

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 14th May, 2025

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

The Speaker, (Mr. Lenamarle Stephen) in Chair

PRAYER

MCA Lodekejek Ward, (Hon. Lekuchula David): Hon. Speaker I beg to move the following Motion that Pursuant to the provision of section 12 clause 3d of the County Governments Act 2012 and section 9 of the County Assembly Services Act 2017. This House debates the Report of the recruitment of the County Assembly Service Board Member and approves the appointment of Mr. Patrick Kamais Leshore as a member of the County Assembly Service Board. I beg Hon. Lemoosa to second.

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Hon. Members I now propose the Motion that pursuant to the provision Section 12(3d) of the County Government Act 2012 and section 9 of the County Assembly service Acts 2017 this House debates the Report of the recruitment of the County Assembly Service Board Member and approves the appointment of Mr. Patrick Kamais Leshore as a member of the County Assembly Service Board debates the Report of the recruitment of the County Assembly Service Board Member and approves the appointment of Mr. Patrick Kamais Leshore as a member of the County Assembly Service Board representing the public.

MCA Loodekejek Ward, (Hon. Lekuchula David): Thank you Hon. Speaker. The County Assembly of Samburu is among the 47 legislative arms of the county Governments is published under Article 176 clause 1 2010: It is a forum through which the people of Samburu who hold the sovereign power to govern participate in making of laws, formulation of policies budgeting and establishment of public offices that promote service delivery. It is true the County Assembly that the citizens of Samburu County do exercise scrutiny and oversight on how the resources are managed.

The Kenya constitution 2010 Article 176 clause 1: Established County Government for each county consisting of the County Assembly and County Executive. The Board mandate the County Assembly Service Board is established under section 12 clause 1 of the County Government Act 2012 to among others. Provide services and facilities for members and serve for the efficient and effective service delivery. Section 11 clause 1 of the County Assembly Services Act: Provides the mandate of the board as

- a) Directing and supervising the Administration of the services and facilities provided and exercise budgetary control over the service.

- b) Determine and review terms and condition of service of persons holding or acting in the offices of the service.
- c) Initiate, coordinate and harmonize policies and strategies relating to the development of the service.
- d) Initiate programs for training and capacity building of members and staff of the County Assembly and other persons that promote ideals of parliamentary democracy and public awareness and participation in the activities of the County Assembly and do such other things as maybe necessary for wellbeing of the members and staff of the county Assembly.

Composition of the Board

Section 12 clause 3 of the County Government Acts: Provides for the composition of the board as the debt of the interview of the board member on 6th May, 2025. The following are the Members of the County Assembly service board:

- 1. Mr. Stephen Lenamarle – Speaker and Chair
- 2. Mr. Lenius Lekuchula- Vice Chairperson
- 3. Hon. Ali Lealmusia- Member
- 4. Mrs. Joyce lepadaasa- Member
- 5. Mr. Lenaper Fred- Secretary to the Board

Acknowledgements

May I take this opportunity to thank all members of the Board for the input and valuable contribution and time during the interviews and Report writing. The Boards also take this opportunity to thank the office of the Speaker and office of the Clerk of the County Assembly of Samburu for the technical support according to the board during this exercise.

On behalf of the County Assembly service Board and Pursuant of the provision of section 9 clause 2 of the public appointments County Assembly Approvals Act 2017 and the first schedule of the County Assembly service Act 2017; it is my pleasure and duty to present to the House the Report of the County Assembly Service Board that recommends approval and appointment of the member of the Board.

The background of the Reports

The position of the Board Member County Assembly Service Board is an office established Pursuant to section 12 clauses 1 of the County Government Act 2012 following the demise of one, Elijah lolpirdai an external board member on January 2025. The County Assembly Service board declared a vacancy and carried out an advertisement in the Standard Newspaper and in the Website of the County on 14th March, 2025 to fill the position. The copy of the advertisement is attached as appendix 1.

The closing date of the advertisement on 28th March, 2025. Only one application was received. Due to the low turnout the board during its meeting of 2nd April, 2025 decided through a resolution of reference number 560\CASB\SBU\Vol 3\02\04\2025 to readvertise the position through the Daily Nation Newspaper and County Assembly of Samburu website. A copy of the advertisement is attached as appendix 2. The closing date for the application as advertise was set for 15th April, 2025.

Arraigned the duties and responsibilities.

Providing services and facilities to ensure the efficient and effective functioning, of the County Assembly consisting offices in the Assembly service and appointing and supervising office holders.

Preparing annual estimates of expenditure of the Assembly service and submitting them to the County Assembly for the approval and exercising budgetary control over the service.

Undertaking singularly or gently with other relevant, organizations Programs to promote the ideals of parliamentary democracy and performing functions necessary for wellbeing of the member as prescribed by the national legislation.

