

**COUNTY ASSEMBLY OF SAMBURU**



**THE HANSARD**

**Thursday, 8<sup>th</sup> April, 2021**

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

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

**PRAYER**

## **MOTION**

### **Debating and Approval of the Samburu County Fiscal Strategy Paper 2021/2022**

**Budget and Appropriation Committee Member,** (Hon. Jerias Leshoomoo): Hon. Speaker, I beg to move the following motion, **THAT**, this House debates and approves the Report of the Committee on Budget and Appropriations on the Samburu County Fiscal Strategy Paper 2021/2022. Thank you Hon. Speaker, I call upon Hon. Leshipayo to second.

*(Hon. Leshipayo bows to second the motion)*

**Temporary Speaker,** (Hon. Paul Leshimpiro): Hon. Members, I now propose the question, **THAT**, this House debates and approves the Report of the Committee on Budget and Appropriations on the Samburu County Fiscal Strategy Paper 2021/2022. Yes Hon. Jerias Leshoomo.

**Budget and Appropriation Committee Member,** (Hon. Jerias Leshoomoo): Thank you Hon. Speaker. Hon. Speaker, on behalf of Members of the Budget and Appropriations Committee and as required under Section 117 of the Public Finance Management Act, 2012 (PFMA) as read together with Standing Order 214 (4), it is my pleasure to present to this House, the Committee's Report on the consideration of the Samburu County Fiscal Strategy Paper (CFSP) for the Financial Year 2021.

Hon. Speaker, Section 117 of the Public Finance Management Act, 2012 (PFMA) inter alia provides that; -

*“The County Treasury shall prepare and submit to the County Executive Committee (CEC) the County Fiscal Strategy Paper for approval and the County Treasury shall submit the approved Fiscal Strategy Paper to the County Assembly, by the 28th February of each year”.*

Further, the Section provides that, not later than fourteen days after submission of the fiscal policy paper, the County Assembly shall consider and may adopt it with or without amendments.

In compliance with the above provisions and that of Standing Order 214 (1) the County Executive Committee Member for County Treasury submitted to the County Assembly the Samburu CFSP for financial year 2021 on 25th February, 2021.

The Assembly was however not able to consider the policy paper within fourteen days after its submission because the House had adjourned to undertake its oversight duty and attend the *Bunge Mashinani* and resumed its sittings on 16th March, 2021. The document was procedurally committed to this Committee immediately the House resumed its sittings on 16th March, 2021 in the afternoon sitting through a communication from the chair. The committee went on to organize for sectoral committee consideration from 16th to 18th of March, 2021 across all wards and submitted their sector recommendations to this committee.

Hon. Speaker, Section 117 (7) of the PFM Act, 2012 provides that the County Treasury shall consider any recommendations by the County Assembly when finalizing the budget proposal for the financial year concerned. It is worth mentioning that once the CFSP is approved, it should form the basis of evaluating the budget estimates for financial year 2021/2022 for the various spending entities. Hon. Speaker, this is therefore a very important stage in the budget cycle as it not only provides recommendations to be considered when finalizing the budget, but also sets the expenditure ceilings for the various spending entities which must be adhered to.

Hon. Speaker, the role of consideration of the CFSP is an absolute mandate of the Committee on Budget and Appropriations as conferred by Standing Order 193 (3), (4) and (5). The Committee on Budget and Appropriations is a select Committee established under Standing Order 193 with specific mandate as to inter alia. It was therefore the full responsibility of this Committee to consider and ensure a report is tabled for this Assembly.

Hon. Speaker, in reviewing the CFSP 2021, the Committee on Budget and Appropriations held a total of four sittings, during which, the Committee interrogated the contents of the document vis-a-vis the Sectoral Committee input which had been submitted to this Committee pursuant to the provisions of Standing Order 205 (3), which inform the committee's findings and recommendations of this report.

Hon. Speaker, the Committee wishes to thank the Office of the Hon. Speaker and that of the Clerk of Assembly for the support extended in fulfilling its mandate. Last but not least, I extend my gratitude to the able Hon. Members of this committee who traded off their busy schedule to give their input to this report. I will not hesitate to acknowledge the staff of Assembly serving the

committee who contributed significantly in providing technical advice and compiling of this report. Thank you Hon. Speaker.

**Temporary Speaker**, (Hon. Paul Leshimpiro): Hon. Members, I think this is your opportunity to ventilate on the motion. Hon. Zamzam Ismail.

**Specially Elected MCA**, (Hon. Zamzam Ismail): Thank you Mr. Speaker Sir, I rise to support. This is a very important document. Mr. Speaker Sir, we know the County Fiscal Strategy Paper is very important in running the revenues of this county. This is where the ceiling for each department is set. In this paper, it means estimating the total revenue that we allocate in the county. Mr. Speaker Sir, we know this a very important document and as the Hon. Members of this House.

