

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Thursday 2nd May, 2024

The Assembly met at the County Assembly Chambers at 2.30 PM

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

PRAYER

The Speaker, (Mr. Lenamarle Stephen): Hon. Members it is notified that the following statements are due for responses today on Tuesday 2nd May, 2024 at 2.30 pm pursuant to Standing Order 45(c), Statement No.027/2024 requested by Hon. Jeremiah Leitoro to the Chairperson Committee on Environment, Water and Natural Resources in regard to water projects in Elbarta Ward.

Hon. Lemartile

Chairperson Committee on Environment, Water and Natural Resources, (Hon. Lemartile Francis): Thank you Hon. Speaker.

We got response from the Department, of the statements asked by Hon. Jeremiah Leitoro on 27th March, 2022. The first question by Hon. Member is whether the Department is aware that the following borehole is non-functional: such as Nteremuka borehole, Soit Ngiro borehole, Suyian borehole and Huruma borehole.

Department's response, the Department is fully aware of the functionality of the above mention boreholes through the laid down reporting system to the borehole rapid response team domicile in operation and maintenance section we are fully aware of their breakdown from the report gotten from respective borehole operators and committee upon receiving the reports the boreholes rapid response team visited same sites and came up with findings and mitigation measures of solving their problems:

Nteremka borehole the team earlier work on its controlled panel and left while it was functional only to receive the report later that it is not functioning the team had discovered during preliminaries mitigations that the borehole could be having some issues on its mortar thus mortar needs to be retrieved to the ground level for further analysis and servicing if need be challenges encounter in order to successfully to retrieve the mortar the team uses the crane lorry for such work which is grounded to death due to some mechanical issues hence crippling daily operational of the borehole rapid response team the Department mobilizing resources for serving the crane lorry so that it is in sustainable state in effective and efficient use.

Soit Ngiro borehole the team has schedule to revisit and attended to borehole breakdown but this was not realized as before the same date the crane lorry breakdown the site has not been access comprehensively.

borehole rapid response team has not done comprehensive assessment of the pre-failing borehole problem but the preliminary observation indicates that there are possibilities of the mortar having malfunction issues.

craned lorry thus crippling the borehole rapid response team operation.

Project vandalism and tests, Huruma borehole, the the dry spell, this will ensure constant availability of fast-moving boreholes spare parts and also constant supply of water to the target borehole beneficiaries. Department recommendations of cabbng borehole breakdowns problem across the county, increase departmental recurrent allocations that will cater for such unpredicted boreholes mechanical breakdowns that are frequently evident during Suyian borehole earlier the Department got the no-functioning ad resource mobilize and pro-cured 9 numbers solar panel and replace that were vandalized few days later one of the earlier installed solar panel was stolen thus stopping the borehole from functioning also the team realized that the borehole mortar could be faulty thus require to be retrieved for further investigations and later servicing. Challenges encounter, grounded

Establishment of contingency water fund that will be rein-fenced to cater for water related problems, solving and also ensuring availability of finances when need arise.

Mr. Speaker, the next question was when the department is intending to repair the said borehole? It is the department intention and aspiration to repair all the broken-down boreholes within Samburu County within the minimal respond time, on the issue of the above mentioned boreholes the department is trying to do resource mobilization from development partners to facilitate repair of the boreholes and related boreholes equipment.

It wants nothing that within, March-April, 2024 period the department experienced that the seven number broken down boreholes reported unattended 16 of them. The department wants to assure the honorable member that all this borehole functionality concern will be looked into and addressed amicably.

Then question three, from the honorable member are status report of the following projects for the financial year 2022, 2023.

- A. Suyian water extension. Response from the department, Suyian water project is currently not functioning due to facts and reason highlighted above in response three of question one.
- B. Equipping of Ngilai borehole. Response currently the project is not functional due to the fact that the borehole aquiver cannot sustain the pumping activity where it has been observed that the borehole water pumping has been positively responsive for around five to eight minutes and water seize

In view of the above the department recommend for the borehole to be done cleaning, flushing, prating and eventually retest pumping to clear a certain its accurate yield.

Question four, which companies were awarded contracts scope of the above projects and whether they were paid. Response from the department and Suyian water extension on contractor awarded Lkanto Construction Limited, P.O BOX 252-20600 Maralal. Scope of the work construction and connect to system fifty meter cube ground level masonry tank.

Two, repair and rehabilitation of the existing pipeline.

Three pipeline extension work from the kiosk to the dispensary and Suyian village. Payment status of that project, payment is on process is ongoing.

Equipping of Ngilai borehole contractor awarded Omom Agencies Limited P.O BOX 252-20600, Maralal contract number SGC/Q/173/2022, 2023 Quotation number SG/NEG/1128733/2022, 2023 Scope of the project was borehole equipping pipeline installation from borehole to propose water kiosk and trough construction of roof slump water kiosk.

Four, fencing at the borehole site 30m by 30m, payment status payment done minus 10% retention. Thank for your continuous cooperation and support that you have tirelessly accorded the department

Yours sincerely

Hon. Moses Leluata

CEC, Water, Environment, Natural Resource and Energy.

Thank you Mr. Speaker that is the response from the department rarely Mr. Speaker we were writing the third reminder by today but within mid of the day we were told they have brought the statement and as the committee we sought the statement was substandard and even the format which the responded was not enough to explain because they are giving a lot of stories which were not asked they should have gone specifically to the point of what was asked if about Nteremuka is working or not but really I see just because we have taken a lot of time I saw it would be better to respond as per what they have given us. Thank you.

The Speaker, (Mr. Lenamarle Stephen); Hon. Leitoro.

