

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 4th October, 2023

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

The Speaker, (Mr. Lenamarle Stephen), in the Chair

PRAYER

COMMUNICATION FROM THE CHAIR

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, I would like to acknowledge the presences of visiting students and teachers from Kisima Girls High School from Lodokejek Ward, Samburu West Sub County in our public gallery today.

In our usual tradition of receiving and welcoming visitors to the Assembly, I extend a warm welcome to them and on behalf of the County Assembly of Samburu and on my own behalf wish them a fruitful visit, thank you.

(Applause)

STATEMENTS

The Speaker, (Mr. Lenamarle Stephen): It is notified **THAT**, pursuant to Standing Orders No. 45 (1) (c) The Speaker has approved the following tentative response for statements for 4th October, 2023:

- 1) Statement No. 016/2023 requested by Specially Elected Member; Hon. Silapia Lenamatiyio to the Chairperson Committee on Labour, Justice and Legal Affairs in regards to the Legal Representation at the County level.

Hon. Minority Leader.

The Minority Leader, (Hon. Leleruk James): Mr. Speaker, I rise to request for more time because I have not received any statement response from the Office of the County Secretary and I request this House to give a reminder, I promise that I will probably bring the report next week, thank you Mr. Speaker

Specially Elected MCA, (Hon. Lenamatiyio Silapia): Thank you Mr. Speaker, I stand here and I also thank God that I have witnessed today in the morning when you ruled that the response be brought to this House at 2:30 PM, but what we are hearing is too shameful that there is no any response. I even told you that time that how sure am I that I will get that response and until now we have not received that response.

I do not know what will be your ruling on this matter because it is taking so long for the concerned to respond to a simple statement we asked for. Hon. Speaker let me read again what we inquired from the concerned I do not know if it is a Department or an Office; but these are the question:

- 1) Why did the County administration not take immediate action to address this issue?
- 2) Why is the County administration not allocating additional resources to the County Attorney's Office in order to hire an additional legal staff in order to alleviate the current work load?

Hon. Speaker I think this is not a matter of going around Samburu County to bring an answer to this House, but rather a matter of the concerned to sit down and bring to us the response as simple as that. Hon. Speaker, but it seems like we are taken just for granted, the Department and the concerned are not respecting this House.

Hon. Speaker, just do the reminder but let the concerned Committee call upon the Office and let them appear before the Committee to shed light on the same and if not so, let them summon the Department or the Office and if they are not serious to do so, then we form an *Ad Hoc* Committee to this, just as simple as it is.

Hon. Speaker I do not know what is wrong, we are taken round and round, this is very shameful and bad, let me see sit down.

MCA Lodokejek Ward, (Hon. Lekuchula David): Thank you Hon. Speaker, before I proceed to comment about the statement; let me take this opportunity to welcome these beautiful girls from Kisima Girls High School. I think Kisima Girls is the only national girls' high school in Samburu County. Now I stand proud as the member for Lodokejek Ward because the only national girls' school is in my ward. Hon. Speaker, I would like to welcome them again to this honorable house. Hon. Speaker, concerning the statement Hon. Silapia requested, I want to support my Chair. I am also a member of the labor committee. Once an honorable member requests a statement, the committee will write to the relevant department in the executive so that they can provide whatever information that was requested.

Once we request for statements and the executive departments fail to respond accordingly, then we will have a chance to write a reminder again before we take any other action. So, when the Hon. Member says that if the relevant committee is not able to provide the requested statement that she wants to propose....

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Point of information, Hon. Speaker.

The Speaker, (Hon. Lenamarle Stephen): Point of information from Hon. Silapia.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Hon. Speaker. I just want the honorable member from Lodokejek to know that this morning, the Hon. Stacy Nareyo indicated that statement requested will brought to this house at 2:30pm, then I was expecting to see that response. The Speaker ruled that I would have the response before 2:30pm and I still do not have it. Hon. Lekuchula was not here in the morning when the matter was being discussed and that is why it is such a burning issue for me.

MCA, Lodokejek Ward, (Hon. Lekuchula David): Thank you, Hon. Speaker. I think the honorable member should understand that we do not come from the executive department. Even if we say that we will bring the statement say maybe in the afternoon, what if they have not responded? What do we do? Do you expect us to go and bring them here? Hon. Speaker, protect me. I see Hon. Silapia is about to rise again.

Hon. Speaker, I think this committee needs a bit of time for us to get the relevant answers for the statement. Thank you, Hon. Speaker.

