

## COUNTY ASSEMBLY OF SAMBURU



### *THE HANSARD*

Wednesday, 16<sup>th</sup> April, 2025

The Assembly met at the County Assembly Chambers at 2:30 pm

*Deputy Speaker, (Hon. Lelenkeju Jackson) in Chair*

### PRAYER

## **STATEMENTS**

**The Deputy Speaker,** (Hon. Lelenkeju Jackson): Hon. Members, it is notified that the Speaker has approved the following request for statements today 16<sup>th</sup> April, 2025 at 2:30 PM Pursuant to Standing Order 45 (c):

1. Statement No. 007/2025, requested by Hon. Loloju Joseph; MCA Maralal Ward, to the Chairperson Committee on Implementation regarding the delay in implementing the ammendements passed in February 2022 concerning land ownership for inhabitants of Lare Oibor.

**MCA Lodokejek Ward,** (Hon. Lekuchula David): Hon. Speaker, Pursuant to Standing Order 51 (1) (c) of The County Assembly of Samburu, I rise to request for a statement from the Chairperson Committee on Implementation regarding the delay in implementing the resolution passed by this House in February 2022 concerning land ownership and planning for the residents of Lare Oibor.

Hon. Speaker, this matter is not simply administrative in nature; it directly touches on the Constitutional rights of the people of Lare Oibor. Article 40 of the Constitution guarantees the right to property and provides that every person has the right, either individually or in association with others, to acquire and own property in any part of Kenya.

The failure by the Department of Lands, Physical Planning, Housing and Urban Development to issue allotment letters and undertake proper planning for the area effectively denies these residents their land rights and development opportunities, contrary to the aspirations of this House and the Constitution. Hon. Speaker, the resolution passed in February 2022 requires that the Department of Lands, Physical Planning, Housing and Urban Development:

1. Facilitate the issuance of allotment letters to all legitimate residents of Lare Oibor, and;
2. Undertake proper planning of the settlement to enable legal land ownership.

To date, no meaningful action has been taken. This delay contravenes provisions of The Land Act, 2012 particularly section 4 (2) which requires transparent, efficient and equitable land administration systems.

Further, Article 68 of the Constitution mandates the enactment and enforcement of legislation to ensure the sustainable management and use of land. The inaction of the department undermines this obligation.

The National Land Policy and legal framework call for equity, justice and inclusion especially for marginalized and urban populations. The people of Lare Oibor deserve no less.

Hon. Speaker, I therefore seek that the Chairperson of the Committee on Implementation inquires and report on:

1. What reasons has the department of Lands, Physical Planning, Housing and Urban Development given for the delay in implementing the February 2022 resolution on land ownership for Lare Oibor residents?
2. What measures is the Department undertaking to ensure full compliance with the resolution and issuance of allotment letters?
3. Why has the Department not taken timely action to plan the Lare Oibor settlement, contrary to the expectations set by the resolution?
4. What legal or administrative bottlenecks, if any, are preventing the issuance of allotment letters to residents?
5. What immediate steps will be taken to conclude this matter and secure land ownership rights for the people of Lare Oibor?

Thank you Hon. Speaker.

*(Reads on behalf of Hon. Loloju Joseph; MCA Maralal Ward)*

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): We seek for your guidance Mr. Speaker. Saying resolution of February 2022 and we were in election period in August 2022, I cannot understand the content of the statement, I seek for clarification Hon. Speaker, thank you.

**The Deputy Speaker**, (Hon. Lelenkeju Jackson): I now direct the Chairperson Committee on Implementation to respond.

**Chairperson Committee on Implementation**, (Hon. Lealmusia Ali): Thank you Hon. Speaker. This issue is of February 2022 as per the statement sought. We were not in this Hon. House in

February 2022, so, I do not know how this question can be dealt with when we were not even elected into to this House, thank you Mr. Speaker.

**Specially Elected MCA**, (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker. I am a member of Implementation Committee. Hon. Speaker, from the originality of the statement; it says resolution. We want to know those resolutions so that we can be guided on where to tackle when we forward this issue to the Department.

