committee to really thank the Committee for the good work they have done in coming up with the Report and amending the standing orders. I would like to urge the members of this House to adapt this Report since it will make our work easier and it will also bring respect to this County Assembly especially the laxity by The County Executive Members who have always been taking our County Assembly for granted.

I would really urge our members to support this Report and I would like to highlight one important thing that our cockers have been recognize the is in the Standing Orders that is the women cockers the youth and people living with disability. It is a good report and I would like urge our members to adapt it. We are hoping we are going to have a refresher course to take our members through it so that they can understand fully and they can add some things to it. Thank you.

Specially Elected Member, (Hon. Lenamatiyo Silapia): Thank you Hon. Speaker. I would also rise to support the Report and recommend the work that was done by Committee on Procedures and rules. I really thank this Committee on looking at our Standing Orders and also coming up with those amendments. First of all, let me appreciate the Committee for recognition on the women, youths and people with disability because it will enable the Assembly to facilitate these groups whenever they get the official invites.

And also enable these groups to request the Assembly, whenever they request anything from the Assembly, I think it is now official it can be facilitated. The other issue here I think today our seats are almost empty just because our electorates are not seeing us when we are doing our proceedings. But today I saw introduction of virtual sitting in the County Assembly. That will enable all of us to be present because our electorates will be seeing the Elected Members.

And also, when you look at this House today, we have only 2 elected leaders in the House. I think that will encourage them to be present all the time. Thank you let me also appreciate the administration lead by the clerk and also your leadership as the Speaker for making sure that these amendments are here today. And we are going to consider them as it is. Thank you, I do support.

(Question proposed, put and passed)

ADJOURNMENT

The Speaker, (Hon. Lenamarle Stephen): Hon. Members the time being 1 minute to 10 o'clock and there being no any other business this Assembly now adjourns until 26 February, 2025 at 2:30 pm.