Requirements for appointment

Person is qualified for appointment as the County Assembly Service Board Member, if that person;

1. Must be a Kenyan Citizen.
2. Must be a resident of Samburu County which knowledge and experience in Public Affairs but not a member of County Assembly.

3. Holds a Degree from a University recognized in Kenya.
4. Has at least 10 years' experience in Public Affairs.
5. Meets requirement of leadership and integrity as required in Chapter 6 of the constitution of Kenya 2010.

Terms of Service

The member of the board shall serve on part time basis. The salary and other benefits attached to this position shall be determined by the salaries and remuneration commission. The advertisement further required that the applicants must include a cover letter, copies of Academic certificates and testimonials. A copy of Curriculum Vitae, A national identity card or passport. Additionally, the applications were to be handed\delivered during office hours not later than Tuesday 15th April, 2025.

Recruitment and selection process

At the close of the readvertisement a total of 5 applicants were received and long listing was done as follows:

1. Name Lcharuni Mark Lenolkulal date of birth 1983, gender: male qualification: degree, experience 10 years, remarks shortlisted.
2. Benjamin Lorunyei Lokor, 1974 male degree 10 years' experience shortlisted.
3. Hezron Kamau Kanyua, 1982 male no degree, not shortlisted.
4. Amos Lemunen 1994 male degree 10 years, shortlisted.
5. Patrick Kamais Leshore 1963 male masters 23 years, shortlisted.

After that analysis of the long list and by the resolution of the board at its meeting held on 22nd April, 2025, the following 4 applicants were subjected to shortlisting for the position of board member. Final shortlisted candidates: name: Ljaruni Mark Lenolkulal, Benjamin Lorunyei Lokor, Amos Lemunen which was interviewed online, Patrick Kamais Leshore. The names of the shortlisted applicants were placed on the notice board of the County Assembly on 23rd April, 2025 as per the attached appendix 3.

The shortlisted candidates were notified through email and text messages by the secretary. On the oral interview's date, 3 of the shortlisted applicants turned up as per the attached attendance register annex 4. The interview panel comprised of the following:

Hon. Leinas Lekuchula -Vice chairperson,

Hon. Ali Lealmusia- Member,

Ms. Joyce Lepadaasa- Member

Mr. Lenapeer Fred- Secretary.

Methodology for assessment of the candidates prior to undertaking the interviews, the County Assembly service board developed an interview matrix relevant to the position in line with thematic areas and adapted a score sheet rating the following key factors out of a total score of 100 marks as stipulated below.

General questions, academic qualifications and presentations 10 marks, test in governance and experience in seniority of positions 20 marks, general knowledge of current affairs 15 marks, knowledge of the job, roles of the assembly 20 marks, visions for the assembly, powers for the board and collaborations 25 marks, integrity issues 10 marks.

The interview results on the interview day, 1 applicant Mr. Mark Lenolkulal did not appear for the interview. Below is a summary of interview results awarded to candidates who appeared for the interview by the panellists and their averages in percentage Score sheet for the County Assembly service board member interviews., I read the interviewees names,

Hon. Lekuchula David awarded the following marks:

Benjamin Lorunyei Lokor 56 marks,

Amos Lemunen 70,

Patrick Leshore 86.

Hon .Ali Lealmusia awarded the following marks :

Mr Benjamin Lorunyei Lokor 43.

Mr Amos Lemunen 70.

Mr Patrcik Leshore 78.

Mrs Joyce Lepadasa, awarded the following

Mr Lorunyei Lokor, 55

Mr Amos Lemunen 66

Mr, Patrick Leshore 81.

Mr Fred Lenapeer is secretary he does not award marks he only writes minutes of the board.

The average total score:

Mr Benjamin Lorunyei Lokor 51%,

Mr Amos Lemunen 69%

Mr Patrick Leshore 82%.

The original signed copy of the above tabulation is attached as annex 8. Based on the foregoing County Assembly service board recommends as follows that pursuant to the provision of section 12(4) of the County Assembly service act 2017, Patrick Leshore is recommended for approval and appointment as member of County Assembly service board in accordance with the County Assembly of Samburu.

I want to put across the comment that Mr. Patrick Leshore was a clerk in this County Assembly for the last 10 or 12 years since the devolution. Before that during the divert County Council he was also a clerk to this assembly. Hon. Leshore comes with rich experience in working in public service and that is why you see during the interview he performed well and emerged as the best candidate for this position.

On behalf of the board and County Assembly I urge this house to adapt this report. Thank you Hon. Speaker.

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

MCA Suguta Ward, (Hon. Leleruk James): Thank you Mr Speaker. I would also like to support the report and congratulate the committee for the work they have done. Patrick Lahore's name brings a lot of experience because he is a career civil servant that has served our county for a

very long period of time. Having him being one of the board members of this County Assembly out of experience he will bring a lot of knowledge and he understands about the legislative of the County Assembly.