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you Hon. Speaker. Before I contribute, I welcome these Kisima Girls' students to this assembly. These are our children. Their teachers are our brothers. So, welcome so much. I am amused by Kisima Girls. Maybe in future Hon. Lekuchula should build an assembly in his ward because Kisima Girls have visited the chambers several times. Maybe this shows that most of them will become politicians when they finish their school. So, welcome so much, relax and feel at home.

Hon. Speaker, there are two things that have caught my attention here concerning this statement. The first one is that we have so many statements that sometimes even do not have committees to

be directed to. I do not know what we will do because in such a scenario, maybe, we just have to be educated more so that we know which...

MCA Suguta Marmar Ward, (Hon. Leleruk James): Point of order.

The Speaker, (Hon. Lenamarle Stephen): Point of order from Hon. Leleruk.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Mr. Speaker, the Honorable Member says there is no department that is concerned with this statement. I happen to be the leader of minority which represents the government and also the Chair, committee on labor. So, the statement is squarely under my docket. Thank you, Mr. Speaker.

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you, Mr. Speaker. I have just heard the second question from Hon. Silapia. She was asking why we only have one legal officer in that office. I do not think it is the honorable minority leader who allocates funds to departments. That is why I am saying personally I am a bit confused. So, Hon. Speaker we should where this department falls under.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Point of information, Mr. Speaker.

The Speaker, (Hon. Lenamarle Stephen): Point of information from Hon. Silapia.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker, I just want the Hon. Member to know that we have the Committee on Labor, Social Welfare, Justice and Legal Affairs; that is the Committee that we directed this Statement to and that is where the office of the Attorney falls. I will read the functions of the same Committee that "All matters relating to the County Public Service, County Civic Education, coordinating participation in Governance at the local level and assisting communities to develop administration capacity procured procedures for the effective Governance, so that is why we say and our Standing Orders indicate that this is where this matter falls, thank you Mr. Speaker.

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you Mr. Speaker, I am now enlightened. Let me go to my second issue; I think that if a Statement is directed to any Chairperson we should all understand as the Hon. Minority or Hon. Lekuchula has said that the

response has to come from the Executive side and if as a Chairperson if you do not get the response by then you should just have to follow the law only, do a reminder and thereafter we have guiding rules to follow.

I do not think it is good for us to be quarrelling here among ourselves yet we know the responses are done from the Executive side and not our side. After a reminder we may even summon and follow the procedure, thank you Mr. Speaker.

MCA Ang'ata Nanyokie Ward, (Hon. Leshimpiro Paul): Thank you Mr. Speaker. I welcome the students from Kisima Girls High School to our Assembly, feel at home and we are proud of you and look forward to future leaders, politicians and speakers. I am of the same opinion with Hon. Lenamparasio that this Statement ought not to have been directed to the Labor Committee and I have some reasons for that. We are trying to say that Attorney is the only person in the office and we are asking her why she is alone and why she is not being allocated more funds; the question would be from where is it, I am very sure that Attorney still requires more employees with her and more employees.

The problem is that she cannot allocate to herself, then we are somehow crucifying the Attorney trying to question her why she does not have more money; I think this Statement should have been directed to either County Secretary or to the Finance Department. It should not have been because it is like you have a circumciser and you are asking him why have you not circumcised yourself. I am sorry if that is a bad example.

The Speaker, (Mr. Lenamarle Stephen): That is a very bad example Honorable, a very big one and I think men will want you to withdraw. Hon. Members let us just...Hon. Lekuchula.

MCA Lodokejek Ward, (Hon. Lekuchula David): Mr. Speaker I think the Hon. Member is trying to mislead the public that the Statement was not supposed to be directed to the Labor Committee whereas we have the Committee itself in our Standing Orders and it is in number 10 in the Sectoral Committees of this House and so the Member was not right to say that because it is a full Committee and effective. Hon. Speaker how do you...

MCA Ang'ata Nanyokie Ward, (Hon. Leshimpiro Paul): Mr. Speaker I do not think it is in order for the Member to continue contributing while it was my turn.

The Speaker, (Mr. Lenamarle Stephen): Order Hon. Leshimpiro. Let him finish, are you done? Okay. You should not continue contributing because you are on a Point of Order. Continue Hon. Leshimpiro.

MCA Ang'ata Nanyokie Ward, (Hon. Leshimpiro Paul): Thank you Mr. Speaker. I am not refusing that the Attorney's office...

(Point of Order by Hon. Asha)

The Speaker, (Mr. Lenamarle Stephen): Let us have the Point of Order from Hon. Lenamparasio first and let us not so much Point of Orders.

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you Mr. Speaker. I support Hon. Leshimpiro. As much as we are not disagreeing that the Statement was not to be addressed to the Committee but the questions asked are not supposed to be addressed to that Committee, thank you Mr. Speaker.

