

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 3rd June, 2024

The Assembly met at the County Assembly Chambers at 9, 00 AM.

Temporary Speaker, (Hon. Lemoosa Jonathan), in the Chair.

PRAYER

COMMUNICATION FROM THE CHAIRS

Temporary peaker , (Hon. Lemoosa Jonathan): The Hon. Members, whereas the County Assembly Appropriation Bill 2024 was passed by the County Assembly on June 27th 2024 and whereas the Samburu County appropriation Bill 2024 was presented for the Governor assent in accordance with the provision of the Constitution of Kenya 2010 and the County Government Act 2012 on June 28th 2024.

Having considered the proposed amendments by the County Assembly on the following codes;

- i. **1R4213**: For recurrent t expenditure to be reduced by 20 Million and to be read as Kshs. 7,042,899,724 and subtotal recurrent expenditure Kshs. 5,048,466,999
- ii. **D4214**: For development expenditure to be increased by Kshs. 20 Million and to be read as 6,079,245,842 and subtotal for development expenditure amended to be read, Kshs. 2,277,202,678 taking in to considerations the provisions of the law as provided for under section 131 (1) of the Public Finance Management Act 2012 and as read with regulation 37 (1) of the Public Finance Act County Government regulation 2015 and further, the letter addressed to the Clerk of the County Assembly reference; *Samburu County Government/budget/35/2024,26th June 2024*.

Therefore, in exercise of the powers conferred by section 24 (2b), of the County Government Act 2012 and having reservations of the proposed amendment, I hereby return the mentioned bill on the above provisions of the law and propose the same be aligned accordingly.

Hon. Members, now I commit this on the Committee on Budget and Appropriation for further consideration and report to this House within 14 days as per the law. Thank you.

STATEMENTS

Temporary Speaker, (Hon. Lemoosa Jonathan): The Hon. Members, it is notified that the following statements are due for response today, Wednesday 3rd July 2024 at 9 am pursuant to Standing Order 45 (C);

Statement No. 036/24 requested by Hon. Leerte from the chairperson of the Committee on Education and Vocational training in regards to unsatisfactorily answered statement regarding

the department to allocate funds to Hon. Members to recruit ECD teachers as interns in their respective Wards. Hon. Lawrence Lorunyei.

Chairperson, Committee on Education and Vocational Training, (Hon. Lorunyei Lawrence):
Thank you Mr. Speaker. May I read the letter of response from the CEC for Education; the information from the Department regarding recruitments of ECD teachers, “Thank you for the request for information Statements number SB/CA/CK/EV/VOL2/11 dated 1st July 2024 with regard to question number 3c where the Hon. Member asked if the Department allocating funds to the Hon. Members in each Ward to recruit ECD teachers as interns within their respective Wards. Here is the response from the Departments and I read again, “We do not have a budget to meet this request, as a Department we are more than ready to undertake this activity as soon as the Budget Departments allocate funds for the employment of teachers, in the meantime we will continue putting annual and supplementary budget estimates as a Department until when the said is okayed by the relevant body”.

Mr. Speaker, read as shallow as that, when you look at the CIDP; ECD teachers were to be employed annually in numbers every year but that one is not realized because but that is not realized because of the Budget given to the Department. Whenever the Department put funds for recruitment of teachers they are removed.

When you look at the Budget brought to this House any funds for recruitment is zero. How can the Department recruit without a Budget Mr. Speaker? The Department is underfunded and that is why it cannot meet the request Mr. Speaker. That is why the Department is saying that they would be trying every year even if it is through supplementary Budget just to ask for funds for recruitment of teachers.

When that is honored that is the only time they can employ teachers. On the side of MCAs using their Ward fund to employ teachers as interns it is a good idea but it must align with the guidelines and the law; until the law is put in place then that is the time that we can honor that.

That is why the Department is saying that they are very happy if that can be actualized Mr. Speaker, thank you Mr. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan): Thank you very much Hon. Lorunyei for taking us through the response of the Statement as per the Department of Education. The Hon. Leleruk, the Minority Leader.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Thank you Mr. Speaker. I thank my able Chair for Education for the information that he has provided to us. However, these Departments need to give satisfactory responses when being requested a simple question when the Hon. Member requested if the Members of this Assembly Ward fund can be able to allocate funds for the interns that were as per the request.

We are aware that they are under budgeted. The only reason the Hon. Leerte was asking his question was that we agree that we see that there is a challenge in recruiting ECD teachers and as a representative of the same Ward there is a crisis; there are those ECD centers that parents have volunteered to provide learning for our kids but they are not being paid. However, if the Department is unable to get funds I think the Hon. Members through their wisdom maybe allowed to give out their Ward fund to interns if possible.