MCA, Elbarta Ward, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker. Hon. Speaker I would like to take this opportunity to thank Hon. Chair for elaborating the response from the Department Hon. Speaker, my concerns is it seems that I think my questions has not been well answered because my questions were specific, especially I wanted to know like now in question two when the Department is intending to do the repairs of the above boreholes we have been given a lot of narration Hon. Speaker in the statement and the Department has categorically given explanation the reasons as to why they are not meeting or they are not doing repairs of these boreholes.

Hon. Speaker and one of the things that they have noted in this response Hon. Speaker is the Department of water in our County has only one lorry crane and once this crane develops mechanical issues then it means that there are no measures to do repairs of this crane then everything else stalls and now that we have been told the crane is not functioning and we have not been given the exact date that is expected that this crane could be functional I tend to worry to exactly what will I tell my people in Elbarta especially in Nteremuka ,Soit Ngiro and Huruma Leilei, what explanation am I going to give to them because they wanted to know exactly date or time that they expect this boreholes to be repaired and that question has not been substantially answered and the Department of water has gone hide explaining that

We expect an increase in departmental allocation for them meet this unpredictable borehole mechanical breakdown especially during the dry spell and even for the purposes of the cranes honorable speaker but according to shares statement that have already been table honorable

speaker instead of allocation for the departmental of water to be increased I have noticed that allocation for the department of water drastically has been reduced to a significant marginal so my worry is with drastically increased in allocations department of water then it mean all boreholes will never be repaired honorable speaker.

There were job on the project that was tendered during last financial year and on 2022/2023 and majority of those projects are uncompleted and to my amiss the payment for those projects have already been done, yet nothing has been done so intend to worry because it is my understanding that once the project is completed and they have been issued with completion certificate that is the time the is project are supposed to be paid honorable speaker therefore, I don't know the criteria that is being used to pay for the projects that have not yet been completed, thank you honorable speaker.

The Speaker (Mr. Lenamarle Stephen): Hon. Lorunyei Lawrence.

MCA Nachola Ward (Hon. Lorunyei Lawrence): Thank you honorable Speaker I also stand to appreciate the chairperson of the departments for the respond as been said by the chairperson everything is substandard and if you see the issue is about the basic rights that is what which need not to be waiting and according to the names mention that there is this response on responses such us maintenance among others , and if there's is unit of response what is there problem because if it is maintaining it is daily activity and there must be well prepared, if it is respond what do you mean by respond? Mr., Speaker the departments are taking everything as usual that's why we cannot be proud that after ten years we are going to leave a legacy On that, the problem of water at least we have gone to some levels of degree , average or 75% or few percentage is remaining but were still below the average.

Mr. Speaker and our people are suffering across the county and they put a lot of money every year for the last eleven years to our departments and none of the departments were really proud that it is due something, like now the problem of the lorry crane now that it is machine, if it gets a puncher and not get to make that puncher will it be un excuses that there is puncher that we are not operating yes if it has broken down there must a quick response to be repaired so that we cannot stop the operation of the departments or services to the people that's why this honorable house needs to be very serious because they are mangers or supervisors of those agencies ,

response units but if they are not up to the task that we are crying in this house and our people are really crying for this house due to substandard services we need to do something.

Mr. Speaker, and going to participation of honorable Leitoro saying that the budget has been cut and problem are also arising and well-being of that problem is being reduced something worrying Mr. Speaker that why am saying we need to be serious and all officers employed and approved by the county government to fit the work given and if they are not fitting the work given something should be done otherwise Mr. Speaker because it all across all the departments if we can make mutual because the committees we pray we do observation so we can give the resolution all house but what resolution are we now giving apart from crying ,

Otherwise my view is that to summon again because they are fit for the job for example Huruma town is town imagine a town people living without water and they got a government, and this is a default function there failure is also making us to fail so we need to put a legacy in this honorable house so that the division of work is fit for the specific people given so that they can perform, am bit annoyed and thus we need to do something this house is need not to be taken as of low but this member we have got the power also to remove them , if somebody is not fit for the job , if you applied for the job you must do the job and we must progress , mark time and not to going back the power of this house need to be felt, and for those few remarks I resume my seat, Thank you Mr. Speaker.

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

Minority Leader, (Hon. Leleruk James): Thank you Mr. Speaker I also arise to appreciate the chairman for the response in addition I have a concern because of the issue raised by Hon. Leitoro Elbarta, every ward has a problem concerning this boreholes and if the response we have just been given that we have just have one crane that usually do all this works then we are 9in a disaster and Mr. Speaker I need your direction and also guidance and to also urge my fellow honorable members of this house water is a critical components and a basic need to our people of Samburu county and if we need to solve these problems if the response that are being given by the departments the issue of maintenance and repairs and they don't have funds to do repair that is then very alarming.

It is a problem and because this is period we are going to make a budget the basic issues now need to be and I'm urge honorable members of this house every day you were being call by your constituents that the boreholes are not working, they doesn't have mortar and other small things and usually the report that is being brought here today Hon. Leitoro is the one who raised the same issue and I heard the they have repaired sixteen boreholes, the other day they were here we requested to be given the boreholes they were intending to repair because almost 30 boreholes that are not working in Samburu county and if those few are unable to repair then what are we doing?

what is the purpose of the budget were intending to pass this incoming June if we don't take into consideration budget of this department and I want to urge every member of this house that there are those critical departments that need to be given budget we need to look carefully into the budget and get the solution of this problems because if we continue with same habit that chairman comes and informs what the directors or the concern departments says and what are we going to tell our people the same question am asking myself what am I going to tell my people of Suguta Ward if there borehole like Lorumok borehole they had.