By supporting this document; the Departments will get the resources allocated to them and the development of the County will be run smoothly. I really congratulate the Chairperson of this Committee for tirelessly working to see it through that the County Executive execute their mandate diligently.

Mr. Speaker sir, we know that when the County Executive and Legislative arm work together and fast track Bills then our County will be developed. Mr. Speaker sir, before I sit down I really want to appreciate the Chairperson and his team, thank you Mr. Speaker sir.

**Specially Elected MCA**, (Hon. Osman Dube): Ahsante Mweheshimiwa Spika. Naunga mkono kazi nzuri iliyofanyawa na Kamati. Ni vyema kuwahudumia wananchi waliotuleta hapa, Ahsante mweheshimiwa Spika.

**Specially Elected MCA**, (Hon. Doris Lenkirasi): Thank you Hon. Speaker, I also rise to support and congratulate the Committee on Budget and Appropriation for the great work they have done, thank you Hon. Speaker.

**Specially Elected MCA**, (Hon. Josphine Lesilampa): Ahsante mweshimiwa Spika. Napongeza wanakamati wa Bajeti kwa kuenda kwa wananchi na kupata maoni yao. Asante Mweshimiwa Spika, naunga mkono.

**Temporary Speaker,** (Hon. Paul Leshimpiro): The Mover of the Motion, do you have anything more to add?

**MCA Lodokejek Ward,** (Hon. Jerias Leshoomo): Thank you Hon. Speaker. I want to thank the Hon. Members who spoke in support of the report.

Hon. Speaker, County Fiscal Strategic Paper is a very important document to this House because it sets ceilings, programs and priorities which will be undertaken in the Financial Year of the County Government. I think it is very critical for the Hon. Members to read and understand the policies of the sectors and the Departments that are in line with the programs undertaken in the Financial Year.

Hon. Speaker, we have seen the challenges highlighted by the Committee in the report. Hon. Speaker we have been having deficit in our developments because of our own revenue source. Mr. Speaker we are not collecting enough as required and per the previous Budget.

Hon. Speaker, if you read the recommendations of the Committee they recommended that rather than putting high revenue ceiling that we cannot achieve we rather reduce so that we do not affect our development projects in the Financial Year in the long run. Hon. Speaker, this Assembly needs to enhance revenue so that we cannot get deficit at the end of Financial Year.

Hon. Speaker, I want to thank our Hon. Members who supported the report and thanking the Committee for the well job done, thank you Hon. Speaker.

**Temporary Speaker,** (Hon. Paul Leshimpiro): Hon. Members I know propose the Question that this House approves the report of the Committee on Budget and Appropriations on the Samburu County Fiscal Strategy Paper 2021/2022.

*(Question Put and the Motion passed)*

## **ADJOURNMENT MOTION**

**The Majority Leader,** (Hon. Christopher Lentukunye): Thank you Hon. Speaker. Hon. Speaker I beg to move the following Motion: **THAT**, Pursuant to Standing Order 24 and 25 this Assembly do now adjourn until Tuesday 4<sup>th</sup> May, 2021, thank you Hon. Speaker.

I call upon Hon. Lesoipa to second the Motion.

**MCA Suguta Marmar Ward**, (Hon. Shadrack Lesoipa): Thank you Mr. Speaker. I am not ready to second the Motion because I was not part of the party of Motion that was tabled in the House, thank you Mr. Speaker.

**Temporary Speaker**, (Hon. Paul Leshimpiro): Hon. Majority Leader I think you need to get a second person to second on your Adjournment Motion.

*(Laughter)*

**The Majority Leader**, (Hon. Christopher Lentukunye): Thank you Hon. Speaker. Thank you for giving me a second chance. I call upon Hon. Leshoomo to second the Motion.

*(The Majority Leader and the Hon. Members Laughing)*

**MCA Lodokejek Ward**, (Hon. Jerias Leshoomo): Thank you Hon. Speaker. I stand to support the Motion.

**Temporary Speaker**, (Hon. Paul Leshimpiro): Hon. Members is there anyone who wants to contribute on the Adjournment Motion. Hon. Leshipayo.

**MCA Poro Ward**, (Hon. Joseph Leshipayo): Thank you Hon. Speaker. I stand to oppose the Adjournment Motion.

*(Applause)*

Hon. Speaker, we are supposed to agree as Members of this Assembly. It is not good for the Mover of the Motion to move this Motion at this time because we are at the last quarter of the FY and we expect that the implemetors of the projects to implement all the projects in this last quarter.

**MCA Lodokejek Ward**, (Hon. Jerias Leshoomo): Mr. Speaker I stand to support the Adjournment of the House. The Adjournment is nictitated because we are having Members of this House who have tested positive for COVID19. Mr. Speaker this is what necessitated Adjournment of the House for two weeks to give way for the Members and the staff of the Assembly to go home.