I urge our Chair to ask for more answers because to me it is just that the Department has no money, what if the Hon. Members decide to give maybe a small amount for the interns so that we can bridge that gap that is a crisis in our Wards. These ECD centers are the backbone of our education and kids.

We thank the County Government that they provide for the school feeding program, children are going to those centers in hundreds and there is no teacher. There is no need to give them food and learning is not going on. They only get lunch and go home, they do not get any knowledge.

We know that the Department has some challenges and that the resources are limited but the issue is why the MCAs not allowed through their small means of Ward fund can be given that leeway to put some money for interns, thank you Mr. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan): Thank you Hon. Minority Leader. Chair for Education.

Chairperson, Committee on Education and Vocational Training, (Hon. Lorunyei Lawrence):
I started by saying that is a good opinion, desire or proposals from the MCAs. Nobody can ignore that Mr. Speaker.

But the authority is in these honorable House making decisions, orders and approving anything requested by the Department. The difference came from this Honorable House, the Department had no any intentions, provided we put it right that we do everything according to the law, because we cannot go outside the law Mr. Speaker, maybe I can ask the Department to do a verbal request to Honorable Members if they can at least allocate some funds for an employment of interns in their respective wards. At that time when we agree and we approve it that can be a procedure made so that everything can be right. As the chairperson Education Committee we want the MCAs to assist on the side of the funds given to the Departments which is always fruitless, but if this House can agree that they can allocate some of their ward funds for those interns there is no problem Mr. Speaker. As long as we put it right follow the right procedures, thank you Mr. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan): Very well Hon. Lawrence Lorunyei chair education, let us not take much struggle to explain matters executive because we are not in the right profession to explain as such but I want to appreciate the fact that 1; our Public Service Board has properly they constituted and I think yesterday we had a County Officer which now will give directions and authority and advices matters employment, having in mind our wage bill is way above the 35%. The wage bill as a county stands at 41.7%, 6.7% higher but nevertheless it is prudent to note that the Hon. Patrick Leerte is not in the House.

I want to believe that the minority leader has given us some insights that the question was very simple and direct that can members actually put aside something small or little for internship, I think that was the basic so Chair please get back to the Department as you have promised and let us have a straight guidance from the Department in the next one week. I think our secretariat can out that and interpret one week is the next Wednesday and chair please as he has put it, let us have let us have an advisory whether we can have use the ward fund, thank you chair.

MOTION

Loosuk Ward MCA, (Hon. Lenamparasio Phelix): Thank you Mr. Speaker, pursuant to Standing Order 48 (1) I beg to move the following motion THAT this House debates and approve the benchmarking report to Meru and Laikipia County Assemblies by joint committee on Liaison, Budget and appropriation, thank you Mr. Speaker, let me have Hon. Jeremiah to second the motion.

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): thank you Mr. Speaker, I stand to second the motion.

Temporary Speaker, (Hon. Lemoosa Jonathan): Very well Honorable Members I now propose THAT this House debates and approve the benchmarking report to Meru and Laikipia County Assemblies by the joint committees on Liaison, Budget and appropriation

MCA, Loosuk Ward, (Hon. Lenamparasio Phelix): Thank you Mr. Speaker following the Liaison meeting dated 14th march 2024, the committee approves under Standing Order 201 section 1 the two Committees of the county Assembly considering similar matters with the approval of the Speaker for adjoined sitting the two select committees were as follows. The select committee on liaison representatives and sectorial committee on Budget and appropriation representatives tasked to conduct a benchmarking visit to Meru & Laikipia County Assemblies to compare matters on:

1. Members Sitings
2. The best practice by the County Assembly on Members' Sitting Allowance
3. Members' general Welfare
4. Procedure conducted in committee sittings
5. Committees Operating Budgets (Development of Committees Work Plans)
6. Infrastructural Developments

The joint committee comprises of the following member

- Hon. Lenamparasio Phelix Kaunda – Co-Chairperson
- Hon. Leitoro Jeremiah– Co-Chairperson
- Hon. Leerte Patrick - Member
- Hon. Leleruk James Koileken- Member
- Hon. Lemartile Francis- Member

- Hon. Rebecca Lolosoli- Member
- Hon. Silapia Lenamatiyo- Member
- Hon. Eunice Sarah Lekirenyei- Member
- Hon. Loregae Jane Nakinyi- Member

There exist vast reasons why County Assembly Committees decide to embark on a benchmarking exercise, among them;

- Sharing experiences
- Addressing specific challenges
- Resource optimization
- Quality improvement
- Budgetary efficiency
- Improving oversight

The objectives of the committee during the visits were:

- To learn hands on the best practices.

by the county assembly on members' sitting allowances

- To establish Members' general welfare at the County Assembly
- To find out the procedures conducted in the committee sittings
- To establish the county assembly's consensus on such issues as identifying best method to be used while apportioning funds to various House Committees.

