

## COUNTY ASSEMBLY OF SAMBURU



### *THE HANSARD*

**Wednesday, 11<sup>th</sup> June, 2025**

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

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

### **PRAYER**

## **COMMUNICATION FROM THE CHAIR**

### **WELCOMING STUDENTS AND STAFF FROM BISHOP PERLO SECONDARY SCHOOL**

**The Speaker,** (Mr. Lenamarle Stephen): Hon. Members, I would like to acknowledge the presence of visiting students and teachers from Bishop Perlo Secondary School, from Suguta Marmar Ward, Samburu West Sub County in our public gallery today.

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

*(Applause)*

Hon. Leleruk, the students are from your Ward, you can welcome them.

**MCA Suguta Marmar Ward,** (Hon. Leleruk James): Thank you Mr. Speaker. I would like to welcome staff and students of Bishop Perlo Secondary School to this Third County Assembly. Feel welcomed, I think you can learn something from this Assembly.

I would like to thank the office of the Clerk and the office of the Speaker for accepting to invite students from Bishop Perlo Secondary School who happen to be from my Ward. I pass my gratitude to your office for your support and also to the Hon. Members for accepting that today; the students from Bishop Perlo will be able to see what transpires within this Assembly.

I welcome them all, feel welcomed and thank you for your presence.

**MCA Ndoto Ward,** (Hon. Lealmusia Ali): Thank you Hon. Speaker. I would like to take this opportunity to welcome our students, teachers and staff from Bishop Perlo Secondary School, kindly feel welcomed and enjoys the rest of the session, thank you.

**MCA Loosuk Ward,** (Hon. Lenamparasio Phelix): Thank you Hon. Speaker, let me take this opportunity to warmly welcome students; our daughters and teachers from Bishop Perlo Secondary School to this Assembly.

Hon. Speaker, I am very proud because among those seated girls, I have a daughter and I am so happy seeing her there

*(Applause)*

I take this opportunity to welcome them to the County Assembly of Samburu. I know that in history you are always being told how businesses are being transacted in this House; today you have an opportunity of seeing for yourselves how we transact business here.

I Know you will learn a lot, feel free to ask any question you may feel like after the session, I know we have few minutes to interact with you after this session. But, for you to understand more on how business is transacted here, feel free. Musi tense sana, sawa sawa, karibuni.

**Specially Elected MCA, (Hon. Stacy Nareyo):** Thank you Hon. Speaker. I would like to take this opportunity to welcome students and teachers, karibuni Sana. I hope this House is going to inspire you as leaders of tomorrow, this House is also your House and I hope you are going to learn and take one or two from here. Ahsanteni na karibuni sana.

*(Applause)*

## **QUESTIONS AND STATEMENTS**

**MCA Suguta Marmar Ward, (Hon. Leleruk James):** Thank you Hon. Speaker. There is a statement I sought I think one year ago from the CECM Lands, Physical Planning, Housing and Urban Development and he was supposed to appear before this House today and respond the issue about Nasur.

Hon. Speaker, Nasur is within my Ward. Hon. Speaker, it is very painful for me as a leader that this issue because of insecurity and Nasur is within Samburu County. Hon. Speaker, I went to that place to inquire on what happened within Nasur because, since devolution no elected leader has ever reached where I went and found a lot of schools and hospitals built within our land.

Hon. Speaker I have been requesting for statement response for this statement for a long time. Mr. Speaker the functions of land are handled by The County Government of Samburu. Hon. Speaker, I was not around when the CECM for Lands, Physical Planning, and Housing and Urban Development was being interrogated by the Members because as you know I am fully

engaged with peace meetings within my Ward. Mr. I want to know why the CECM is not around and when the people of Suguta will get justice and their land.

Hon. Speaker and Hon. Members, the issue of Nasur is not the work of the National Government. We are elected to represent our people, make laws and to also know our boundaries. Nobody has powers to alter even an inch of a County, Hon. Speaker, if the CECM comes here and says that this issue is above the County Government; then what are we doing as leaders?

Hon. Speaker, I urge the Hon. Members to support me on this issue because Nasur is going and under my leadership and under your leadership we cannot allow even an inch of Nasur to be built by Baringo County using their money. I even intended to build a nursery school in that area.

Hon. Speaker, the issue concerning Nasur is emotive, if the CECM who particularly comes from my Ward is saying that it is above the County Government, we can take up this issue as the County Assembly and we are even ready to go to the National Government.

Hon. Speaker, I want to know why the CECM is not around, thank you Hon. Speaker.