Hon. Speaker, kindly guides the House on what resolutions those were so that the Committee can guide the Department on how to tackle those issues.

**Deputy Speaker**, (Hon. Lelengeju Jackson): Hon. Members, I concur with the Members by the concern given that most of you were here during that time as report of the committee of implementations, the Maralal part development plan that was approved for 2022 by the second Assembly. So I direct that the director and the concern member to consult the department so that we get proper advice that we can deliberate on.

## **MOTION**

**MCA Nyiro Ward**, (Hon. Lemoosa Jonathan): Thank you Hon. Speaker. In accordance with your directions, you did direct that we do some corrections and errors before you put a question. Now on behave of the committee, I wish to apologize and regret the type errors and any other mix-up in our earlier Report. I now wish to put the House in light on the committee report as corrected.

In accordance to section 58 (a) (1) on the County government amendment act 2020 that provide that there should be a vacancy in the County public service board, the governor shall nominate and with the approval of the County Assembly appoint Members of the County public service board. Following the nomination of the County public service board by His Excellency the governor in accordance to section 58 (1) (a) of the County government amendment act 2020 and pursuant to section 51(1) a of the County government act 2012 and pursuant to the article 235 (1) (a), (b) and (c) of the constitution of Kenya 2010, the following persons were nominated.

### **Name of the nominee**

### **Position**

1. Daniel Lebarleiya

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Member- County Public Service Board.

2. Antonella Leshornai - Member -County Public Service Board.

The nomination of two persons was conveyed to the Clerk through a letter Reference CGES/CA/APPT/Vol.2/009/28 dated 8<sup>th</sup> April, 2025. The nominees' curriculum vitae and testimonial document were enclosed in the letter.

On 8<sup>th</sup> April, 2025 and in accordance to the provision of section 7(1) of the Public Appointments (County Assemblies Approval) Act 2017 the Speaker reported the receipt of the nomination to the County Assembly the nomination of the Member County Public Service Board Members nominees.

In accordance with section 58 (a) (1) of the County government amendment act 2020 and pursuant to section 8 (1) (a) of the County government act, 2012 and standing order number 200 (4) (f) of County Assembly of Samburu standing orders, the names of the nominees were referred to the committee on labour, social welfare, justice and legal affairs for vetting and reporting to the House within (14) days.

Consequently, and in accordance to section 7 (4) of public appointments (County Assembly approval) Act, 2017, the Clerk of the County Assembly placed a public notice on 8<sup>th</sup> April, 2025 inviting the public to submit memoranda by a way of written statements on oath (affidavit) on the suitability or otherwise of each nominee in accordance with the public appointment (County Assembly approval) Act 2017. The public notice indicated that the submissions were to be received by Monday 14<sup>th</sup> April 2025 at 5.00pm. By close of the submission period, the committee did not receive any memoranda touching on the suitability or otherwise of any nominees.

The nominees appeared before the committee as schedule on Wednesday 15<sup>th</sup> April, 2025 for approval hearing in accordance with the provisions of the constitution. County government Act, 2012, Public Appointments (County Assemblies Approval) Act, 2017 and the County on their Assembly of Samburu Standing Orders on their suitability or otherwise for appointments as Members to the Samburu County Public Service Board

Pursuant to section 58 (1), (2), (3) of the County Government Act, 2020 and section 8(1) (a), the committee observes that the following nominees met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching they have nominated for; and

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requisite abilities, academic qualifications and professional experience to be approved for appointments;-

- 1.) Daniel Lebarleiya, nominee member, Samburu County public service board.
- 2.) Antonella Leshornai nominee member, Samburu County public service board.

Having conducted and approved the nominees in accordance with the constitution, County Government Act, 2012, Public Appointments (County Assemblies Approval) Act, 2017 and County Assembly of Samburu Standing Orders number 200(4) (f), the committee recommends that this Assembly;-

1. Approves the nomination of Daniel Lebarleiya, for appointments a member public service board by His Excellency the Governor.
2. Approves the nomination of Antonella Leshornai, for appointments a member public service board by His Excellency the Governor.