Hon. Speaker, the Committees received a warm welcome by the Meru and Laikipia County Assemblies House Leaderships. The committees proceeded for an interactive meeting with its counterpart Committees on Liaison and Budget & Appropriation. Present were the two Co-chairs; Hon. Lenamparasio Phelix and Hon. Leitoro Jeremiah and members of the two Committees who informed the joint committee of the achievements and plans in place. The committee therefore got an opportunity to interrogate and satisfactorily made the following observations:

On Members' Committee sittings Mr. Speaker:

- i. On committee sittings, the joint committee observed that both Meru and Laikipia County Assemblies have a weekly committees' timetable for all committees.
- ii. Each committee sits twice in a week which translates to four sittings weekly for a member. Translating to the maximum sixteen committee sittings in a month
- iii. The committee observed that there MUST be a committee sitting and the committee attendance register is closed immediately after the meeting
- iv. That the committee clerk assistant proceeds thereafter to generate minutes of the meeting based on the proceedings of the meeting
- v. The attendance register is submitted to finance on or before 15th of every month to be factored in the payroll
- vi. The attendance registers were submitted for payments without minutes attached. Committee minutes were used as reference journals.

On Best practices in Management Mr. Speaker, the success of a legislature depends on the efficiency and effectiveness of each committee's performance. Having this in mind, the committee had an extensive interactive session with their host assemblies and made the following observations on best practices:

- That Committees in the host Assemblies have a committee timetable/schedule prepared by the office of the Clerk and approved by Liaison; indicating the day, time, committee, venue and the concerned committee clerk assistants.
- That the host County, Assemblies have more than two labeled committee rooms for conducting their weekly committee sittings.
- Each Committee had a maximum of one hour for every sitting
- That every Committee sitting was organized by a committee chair and the various chairs generate agendas as stipulated in the Standing Orders.
- The committee observed that the various committee work plans were synchronized to one booklet highlighting various programs subdivided into 1st, 2nd, 3rd and 4th quarters.
- Every Committee program indicates the activity, dates and the amount in each quarter.
- The committee work plans were prepared by various committee clerk assistant, synchronized by head of committee services and approved by Liaison committee.

On Members' Welfare Mr. Speaker, the members made the following observations that;

- All members had customized diaries, notebooks and tablets.
- The tablets were particularly for updating on committee agendas, reports, access to Order paper and any other relevant communication.
- The County Assembly has a restaurant with a lounge, also fully furnished ward offices.
- That members were served with tea and snacks at the restaurant (10AM and 4PM) fully catered by the Assembly
- That the County Assemblies Had an ambient environment; maintaining high standard of cleanliness in and outside the offices.
- That Foreign and local travel for members must be accompanied by Committee clerk assistants.
- That the Sergeant - at - Arms must accompany members in their travels for security purposes.
- That all travels for members must be approved by the Liaison Committee
- That mileage allowance be factored in pay slips.

On Committee Work plans Mr. Speaker, Members' legislative roles must be efficient for better delivery of services. During the visit, Members found the following;

- **THAT** all requests of the committee trips/retreats will henceforth be addressed to the Liaison Committee, through its Chairperson, who will thereafter forward to the office of the clerk. The request should include a list of participants and the total amount expected to be spent.
- **THAT** Liaison committee shall obtain a list of all staff of the County Assembly and will then include at least one individual for the Sectoral committees and two individuals for the select Committees, to each committee retreat on a rotational basis and ensure all members of the staff get equal opportunities.
- **THAT** the Liaison Committee shall keep a copy of the requests in (1) for purposes of records and keeping track of each Committee's expenditures and balances.
- **THAT** after the addition in (2) above, a copy of the new list shall be communicated to the respective Committee Clerk to enable them keep updated records of all their Committees' expenditures and track of the Committees' balances.

- **THAT** all committees should submit their half yearly progress reports to the Liaison Committee on a day not later than 31st January for the periods ended 31st December and not later than 30th July for the periods ended 30th June.
- **THAT** the Liaison Committee to be reviewing all the quarterly reports submitted by the House Committees in order to review their performance vis-a-vis the budget absorption.
- **THAT** House Committees should submit their work plans to the Liaison not later than 20th July of every financial year after which the Liaison Committee will harmonize them in preparation of apportionment of committees' annual operating budget for the financial year.
- **THAT** the work plans will henceforth include a statement of expenditure of each Committee's budget for the previous year.