I would like to congratulate the committee because because when you see the reason why Mr Patrick Kamais has been shortlisted on the questions and matrix used by the County Assembly, I could imagine that he should be given 100%. This is because on the qualification and academic experience he has all it takes on the governance. I happened to work with Mr. Patrick Leshore for like a year before he retired and the reason why he is back to this Assembly to serve this county.

This is the best the committee could do and as the MCA of Suguta I support the nomination of Mr. Patrick Kamais Leshore as a board member. Thank you.

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

Specially Elected Member, (Hon. Osman Dube): Mheshimiwa Spika ninaunga mkono kwa sababu mimi niliingia 2013 area hii. Nilikaa na Leshore na ni mtu anaelewa kazi. Wacha hata kuunga mkono mimi nimemiss yeye. Kwanza arudi akuje hapa mbele ya County Assembly tusalimiane. Mimi hata hakuna haja ya kujadiliana kuka "aye" ama "nay". Asanti.

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Hon. Speaker I wish to salute the office of the Clerk and the speakers for enabling the Committee to pursue and compile such a wonderful Report, congratulation. The Committee, we salute for the comprehensive Report to this House. As per the score sheet attached to the Report Mr. Patrick Leshore is a career civil servant with 23 years in public service and senior position. Patrick Leshore holds that Master's degree and beside his academic qualification he is a very competent human being.

Patrick also accordance to the Report and as much as I know, he met the requirement of leadership and integrity as provided in chapter 6 of the constitution of Kenya. More so and above all he is morally upright and dependable person. I support 100% the Report thank you.

Specially Elected Member, (Hon. Lekirenyei Sarah): Asante Mheshimiwa Spika, kwa niaba yangu mwenyewe ningependa kuchukuwa nafasi hii kupongeza kamati ya board kwa kazi mzuri ambayo wamefanya. Hii ni kwasababu wametuchangulia mtu ambaye anafaa. Vile ninavyo jua

Bw. Kamais nilipitia mkono yake nikiwa mwanafunzi na ninaamini kwamba anafanya kazi mzuri. Pia nilipo kuja Assembly nilimpata hapa na vile waswahili wanasema Heshima si utumwa.

Ukijaribu kuangalia Bw. Leshore anaheshima sana na heshima ndio itakupa jinsi ya kufanya kazi yako. Kwa hivyo mimi ningependa kumpongeza kwa kazi hii mzuri na kurudi tena kwa Assembly kwa mara ya pili. Nafkiria atafanya vizuri kushinda mbeleni asante.

Specially Elected, (Hon.Lenamalda Janet): Asante sana Mheshimiwa Spika. Mimi pia ninapongeza hiyo kamati kwa kuwa wamefanya kazi mzuri na pia kwa wakati mzuri. Mimi ni mgeni bado kwa hii Assembly lakini bile nimeskia Patrick Leshore alikuwa mtu wa mtenda kazi na mtenda haki. Kwa hivyo mimi nikiwa hapa ninasupport na ninaomba Members tafadhalini mumunge mkono kwasababu ni mtu anayeelewa hii Assembly.

Specially Elected, (Hon. Lenamatiyio Silapia): Thank you Hon. Speaker. I also stand to echo the statements of the Hon. Members, that I stand here to support the Report as it is and also to recommend the Committee who did the best ever work by approving and also giving us the name, Kamais Leshore. You know some of us do not know that name, we know Clerk. Having being working with the former Clerk of the County Assembly for the last 6 years that I was in the Assembly last term and this for a year.

He has been a person that knows what he is doing as he has been in the Assembly. Handling the staff, the Hon. Members this Assembly has been of peace during his time. And I can say without any fear, that looking the marks awarded 78! Leshore needs to be awarded 100 this is because he did the best during his time as the clerk also as a secretary of the board. We are very proud and we have leaved legacy in this House because when I came to this Hon. House in 2017, I found very capable staffs from the hands of Leshore who knows what they are doing.

And I can say that Leshore has left his legacy because of the staffs that have the knowledge on how to handle the issues of the Assembly. Example Lekupe, Waya, Nelly are here and those are the people who went through the hands of the clerk. Let us support and I know 100% of you will support this. I support.

(Question put and passed)

Mr. Speaker, (Hon. Lenamarle Stephen): Hon. Members person to standing order 47,1 which provides that the time being designated for questions and statements not proceeding to 2 hours during the morning sittings and 1 hour during afternoon sitting s on Tuesday and Wednesday. The CECM for Education and vocational training is appearing before the House in accordance with our standing orders. Hon. Members I take this opportunity to welcome the County Executive Committee Member for Education and Vocational training to this House in accordance to standing orders 48,1.

A CECM is required to appear in the House to expound on government policy, reply the questions and provide Reports in concerning matters under it or a control. Also, standing order 51,6 Provide that the CECS shall appear in person of the day on which the respective question is listed for response on the order paper. Hon. Members before I proceed on pursuant to standing order House practice the CEC is required to take an oath of information to provide truthful statement to this House.