MCA Ang'ata Nanyokie Ward, (Hon. Leshimpiro Paul): Thank you Mr. Speaker. That is exactly what I was supposed to say. The office of the Attorney is in the Labor Committee, there is no question about that but how can you then ask yourselves why have you not been allocated more money am curious to know the type of answer you are going to give us because somebody else has to determine the amount of money that goes to that office. It cannot be the Attorney that is for a fact, there are two things that a member to know if in the event they do not know;

1) That when money is allocated CRA determines two ceilings the ceiling of county assembly and the ceiling of executive the rest of other departments is played around or by the finance department. So it is the department of finance that had to be directed this question

2) so that they tell us why they have not allocated more funds to that office of the attorney for them to employ more people and for them to provide sufficient services to the County that is what we are in disagreement with the members and I don't think that was an error that was done

during the day of presentation of the statement but for me am not expecting to get any better answer if we are waiting the attorney to tell us how why we have not been allocated more funds because at the end of the day we are going to look at somebody else to give them more funds thank you honorable Speaker.

Suguta Ward MCA, (Hon. Leleruk James): thank you Mr. Speaker I raise to say that the issue being asked here is not about budget and the reason why the member was asking for the office not considered, this office was already budgeted and it has money so it is the members to come and interrogate...

Point of Order from Hon. Leshimpiro

MCA Ang'ata Nanyokie, (Hon. Leshimpiro Paul): I just wonder why the member is saying that it is not about money the question number 2 is asking why the County Administration is not allocating additional resources to the county attorney office. What is the question her the resources? What does it mean I think it simply means funds, money, shillings (*laughter*).

MCA Suguta Marmar Ward, (Hon. Leleruk James): Mr. Speaker I just want you to protect me because I have said it and we must follow the laws. It is not that am denying the attorney has refused to give out the statements or her office but we have there are procedures and rules of this House.

The action remain that we send a reminder, so after a reminder and then the members will give another priority because what I know as the chairman I know the office is well budgeted and it needs to be accounted for and we are ready to give any statements when being given. It is not upon the chair of the committee to go and debate the executive to give the statements it is the property of the House to deliberate what am just asking is the reminder to send a reminder by next week I give the statements thank you.

The Speaker, (Mr. Lenamarle Stephen): thank you Honorable Leleruk the report am getting is that we will... (*order, order*) the report am getting is that this statement was directed to the County Secretary not the Attorney but the question is about the Attorneys office but also directed

to County Secretary, so that is the clarification. So I want to make a ruling that now the committee should go back do the reminder and bring back the report on 18th of Oct at 2: 30 pm.

STATEMENT

Statement No. 009/2023 requested by Honorable Jeremiah Leitoro MCA El'barta Ward to the chairperson of the Committee on Environment, Water and Natural Resources in regards to the status of El'barta Ward Water Projects specifically water extension project from Ngilai Dam to Ngilai village.

MCA El'barta Ward (Hon. Leitoro Jeremiah): Thank you Honorable Speaker...

The Speaker, (Mr. Lenamarle Stephen): order Honorable Leitoro I did not give you chance to... I want the chairman for Water first to respond and then now you can take the floor

MCA Specially Elected, (Hon. Asha Mohammed): Thank you Honorable Speaker allow me to welcome the students of Kisima girls, Karibuni sana I beg this House and Honorable Leitoro just to bear with us we will make sure as a committee we will bring this statement on 17th kindly, On 18th.

MCA El'barta Ward, (Hon. Leitoro Jeremiah): Thank you Honorable Speaker, I want to take this opportunity to welcome our students from Kisima Girls and Honorable speaker pertaining to statement 009/2023 as you read the statement I think that is not that right statement that I have requested honorable Speaker.

So I request the Honorable chair from the department of Water and Environment and Natural Resources to actually pick the right question that I asked on 8th august 2023.

Honorable Speaker with your permission I would like to read as follows the question was whether the department is aware that Nteremuka borehole in Nteremuka village and Lentabas borehole and Longirgir borehole in Ngilai Elbarta ward are no longer functioning? That was the first question.

The second question was, whether the County Executive has conducted visit to the above boreholes to ascertain their status?

The 3rd one, when is the Department going access and repair the above mention boreholes?

4th one, status Report of water extension project from Ngilai dam to Ngilai village?

Hon. Speaker, from the statement that you have read, this one only enquires on water extension project from Ngilai dam to Ngilai village leaving all other projects unanswered. So I wish to request the Hon. Chair to actually enquire to all other questions. Thank Hon. Speaker.