So, these are the general recommendations Mr. Speaker;

- **THAT**, members sitting allowances should be incorporated in their pay slips backed by the committee attendance registers and weekly timetables
- **THAT**, all oversight activities must be approved by the Liaison Committee and the reports tabled thereafter in the House.
- **THAT**, all committees local and foreign travel should be controlled by Liaison Committee and backed by approved Committee Workplans
- **THAT**, all members travel; both local and foreign travel must be accompanied by the relevant committee clerk assistants.
- **THAT**, Committee chairs be strict on their members' attendance. Enhanced by adoption of attendance register that is closed immediately after the meeting by respective committee clerks.
- **THAT**, the County Assembly should conduct an autonomous requisition of its total monthly ceiling from the County Revenue Fund (CRF) Account, independent from that of the Executive.
- **THAT**, the office of the sergeant at arms be well equipped to enhance security within and outside the precincts of the Assembly.
- **THAT**, the County Assembly cleaning services should be improved.

To create a conducive working environment.

That members be issued with tablets and customized diaries to enhance on updating agendas, reports, access to order paper and any other relevant communication. That committee clerks be issued portable laptops to enhance effectiveness of work. Honorable members be allocated letter heads, business cards and ward offices to be equipped desktop and printers.

That all travels by members should be accompanied by officers from sergeant-at-arms for purpose of provision of security.

That honorable members and attached secretariat be allocated standardized transport allowance. That women coccus be allocated budget by liaison committee based on the work plan.

That each committee sits twice a week which translates to four sittings weekly for a member that translates to 16 sittings in a month.

That mileage allowance be factored in pay slip.

That liaison committee benchmark in best practices in assemblies such as Makueni, Machakos, Nyeri as soon as possible.

Honorable speaker I just want to finish by saying, I just want to make the last acknowledge to see that the committee, I sincerely thank the office of the speaker and that of the clerk to the County assembly for the approval and their technical support have given the committee in executing its mandate the committee wishes wholeheartedly to thank Meru and Laikipia County assemblies leadership, MCAs and staffs of various departments visited by the committee and above all both the assemblies committees on liaison and budget appropriation for the whole reception and hospitality given to our committee during the visit, the cautious of this committee wishes wholeheartedly thank the members of the committee for their punctuality, commitment, time and selfless service that led the completion of this report, the committee earnestly thanks the staff of the County assembly attached to the committee and technical for their expertise of their support.

Mr. Speaker it is my pleasant duty and privilege on behalf of the joint committee of the and pursuant to the provision of the County assembly standing order number 2/1 to present this report for adoption by this honorable House. Thank you, Mr. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan); very well chair

The honorable Leitoro Jeremiah

MCA Elbarta Ward, (Hon Leitoro Jeremiah); Thank you Mr. Speaker I stand to support the report from the committee, the joint committee. As we all understand that the issues initiated for our benchmarking on both Meru County assembly and Laikipia County assembly and we all understand from the experience which for the last financial year the struggle that even through honorable speaker, especially pertaining to financing of committee activities and we all understand honorable members that primary mandate here is oversight legislation and representation

On behalf of my committee that I chair, the committee on medical services and public health, I remember one particular time that when we wanted to go through to go actually and do visit some areas that have been implemented by the department but due to lack of funds we were unable to go around actually and see how this project has been implemented and without that we were unable to know if those things were implemented for real or not.

Mr. Speaker in order for us to ensure smooth running of various committee and this in telling all the way from planning, budgeting, implementation of those plans until the end of the financial year 2024/2025 I think it is prudent for us to pass or to adopt this report so that we will not be struggling next time. If we put our house in order things will go smoothly.

Therefore with the resolution of this house we request full implementation of the above committee report recommendation by both County assembly and this board and the County assembly administration once the house agrees to adopt this report Mr. Speaker and the last thing, we will also want to request that the implementation committee should actually henceforth ensure that implementation of this report is implemented. Thank you Mr. Speaker

Temporary Speaker, (Hon. Lemoosa Jonathan); The honorable Ali

MCA Ndoto Ward, (Hon. Lealmusia Ali); Thank you Mr. Speaker for giving me this opportunity also to support in totality the table reports. I commend the joint committees for this wonderful report and I believe that this report will bring sanity to this house and it will improve the services rendered by this Honorable House in totality.