I now invite the Clerk to administer the oath.

CECM, Education And Vocational Training : (Hon Mark Egelan) : I Mark Egelan do swear that the evidence I shall give before this House on matters under its consideration shall be the truth, the whole truth and nothing but the truth so help me God.

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, this appearance is occasioned by a Statement request made under Standing Order number 54/c by the Hon. Member for Porro Ward Hon. Patrick Leerte concerning the bouncing of Bursary Cheques issued to students from Porro Ward. I now invite the Hon. Member for Porro Ward, Hon. Patrick Leerte to raise the Statement.

MCA Porro Ward, (Hon. Leerte Patrick): Thank you Mr. Speaker. Pursuant to Standing Order 45/c I wish to request a Statement from the Chairperson of the Sectoral Committee on Education regarding the bouncing cheques of students from Porro Ward. Issuing bouncing cheques is not only unethical but also a criminal offence under Kenya Law according to Section 316/A of the Penal Code knowingly issuing cheque without sufficient funds in account is considered a criminal act and is punishable by law.

Mr. Speaker, there has been a concern by students from Porro Ward affecting their education number of students were issued bursary cheques totaling to supporting their education; However,

I wish to bring to your attention that all the cheques have bounced causing significant distress and inconvenience to the affected students and their families. The list of students who received bursary cheques that bounced is as follows...In view of this I request the Chairperson of the Sectoral Committee on Education to inquire into and report on the following;

1. Were the funds of the bursary cheques properly accounted for and available at the issuance?
2. What actions are being taken to ensure that affected students receive the funds promptly.
3. What measure is being put in place to support the affected students and mitigate the impact on their education?
4. What safeguards are being put implemented to prevent similar issues from occurring in future.
5. How will the County ensure comply with laws and regulations regarding financial management and bursaries distribution?
6. How is the bursary committee communicating with the affected students about the issues and steps taken to resolve it?
7. What information is being provided to the public and the affected students to maintain transparency and restore trust in bursary issuance.

The Speaker, (Mr. Lenamarle Stephen): Thank you Hon. Member. I now invite the County Executive Committee Member to respond to the issues raised in line with our Standing Orders.

CEC Education, (Mr. Egelan Mark): Hon. Speaker, Hon. Members of the County Assembly, I hereby stand to respond to the question raised by the Hon. Member for Porro Ward. I will read our response. I acknowledge receipt of your letter dated 5th March 2025; Reference Vol2/035 regarding the request for information on bouncing bursary cheques issued to students from Porro Ward; I appreciate the Sectoral Committee for Education and Vocational training efforts to ensure transparency and accountability in Financial management particularly in bursary disbursement to students.

In response to concerns raised by Hon. Patrick Leerte I wish to provide the following clarifications:

1. Status of the funds for the bursary cheques – A financial audit has been initiated to determine whether the bursary funds were available and the time of cheques issuance, preliminary findings...in fund allocation which were caused by delays in fund disbursements from the County Treasury. Some cheques were issued before the actual funds were...to the bursary account leading to insufficient funds when the cheques were presented for payment. The final audit report will provide a comprehensive analysis of the financial position and accountability issues involved.
2. The action taken to address the issue promptly – The Education and Bursary Committee has engaged with financial institutions and relevant authorities to investigate the matter. Immediate steps have been taken as follows; identify all affected students and institutions, re issue valid payments through alternative means such as direct bank transfer to ensure that students do not suffer academic disruptions. Liaise with the County Treasury to ensure the timely release of funds to the bursary account. Conduct an internal review to address administrative lapses that contributed to the issue.
3. Preventive measures for future occurrence - The County Government are revising its bursary disbursement protocols to prevent a recurrence of such incidents. Measures include;
 - a. Pre-disbursement verification –Ensuring that Bursary funds are fully credited to the bursary account before issuing cheques.
 - b. Enhanced Oversight – Strengthening the internal monitoring system within the bursary committee to ensure that financial transactions adhere to proper guidelines.
3. Transition to digital payments – Establishing an electronic fund transfer system (EFT) to replace paper cheques, minimizing the risks of bouncing payments.
4. Regular Financial Reporting- Implementing periodic financial reviews and publishing reports on the status of bursary disbursements to enhance transparency.
5. Compliance with financial management and bursary distribution laws – The County Government is making concerted efforts to align bursary disbursements with the Public Finance Management (PFM) Act and other relevant regulations. Key actions include;
 - a. Conducting an internal audit to ensure adherence to financial management principles.
 - b. Training bursary committee members and finance officers on financial compliance and best practices.