Since I joined this house and I have been urging them to repair just 200thousand it has not been repaired until now. Mr. Speaker am requesting your direction and guidance to this department of water so if the budget issue this the problem we need to put money were this boreholes will be repaired so that we don't have to ask any question again every member of this house going to the department when are going to do this and that.

We have not seen the paying money for repairmen I don't know they are bringing the fort books to see if they are having this money or not if the intended money have been used or not so mined the chairman also all the chairmen we have of all the departments within county government we need to look at this budget and make things work because if we continue answering some questions and no answer you can go and tell your people, then what have we been elected to do? It is now the time we see the budget of water raised because we cannot continue to dig more boreholes while other boreholes are not already working, Thank you Mr. Speaker.

The Speaker (Mr. Lenamarle Stephen): Hon. Lenamparasio

MCA Loosuk Ward (Hon. Lenamparasio Phelix): Thank your Mr. Speaker, first of all let me take this opportunity to thank my honorable chair I sit on the committee for the response however I have some few concerns i think it is very unfortunate as this house each and every time we just come here we debate and discuss a lot of issues concerning this departments and as members we all know that we have a lot of issues but we are just keeping quiet as the house it very bad that we sit here as the representative of the people knowing were the problem is and not using the power bestowed upon us by the people to work honorable speaker I think there is some issues here that I think we should put it very clear, to me it is now very clear that most of this people...when we came to this house for us we came as politicians because we were elected and then the county government acted on constitution and gives governor the power to appoint technocrats to work in this departments.

I think we have an issue of administration in executive there and I think everybody knows that but I think the bogged problem is as the members we are just keeping quite because we know the where the problem is and we are just keeping quiet as the representative of the people, I think it is the right time now we are supposed to wake up and do something in this house because honorable speaker I have just seen the concern coming from Hon. Leitoro that he has 4 boreholes that are non-functional and for me I have 8 boreholes and all of this years I have been asking this department to repair but nothing has been done.

I went even ahead and allocate some amounts thorough my ward fund for the repairs but nothing has been done until now so somebody is there in the office with all the capabilities that maybe he has and just refusing to work so I just have to urge our honorable members that it is our right time that we should defend the people who brought us this house otherwise I think Godly if we will be unfair to the people who elected us I will do be affair to stand firmly and claim that we need to do something especially in this executive.

I think honorable speaker how I look at the budget where it originates it originates from the executive they have their meetings and drafts the budget and the budget goes through the circle, is very shameful that the department saying we need to have some money for repairs but in this financial year we have no even a single proposal for borehole repairs why then should they go ahead and say that we should have recurrent in the department while we have no proposal in this budget of 2024/2035 budget.

So I think they don't know what they are doing and some of this people need to go home so we can get other people who can come and work for the people so Hon Speaker, I just need to urge our committee that we should be very vibrant and we should start working and start summoning this guys here, and this is the highest time this assembly has to do the arising cases we ask statements here the executive take even three months without even responding the statements, or what happens when a CEC does not respond to our order. As the head of this house I urge you and we should even review our Standing Orders so that it should include that if a statement is not responded to after fifteen or thirty days then the person concerned can be summoned to this house or even impeached and sent home.

I just urge fellow members that it is time to defend the people who elected us. Otherwise it will be very unfair and we will go back to our people maybe in 2027 we have not done them justice, we come and sit here and get paid and we do not protect them. Thank you, Mr. Speaker.

MCA Lodokejek Ward, (Hon. Lekuchula David): Thank you, Hon. Speaker. I also want to appreciate the honorable members who spoke before me. We have seen that in all our wards we have the issue of non-functioning boreholes. We have seen that we have a very big issue concerning the repairs of the boreholes in every ward. I have several boreholes in my ward that are not functioning. It has gone to an extent whereby some of them dig into our pockets to make sure that people go to the grounds for the repairs of the boreholes.

You may find that the borehole has a very small issue that can be solved by a technician without using a lot of money or equipment that maybe required. We want to summon the CECs to tell us how they appropriate money for repairs and maintenance of the boreholes. Most of the boreholes here have a problem of motors. One of the boreholes in Kisima town is currently not working and the problem is the motor.

If you ask them to buy a new motor, they say they do not have the budget for now. It seems the same problem is all over the County. Those are the reasons we should call these people to come before this house to explain to us so that we can find the best way possible for the repair of boreholes will be straightforward. If there is a problem with the boreholes you just need to make one phone call and the repairs are done. Thank you, Hon. Speaker.

MCA Wamba North Ward, (Hon. Lentukunye Christopher): I also want to appreciate the Chair for trying to convey a message from the department. It really beats logic for the CEC for water to bring some unreasonable excuses as to why there are these problems affecting these water facilities. I can see that these are four boreholes that are being questioned and that is only in one ward. That translates so that it fits the picture of the entire county. Hon. Lekuchula representing Lodokejek ward has also painted a picture of the same problem in his ward. Mr. Speaker, it is my belief and assumption that all boreholes in Samburu County are in the same status.

The department of water is getting a good amount of money passed by this house. But it is not wise for that department to utilize those funds meant for provision of water and forget about the existing projects. I find again it is not wise to continue requesting for money to run the department to do new projects while the existing ones are not functioning.

It is high time for this house to make recommendations and see to it that the head of that department appears before this house and shed light on this and give reasons as to why he is requesting for more funds and forgetting about the existing projects. Being a ward representative just like Hon. Leitoro, I also have the same problem; all the boreholes drilled in the previous years are also not functioning.

Mr. Speaker, the department for water should think whether it is wise to continue doing new projects and forget about the old ones. The same department is getting funds for maintenance. This is not a lot of money to do repairs. Even repairs for the green vehicle which is said to be the reason they are not going to the field to check on those projects. I wish to call upon honorable members to be proactive rather than waiting for all these problems to occur then we start crying.