I take this opportunity to thank all the members of the committee for their inputs and valuable contribution and time during approval hearings and report writing. The committee also takes the opportunity to thank the office of the Speaker and office of the Clerk of the County Assembly of Samburu for the technical support accorded to the committee during this exercise.

On behalf of the committee on labour, social welfare, justice and legal affairs and pursuant to the provision of section 9 (2) of the public appointment (County Assemblies Approval) Act, 2017; and provision of the standing order number 200 (4) (f), it is my pleasant duty to present to the house the report of the committee on labour, social welfare, justice and legal affairs on the approval hearings of the nominees for the appointment to the position of Samburu County service board.

## **PREFACE**

### **1.1.Committee mandate**

The committee on labour, social welfare, justice and legal affairs is one of the sectorial committees established under standing order 200(4) (f) which provides that the committee shall vet and report on all the appointments where the constitution or any other law requires the County assembly to approve.

## 1.1 Committee Membership

Mr. Speaker sir, the committee on labour, social welfare, justice and legal affairs was constituted by the House on 26<sup>th</sup> September, 2022 comprising of the following members;

1. Hon. Leleruk James      Chairperson
2. Hon. Lealmusia ali      vice Chairperson
3. Hon. Stacy Nareyio      Member
4. Hon. Sarah Lekirenyei      Member
5. HON. Jonathan Lemoosa      Member
6. Hon. Lekuchula David      Member
7. Hon. Stephen Kagiri      Member
8. Hon. Janet Lenamalda      Member

### Committee Secretariat:

1. Mr. Chris Lolmingani – First Committee Clerk.
2. Mr. Pius Lentoimaga – Second Committee Clerk.
3. Mr. Toilasy Leturuju – Legal Counsel.
4. Mr. Joseph Lesiai – Senior Research Officer.
5. Miss. Agnes Learat – Hansard.
6. Mr. Benard Lenanyokie – Sergeant at Arms.
7. Miss. Victoria Somoina – Public Relations Officer.

Mr. Speaker Sir, 20...

**The Deputy Speaker,** (Hon. Lelenkeju Jackson): Order Hon. Lemoosa. This Motion was proposed in the morning sitting and was simply discussed by Members and differed only on the basis of corrections; have you done the corrections or not.

**MCA Nyiro Ward,** (Hon. Lemoosa Jonathan): Corrections are undertaken Mr. Speaker

**The Deputy Speaker,** (Hon. Lelenkeju Jackson): Then I direct that minimum debate allowed.

**MCA Nyiro Ward,** (Hon. Lemoosa Jonathan): Most obliged. The corrections which were glaring was actually the Tuesday 15<sup>th</sup> April and the insertion of another report or score sheet

which is also plugged off so most obliged Speaker Sir as you direct. Allow me to read two and three notification to the public nominee just for the House to be sure that In accordance to the Provision of Section 7/4and 5 of the Public Appointments County Government Approval Act 2017; the Clerk of the County Assembly placed a Public Notice on 8<sup>th</sup> April inviting the public to submit memoranda by the way of written statement or oath affidavit of the suitability or otherwise of each nominee in accordance with the public appointment County Assembly Approval Act 2017 the public notice further notified the nominee on the time and place for the holding of the approval hearings.

Submissions were to be received by Monday 14<sup>th</sup> April 2025 5pm by the close of submission period the Committee did not receive any memoranda touching on the suitability or otherwise of the nominee. Speaker with you permission, I wish to conclude on the vetting of Samburu County Service Board Members nominee what did the Committee actually looked at this we are guided as the following; in conducting the...

**Deputy Speaker,** (Hon. Lelenkeju Jackson): Hon. Lemoosa kindly this matter was highly deliberated in the morning session. The putting of the question was simply deferred to this session because of the errors and thanks to you and the Committee because errors seem to have been corrected allow other Members to contribute and not more than two Members.

Most obliged Mr. Speaker.

**Specially Elected MCA,** (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker. I stand to support the report as it is now that the report has been corrected in accuracy the way it was in the morning. Let me also take this opportunity to really commend this Committee on Labor for taking such a short time to make sure that the report that is in the floor of the House is accurate.