I urge the Members to support the Adjournment. We will still be having Committee sittings even as we have adjourned the House. I think it is a high time to that we strictly follow the COVID 19 health regulations.

**Specially Elected MCA, (Hon.Doris Lenkirasi):** Thank you Hon. Speaker, I stand to oppose the Motion.

*(Applause)*

for several reasons. One of them being that, yesterday we agreed we meet for kamkunji today and deliberate on the same. But nothing happened; they just brought the motion that we adjourn the House. So I think Members you should not agree to this until we have that kamkunji. We have a few issues pending, so I think it is prudent we solve those issues then we can adjourn. Thank you.

**Specially Elected MCA, (Hon. Zamzam Ismail):** Thank you Mr. Speaker Sir. I rise to support the Motion of the adjournment of the House. Mr. Speaker Sir, when we decided to adjourn the House or when the House is about to adjourn, there are big reasons for that. For one Mr. Speaker Sir, when some of our colleagues test positive and we are seated next to each other our lives are at risk. Hon. Speaker Sir, when we talk about COVID-19, it is real. COVID-19 has been killing people in this world. The whole world is on hold. There is no normalcy in this world again. With all due respect, I urge let us take our lives seriously because COVID-19 is real. Just a week ago, our intensive care unit in Maralal Referral Hospital was full to the capacity.

Hon. Speaker Sir, we know we have an obligation to the people of this great county. We have a mandate to deliver services. But when we all fall sick, can we serve them? No. Hon. Speaker Sir, this is getting very serious. You have heard UK (United Kingdom) has stopped all flights coming to Nairobi completely knowing that Kenyans are at risk. Yesterday America has issued an advisory saying that they don't want their citizens to travel to Kenya. So Hon. Speaker Sir, thing is very bad. We are on red alert and as Members let us take our lives seriously.

We can work another day but still can be holding a special sitting when there is work to be done. There are those special sittings we can come and serve. Thank you Hon. Speaker Sir.

**Specially Elected MCA**, (Hon. Silapia Lenamatiyio): Thank you Hon. Speaker, I stand to oppose the motion. Hon. Speaker, as the Hon. Members of this House, I think we are supposed to be alert when there is something that is wrong or very dangerous so that we can know how to carry our sessions. Yesterday, even our speaker told us that we are supposed to have a kamkunji so that we can arrange for the adjournment of the House. But what we are seeing, it seems that we are, I don't we are less Members or what. It seems only one person just decided that we are supposed to go and adjourn and he puts it on the order paper. So I urge this House we are Hon. Members. We have to be told what we are supposed so that we can agree or oppose. So let us oppose and I stand to oppose.

**Specially Elected MCA**, (Hon. Antonella Lobura): Thank you Hon. Speaker, I rise to oppose the adjournment of the House. We are just from the recess the other day. We are not among the counties being closed by the President. Hon. Speaker, we have all the measures put in place for us to prevent ourselves from COVID-19. As the Hon. Members we are going to follow the rules which were being given by the President of not more than 15 in any meetings. As the Hon. Members if we are going to follow those rules and I don't think there is any Member at the moment who is COVID-19 positive. So Hon. Speaker if the Members and staff follow all the procedure and protocols I think we would be safe as usual. Even if we go home, you would contact COVID-19 if you not putting on those measures. So I oppose the adjournment of the House. Thank you Hon. Speaker

**Specially Elected MCA**, (Hon. Stephanie Lanyasunya): Thank you Hon. Speaker. Hon. Speaker, I also stand here to oppose the adjournment. I don't want to underestimate the risks of COVID 19. But Hon. Speaker, whether we are in or out of this Assembly, we have a responsibility to follow the protocols that have been put in place. Hon. Speaker, I want to say without fear of contradiction, that I think this unnecessary adjournment are the reasons we are not doing much in this House yet a lot is expected of us. Recently we were in Wamba for the *Bunge Mashinani*. We had so much that we promised to give, deadlines. What happened? Nothing has come up. So Hon. Speaker, I stand to oppose.

**MCA Maralal Ward**, (Hon. Fred Kiragu): Thank you very much Hon. Speaker. From the onset, I oppose. I oppose this because it looks like something is being hidden from the Hon. Members.



That every time there is something that is expected for us to discuss, every time a *kamkunji* set, we are sent for recess. We are sent for adjournment. Every time money wants to be used for reasons that do not benefit the Members, we are sent for adjournment. And this gives room, I am not afraid to say, money meant for our allowances and Committees to be used for other purposes.

Another thing Mr. Speaker, we are not sure that our homes are COVID free. That where we are being sent there we cannot be sick. We can also get it at home and from relatives. For the information of the mover, is that COVID 19 is not ending any time soon. So if we are adjourning because of COVID 19 we should adjourn until 2022 when it is hopeful it will have reduced.