**Specially Elected MCA**, (Hon. Mohammed Asha): Thank you Hon. Speaker. I rise to support Hon. Leleruk on the issue about Nasur.

Hon. Speaker, I believe that Baringo County has built some structure in Nasur, the CECM was supposed to be here this afternoon. Hon. Speaker, if the CECM does not know anything about Nasur then who are we supposed to ask? Hon. Speaker, I believe that Nasur belongs to Samburu County, the CECM is not supposed to take us in circles every time, let him tell us where Nasur is because that is what he is supposed to do, thank you Hon. Speaker.

**MCA Loosuk Ward**, (Hon. Lenamparasio Phelix): Thank you Hon. Speaker. I just want to support what Hon. Asha and Hon. Leleruk said I am the one who requested for the statement and for your information Hon. Speaker; we had the CECM here in this House last week responding to the questions asked in the statement.

Hon. Speaker, we combined all the issues concerning land that we wanted the CECM to respond to. Hon. Speaker, allow me to quickly read through the questions that the CECM came to respond to here:

1. Provide plan for Archer's town.
2. Highlight boundary issue of Nasur.
3. Provide a survey plan for Loosuk town before devolution.
4. Highlight all the allocated plots of Loosuk town by owner's name and plot numbers. If these plots are commercial or residential, highlighting the documents the owners have; allotment letters or receipts.
5. Who allocated plots at Mugur dam parcel?
6. Who receives money paid by plot owners in Loosuk town?
7. Provide a list of Loosuk group ranch owners allocated parcels in Loosuk including their parcel numbers.

Hon. Speaker, the CECM was here on Wednesday and the Speaker in Chair for that particular session directed the CECM should appear before this House today at 2:30 PM to respond to the questions because he did not respond satisfactorily to the seven questions.

Hon. Speaker, for how long should this House always is transacting some businesses here that are not respected by the Executive? Who else can solve the issues that this House cannot solve for the public?.

Hon. Speaker, the people of Loosuk whom I represent comes to me each and every time to seek the answers to these questions. Hon. Speaker, I derived these questions from the people who elected me, it is them who paid for these plots and were issued with fake receipts, and nobody knows where their plot is. Hon. Speaker, this is why I asked for the CECM to come here and respond to these questions but he did not respond.

For how long are we going to call the CECMs over, just come and stand there, waste our time and move to their offices without the way forward?

Our Standing Order No. 52 state; *The County Assembly may where a County Executive Committee fails without a reasonable cause to appear and respond to question under this part move a Motion of censure to the County Executive Committee Member .*

Hon. Speaker; today, I want to be given a direction because I want to bring a Motion that we censure that CECM as this House because we are tired of waiting for answers to the questions that we have been asking for almost the whole year now.

Hon. Speaker, with your guidance and with the help of all relevant laws, we want to be directed on what to do. Hon. Speaker, if this House is not respected, we should just close it and we all go home

**MCA Porro Ward,** (Hon. Leerte Patrick): Asante Mheshimiwa Spika. Ninasimama pia kuunga mkono yale waheshiwa wamesema. Nikiwa mwenyekiti wa ardhi kuna majibu yanakuja ambayo hayaridhishi aliyeulizia. Na ndio maana Standing Order ilibadilishwa ili mawaziri wakuje kujibu. Swali la Nasur ni ya zaidi mwaka mmoja; ikiwa ujenzi unafanyika katika kaunti ingine na tumenyamaza in amaana kuwa pia pahali pengine patajengwa. Ukiangalia Porro pahali panaitwa Lporuwai kuna barabara ambazo zimeanza kutengenezwa na watu wa Baringo. Tunaona magari ya Lori na tipa yakipita lakini hatujui wanafanya nini. CEC akitoa jibi isiyosahihi sijui tutaauliza nani.

Nilimuuliza kama inakua ngumu mbona tusitafute kamati hata kama litaanzia bunge la kitaifa ama wakuu wa serikali kwa sababu Nasur ikienda Baringo watachukua pahali pengine. Nashangaa kusikia kwa Order Paper CEC hakuji. Ile habari tunataka halitafutwi kwingine ni hapo tu kwa ofisi. Naunga mkono Mheshimiwa Lenamparasio kwamba ikiwa ameshindwa na kazi kuna wakenya wengine waneza fanya kazi hiyo. Mahali hawezi atafute viongozi wengine wapate suluhisho kwani sio rahisi Kaunti kujenga Kaunti ingine na mnanyamazia.