Members are crying because they are representatives of the people who elected us to these positions. It is a sin to sit here and watch the people suffer while you have the solution. This house was created under the Constitution of Kenya and given powers to summon these CECs and to also interrogate the budget. I really want this house to take this issue seriously especially at the time of budget making and approval because I do not see any reason why we should pass or approve the budget of this department to go and do other work while the existing projects are not working for the people. Thank you, Mr. Speaker.

The Speaker, (Hon. Lenamarle Stephen): Hon. Lemartile now that the report is substandard, what do you think now as the Chair?

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you, Mr. Speaker and honorable members who have contributed to this response. As per the response from the department the trend for underfunding in our budget and that is true because in the financial year 2022-2023 budget, the water department had 9%. This financial year, 2023-2024 it was reduced to 7%. As per County Fiscal Strategy Paper which was tabled in this house the coming financial year will be 6%. We have seen the budget of the department has been drastically reduced and we do not know the reason, Mr. Speaker.

The only excuse they are giving out is that the department has lot of conditional grants which have not been released up to now. As per the Fiscal Strategy Paper, out of Kshs.800M, we have only received Kshs.300, 000 which is not dependable. In the last supplementary budget, I was in this house and I begged members the amount allocated to the repair of boreholes was Kshs.2M. Someone is getting Kshs.80M to fly all over the County and we are allocating Kshs.2M for repairing and maintenance of boreholes in the entire County.

The problem lies with us when we allocate resources. If we do not see and allocate we will still cry and cry loudly. In this financial year it is hard to get water projects in a ward. In my ward I had one as a Chair and it was supplemented again. We were with the department the other day and we questioned why rate was too low and they openly admitted before the committee that they have orders from above that they should not procure this and this until approved by the authority.

Mr. Speaker, as members have suggested we need to summon them and get further clarification because there is something fishy within the department. Something is hidden because how do we approve a budget and allocate for the department and another order from above is issued that there should be no procurement until it is approved by some authority. I do not know which authority that is.

They should come and tell this house because that is the problem we have. We pass a budget but some should not be done until the supplementary is done. Some projects have been stalled to be supplemented which is very wrong, Mr. Speaker. The department really cried and gave us the

number of non-functioning boreholes which stands at 37 by March-April this year. What we allocated to them is Kshs.2M.

Mr. Speaker that shows really the department depend on development partners on that, there is a big problem they do not allocate something enough to cater so I beg the Department will come and clear some facts there as we go to another financial year budget making process. Thank you, Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): The Chairman make sure you get the report, a comprehensive response by 4th of June once come back from the recess and a detailed report that the Honorable Member who requested must have to be satisfied with it. Whether you summon the Department or you go back to the Department, let us have a comprehensive one that is satisfactory.

Statement No. 05/24 requested by Hon. Esther Lenolkulal to the chairperson to the committee on Agriculture and on Livestock in the regards to the tractors and seeds distribution.

Loosuk Ward MCA, (Hon. Lenamparasio Phelix): Thank you Mr. Speaker, I think the last time when Hon. Esther Lenolkulal asked that Statement we all agreed there will a respond on 4th June which the next month, on the same time we agreed that there are some things that should not abide up to 4th June 2024.

I think the statement had almost seven questions and today I will be giving responses to two Questions but again on 4th the questions will also be included in the Statement, as well I will answer the questions on 4th June, Hon. Speaker I went to the Department and inquired about the issues that were very serious especially on issues of tractors and then the promise by His Excellency the Governor to the people of Siambu on Land plaguing.

I stand here to respond to those two Questions. Firstly, I have to congratulate my County Officer for crop production because he went further calling Hon. Leerte who is a Member for Poro Ward clarifying on the same urgent issues then I think the Honorable is here he may be given some time to confirm if it is true that they have sorted the same issues.

I think the numbers of tractors hat are functioning within the Department are sixteen. We have sixteen functioning tractors that were repaired and are functioning and the same tractors are the

ones which have been distributed across the ward especially Samburu West that they are applying lands. Two of the tractors are in Poro Ward that is specifically Siambu and Lporokwai.

They have been ploughing lands despite the facts that there have been some stoppages because of the rains the lands cannot be ploughed due to lots of mud. Let the Honorable Member confirm if it is true that there is tractor in Siambu and Lporokwai in his Ward. That is as per the Department.

The second Question is that the promise by the H.E the Governor that he will plough fifty hectares specifically in Siambu, fifty hectares that is one acre per member or per community member and up to now, fourteen acres have been ploughed. The tractors are no longer doing the same because of the rains but the tractors are still in the farms.

There was an issue of fuel but it was sorted. The tractors have now fuel, so I think we will now wait for the rains to subside so that we will continue, those are the two Questions that never wanted to wait up to 4th and as I speak here the issue of fuel has been sorted, it has been taken to Siambu and Lporokwai. The biggest issues is the rain, they should just wait for some time for the rains to subside so that they continue ploughing, thank you Mr. Speaker.

MCA Poro Ward(Hon. Leerte Patrick): Asante Sana Bwana Spika, Ninashukuru Mwenyekiti wa Kilimo na Mifugo ambayo mimi pia niko katika kamati hilo, ninashukuru mwenyekiti Mheshimiwa Lenamparasio, alitoa ahadi kuwa atajaribu kutatua maswali yale ambayo yanaweza kutatuliwa kwa kweli Bwana Spika vile amesema kwamba tractor siku mbili ziko Poro kwa sasa na hata juzi nilisema tractor ziko, lakini Mheshimiwa Spika kulikuwa hakuna mafuta na kwa kweli tumewasiliana na CEO na amenihakikishia ya kwamba mafuta imepatikana na yale mashamba ambayo haikuwa imelimwa, yataweza kulimwa.