Specially Elected Member, (Hon. Asha Mohammed): This statement 009/2023 is the one that is in the order paper, but we still request more time. Thank you

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you Hon. Speaker, I sit in the committee of water, so thank you so much Hon. Jeremiah Leitoro. I think we pick from the questions asked by the Hon. Member, they are very pertinent, so we will have to pick the questions and then may be probably on 18th as stated by the Hon. Chair, we will bring the response, so we apologize Hon. Jeremiah but we will pick the correct questions that you have just raised and then we make sure it has to be responded on 18th.

Last week we were with the committee of roads, we went to Samburu North and it was so diver stating that we just past next to that Nteremuka boreholes that was not functioning and there was dire need of water in that place, so I feel my Hon. Member, he so complaining because of his people, the people who elected him, that place is so dry, you cannot get water easily there and that borehole being not functioning, it will bring a very big problem to them. So Hon. Member jut bear with us on 18th we will have to make a response on that. Thank you Hon. Speaker.

Specially Elected MCA, (Hon. Osman Dube): Asante sana Mhehimiwa Spika, kwa usema kweli, sisi kama kamati ya Brabara, tulitembea Ntewremuka Borehole. Tuliona na macho yetu na wakati Mheshimiwa kusema Nteremuka borehole, haki ya Mungu tuliteremka pale na wale wanaishi huku kwa usema kweli wanateremka kabsa sababu ya chida. Ninaomba hii kamati kwa haraka kabisa wasimame vizuri ili watatue iyo chida ya Nteremuka borehole. Mimi nimeona na kwanza Nteremka hadi Baragoi tulichoka sana, unajua mimi ni disable, saa ingine kukaa kwa gari kuanzia Nteremuka hadi Bargoi ni mbali sana na kwa Barabara tulipata watoto wengi sana wakiomba maji. Kwa hivyo naomba hii kamati ya maji mara moja washughulikie na kwa iyo

tarehe 18th walete Ripoti ns iyo borehole ifanyike kazi na kazi yaishe. Naomba Mheshimiwa Leitoro vile wewe unalia hapa, mambo ni kweli. Asante sana Mheshimiwa Spika.

The Speaker, (Mr. Lenamarle Stephen): Hon. Leitoro, are you comfortable with 18th?

MCA El'barta Ward, (Hon. Leitoro Jeremiah): Yes Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): so the statement will be forwarded on 18th of this month at 2:30pm and therefore it must have to touch all the questions that he asked and the clerks write in the order paper, let them write first and then the committee should answer all this questions that have been asked by Hon. Leitoro.

Specially Elected MCA, (Hon. Mohammed Asha): That is in order Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Thank you.

Hon. Members we have deliberated on the speech and therefore I want to dispose this motion of our dignitary UNICEF Kenya as you have already discussed it at length. I now put the question **THAT**, pursuant to the provision of standing order 23(5), the tongues of the County Assembly be recorded for the exposition of public policies contain in the address of UNICEF Kenya representatives.

(Question asked and passed)

The Speaker, (Mr. Lenamarle Stephen): Hon. Minority leader

ADJOURNMENT MOTION TO ALTER THE PARLIAMENT

MCA Suguta Marmar Ward, (Hon. Leleruk James): Hon. Speaker I beg to move the following Motions; **THAT** pursuant to standing order 27(4) this Assembly resolves to alter it is calendar to adjourn today 4th October, 2023 as Members will be participating in Maralal International Camel Derby from 5th to 8th October, 2023 and next week they will be attending an induction workshop and resumes on 17th October, 2023. Thank you Mr. Speaker and I propose Hon. Leshimpiro to second the Motion.

MCA Ang'ata Nanyokie Ward, (Hon. Leshimpiuro Paul): Thank you Ho. Speaker, I stand to second the Motion THAT yes it is necessary for Hon. Members to go for short recess as explain by the Hon. Member, Minority Leader because we have the Camel Derby in this 5th to 8th and

The Speaker, (Mr. Lenamarle Stephen): Hon. Leshimpiro, just say I proposed and it is done, Okay thank you.

Hon. Members I now proposed the question **THAT**, pursuant to Standing Order 27 (4), this Assembly resolves to alters its calendar to adjourn today 4th October 2023, as they will be participating in the Maralal International Camel Derby from 5th to 8th October 2023 and next week they will be attending an induction workshop and resume on 17th October 2023.