The Committee has examined the two nominees on the following criteria such as academic qualification, employment records, professional affiliation, knowledge, relevant subject overall suitability of the position and also integrity; and the Committee has indicated that the two nominees suits the two positions and I stand here to support as it is and call upon the Hon. Members to support, thank you.

**MCA Lodokejek Ward,** (Hon. Lekuchula David): Thank you Mr. Speaker. This report was debated in the morning and the funny part is my brother Hon. Lemoosa is now trying to read the



whole report and in the morning when he presented it to the House he did not read even a single sentence. However, you can put the question.

**Deputy Speaker,** (Hon. Lelenkeju Jackson): Hon. Members I think that we agreed that this matter was deliberated in full during the morning session we only deferred putting the question because of the errors that seem to have been corrected now. Having heard the Chair and two other Members I now put the question which is that the County Assembly debates and approves the report of the Committee of Public Service and Administration, Justice and Legal Affairs on the Vetting of the Samburu County Public Service Board Members.

*(Question put and passed)*

## **MOTION**

### **REPORT OF THE VETTING OF CONSERVANCIES FUND BOARD CHAIRPERSON**

**Chairperson, Cooperative Development, Trade and Development,** (Hon. Lemantaan Kelvin): Thank you Mr. Speaker. I beg to give a Motion of the following Motion, **THAT**, Pursuant to the Provisions of the County Assembly of Samburu Standing Order 6/1, the County Assembly of Samburu approves the Report of the Committee on Cooperative, Trade, Development and Tourism on the Vetting of Mr. Joseph Partamei Lepariyo on the position of Chairperson to the County Community Conservancy Fund, thank you. I call upon Hon. Lealmusia Ali to second the Motion, thank you.

*(Hon. Lealmusia Ali seconds the Motion)*

**The Deputy Speaker,** (Hon. Lelenkeju Jackson): Hon. Members I propose the question which is that the County Assembly debates and approves the Report of the Committee on Cooperative, Trade, Development and Tourism on the Vetting of Samburu County Conservancies Fund Board Chairperson. Now I allow Members to debate.

**Chairperson, Cooperative Development, Trade and Development,** (Hon. Lemantaan Kelvin): Thank you Mr. Speaker. The Committee on Cooperatives Development, Trade and Tourism is one of the Sectoral Committees established under Standing Order 212/4/f which provides that the Committee shall vet and report all appointments where the Constitution or any law requires the County Assembly to approve.

**Chairperson,** (Hon. Lemantaan Kelvin): Hon. Speaker, the membership of Committee on Co-operative Development, Trade and Tourism was constituted by this House on 26<sup>th</sup> September, 2022. Comprising of the following members:

1. Hon. Kelvin Lemantaan- Chairperson
2. Hon. Stacy Nareyo- Vice Chairperson
3. Hon. Lenamatiyo - Member
4. Hon. Ali Lealmusia- Member
5. Hon. Leleruk James- Member
6. Hon. Lolosoli Rebecca- member
7. Hon. Francis Lemartile- Member

Committee Secretarial

1. Ms. Mercy Letipila- First Clerk
2. Mr. Hassan Wadere- Second Clerk
3. Ms. Fridah Lengees- Public Relation Officer
4. Mr. Leturuju Toilasi- Legal Counsel
5. Ms. Ntushukwa Lekerpes- Senior Research Officer
6. Ms. Julliana Loriakwe- Hansard Reporter
7. Mr. Benard Lenanyekie- Sergeant at Arm

In accordance to Section 13 (1) of the County Assembly Government Amendment Act 2020 and passion to Section 58 (a) of the County Government Act 2012 and the Section 5 of the public appointments, County Assembly Approval Act 2017 His Excellency Governor forwarded a letter, REF: County Government of Samburu County Assembly Volume 3/009/30 drafted 24<sup>th</sup> March, 2025. To the Speaker of the County Assembly of Samburu containing the name of Mr. Joseph Lepariyo, nominated for approval as the Chairperson to the Samburu Community Conservancies Fund Board.