- c. Implementing stronger accountability frameworks to prevent irregularities in fund allocation.
- 6. Communication with affected students and institutions – The Department of Education has taken proactive steps to keep affected students and institutions informed about the situation. Efforts include:
 - a. Sending official communication to all impacted students and their respective institutions, explaining the cause of the issue and the corrective measures being undertaken.
 - b. Providing alternative payment methods to ensure that tuition fees and other academic obligations are met without further delays.
- 3. Establishing a dedicated help desk to handle student inquiries and facilitate smooth resolutions.
- 7. Transparency and Public Information – To restore public confidence in the bursary disbursement process, the County Government will ensure full transparency through the following actions;
 - a.. Publishing a detailed report outlining the affected students, the reasons for the bounced cheques and the corrective actions taken.
 - b. Issuing formal Public Statement from the Department of Education acknowledging the issue and providing reassurance of improved financial management moving forward.
- 3. engaging stakeholders, including parents, school administrators, and local leaders in discussions about strengthening the bursary disbursement framework.

We have also attached some documents to support the information provided in this response and we have attached documents, list of students and institutions affected by the bouncing cheques, reviewed bursary disbursement guideline highlighting the new measures being implemented. Initial findings of the financial review conducted by the internal audit team. In conclusion I remain available for any further clarification or engagement to resolve this matter effectively. Please do not hesitate to contact my office for any additional information. Thank you for your continued cooperation, thank you.

The Speaker, (Mr. Lenamarle Stephen): Take your seat CEC. Hon. Members in accordance with the Provision of Standing Order number 51/7, the Speaker may allow the Member asking the

question to raise a maximum of two supplementary questions that relate to that question. Therefore Hon. Leerte, you may raise up to two supplementary questions.

MCA Porro Ward, (Hon. Leerte Patrick): Asante Mheshimiwa Spika. Kabla sijauliza swali lingine Waziri amesoma jibu ilioletwa hapa wiki jana na tukajadili na sikurithika kwa sababu maswali niliuliza halikujibiwa. Pesa hizi zilikuwa 2023/2024, ni kwa nini sikupewa wakati huo hadi ikafika kuwa bouncing cheques. Swali la pili uko na habari kuwa kuna cheques nilikuwa nimeambiwa nisipeane kwa shule, CO mwenyewe ndiye aliniambia nisipeane na nikabaki nazo peas ziko wapi kwa zile niko nazo na zile unasema utarudia kupeana. Swali la mwisho ni uko na habari ya shule ya ECD ya Lemisigiyo la 2023 hadi sasa halijajengwa?

The Speaker, (Mr. Lenamarle Stephen): Order Hon. Leerte. According to our Standing Order we are not supposed to go outside what we requested we only limit ourselves to bouncing cheques for now. Hon. CEC you can answer the first two questions.

CEC Education, (Mr. Egelan Mark): Asante sana Mheshimiwa Spika na waheshimiwa. Ningependa kusema hapa hivi kuwa kuna wakati tulikuwa na tatizo ya bursary ambayo nyumba hili likiongozwa na AD HOC Committee wakati huo mliweza kutusaidia kabisa kama idara na shida tulio kuwa nayo hatukuweza kupata ripoti ya reconciliation ya bank statements and the books of account, wakati mlitusaidia kuondoa yule Fund Administrator ambaye alipatikana kuwa hakuwa na uwezo ya kusimamia na hatua hilo mlitusaidia kuchukua na tukamuondoa sababu ni kuwa hakukuwa na reconciliation ya kujua ni pesa ngapi iko kwa account na kitabu inasema vipi.

Nyote mnajua tatizo tuliokuwa nalo na mlitusaidia kama nyumba hili. Nyote mnajua kumekuwa na kuchelewa kwa kutoa pesa kutoka kwa controller of budget sisi tuliweka ombi ya pesa na tukaweka lengo kwamba pesa zikija tushugulike na cheques kwa hiyo kipindi lakini controller of budget alikataa kupeana pesa na hiyo iko mpaka saa hizi, hio ndio shida tuliopata MCA. Tumesha tumana ombi ya pesa na itakapokuja ya kwanza ni kuhakikisha wale Watoto walipewa cheques wamepata pesa zao. Tumejitolea kama idara, asante.

The Speaker, (Mr. Lenamarle Stephen): Hon. Members you may now raise supplementary questions as permitted under Standing Order 51/7/b provided they are relevant to the subject matter of the original statement. Kindly remain within the bounds if the topic that is the topic of bursary cheques.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Thank you Mr. Speaker. I rise to thank your office and the office of the CEC and also Mr. Speaker this is a new dispensation within our Assembly and the first time we are questioning CECs before the House, we thank you because we have been asking through Committees. We urge the CECs that we will be doing this every now and then within the Assembly I do not know if the CEC is aware that this is just a part of the bouncing cheques within a Ward the question that I want to ask the CEC before this House what plans do you have to do the remedy to do with this issue of bouncing cheques, are you aware that within my Ward I have not received cheques for tertiary amounting to Ksh.500,000 because when these cheques were being issued I realized there is no money what plans do you have after realizing there is a crisis, there is no money and the cheques are in schools, students are waiting to receive money from the County Government. We want you to tell this House once and for all that this issue of bouncing cheques when these students will receive the money on cheques not issued, thank you.

