

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Third Assembly (Second Session)

Wednesday 1ST March, 2023

Assembly Building

The House met at 10:30 AM

[Speaker (Hon. Joel Karuri) In the Chair]

PRAYERS.

PAPER(S)

COUNTY GOVERNMENT OF NAKURU FISCAL STRATEGY PAPER (CFSP), 2023.

The Speaker (Hon. Joel Karuri): There is a Paper to be laid by the Leader of Majority honorable Alex Langat.

The Deputy Majority Leader (Hon. Rose Njoroge): Thank you honorable Speaker, I rise to lay the County Government of Nakuru Fiscal Strategy Paper (CFSP), 2023.

The Speaker (Hon. Joel Karuri): Thank you Deputy Majority Leader. Now the County Fiscal Strategy Paper has been laid and Honorable Members, note that according to Standing Orders 209, the Chairpersons of the Sectorial Committees to take note that it is deemed to be laid to all the Sectorial Committees and all the Chairpersons of the Sectorial Committees need to consult with the Chairperson for the Committee on Budget and Appropriations so that the needs of your Departments are taken care of when the Committee on Budget and Appropriations will be bringing the final Report before this Honorable House. Next order. What is it Honorable Karanja?

Hon. Stanley Karanja: Honorable Speaker, I have two concerns and it is good that we put them to your Office for consideration. There is the Speaker's Panel, and according to the Standing Orders they assist you in terms of business but from two days ago and yesterday we raised this when Honorable Mutai was seated on your seat and there were students here and the Speaker's regalia is one; the Speaker's Panel do not have one. Honorable Speaker we are concerned that you cannot tell the difference other than the seating position between the Chair who is the Speaker and the Members. You should also put in mind that when the panel is assisting when we have the Committee of the whole. There has to be a difference between when that Member is seated as a Chair of the whole House and when that Member is seated as the Speaker. I would urge your Office to motivate the Speaker's Panel by having a regalia so that even when they have a photo, there is

a difference. So that is one concern. And I said that there it is to you and because Hon. Mutai cannot raise because definitely he is your employee that is number one.

Number two Mr. Speaker and that one goes to juxtapose that one with when you said that we should not come in a Kitenge, as you ruled that let them have a good one and we be asked the colour as Members such that it will not be dull... you know Hon. Mutai is dark so he cannot wear something black.

The other thing and this I said I will raise, whenever a Paper is being laid...

The Speaker (Hon. Joel Karuri): Hon. Karanja, now that you are the stylist or a fashion designer, proceed, execute your case as Hon. Palang'a comes in later. So, allow the Honourable Karanja to...

Hon. Stanley Karanja: Hon. Palang'a allow me, Chairs have no regalia. So Mr. Speaker, the second point I was trying to raise is that whenever we are laying Papers, you know there was a tradition that when we come in when there is a Paper and it is supposed to be committed elsewhere, Mr. Speaker we be given the duration when to pick. So for example now the Paper that has been laid we be told where to collect that Paper; Members will have it. Those are my two concerns Mr. Speaker and I think I have laid in my case and I do not want any advice.

The Speaker (Hon. Joel Karuri): Hon. Palang'a.

Hon. Peter Palang'a: Thank you very much Mr. Speaker. I was only concerned that Honourable my friend, a learned friend and a former teacher Hon. Stanley Karanja has repeated on this floor several times that this is a House of rules and procedure. Mr. Speaker, we are guided by the Order Paper for any given session and his submission Mr. Speaker does not feature anywhere on today's Order Paper. I feel strongly that when we are in official discussion like this Mr. Speaker, you need to guide this House that any other matter that should be introduced should also be in line and in tandem to what the Standing Orders provide.

So Mr. Speaker, that particular concerns which are genuine anyway, but they are not legal, they are not necessary as of now because this is a form of discussion that is guided by the Standing Orders and of course by the Order Paper. So, his concerns are very genuine. But again, we may not ...those are housekeeping rules from your office. Mr. Speaker,

The Speaker (Hon. Joel Karuri): Honourable Palang'a Do you want to be informed?

Hon. Peter Palang'a: I think, unless it is quoted and referred to the Standing Order, because here we are only talking about what is provided by the law. So unless he is quoting any Standing Order.

The Speaker (Hon. Joel Karuri): Honorable Karanja.

Hon. Stanley Karanja: Mr. Speaker, you know very well when there are personal Statements, you know when to talk about it when there are concerns, Mr. Speaker you do not put any concerns on the Order Paper and he knows that. He has been here for 20 years unless he is forgetting and you know, also age is also a concern. It is known that wherever there is a concern and the House

has a concern it ought not to be in the Order Paper because it was not an order. It was not the business of the House.

The Speaker (Hon. Joel Karuri): Order! Both of you resume your seats. What is it Hon. Palang'a?

Hon. Peter Palang'a: Thank you Mr. Speaker sir. The point of Order number 36 clearly provides for matters of County Importance. Should it be that very important, then the Hon. Member is well conversant with this provision of the Standing Order where it provides the provision and writing to the Clerk for that. Therefore, we discuss that matter as a County Importance matter. In this case, this is not a matter of County importance and even if that it is, then there is a procedure to do that because this is a House of rules and procedure. That is my submission.

The Speaker (Hon. Joel Karuri): Thank you. We let that matter rest. Hon. Karanja, have your seat.

Hon. Stanley Karanja: Mr. Speaker sir, do we allow him to mislead the House?