Because this is the third wave and we are waiting for the fourth, and the fifth. This is why it is being called the new norm. This is why it is called the new norm. So you cannot tell us to come back here on 4<sup>th</sup> May as you are sure there will be no COVID 19 that time.

What we need to do is to learn to live with COVID 19. And those who are very much afraid of COVID 19, please do not come to the chamber because it is not compulsory that you come. And one thing Mr. Speaker, I wish to quote Shakespeare, “*cowards die very many times before the actual deaths*”. Because every time you cough you think it is COVID 19. Every time you see a friend near you, you think it is COVID 19. And you keep dying waiting for your actual death date.

Even now, we should be told who has tested positive with COVID 19 in the Assembly. We should be told by the names, not saying some people in the Assembly have COVID 19. Who? If it is Kiragu, say it is Kiragu who has COVID 19. And are they still in the Assembly or they are in isolation or in the hospital or in their homes? Where are they? Because if they are not here, then we have no reason to fear.

So Mr. Speaker, with those few remarks I wish to strongly oppose this adjournment and also persuade our colleagues to oppose this until we have a *kamkunji*, we know what we expect to know from the Speaker and the clerk. Thank you Mr. Speaker

**MCA Suguta Marmar Ward**, (Hon. Shadrack Lesoipa): Thank you Hon. Speaker. Hon. Speaker for the purposes of clarity and records, this is a House of records and correct information. So I only urge the Hon. Member who spoke before, that there are some Members of

this Assembly who texted positive to clarify by giving the names of the Members who have been affected so that we can be alert. It is also for the record of planning on how those people we said to be taken for quarantine for the purpose of risks takings. So Hon. Speaker we need those names read and table here.

**Specially Elected MCA, (Hon. Osman Dube):** Mheshimiwa Spika mimi mwenyewe ninakataa. Tulikubaliana jana kuwa nyumba liendeleo na kama kuna yule ako na COVID asemekane hapa ili tujue. Hatukubali mambo ya watu wawili watatu, asante.

**MCA Lodokejek Ward, (hon. Jerias Leshoomo):** Thank you hon. Speaker. I still stand to support the adjournment of this House. We have been here since the opening of the House. It is also shameful to say that let us not postpone the House. For the last three days the House has been having two to four Members, it is only today that we have seen a good turnout of the Members. It is true that this House has a lot of activities and a lot of pending work yet the Members are not sincere in performing of their duties as hon. Members. It is true that we have two staff who have Covid and we have COVID in the Assembly.

**Temporary Speaker, (hon. Paul Leshimiro):** Hon. Leshoomo let us not go to the extent of mentioning names.

**MCA Lodokejek Ward, (hon. Jerias Leshoomo):** We have been told as Members that Covid is serious and some of our Members have been affected. When we say that we have to postpone this House because of the pandemic it is not that we postpone for the whole year because Covid might not end any time soon but we have said that we postpone for two weeks so that we can do other activities in the meantime as we see the situation in the Assembly. When we say that we are in the House what are we really doing in the House? We have had very few Members. I stand with the adjournment and for the Members to rest and quarantine in the next 14 days, thank you Mr. Speaker.

**Majority Leader, (hon. Christopher Lentukunye):** Thank you hon. Speaker. So many Members have contributed to the Motion in contrary opinion of the Motion under Standing Order number 52 I request the Speaker to defer putting the question so that we can debate and the Speaker will give the verdict in the next sitting, thank you Mr. Speaker.

**Temporary Speaker,** (hon. Paul Leshimpiro): Hon. Members I wish to put some points across; first on medical grounds, it is unethical for one to say that someone suffers from any medical condition. It is an illegality and prosecutable and punishable by law. I hope that no Member will try to say that we want the names of Members suffering from anything, doctor patient confidentiality. Secondly, Covid is real and present, it is also expensive. I would like you to know that every day a vehicle goes to Nakuru to bring 10 cylinders of oxygen. A big cylinder lasts for only an hour and 20 minutes. Breaking the chain is a key role that we need to do.

When we say that we want to be in the House then it means that we should be present and do something. We should not come and sing then leave without doing any work. On the Majority Leader's request on Section number 52(1) that the putting of the question be differed and putting of the question of this Motion until Tuesday 2:30 pm next week which will be on 13<sup>th</sup> April 2021, thank you. There is a concern by the Members that the Majority Leader should consult on the *Kamukunji* probably on Monday or Tuesday Morning and if the Members will vote in favor of the Motion then we will be done with adjournment and also we will be done with the *Kamukunji*, thank you.

Hon. Members the time being minutes to four o'clock and there being no other business this Assembly now adjourns until Tuesday 13<sup>th</sup> April 2021 at 2:30 pm.