MCA Wamba West, (Hon. Lemartile Francis): Thank you Mr. Speaker. The question raised by Member for Porro Ward cuts across all Wards; this is an issue affecting all Wards. It is a concern to all Hon. Members and when Members raise alarm over bouncing cheques I remember Members raising this issue far as June 2024 that some cheques half bounced starting from April, May up to that time then continue again when I go through cheques for Hon. Leerte they were written on September and the Department have been giving us responses not clearly elaborated they have been denying that no bouncing cheques were issued until when this Hon. House form an Ad Hoc Committee and came up with a role clear number cloaking 170 bouncing cheques which have been given to institutions to students of this County that is a clear indication that it is a tendency of lying to the people that you are giving bursary and nothing is there.

According to the laws of this Country issuing cheques knowing that no funds in the account is taken up as criminal activity. The CEC should come clear and tell us what step did you take as the head of the Department to confirm to this House that what had happened will not happen again. Secondly, can the CEC also tell us if you have a data of affected institutions and affected students so far because we know it will be a big number as per the Ad Hoc Committee whether the Department have tried to compile a report and have the affected institutions and affected students so that when the funds will be available they will know how they will compensate them

because telling us that they were putting effort to pay the bouncing cheques without a clear report of who was affected I think is just giving us reports that are not well elaborated, thank you Mr. Speaker. I just want them to clear those two issues, thank you.

Specially Elected MCA, (Hon. Lenamatiyio Silapia): Thank you Mr. Speaker. Let me also take this opportunity to recognize the Department of Education for coming here to answer the questions raised by the Hon. Member for Porro Ward. What we have observed from the Education Department since last year that is 2023/2024 we have observed undermining of this House because the Hon. Member for Porro has asked this Statement for three times and he has never received comprehensive response on the same and today again the response that the CEC is reading for us is for next week that we have discussed this House and this House has rejected this response because it is not satisfactory and today again the CEC comes to read to us that response; I can say that the CEC is not respecting this house because that day we returned the response to the Department so that they can come here and respond. I understand the CEC is in charge of the Department of Education and he must know what is going on in the Department of Education.

I was also a Member of the Ad Hoc Committee and I do remember very well that we asked for the bank statement for the balance within that account that was on October but I they refused to give us, Mr. Speaker I just want to ask the CECM because what the Honorable Member is enquiring, is the money for the year 2023-2024 we cannot talk that matter to the year 2024 to 2025, because we have allocated money and we are seeing the Department issuing dishonored cheques and the Department today telling us it has not taken any action or measures to make sure that they have recovered those monies.

If the CECM is not competent to hold the office of the Department of Education then he can tell this House or if we have another CECM within the Department of Education let him tell us because what he is reading to us is saying he does not know what is going on with the Department.

We asked for this Statement on 15th March 2025 today is 14th May, 2025. What happened that this Department did not answer on time? And also, the Honorable Member has asked this Statement on December last year. Mr. Speaker we also have the reports for the *ad hoc* Committee, even the implementation of those reports because we are waiting them to recover the

money we lost from the dishonored cheques and we have also lost for those whom have withdrawn cash, he did not show us even in the Statement what measures he has taken to make sure that he can allocate money for each student.

Thirdly, the Hon. Member for Porro Ward is an elected Member, representing people of Porro Ward. The Hon. Member for Porro Ward is pained because you are undermining him. When he asks for Statements he pays visits to your offices, what you are showing him is that he is lesser...
(*Point of Order from Hon. Nakinyi*) Mr. Speaker protect me...

(*Point of Order from Hon. Nakinyi*)

Specially Elected MCA, (Hon. Jane Nakinyi): Thank you Mr. Speaker I think when we are seated here we were to ask questions and I do not really understand whether Hon. Silapia is asking questions or is lecturing us or giving input, thank you Mr. Speaker.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Mr. Speaker, when a member rises to a Point of Order, let him/her quote the Standing Order he/she raising on it, kindly protect me so that I can finish what I was saying. Let this Department or the CECM tell us the truth of the matter whether the Hon. Member will throw the cheques or will return to the Department because we have no any trust with this Department, because you are shaming the Hon. Member, the people of Porro Ward want their students to get the bursary. But what you have shown us you make sure that the Hon. Member will not get those cheques. Even the Department is not respecting the laws of Kenya because dishonored cheques are a crime. We have sang this choir since last year and we are still doing the same, talking the same when we know that they have no money in the account what are they showing this House and the general people of Samburu County. Let the CECM be in charge of that Department or tell us who is in charge, thank you.