Hata hivyo swali ya tractors kupatikana mapema nilikuwa nimeuliza na sijui kama itakuwa ni mtindo ya Departments wakiulizwa maswali mapema hawatilii maanani. Kwa sababu mafuta inapatikana aje kama mvua imekuja na mafuta wakati ilikuwa inatakiwa inakosekana. Sasa ni kama huyo mtu anakupa jembe na hiyo jembe haina mpini, anakupa tractor, trekta linasimama Poro kuapisha trekta iko na hailimi, vile Members wamesema maneno ya maji haina tofauti na hiyo sababu kila kitu ikinunuliwa, hata hiyo tractor ikinunuliwa nafikiri iko kwa sheria, kwamba iko kitu inaitwa maintenance fee, kama ni gari, tinga iko na maintenance na nafikiri pia iko na

lubricants iko na mafuta. Kwa hivyo ni mtu anakaa pahali ambapo anafanya kazi wakati anataka na wakati hataki hafanyi. Ninashukuru Mwenyekiti lakini wakati nyingine nataka akaze Kamba ili iwe, sisi ndio wakulima na sisi ndio tunajua wakati wa kulima.

Tukisema tupewe trekta wakati Fulani tubajua kwa nini tunapatiwa wakati huo, tupewe mbegu wakati Fulani tunajua kwa nini tunataka wakati huo. Ni vizuri mwenyekiti na yupo hapa na pia mimi pia iko katika hiyo kamati tuwe tukifanya kazi hiyo mapema na nashukuru yale mawili ambayo amejaribu kufanya na hiyo nyingine ya mbegu ilikuwa imeulizwa bado, na ninafikiri ano mpango wa kufanya, asante Bwana Spika.

MCA Nachola Ward (Hon. Lorunyei Lawrence): Mr. speaker if my ears sounds me right I heard honorable chairperson says that there were sixteen functioning tractors and where by realize them we need this tractors more in central the four wards in central I think so if I go by my mathematics way sixteen distributed to the four wards does not give me the right equation Mr. speaker and the other issue that am concern with Mr. speaker if the honorable members did not ask for seats because it seems that the department is reacting it was their plan of fighting poverty or hunger in our county that way I keep saying that there is dispute somewhere of there is work and we don't have specific people fit for the work.

Mr. speaker now they are saying that they are keep on making excuses on mud caused by the heavy rainfall in their area, but who are they prepare their themselves? What was the routine operation of the department according to sign of duty there is a lot of questions to be asked concerning the way our experts given to the specific task are performing maybe they are not equal to the task that is my concern Mr. Speaker, Thank you.

Specially Elected Member, (Hon. Jane Nakinyi) Thank you Honorable Speaker I stand to correct Hon. Lorunyei about the tractors he said honorable chairman of agriculture said they are sixteen and I think it is not only central they are doing planting I guess they also included Ang'ata Nanyokie and Baawa Ward, Thank You Mr. Speaker.

The Speaker (Mr. Lenamarle Stephen): Thank you for your clarification. So honorable chair on 4th of June you can now present to us a written response that as all questions and answers being answered that is on 4th of June.

MCA Loosuk Ward (Hon. Lenamparasio Phelix): Thank you honorable Speaker on 4th June I will respond to all seven questions here, Thank you honorable Speaker.

The Speaker (Mr. Lenamarle Stephen): Thank you, Statement Number 06/2024 requested by Hon. Esther Lenolkulal to the chairperson of the committee on medical services, public health and sanitations in regards in status of Poro health center. Hon Leitoro

MCA Elbarta Ward (Hon. Leitoro Jeremiah) Thank you honorable speaker I stand to give an oral submission because an official press pass of the statement will be tuned on 4th June and this statement was seen regards to disconnection of power to Poro health center. I'm so privileged today to have conversation one on one with department of health and the report that are obtained from a conversation is what actually happened with Poro Health center that the power was disconnected by Kenya Power lightening company due to pending bills, but the department clearance's response I got was of payment total amount of around 5M, and this amount of money doesn't exactly belong to Poro health center only.

The department is usually given a compelled bill from all facilities for example from Baragoi sub-county health hospital, and all other facilities that are connected to the power grid, furthermore they are usually given one bill, and what they do they clear with the bill they paid from 5M and remain with around 800 thousands that was the pending bill the CEC gave call to the manager Samburu KPLC office, and the KPLC personnel assured us that they are going to take back the fuse after the payment of 5M.

Despite that they were supposed to return back the fuse I don't know if they forgot, and I made sure immediately a vehicle was offered to take an individual from KPLC personnel to Poro health center that today we don't have an electricity I hope by tomorrow you Poro center will find electricity if not I urge the honorable members to contact me so that I will make follow up though I was assured be the end of the day the power will be at place.

Mr. Speaker there is a concern of casuals who have not been paid for the last eight to ten months and this was the response I was given pertaining to that Hon. Speaker. Hon. Speaker, the causal laborers or casual workers usually in dispensaries are in different cluster Hon. Speaker. There were casual workers who were initially employed even before the reign of the devolution and

before devolution; these casual workers were being paid by an organization by the name DANIDA (Danish International Development Agency).

This was an agency that was paying... that was before devolution because by then Counties did not have money to pay for casual workers. So, DANIDA used to pay them on quarterly basis but since devolution has taken place, there was an agreement that was signed between the County Government that is between our Governor and this agency, DANIDA.

DANIDA is facing out now that the health has been devolved, they are facing out slowly as Counties are being prepared to take over and payment of these casual Hon. Speaker and as we speak, as up to now, the County Government is supposed to meet 50% of the salaries of these casual workers and the 50% was supposed to be met by DANIDA but this was supposed to work the same way the matching funds used to work, the County Government was supposed to commit certain amount of money so that the DANIDA can as well commit their part to complete the 100% commitment and payment of these salaries for these casual workers.