Notification of the Assembly and referral to the Committee and cooperative developments trade and tourism. Pursuant to the provision of Section 7 (1) Standing Order 46 (1) the Speaker vied a communication dated Wednesday 2<sup>nd</sup> April, 2025. Informed the County Assembly the Governors

message on the House on the nomination of the Chairperson to Samburu County Community Conservancies Fund Board for approval by the County Assembly.

Consequently, the name and the Curriculum Vitae of the nominee was referred to Committee on Chairperson to Samburu County Community Conservancies Fund Board for approval, hearing and reporting to Assembly within 14 sitting days. Notification to the public nominee in accordance with the approval of the Section 7 (4,5) of Public Amendments. County Assembly approves Act 2017. The Clerk of the County Assembly placed a public notice on 2<sup>nd</sup> April, 2025. Inviting the public to submit memorandum by way of written statements on oaths affidavit on suitability or otherwise of the nominee in accordance of the Public Amendments.

#### County Assembly approval Act 2017

The public notice further notified the nominee on the time and place for the holding of the approval hearing. The submissions were to be received by Tuesday 8 April, 2025 at 5pm by close of the submission period. The Committee did not receive any memorandum touching on the suitability or otherwise of the nominee.

#### Issues for consideration during approval hearing

Section 7,8 and 9 of the public appointments County Assembly approval Act 2017 approves that, any approval hearing shall focus on a candidate's academic credentials, professional training and experience personal integrity and background. The criteria specified in the first schedule and assessment form specified in the second schedule shall be used by the Committee during an approval hearing for purposes of vetting a candidate.

In accordance to Section 13 (1) a of the Samburu County Community Conservancies Fund Act 2019 that provides. There should be a rise of a vacancy in Samburu Community Conservancies Fund Board. The Governor shall nominate and approval of the County Assembly appoints the Chairperson to Samburu Community Conservancies Fund Board.

#### Vetting of the Samburu County Community Conservancies Fund Board

Chairperson nominee- Mr. Joseph Lepariyo

In conducting the vetting process the Committee on Co-operative Development, Trade and Tourism examine the nominee against the following criteria among others in accordance with the public appointments.

County Assembly Approval Act 5 2017

1. Academic qualifications
2. Employment records
3. Professional affiliations
4. Knowledge of the relevant subject
5. Overall stability of the position
6. Integrity

During the sitting held on the 9<sup>th</sup> April,2025 at the County Assembly chambers the Committee orally interviewed the nominee Mr. Joseph Lepariyo for appointment as the Chairperson to Samburu County Community Conservancies Fund Board.

**Committee observations findings:**

The Committee having considered his Curriculum vitae and had his oral submissions during the vetting exercise. The Committee made the following observation.

1. He holds a Bachelor degree in Agriculture in Kenya Methodist University.
2. He holds a wealth of 35 years professional experience working with repeatable international NGOs as well as national government. A devoted member of several bodies including conservancies.
3. He has never been charged in a court of law. Has no potential conflict of interest and has fully complied with his tax obligation.
4. He has never been dismissed from office due to contravention or provision of Article 75 of the Constitution which deals with conduct and state officers that are adversely mentioned in an investigatory Report of the County Assembly, parliament or any other commission of inquiry.
5. The Committee found the nominee is suitable for appointment as the Chairperson to the Samburu County Conservancies Fund Board.

**Committee Recommendations:**

Having conducted approval hearing for the nominee, Pursuant to Article 179(2) b of the Constitution of Kenya Section 7 and of the Public Appointment Assemblies Approval Act 2017 and County of Samburu Standing Orders 65 (4), the Committee recommends that the assembly approves the nomination of **Mr. Joseph Lepariyo**.

**Mr. Lepariyo Joseph:** Thank you Hon. Speaker. Chair for appointment as the chairperson of the Samburu County Community's Conservancy Fund Board, thank you Mr. Speaker.

**Temporary Speaker,** (Hon Lelenkeju Jackson): I now allow members to deliberate.

**Specially Elected MCA,** (Hon. Nareyio Stacy): I also rise to support the Report on the approval of the Chairperson, Tourism and as a Member of that Committee it is true that the chair mentioned that the nominee background is in Agriculture but that should not be seen as a limitation but as an asset. As you all know agriculture and conservation is deeply rooted where by land dues environmental management and community livelihoods go hand in hand.