Mimi natoka Porro wakimaliza kujenga huko pia watajenga Porro na kuendelea hadi mwisho. Mheshimiwa tupatie jawabu ili tusirudie maneno haya yawe ya mwisho, asante.

**MCA Lodokejek Ward,** (Hon. Lekuchula David): Thank you Mr. Speaker. On behalf of Lodokejek Ward and on behalf of myself, I want to take this opportunity to welcome our students from Bishop Perlo Secondary School to this Assembly, feel free, comfortable and follow the procedures of the House. I join my colleagues Hon. Leleruk on the issue of Nasur and Porro Ward where Hon. Leerte is saying some roads are being constructed but these roads are being done by the County of Baringo and these lands belong to the people of Samburu.

As long as we call the CECs to come and appear here to give to the answers to questions asked by this Hon. House, if the Department of Lands feel that they are not comfortable or maybe they are not able to give the required answers, if they fear to go to Nasur it is even good to feel that you are not able to do it, you even reach out to other leaders to find ways to protect this land. We

need your guidance going forward on the issue of Nasur and Porro area, thank you Mr. Speaker Sir.

**MCA Nachola Ward,** (Hon. Lorunyei Lawrence): Thank you Mr. Speaker. I also want to add my voice on the agenda in front of us, we have a Government and the Governments work is to provide services and goods, concerning situation 4 whereby distribution of functions between the two levels of the Government and in part b 144 functions were devolved to the County Government and if you go to number 8 we have County Planning and Development that includes statistics, land survey and mapping, boundary and fencing, Housing, electricity and gas rectification and energy and regulation, we have nine Departments in this County and one of the Departments is Lands whose function I have just read.

Where a Department cannot explain its mandate is something that maybe someone does not fit to the office. As a House of Representatives, if you go to the Constitution of Kenya Article one where the Sovereignty of powers belongs to the people and two says they can exercise directly or indirectly through their representatives, we are their representatives here, we are their voice. If people talk on the ground and send us here as their voice and if you are giving out the voice about the said land and nobody is listening or answering and giving us the way forward by just saying I do not know or above what he or she can do.

We need to give way forward because the people of Loosuk and Suguta MarMar need an answer and we are the one to give the answer and where do we get the answer the Executive, our working people where we direct and they implement. If they do not have the report to give us where else can we run? And this is a Government. Before 1963 that is when the boundaries were put and there was a meeting in London again taken by the head of states including Nyerere because boundaries of communities have been interfered and they came to a resolution that if we can interfere with colonial boundaries it will bring a mess. That is why they say boundaries remain as it is. There is no provision that somebody can cross to another boundary.

Land is very sensitive and before it causes other things like life as a Government we are not defeated, let us start at the County Level and then the County level to go to the next level whereby we put a conclusion to the issue in front of us so that the people of Loosuk will be satisfied with the answer we are going to give. We need your direction Mr. Speaker, thank you.

**MCA Wamba West**, (Hon. Lemartile Francis): Thank you Mr. Speaker. On my behalf I wish to welcome our students from Bishop Perlo, I raise on a different issue which I wanted to highlight to Hon. Members and to this Hon. House especially some misconception of the oversight of our Assembly, the misconception by the leadership of the House and the Clerk may take it that interrogating their budget Members have no powers to interrogate the County Assembly budget, may i...

**The Speaker**, (Mr. Lenamarle Stephen): We are not done with the first, can we finish...

**MCA Wamba West**, (Hon. Lemartile Francis): The first Statement? Because I do not think we have another time.

**The Speaker**, (Hon. Lenamarle Stephen): Okay, just continue. Take your seat, what is it Hon. Member

**MCA Suguta Mar Mar Ward**, (Hon. Leleruk James): Mr. Speaker Hon. Lemartile has another issue I want you to give us the direction of the issue on Nasur because the issues are very simple and it can be answered in the office if somebody as the CEC wanted, I aks why Nasur has been built and who authorized Nasur to be built and does Nasur belong to Samburu or Baringo and give guidance on why the CEC is not in this House so that we can go to other business because it is very painful. The issue of Nasur is a very hurtful situation and If these people fear going to Nasur I am ready to take them to Nasur so that they can see because they are not feeling the pain that I am feeling, I feel pain for my people not living on their land because somebody is occupying that land, this is a serious issue I need to be taken seriously and not as a small matter, thank you Mr. Speaker.