Hon. Speaker, for the few Honorable Members who are here, you remember that we had a supplementary budget a month or 2 months ago and that was part of the plan, there was 9 million that we supplemented that was purposely supposed to go for payment of those casual workers. So, I want us to understand that there are workers that we inherited before devolution and there are workers that were just employed directly from the department. So, with those who have been employed by the devolved function, they have no issue with payment of salaries but people who have issues with payment of salaries are these people who have been employee pre-devolution Hon. Speaker.

So, this fund having been supplemented Hon. Speaker, I think they are waiting for payment anytime from next week and we hope if we will get this 9 million, we will be able again to get the rest from DANIDA and the payment will be made for the rest of the months that have not been paid their salary Hon. Speaker and going forward Hon. Speaker as from the next financial year, now that the face we are in is 50/50, 50% from the County Government, 50% from the DANIDA, now we are going directly to 100% by the County Government.

There are already plans and the department has already chaired with its CECM finance that we are supposed now to meet 100% payment for salaries for these casual workers and that brings

another question Hon. Speaker because as I stood here yesterday, we talked about how we can be able to increase allocations for the department of health based on all these facts Hon. Speaker.

If at all the department of health is going to get this allocation as requested, then Hon. Speaker going forward I think we will not be having these kinds of issues now and then. Thank you Hon. Speaker, I think we will wait for an official statement that is on 4th June 2024 but as per now, that is what we got from the department. Thank you Hon. Speaker.

MCA Poro Ward, (Hon. Leerte Patrick): Asante Mheshimiwa Spika, nashukuru kwa yale ambayo Mwenyekiti amesema kwa hivyo swala la stima, hata mimi sina habari kwa sababu stima jana ilikua pia hakuna, na pia leo hakuna tungeuliza. Kwa hivyo nampongeza yeye kwa hatua ambayo alichukua kwa sababu Mheshimiwa Spika... na akina mama wajifungue. Kwa hivyo, kama stima itarudi, Mheshimiwa Spika tutakua afadhali kuliko kitambo. Asanti

The Speaker, (Mr. Lenamarle Stephen): So, Hon. Chair, you give us a comprehensive and written response on 4th of... sorry, Hon. Lemoosa;

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Thank you the Hon. Speaker sir. I rise actually to appreciate the chair and the Hon. Esther is not around but I think we also had issues with other casuals around the County especially in Nyiro, but of course what the chair has said, is giving some sigh of relief to some of us who have had similar problem and pressure from the casuals hopefully that the chair will still make a follow up and give a comprehensive statement on that particular date as per your direction.

Speaker, there is this issue of our Standing Order that was adopted on 13th day of January 2020. This Standing Order of course has maybe some gaps but never the less, though there are gaps, in relation to invites and summons, this House actually, maybe it is the House, I being part of, we are not taking seriously our roles or mandates because the Standing Order does give some authority over the Executive especially on performance.

That said, there are some procedural from the chair agriculture, there are some procedures actually because we invite the House, the Standing Order does direct that we do invites one or two, but when that persists, then there is a summons and by summoning somebody, this House has equal powers to the high court for those who actually understand that even any person as

required by that summon, is mandated to be brought to the House whichever way, through either police or whatever.

So, we are not short of maybe a way to enhance our oversight role but I want to say this, Speaker, though I do not want to go contrary to Standing Order 187, of anticipating a debate, but I just want to say, these Standing Orders, of 2020 needs to be amended and I want to say that of course we are about, though I do not want to anticipate but of course maybe we will have a break and that is I think the right time to review our Standing Order such that maybe it will incorporate some amendments that has already taken over or that is a practice from other Assemblies thus saying the CECMs, (County Executive Committee Members) be present in the House to answer these questions rather than actually the chairperson been taken on to the hard way trying to explain, he does not know, he is not an Executive person, he is not an implementer.

So, actually I think when we review our Orders, to incorporate just like these other Assemblies to incorporate the presence of these Executive coming to the House and explain by themselves all what actually are challenges to them and maybe concerns to the Members. That way, I think we shall have an effective House and Committees to avoid this that we bring today. It is short of information and maybe those who seek statements have advanced knowledge on what they are asking but one actually they are not given sufficient reason, this is why you will find it is forthcoming and forth going back.

I think these Standing Orders are somehow overtaken by time, so I just want to urge the Hon. Speaker sir, I think you are abled being our chair and chair to the management committee, let us review this in the shortest time possible to avoid a lot of hewers. Thank you Speaker sir.

The Speaker, (Mr. Lenamarle Stephen): Thank you Hon. Lemoosa, that is the direction that we are taking, we will amend our Standing Orders so that...

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Most obliged Speaker sir.

The Speaker, (Mr. Lenamarle Stephen): Thank you. So as I was saying, the chairman health, give us a comprehensive and written response on 4th of June concerning the same.

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Speaker, I thought that I asked a statement about the village council which according to the tracking was supposed to be answered today, Thank you Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Minority Leader, The defender of the government.

MCA Suguta Ward, (Hon. Leleruk James): Mr. Speaker, even I was waiting for the response from the order paper but am not seeing it, has been overtaken by the events but I was in the executive trying to enquire about the said responses together with the one that you had directed me to do on the issue of the department of health and that those concerned are not around, the only people that were there were just clerks, they are engaged outside, one is Nairobi and the other one in Nakuru. So am urging my colleagues that I will give a comprehensive report on 4th, because the one that I have is not admissible since it is Oral. Thank You, Mr. Speaker.