The nominee actually demonstrated leadership during his vetting. He demonstrated leadership in managing natural resources responsibly through agricultural practices that actually support sustainability. Therefore this is the kind of expertise that we need in our conservancies and we need diverse minds that will strengthen our approach to sustainability. I therefore urge this Hon. House to support the chairperson and approve the nominee, thank you Mr. Speaker.

**Specially Elected MCA,** (Hon. Dube Osman): Ahsante sana Bw. Spika ninaunga mkono kazi Kamati wamefanya. Ninaelewa Bw. Lepariyo ni Mzee wa kazi, akiwa mwenyeketi anawezafanya kazi ya community yetu. Ninaunga mkono ni kazi nzuri kamati wameifanya asante sana.

**Nyiro Ward MCA,** (Hon. Lemoosa Jonathan): Mr. Speaker I rise to support the report, of the nominee as brought and tabled by the Committee. Our conservancies and especially the fund empower all the transactions of those who are actually indulge in protecting our wildlife. Therefore, devoid of the chair means no transaction is undertaken, hence disservice to our conservancies which is also source of employment to our youths.

In absentia of the chair, meaning there is no transaction that goes around. The roles of conservancy is to protect our future, heritage and as such. We also know the issue of climate change and without some action put to protect or to mitigate the effect of climate change our future will be doomed.

Having listened carefully when the chairman was presenting the report I am convinced that Hon. Lepariyo has met all the requisite requirements as outlined by the policy and any other law. As such I urge the Hon. House and Members, to support and adapt the report as given by the chair and the Committee, thank you Mr. Speaker.

**Specially Elected MCA**, (Hon. Janet), Ahsante sana Mheshimiwa Spika. Ningepena kuunga huu mjadala mkono. Kwanza, ningependa kuwashukuru Mwenyekiti pamaoja na kamati yake. Mimi nimetoka mahali kuna conservancy inaitw Namnyak. Pale kuna challenges mingi sana kwa hivyo, tukiwa na mwenyekiti atakaye angalia maslahi ya conservancy, itakuwa njema sana. Ahsante sana.

**Deputy Speaker**, (Hon. Lelenkeju Jackson): Thank you Members. Reading the mood of the House and the contribution made, I need to dispose off this matter by putting the Question that, the County Assembly debates and approves the report of the committee on Tourism and Wildlife Conservation on the vetting of the Samburu County Community Conservancy Fund Board Chairperson.

*(The Motion passed)*

I now give the Chairperson of the committee to give his last remarks.

**Chairperson**, (Hon. Lemantaan Kelvin): Thank you Hon. Speaker. I wish to thank all Hon. Members in this House for adopting this report. As a person with the knowledge of tourism and conservation, the nominee demonstrated knowledge on the subject matter. I would like to thank you all for the support.

## **MOTION**

### **ALTERATION OF ASSEMBLY CALENDER**

**Specially Elected MCA**, (Hon. Stacy Nareyio): Thank you Hon. Speaker. I wish to move the following Motion **THAT, NORTHWITSTANDING** the provisions of the calendar of the County Assembly, the regular session, for the year 2025 as adopted on 26<sup>th</sup> February, 2025 and pursuant to Standing Order No. 31 (4), this Assembly resolves to alter its calendar to provides for a sitting on Thursday, 17<sup>th</sup> April, 2025 at 9:30 am for the purpose of considering the supplementary budget estimates for the F/Y 2024/2025 and any other urgent business as may be approved by the Speaker.

Hon. Speaker Sir, the supplementary budget is vital for reallocating resources to priority areas; addressing unforeseen expenditures and insuring uninterrupted delivery of essential services. Thank you. I call upon Hon. Dube to second the Motion.

*(Hon. Dube bows in seconding)*

*(The Question was proposed, put and the Motion passed)*

**Deputy Speaker**, (Hon. Lelenkeju Jackson): Hon. Members, the time being 8 minutes to four O'clock, and there being no other business, this Assembly stands adjourned until Thursday, 17<sup>th</sup> April, 2025 at 9:30 am.