The Speaker, (Mr. Lenamarle Stephen): Hon. Members before I welcome the CECM to answer the three questions, I just want us to be conversant with the Standing Orders. The Standing Orders does not allow us to go outside what we are supposed to answer it restricts us and therefore let us stick to the questions that we ask otherwise when you go outside to what we are asking then we are out of order.

The other issue that you should understand is that any Member can ask only one supplementary question, you do not have to ask two questions. It is only the Member that is supposed to ask the

question that is Hon. Leerte that is entitled to ask two supplementary questions. So, let us ask one and stick to the original question. CECM you can answer the three questions so that I can give other Members.

CECM Education and Vocational Training(Hon. Mark Egelan): Thank you Mr. Speaker, Hon. Members, I will attempt to respond to the questions asked, and I will start with Hon. Leleruk, the Hon. Member wanted to know whether we have determined the number of cheques, I hope I am audible enough. I have instructed the fund administrator to do a review of all the cheques that were issued and determine those that were dishonored.

That exercise is still ongoing and we are going to publish all the information to the relevant authorities and everybody that needs that information, one more thing so that we are going to avoid the occurrence again we are so lucky to have had a change of guard new fund administrator who is conversant with financial management and is vastly trained on that area. We are operating point of understanding and we will avoid such issue happening again. First remember, when ad hoc Committee was formed this Honorable House determined that the person who was handling the funds at the time was not trained, action was taken and was removed.

You can only judge us again after this incident now that we have had a new administrator who is well trained in financial management. On the money that Hon. Member another thing that we want to...

MCA Suguta Marmar Ward, (Hon. Leleruk James): Mr. Speaker I just want to on a Point of Order to the CECM to confirm that Suguta Ward tertiary students have not received bursary 2023-2024 because the cheques are within their Departments.

Yes, I am actually coming to that Hon. The other thing that we want to do to prevent such occurrence again we have resorted to (EFT) electronic funds transfer there will be no paper cheque henceforth and we will not attract any penalty with EFT because it will be just a list generated to the bank. Those are measures that we are putting in place with the regards to the money the Hon. Member is talking about the tertiary institutions in his ward it is still our commitment the funds are made available we will prioritize those cheques that were recorded as

dishonored and any other students that was allocated funds that will be our priority. We are at logger heads now with the controller of budget is made available we will give that as a priority.

Let me respond to Hon. Member Lemartile, Wamba West. Some of the issues that contributed to dishonored cheques; we had a change of signatories in between, we had actually had change off signatories almost three times. When the Speaker transitioned to become the Speaker we had changes, when former Chief Officer of Education moved we had to change the signatories and that is how we had dishonored cheques.

As earlier alluded we had very incompetent fund administrator and that is one of the reason that we had an issue and so we have put measures in place. As I said earlier we have very competent administrator and we are working as a team now, myself, the Chief Officer, the fund administrator and the Committee. We have very competent Committee Members who are keen to know the funds before they sign the cheques and am sure this is going to be a past tense moving forward.

Let me respond to the issues raised by Hon. Silapia, first of all I want to categorically classify that we have high regard to this House we respect, all Hon. Members of County Assembly including the Speaker. Not only the Hon. Members we respect the people of Samburu County. They are human beings and we dignify every human being we cannot treat people with contempt and malice. we respect every human being because of virtue of being a human being and more so the elected Members of this House, we respect you and no one in this House here can come and tell me I came to your office and I was not given audience, I called you and you did not respond to my calls.

I have attempted many times event to return calls with the Hon. Members and that is my level of respect to this House and that is something that I will do whether I am in that office or not. I have high regards to human beings, having said that on the issue of the response, we have been trying as much as possible to give our responses to on time in case of any delay we have always requested for time extension. I have no recollection whatsoever when we were summoned here for not responding on time, I have always tried my best to respond on time.

On unsatisfactory response, we gave our response and we were invited to come and respond as we are doing now. I am not sure whether we were told to do another response we gave the response as we are today invited to appear before the House which we have honorably done.

On the issue of recovery funds, I think that is not our responsibility, that is other agencies responsibility, which even the ad hoc Committee had recommended they were going to distribute requests to other institutions that are going to follow up the lost funds and that is something that I highly welcome because no money should be lost that was meant for our students. I want to say that I will continue to be respectful to this House, any Member of the County Assembly any time that we are required to do so, thank you so much.

The Speaker, (Mr. Lenamarle Stephen): We can take other three questions.

MCA Nyiro Ward , (Hon. Lemoosa Jonathan): I am not sure whether I am audible enough, but I take the flow of the House to congratulate the office of the right Mr. Speaker, the Clerk, the Director Legal for actually bringing up this new dispensation. I also like to salute the Department of Education for being the first to take the floor for direct engagement with the Honorable Members of the House. Sir this is a new dispensation that have greatly relieved the sector shares from the topical issues which needs serious attention, and engagement once again thank you Mr. Speaker and the management.