Specially Elected Member, (Hon. Lenamatiyio Silapia): Thank You for giving me this chance to shade light on the same, I think it is so awkward for the Honorable member who is a Chair on Labor Committee to stand and tell us that the issue has been overtaken by the events, it seems that the Honorable Chair has not taken his time to enquire the statement from the department, so I think the Hon. Members that spoke before me on other matters talked about the seriousness of the other members...

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

MCA Suguta Ward, (Hon. Leleruk James): Mr. Speaker, as this is a house with rules and regulations, and if the matter is not in the order paper, how can I answer it Mr. Speaker.

Specially Elected Member, (Hon. Lenamatiyio Silapia): Thank you Hon. Speaker, if the matter is not on the Order Paper and even the Hon. Member has a right to ask for response, because the other day the Hon. Chair for Labor had said that he will bring the response today. And that is why the Hon. Member for Nachola Ward stood up and enquired about it, but the answers we are receiving are totally awkward, and it is not in Order that the Chairs are not taking things seriously like the way they were talking before when we were talking about the issue of water, fertilizers and tractors Hon. Speaker, so the members who spoke before me talked of seriousness

that the Chairs be serious, when we ask for statements they should do a follow up from the departments.

So the Hon. Chair please do a follow up on the same, I do remember that I sought a statement on the same matter about the office of the County Attorney, it has now been One Year down the line without receiving a very comprehensive response from that department or Office Honorable Speaker, and even the committee has never called or wrote a letter to request whoever in charge to talk about the same issue, that is the same ending we are getting to on the statement sought by Hon. Lorunyei for Nachola Ward, so we need seriousness and we need to be so serious on the issue concerning that same Office. Thank You.

MCA Lodokejek Ward, (Hon. Lekuchula David): Thank you Hon. Speaker, I sit in the Committee on Labor and Legal Justice, I want to protect my Chair. Actually the chair just said the correct thing, he is in the correct position because once the statement is not in the Order Paper you cannot just wake up and just respond to it, but actually when the Hon. Member from Nachola

Raised the issue that the chairman have just answered correctly that he visited the office to try and inquire for more information but the concerned authorities were not there and actually that is the correct position to answer that question so I wonder how Hon. Silapia saying that she wants the chairperson to be serious and that seriousness we need to know more about it because actually we will know once you are serious with the issue. Thank you, Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lemoosa

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Thank you Mr. Speaker I also sit on the same committee of labor and I need to put some facts straight the committee on labor or any other signatory committee does not have that mandate to slough in any motion in the house that is supposed to be discussed this is squally raised in the house business committee so if there is any other committee that needs to sit in its job may its it's the committee of house committee we don't have the mandate to sloughs in whatever we are supposed to discuss therefore I hope honorable members will give us that opportunity and the house business committee and ensures that this will be a point of reference some other time, Thank you.

The Speaker, (Mr. Lenamarle Stephen): Hon. Jane

Specially Elected Member, (Hon. Jane Nakinyi): Thank you Mr. Speaker, I would like to respond on what Hon.Lemoosa has said about the Business Committee of the house sleeping in their job, I sit in that committee and I want to assure this house that we have been sitting, and whatever we have been bringing here for the order paper is what all the chairs brings to us, and we sit down and make sure that it is there. So I think it's the Hon Chair for labour who has not done his mandate because nobody has brought that thing to us, Thank you.

The Speaker, (Mr. Lenamarle Stephen):Hon.Silapia

Specially Elected Member, (Hon. Lenamatiyo Silapia): Thank you Hon. Speaker, I just want to know and I want to be informed if the statement is not in the order paper while the chair spoke on the day that statement was brought on the house, so I have no time to ask that statement Hon.Speaker, I just want to be informed if I can't shed any light when the Hon. Member enquires his statement, and I repeat that some Chairs are sleeping and that's why the never even call those who are responsible or those in charge of those department, for example the Samburu County Attorney or even the Secretary in charge of the offices, Thank you Mr. Speaker.

The Speaker, (Mr.Lenamarle Stephen): Hon. Lorunyei

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Thank you Mr. Speaker, it seems that we are becoming a house of excuses because once a statement is asked and the concerned chair commits a certain date for it, so it's upon him with the clerk to track that on that date, he has something to answer to this honorable house, if it's not on the order paper it means that what did he commit?, he committed that on 2nd he is going to respond, so he is to follow in the order paper to make sure that the answer is on the order paper because the process of anything coming to this house should be on the order paper.

It would have been the duty of the chairperson because he had committed that on 2nd he is to report, so he would have gone to the Business Committee and make sure that the process is followed and his commitment is in the order paper. That's why I said that when giving excuses, as the Hon. Member has said that we must be very serious and it seems that we are against it because of the normalcy of excuses.

The council of elders or the village council is an office in the constitution; it is an office being budgeted for, with some terms of work according to the County Government Act 153, it is an

office and if we are lacking. I was just standing because of the term, his excuses being he committed and it is his duty to make sure that according to the processes of this honorable house, it must pass through the Business Committee; he should have made sure that his response is by the Committee and it would be on the Order Paper. Thank you, Hon.Speaker.

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

Minority Leader, (Hon. Leleruk James) : Thank you Mr. Speaker, as I stand here I am a very serious chair of the labor committee and I even said I personally went to those offices and I said the concerns are not they are on official duty, Nairobi and the other one in Nakuru, so Mr. Speaker it is not a matter of bashing to the chairman to say that I have not done my work and also to the committee on house of business, because the business being transacted in the committee when the agenda is there and is being put on the table and on the order paper and if the response is not there what will be putted on the order paper? So I do not see the reason why the members are against when I said we are not prepared yes I said we give the response on 2nd.