Mr. Speaker for quite some time now we have inherited or we have come to a house that really needs us to pull up our socks and ensure that we also show other counties that people that the honorable members can also benchmark from this Samburu County Assembly. It has been very difficult for even the members to perform their normal mandate because we have poor planning in this as far as the administration is concerned I believe this will put the administration on toes, as far as this is concerned to ensure that we deliver. Mr. Speaker, if this report will be adapted by this House, it will activate the performance of all the members at this house. This is because the facilitation will enable us to do our mandates without failing.

I really support this report because we have a lot of challenges ahead of us and we have realized that unless we put our things together as a House, we will not be heading anywhere. I promise this house that the Committee on Implementation will be active now because to be honest, we have not been doing much but after this is adopted we will be having something to do. So, I stand to seriously support the report, thank you Mr. speaker.

Specially Elected MCA, (Hon. Lenamatiyio Silapia): Thank you Mr. Speaker, I rise to support the benchmarking report to Meru and Laikipia by the joint committees on Liaison and Budget & Appropriation. The report has concerns on the way we should carry out our work as a house and also as technical staffs. When you look at the recommendations made by the joint committees, there is mention of the importance of cleanliness within our premises and also outside. I know that you are aware of the non-pleasant smell sometimes that we get around here, even the level of cleanliness at the deputy speaker's office among other premises. We need to observe cleanliness because we have enough staff around that can do the task. On the issue of Committee sitting about the timetable, that we should have a sitting at least twice a week so as to have met the 16 payment sittings by the end of the month.

On the issue on Mileage allowances according to me, that would be a personal decision that either the allowance be captured on the pay slip or be given according to the way it is usually processed. The report raised an issue on the secretariat and we surely have those that are helping us carry out our duties by writing the reports and on the issue of committee sittings. There is also mentioning of the technical staff accompanying the committees on both local and foreign travel, not just a matter of some members going out without them because we need them all the time

when doing our duties. Mr. Speaker I call upon the Hon. Members to support the report as it is, thank you Mr. Speaker.

Specially Elected MCA, (Hon. Osman Dube): Asante sana Bwana Spika, ningependa kumpongeza kamati zilizoweza kufika Laikipia na Meru kwa kuwa sikuweza kufika kule, nahakikisha nawapa kidole kwa kazi nzuri waliyofanya. Kwa kurejelea kamati zetu katika chumba hiki, tuna kamati zinazofanya kazi, kikapu chetu cha fedha ni kimoja ila tunaweza kuona ikitumiwa na kamati moja tu kutekeleza kazi tofauti lakini leo hii ni haki kabisa kwani wamefanya kazi nzuri na ningependa kuwapa pongezi kwa hili.

Ni vizuri mambo mengi yameweza kuwekwa wazi ikiwemo masuala kama vile ya masafa Bwana Spika, maoni yangu kibinafsi ni kuwa ni vyema ihusishwe kwenye stakabadhi za hati ya malipo. Kwa kuwa mitazamo ya watu ni tofauti na ya wengine, kama mimi ningefurahia kuona ikiwa mahala fulani kwenye stakabadhi za hati ya malipo. Na kuhusu masuala ya usafiri ya kamati, ni jambo nzuri sana kwani hapo mbeleni ingeweza kuwa ni kamati moja tu ingeweza kumaliza fedha zote zilizotengwa kwa suala hili.

Nashukuru kwa sababu wale hawakuweza kwenda kule kama mimi na mheshimiwa Lawrence Lorunyei (Mwakilishi wa Wadi ya Nachola) tunapendelea hili liweze kufanyika. La pili Bwana Spika, si kwa kusema tu bali jambo hili likiweza kukubalika tukiwa kwenye chumba hiki kama ilivyoandikwa lisitekelezwe tofauti baadaye. Ninaomba tu iwe hivyo vile tutakapopitisha katika chumba hiki ili kuhakikisha haki inafanyika, Asante.

Temporary Speaker, (Hon. Lemoosa Jonathan): Hon. Members I think that reading from the mood of the House, we really want to go with the way the report is, nevertheless I am not communicating my feelings on what the report has actually brought forward. I want to believe that we have laws that guides the management, administration and so on, as Hon Lenamatiyo Silapia (Specially Elected MCA) has said that there are some reservations from one member to another knowing that if this report had been given before, we would really adapt wholesomely.

We shall still adopt the way it is but it varies from one member to another on how maybe some financial obligations shall be guided. But the report is okay, now allow me Hon. Members to put a question **THAT** this house debates and approves the Benchmarking report to Meru and Laikipia Assemblies by the Joint Committees on Liaison and Budget and Appropriation

(Question proposed and passed).

ADJOURNEMENT

Hon members the time being 4 minutes Past 11 o'clock and there being no any other business, this assembly now adjourns until Wednesday 23rd July 2024 At 2.30 pm.