My concern is not really dis honored cheques but I just want to understand from the CECM we developed some lists of students' beneficiaries from the ward kitty and this was before the standoff. These particular students have not received whatever allocation, though I have come to understand we had problems with the exchequer but now there is this standoff and there is a list the ward kitty has some funds if I may say was is the true position in this quagmire? I do not want to be pronounced out of Order but Speaker, I really want to appreciate the County Bursary Fund Committee generally because we do not have such discrepancies but what we have is the omission the general County Bursary Fund.

We have some Omissions of applicants. What measures does the Department take to avoid such omissions which are seriously affecting the students? My serious question is the names which we have submitted and vertically the Ward Equitable Fund is available if I may say. What is the

position now that there is a standoff? This was submitted long before the quagmire, what is the true position? Thank you.

The Speaker, (Hon. Lenamarle Stephen): CEC you an answer that.

CECM Education and Vocational Training, (Hon. Mark Egelan): Thank you, Mr. Speaker, Sir. Thank you, Hon. Lemoosa and all the members in this house. I will attempt to respond.

1. List of students from the Ward Fund. What we have decided as a department is that the clean-up of the applicants happen from the village, Ward to the Sub-County. It passes all those stages, so that what we receive here is a clean sheet and ours is only to validate and make sure that there are no repetitions, there are no people who have applied twice.

We only do the clean-up in terms of admissions in tandem with the name of the institution and so forth. We do not allow any data to come directly to us. It passes all those stages. That way, no student who applies is left behind. Any student who claims to have been left out may not have applied. If you go further and ask the students “did you apply?” Maybe most likely, maybe at the time of application he was somewhere else; either in school or something like that.

So we do not allow any request to come directly to us other than passing through all those stages. So, that is what we have done, Hon. Member for Nyiro. In regard to the current standoff, there are things that are beyond our control. This is something that is happening at the national level. The Controller of Budget has chosen to become adamant. She is not releasing funds.

We have already put in our request and all we are waiting for is for the money to hit our account then we issue the cheques. We just to bear because there are things we have no control over. It is beyond us. We have a forum for all the CECMs in education they are going to sign IPA, inter-parliamentary something so that there is an agreement between the County Government and the ministry of education to allow the Counties to issue cheques.

That agreement is going to be signed on Monday. So, if all goes well we hope to get money maybe next week or in two weeks’ time. We shall prioritize all students who were allocated bursaries but because of this stand-off were not able to get that money. We have also had a discussion with the department that when these funds come we will prioritize the lists from the

wards so that we make sure that any students that a member of assembly has suggested for bursary from the Ward Fund get the first before others.

We will do these things concurrently. For instance if we get Kshs.100M, Kshs.10M goes to the MCAs. We clear that first then we divide the rest of the money according to what we have. So, we may not get a student getting more than the others. We will just divide equally unless it is a special case.

On the list that you sent already, we have two options:

1. To dishonor that list and we get another list or,
2. You will just come and validate with us that this is the list that I brought and remains so for now then we issue bursaries according to that list.

For now, that is all I can say. Thank you.

The Speaker, (Hon. Lenamarle Stephen): Hon. Silapia you cannot ask two questions. You are already through with your time. That is what our standing orders say. Okay, just ask one question.

Specially Elected Member, (Hon. Lenamatiyio Silapia): Thank you, Hon. Speaker. I have a concern and I think it follows as a question because I think the last two weeks, two weeks ago, we passed a supplementary and in it there was a reduction of the bursary fund. How sure is the CEC that he is going to prioritize those who were affected by the bouncing cheques when we have now already reduced the bursary fund? Thank you.

CECM Education And Vocational Training, (Hon. Mark Egelan): Thank you, Mr. Speaker. This is the position that we have agreed. We shall work with what we have. What we get is what we shall work with. We prioritize to clear the mess first. Then the balance, tutagawia watu. Thank you so much.

The Speaker, (Mr. Lenamarle Stephen): Thank you Hon. Members and thank you to the CEC for appearing and responding to the concerns rose. This house remains committed to the mandate of representation, oversight and legislation as delegated by the people of Samburu County. Further deliberations or issues raised maybe followed up by the committee on education and vocational training as guided by the house. You may now leave.

Hon. Members this is the first time the CEC is appearing before the house as a plenary house. The members should be conversant with the standing orders guiding on the appearance of the CEC. The procedure for asking questions are well provided Under our standing orders and before a letter written inviting the CEC, all questions relevant to the statement should be forwarded to the clerk and the house business committee to allocate time for the CEC concerned to appear before the house.

ADJOURMENT

Hon. members the time being 29 minutes past four o'clock and there being no any other business this assembly now adjourns until Tuesday 20th May 2025 at 9:30am.