Hon. Lorunyei: Point of order Mr. Speaker

The Speaker, (Mr. Lenamarle Stephen): Hon. Lorunyei

MCA Nachola Ward, (Hon. Lorunyei Lawrence): They would have come straight that the response was not there that is why it was not listened in the order paper and instead of saying it was overtaken by events.

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

Minority Leader, (Hon. Leleruk James): Mr. Speaker I said it has been overtaken by events because we cannot discuss something that is not on the order paper that is the reason why I said it has overtaken by events and that is it I am not going against the rules of this house, the rule of this house when the order is in the paper we discuss it so if you are not discussing something that is not on the order paper it is not being fair to the committee on labor there is no better word than saying it has overtaken by events.

I have also answered that the concerned are not within Samburu County, they are outside Samburu County so on official duty the response will be brought on 4th and I know the seriousness of that matter and I assure my colleague Hon. Lorunyei that the response will come

out and you will get the response and the issue of County Attorney we are not talking about County Attorney now because it is not on the agenda and we cannot discuss it unless somebody bring the statement then we answer it. Thank you, Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Chair I think you now have the whole month to make sure you visit the offices every day, get the concerned and get the response and we need two responses on 4th, that is concerning the village council and concerning the department of health sealing those are the two that you supposed to respond so we need the two responses on 4th of June.

Minority Leader, (Hon. Leleruk James): Point in order Mr. Speaker.

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

MOTION

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

Majority Leader, (Hon. Lentukunye Christopher): Thank you Mr. Speaker, Mr. Speaker I beg to move the following motion that pursuant to the standing order number 27(3), this assembly adjourns today 2nd May, 2024 to June 2024. Thank you Mr. Speaker I call upon Hon.Lemoosa to second the motion.

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Thank you Mr. Speaker, as pronounced and moved by the majority leader that as pursuant to standing Order 27 Sub Article 3, this assembly adjourns today the 2nd May 2024 to 4th June 2024. This actually is important to the honorable members because ahead of us we have so many activities outside our preliminary, we have some trainings, we have other issues of seeing our electorates, so it is prudent that we so do as directed by the house calendar Sir, I second the Motion. Thank you.

The Speaker, (Mr. Lenamarle Stephen): I now propose the motion that pursuant to standing order 27-3, this assembly now adjourns today 2nd May to 4th June 2024. We do not put the question. Hon Lorunyei

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Thank you Mr. Speaker, it seems that the members are saying that you have put a question instead of a proposal.

The Speaker, (Lenamarle Stephen): I was just proposing.

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Mr. speaker I also support that we have at least a leave, because we need a rest and also need to be within our wards, we need also to be meeting the people, it is really a routine that we must have a leave for at least a break, we get some energy and then when we come back here, we have refreshed and we are going to talk a lot, so I support.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lenamparasio

MCA Loosuk Ward (Hon. Lenamparasio Phelix): Thank you Hon. Speaker, I support, I think next week God willing if all goes well, we will be opening our schools, I think all of us are parents here, so we should have some leave to go and take our kids back to school. We have a lot of work to do with our constituents back there, we have taken long time before going back to our wards, and we want to go there, interact with our constituents, and know their issues especially now that we have the budget cycle that is going on.

We need to go and get their insights about the budget and so on, so Hon. Speaker, I support. I just want to remind them our Honorable members especially the chairs that as the chair of the budget I just wanted to ask you to use this time and go through the budget especially the departmental budget as a committee so that after 21 days you give the feedbacks or the recommendations to the committee on budget. So that we use even this recess very usefully as a house, as sectorial committee so that when we resume on 4th June, we will all have everything in order. Thank you Honorable Speaker I support.

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

Minority Leader, (Hon. Leleruk James) : Thank you Mr. Speaker, I also support the recess however, I have some preservation that I wanted to pass to the members of this house, there is this issue of rains that is going on within our county, many roads are now impassable and as elected members of this house and also the representative of the people, I saw there is a need as honorable members because there is an emergency that is coming out, many dams are almost to burst, many roads are impassable particularly now in my ward going to Suguta from Lolmolog or Longewan, you cannot go to Suguta Town now.

So as a representative and also the Chair of budget, I don't know if the county has any emergency or any preparation that they have prepared as we are going to the electorates, that we can do something for our people, God forbid nothing will happen but already many roads are impassable and many dams as I saw the people on the Roads departments are running up and down to see if there are any contractors that can spill out the dams because they are almost to burst, so Mr. speaker as we are going on recess.

We must be on standby so that we can help our people in case there is any emergency or any need arises, we be on standby because this issue of rain that is bringing a lot of havoc within the other counties particularly in Kenya, Samburu is now on the verge in fact I urge our Chairman for Roads to contact the department, I don't know even me I cannot go to Suguta now, Roads are impassable and many roads have a lot of muds and I don't know if we have any emergency funds for that work. So that is the issue that I had, so that as members of this honorable house, we need to go and talk with the executive and also be informed on how to handle those issues because they are coming to our doorsteps. Thank you, Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Honorable Majority Leader

Majority Leader, (Hon. Lentukunye Christopher): Thank you Mr. Speaker, well I appreciate the concern of our members particularly Honorable Leleruk, but I am worried on our parliamentary procedures, I think this is the Motion that I have just tabled, Mr. Speaker it does not require any discussion or any voting, we are just supposed to adjourn today unless if a member has a written motion just to move a motion to extend a house, but upon tabling of the motion, then no discussion should go on. Thank you, Mr. Speaker.

ADJOURNMENT

The Speaker, (Mr. Lenamarle Stephen): Hon members the time being 24 minutes to 5 o'clock and there being no any other business, this assembly now adjourns until Tuesday 4th June 2024 At 2.30 pm.