**The Speaker**, (Mr. Lenamarle Stephen): Hon. Silapia you were the Speaker last week.

**Specially Elected MCA**, (Hon. Lenamatiyio Silapia): Thank you Mr. Speaker. Let me take this opportunity to welcome students from Bishop Perlo Secondary School. You are welcomed and feel at home. Mr. Speaker I am sorry; my sound will not come out clearly but let me try. Hon. Speaker it happens that I was the Speaker that day and as the Hon. Member for Loosuk Ward has said all the 7 questions have not been answered and I directed that the CECM to appear today with clear answers.



If the CECM did not visit Nasur village, I think the CECM is visiting Loosuk town all the time. In my thinking is that the CECM has inherited the office and I thought that he has all the rights to know everything that it's the mandate of that office. He has the list of the plots within Loosuk town but he did not manage to bring even for Loosuk.

Let us even leave the issue of Nasur because they are complaining of the issue on security and also the issue of Archers post, he did not clearly bring anything about Archers post town. I directed and ruled that the CECM to appear today in this House at 2:30 p.m. with the satisfactory answers for the Hon. Members who requested the Statement.

We have some issues arising in this House, yesterday we were to have the CECM for water to appear in this House but because of the failure of staffs within the Assembly who did not send the letter for the CECM to appear, unless such issues have happened. I know you rule with your leadership but that was the ruling of that day, thank you.

**The Speaker,** (Mr. Lenamarle Stephen): Thank you Hon. Members, let me do an inquiry after this through the clerk and see whether there is communication between the clerk and the CECM because I cannot rule something I am not aware, let me do an inquiry and then we do a discussion after this.

**Specially Elected Member,** (Hon. Lenamatiyo Silapia): Point of Information Mr. Speaker, I think you are aware because this House has Hansard, which has a whole ruling that we have done last session when we ruled the same. I think that one will be satisfying for you to rule even before you communicate with the clerk.

**The Speaker,** (Mr. Lenamarle Stephen): Hon. Member what I am saying, I was aware that the CECM was here last week, but communication is always between the Clerk and the CECM. What I said that I am not aware is the communication between them. Therefore I need to inquire after this so that I communicate once we are going to have a small meeting, Hon. Lemartile if you are going to talk about the budget we are going to project the budget after this. That is when we have a small meeting the budget will be projected any issue about the budget we are going to discuss when we are us, is that okay Hon. Lemartile? During that time I will give you time to (sit

down) I will give you time to read your Statement. The budget will be projected then we are going to interrogate.

**MCA Wamba West Ward**, (Hon. Lemartile Francis): It is okay

**MCA Loosuk Ward**, (Hon. Lenamparasio Phelix): Mr. Speaker, I just raise for some clarity because from the Order Paper, I am seeing that we are breaking for recess today. I just want you to let this House know what is the difference of the Speaker telling the CECM to appear to this House next week Wednesday at 2:30 p.m.?

Where does the writing from the clerk come. I might not know but the Speaker that day ruled the CECM while he was at that podium that he should go and come back on Wednesday 2:30 to my understanding I am not seeing anywhere where the clerk comes in to write the letter for the CECM to appear. It was a ruling made by a Speaker and what we know in this House is a Speaker ruling is final.

I do not know maybe somebody should just explain to me very clearly because I thought that when the Speaker made her ruling, to the CECM and not to any other person that he should go and come again on Wednesday at 2:30 p.m. to appear before this House with satisfactory answers to the 7 questions. I am yet to understand where the clerks writing should come from.

Secondly, I want to be told if this House is unable to solve the problems of Loosuk people be told. Exactly that this House is unable to solve the problems of Loosuk town so that as a representative because Hon. Lorunyei said that we have to exercise our powers. The people have to exercise their powers whether directly or indirectly.

They exercise directly through me, so if we are not getting any answers for the planning of Loosuk town. We should not equate this issue to Nasur issue, Loosuk town you can just walk by feet; you do not need police escort or vehicle. In this Department of land we have surveyors, that town has been surveyed, people have developed but somebody not to come with a list of how many plots have been allocated and how many have not been allocated that one does not require rocket science to answer that question. By the end of the business today I just want your ruling, if Loosuk people does not get their answers here I be told so that we know what next step we can take.

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): Point of Information Mr. Speaker

**The Speaker**, (Mr. Lenamarle Stephen): Hon. Lorunyei just takes your seat, Hon. Lenamparasio should tell us...

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): Mr. Speaker it is Point of Information.