MCA Suguta Ward, (Hon. Leleruk James): Mr. Speaker, I rise to support the Motion that because of the activities within our County, that is the Camel Derby. The reason why we are asking we alter the calendar; all Members will be participating in that activity and it is an honor to our County because we have dignitaries who are coming to our County and also, we need to show them and participate fully with what is happening within our County as elected leaders and as also representatives of the people so that the House will not be interrupted. So, it is a normal that we usually adjourn to alter our calendar so that we cannot be caught in an awkward position and I beg the Members to support this Motion so that we can alter our calendar. Thank you.

MCA Ang'ata Nanyokie Ward, (Hon. Leshimpiro Paul): Thank you Honorable Speaker, and I support the Motion that we adjourn the House as requested by the Honorable Minority leader, because ahead of us we have the Maralal International Camel Derby, it is the only one in the world I suppose and it will attract a number of visitors from all over the world and within our County and Country and so therefore it is important for us to be there to participate whether directly or indirectly but we will have a role to play, to get educated even there and show a number of other things.

Beside that Honorable Speaker, next week we will have an induction on the Disaster Risk Management among other things which I think it is very important for us as a County, at the moment we do not have the one we have seemed to be a copy and paste for another County. So, we needed one that will help us according to the customary issues and according to our needs, so

it is important that we adjourn for us to have those two activities being done within time. Thankyou Honorable speaker, I support.

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you Honorable Speaker, I stand here to support the Motion by the Honorable Minority leader, that we should alter our calendar to attend the Maralal International Camel Derby. Honorable Speaker, it is as well known by our Honorable Members that I think during this Camel Derby we have many partners, many donors, many sponsors who come and showcase their activities at the Camel Derby.

I think it is the best time that maybe you can go there and interact with them having coming from different wards with different dynamics you may probably get one donor or sponsor who may sponsor an activity in your Ward. So, it is very prudent that we should alter our calendar and attend that Camel derby. Honorable Speaker, at the Camel Derby there that is when we showcase out traditional culture, the Samburu culture, the people who do so come from our Wards, we need to be with them there, we are as well Samburu's that we should be there as well. So, it is very prudent that we should attend that, Camel Derby.

The last thing that I am supporting this Motion Honorable Speaker is that I think all of us here have parents, families, so I think this is the right time you can go there with your family and enjoy your culture especially now that we have some digital kids that maybe have to go there and see our culture, as MCA's as well we are parents, we have families we are supposed again to attend that very important function.

So, Honorable Speaker, very briefly I just stand here to support the Motion by Honorable Minority leader that we should alter this calendar to attend the Maralal International Camel Derby. Thank you so much Honorable Speaker.

Specially Elected MCA, (Hon. Hassan Dube): Asanti sana Mheshimiwa Spika, mimi ninaunga mkono. Minority leader amemaliza kazi Mheshimiwa Spika akalete Motion baadae akaungwa mkono tena mara ya pili kabla sisi hatujaungwa mkono Mheshimiwa Spika. Mheshimiwa Spika hata mimi ninaunga mkono kusema ukweli Mheshimiwa Spika unajua tukikaa kwa Assembly mambo ni mengi ukipika sufuria mbili, moja inaweza chomeka.

Mheshimiwa Spika, off kidogo ama recess kidogo hata inatusaidia sisi kama private family, wengine Mheshimiwa Spika wako na family wanaweza potea hapo ndani. Mimi ninaunga mkono Mheshimiwa Spika, kwa sababu hii wiki mbili ni mzuri kwetu wale *koblo koblo* kidogo. Asanti sana Mheshimiwa Spika.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thankyou Honorable Speaker. I also stand and echo the sentiments of the Honorable Members to support the same Motion of altering our calendar. Honorable Speaker, we have two activities ahead of us, on this week and also on next week and that is a big reason that can make us alter our calendar but besides that Honorable Speaker, we still have our committees to perform our duties.

So Honorable Members for those Committees that are under the concern statements call even the Departments to do the necessary for their response so that once we come for our session, then the statements will be answered. So, Honorable Speaker, I wish Honorable Members a happy International Maralal Camel Derby, I wish you peace and also victory in our community. Thankyou Honorable Speaker.

MCA Lodokejek Ward, (Hon. Lekuchula Lenas): Thankyou Honorable Speaker, I support the Motion.

The Speaker, (Mr. Lenamarle Stephen): Honorable Members, I now put the question;

THAT pursuant to Standing Order 27 (4), this Assembly resolves to alter to adjourn today 4th October as the Members will be participating in the Maralal International Camel Derby from 5th to 8th October 2023 and next week they will be attending an induction workshop and resume on 17th October 2023.

(The question was proposed, put and passed by the Members)

ADJOURNMENT

Honorable Members, the time being five minutes to 4 O'clock, and there being no any other business, this Assembly now adjourns until Tuesday 17th October 2023 at 2:30 PM.