The Speaker (Hon. Joel Karuri): Have your seat, Hon. Karanja, you know there is a Statement and the thing about personal Statement; unless it is an issue bordering the welfare of the House and the Membership of this House and maybe some Members are in danger and then there is some urgency in it that is when you can raise. The issue about the Speaker's Panel, uniform and regalia; that one can wait and maybe the issue that could have sufficed for this discussion is the issue about the Report; when to pick the Report. That is properly before the House.

The issue about advocating for Hon. Mutai who sits in the Speaker's Panel about what sort of colour that his garment should look like, that is a good proposal but we leave it to the people who design for the County Assemblies because there is a standard on how the Clerks and the Chair's garment, that is the Speaker, should look like.

What is it Hon. Mwangi?

Hon. Mwangi Muraya: Thank you Mr. Speaker sir. I have a concern also because Hon. Karanja has said that you gave a ruling on decorum and the dressing code and if that is so, last Wednesday I was here to ask a Member of the Speaker's Panel that there was an Honorable Member seated just there without a proper dress and a tie and the Majority Leader said that you have never given a ruling on our dress code. That is a concern from me because I was then misled by the Majority Leader.

The Speaker (Hon. Joel Karuri): Hon. Majority Leader you misled the House.

(Laughter)!

The Majority Leader (Hon. Alex Langat): Thank you Mr. Speaker sir. Since he has mentioned me, I would like to respond to my answer that I gave a concern because he was concerned about the issue of decorum. I remember from this very Honorable House that this issue has kept on recurring every now and then. The last time I was seated in this House, there was that concern and you gave a direction that you are going to set up a small Committee so that this Committee can agree. If my memory serves me well and the Hansards are there, the Committee is going to sit and

agree on what type of garments, regalia or what is decorum and what is not decorum in the course of a sitting like this.

I am informed because I followed up from that day that there was such a discussion while we were away somewhere in Kisumu as a full House and such a discussion was done. I am learning the game from my seniors Hon. Karanja and Hon Palang'a that this is a House of rules and once a decision is made outside this House, it means that it has not been adopted. Mr. Speaker I do not know maybe I missed a section. If such a Committee sat and a decision was made, I would wish that maybe such a decision is also brought before the floor of the House for adoption so that it becomes part of the rules and regulations of this House. I am not aware and maybe I should seek for information. If whatever was agreed outside was ever brought to the floor of the House for Members to be able to adopt and now become one of our guiding principles as per Standing Orders as far as decorum is concerned. I rest my case as far as that is concerned.

The Speaker (Hon Joel Karuri): thank you. What is it Hon. Hon. Palanga? This is your last time to speak during this session.

Hon. Peter Palang'a: Yes sir. And of course Mr. Speaker you know very well that the Standing Order well provides that you cannot speak twice on a same matter but this is a different matter altogether. I think the House stands informed. This House has got two approaches on how we resolve on issues. One we can formally meet in this House and agree on a matter. On the other side we can meet informally in a *Kamukunji* and liberate on some issues which does not necessarily need to come to this floor. It remains binding at that level. What I am gathering on that particular day, I think Hon. Majority Leader if what I am being whispered to by my colleague here that that Hon. Member had worn only a plain shirt minus a tie then I think your submission was misplaced because again the decorum states that you may not necessarily have a coat but a tie is mandatory when you are in a plain shirt constitute in terms of being in decorum and so for that reason Mr. Speaker, we had a meeting in Kisumu and sealed the Member's concerns very well; when we had a *Kamukunji* discussion during which we agreed on how we will have to be dressing, when it comes to the Plenary Sessions. I remember there was a hot debate where Members were like, *tuvae kitenge ama nini?* However, we said and even I remember challenging, Hon. Karanja, that all these different clothing, we have so many other days that you Members can wear.

Therefore we agreed that to remain in decorum, Mr. Speaker, you will have to affirm the decision and discussion that we had then for us to be abiding to this regulation. This also gets us back to the Whips; it is not even the role of the Majority Leader and not even the Speaker but the Whips from different fronts to make sure and ensure that Hon. Members coming here are in decorum. So again I want to like remind you especially the Whips to be equal to task in ensuring that Honorable Members are in decorum whenever they are coming to the Assembly. That is my humble submission. But I think again if it requires to adopt these rules here, if you say so. But that particular matter was put to rest informally and all of us were there and agreed on the way forward. Therefore, I do not think it was necessary for it to be brought again to this Assembly for us to discuss when the Leaders have sat down and agreed on the way forward.

The Speaker (Hon. Joel Karuri): That has been deliberated enough, unless the Hon. Muraya you raised the issue

Hon. David Muraya: Thank you Mr. Speaker, what I would ask from you Mr. Speaker is that before we leave this session, from what I understand, anything to do with the decorum lies in your ruling. Therefore kindly with all due respect for us now to raise that concern again, make your ruling because the Speaker who was seated in your Chair had asked the Majority Leader to confirm whether the Member was in decorum but the Majority Leader stood and never even turned his head to look at the Member.

So Mr. Speaker kindly do your ruling because we do not want to repeat that here again. I was so much humiliated because I had a general concern that we were all not in decorum.

The Speaker (Hon. Joel Karuri): That matter has to come to rest; I will be giving a Communication this afternoon and that will be at rest and now Members will be guided. Next order.

ADJOURNMENT

Honourable Members, this House stands adjourned to today at 2.30pm.

The House rose at 10:50AM