**The Speaker**, (Mr. Lenamarle Stephen): Hon. Lenamparasio is you ready to be informed?

**MCA Loosuk Ward**, (Hon. Lenamparasio Phelix): Yes

**The Speaker**, (Mr. Lenamarle Stephen): It is okay just inform him

Mr. Speaker, when we are doing administrative work, it must be in written form not verbal. Anything in administrative must be in written so as the Speaker of the day ruled Mr. Speaker, in front of the CECM it is the high time of the high time for the clerk to communicate asking him to come again, not verbally and that is the rule. Any administrative action must be in written.

*(Point of Order from Hon. Leitoro)*

**MCA El'barta Ward**, (Hon. Leitoro Jeremiah): I stand on Point of Order No. 93 that states **THAT** no Member should speak after the ruling. Once you give a ruling and directive on the same matter it will not be prudent for the Hon. Member to continue discussing on the same matter that you have already given direction.

**The Speaker**, (Mr. Lenamarle Stephen): Thank you Hon. Leitoro, Hon. Lemoosa I think you will be the last one so that we can put the next...

**MCA Nyiro Ward**, (Hon. Lemoosa Jonathan): Mr. I just want to take this opportunity to join colleagues Minority leader Hon. Leleruk and actually apparent to one of our students from Bishop Perlo to welcome them on behalf of the people of Nyiro, myself and other Members. I think guided by the same Standing Order No.93 and also to introductory of part 1 of the same Standing Order No. 1 it states that incase not provided for the Speaker to decide. With your permission I need to read further that 1 in all cases where matters are not expressively provided by these Standing Orders and by any other Orders of the County Assembly, any procedural

question shall be decided by the Speaker to the provision of paragraph 2 of this Order. Guided by these Orders No. 93 part 1 the Speaker is actually rightfully given his direction, thank you.

## **MOTION**

### **ALTERATION OF THE COUNTY ASSEMBLY CALENDAR FOURTH SESSION 2025**

Thank you Mr. Speaker I beg to move the following motion that **AWARE THAT** this House adapted its calendar for the votes session under Standing Order 31 paragraph 1 and recognizing that Standing Order 31 (4) allows for alteration of the calendar by resolution to address urgent business. **FURTHER AWARE THAT**, section 39 (1) of the Public Finance Management Act 2012 requires the assembly to consider and allow the budget estimates the Appropriation Bill within set timelines noting the need to convene earlier to deliberate on Public Participation report and approve the budget and Appropriation Bill 2025 the House therefore saw to alter the calendar by changing the resumption date from 8<sup>th</sup> July to 2025 to 24<sup>th</sup> June 2025. The House shall proceed to recess as scheduled today 11<sup>th</sup> June 2025, thank you Mr. Speaker. I ask Hon. Charity to second.

*(Hon. Charity bows to second the Motion)*

**The Speaker**, (Mr. Lenamarle Stephen): Hon. Members I now Propose the Motion **THAT** this House adapts its calendar for the 4<sup>th</sup> Session 2025 under Standing Order No. 31 (1) and recognizing the Standing Order No. 31 (4) allows for the alteration of the calendar by resolution to address urgent business. **FURTHER AWARE**, section 39 (1) of the Public Finance Management Act 2012 requires the assembly to consider and approve the budget estimates the Appropriation Bill within set timelines noting the need to re-convene earlier to deliberate on Public Participation report and approve the budget and Appropriation Bill 2025. This House therefore resolves to alter the calendar by changing the resumption date from 8<sup>th</sup> July to 2025 to 24<sup>th</sup> June 2025. The House shall proceed to recess as scheduled today 11<sup>th</sup> June 2025.

Hon. Members I now put the Question that **THAT**, this House adapts its calendar for the 4<sup>th</sup> Session 2025 under Standing Order No. 31 (1) and recognizing the Standing Order No. 31 (4) allows for the alteration of the calendar by resolution to address urgent business. **FURTHER AWARE**, section 39 (1) of the Public Finance Management Act 2012 requires the assembly to

consider and approve the budget estimates the Appropriation Bill within set timelines noting the need to re-convene earlier to deliberate on Public Participation report and approve the budget and Appropriation Bill 2025. This House therefore This House therefore resolves to alter the calendar by changing the resumption date from 8<sup>th</sup> July to 2025 to 24<sup>th</sup> June 2025. The House shall proceed to recess as scheduled today 11<sup>th</sup> June 2025.

*(Motion Proposed and Passed)*

## **ADJOURNMENT**

Hon. Members being six minutes to 4 o'clock and there being no any other business this Assembly now adjourns until Tuesday 24<sup>th</sup> June 2025 at 9:30 a.m.