

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 1st March, 2023

The Assembly met at the County Assembly chambers at 2:30 p.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

Temporary Speaker, (Hon. Lemoosa Jonathan): Hon. Members, at the entire public gallery are the students from Kisima High School. On behalf of the Speaker, and the Hon. Members of this House, I wish to sincerely welcome the students, teachers and the public who are here today to witness the proceedings of this Assembly. Please feel at home, this is your Assembly and these are your Hon. Members. Thank you.

STATEMENT

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker. Hon. Speaker, I rise to ask the following statement; Pursuant to Standing Order 45(c). I wish to request for a statement from the Chairperson of the sectorial Committee on Environment, Water, Natural Resources and Energy regarding the payment of water project of Lesoit Naibor Borehole in Elbarta Ward before completion.

Hon. Speaker, concerns have been raised regarding the payment before completion of water project in Elbarta Ward. Hon. Speaker Sir in the statement, the Chairperson should inquire into and report on;

1. Why was the contractor for Lesoit Naibor borehole in Elbarta ward paid before job was done?
2. When is the contractor going to commence the work that was paid for?
3. Why is Bendera community in Elbarta not getting piped water yet the three boreholes are fully functional and the piping system and water kiosk is in place?
4. Why are water trucks given first priority and not the immediate Bendera community?
5. Hon. Speaker I wanted to know if we have technical persons, that includes plumbers, in Baragoi, SAWASCO office.

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6. We wanted to know the reason why Nteremuka borehole has not been repaired up to date since notification was given? And I gave notification six months ago immediately I was elected Hon. Speaker.

And Hon. Speaker, this raises a lot of questions because. Just to give an example, Lesoit Naibor, it is a criminal offence for a government official to approve payment of a county project before the job is done. Because as far as I know, there is usually issuance of completion of certificate before payment is made. Hon. Speaker on issues of Bendera borehole, and for the information of the Hon. Members, Bendera village is just two kilometers from Baragoi town. And in Bendera village Hon. Speaker, we have three functional boreholes. One is solar powered and the two others are solar powered. The piping system passes just next to the village to Baragoi town. It is so unfortunate, that these people are not getting water. These people, the Bendera people are poor people. These are widows, as a result of war in Baragoi. Instead, the people who are getting water are the security forces like the KDF (Kenya Defense Forces) camp which is just to the village, who are capable of drilling, equipping and having their own borehole. So you find in a day, three trucks taking water from the community borehole, and the community will never get water even for domestic use.

Hon. Speaker, we need to come to the bottom of this issue because I think there is business in how the management of SAWASCO in Baragoi is run, because it is quite clear that they are doing business.

Then there is the issue of Lesoit and Nteremuka Boreholes. Nteremuka is around forty-three kilometers from Baragoi town. Hon. Speaker, I raised this concern; the borehole failed like a year ago. I remember during my campaigns I tried to do repair, personally I bought a water pump worth around hundred and twenty thousand shillings. But later we came to understand, the issue was not the pump. The issue Hon. Speaker was the mortar. Immediately I was elected, I informed the Acting Chief Officer by then Chris Lengusuranga about the issue that we needed replacement of the mortar. Hon. Speaker, it is now six months down the line, and bear in mind in

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this drought season, these people are suffering Hon. Speaker. I do not know how they are surviving, getting water to drink leave alone the water to shower or even to wash clothes and so forth.

So Hon. Speaker, I beg my colleague the Chairperson of the Committee on Water and Environment, Natural Resources and Energy so that he can be able tell us exactly when I should get the answer. Thank you Hon. Speaker Sir.

Chairperson Committee on Environment, Water, Natural Resources and Energy, (Hon. Lemartile Francis): Thank you Hon. Speaker. My colleague Hon. Leitoro, I apologize for that, in case that happened to your people. It is extremely wrong, because as per the Assets Disposal and Procurement Act, 2015, it is wrong to pay for the services which were not offered. So I will make inquiry, I will make investigations and report to this House. Just be patient and give one week's time. I will work with my Committee and respond to the same on Thursday, on 9th March, 2023 at 2:30 PM. Thank you.

Temporary Speaker, (Hon. Lemoosa Jonathan): Very well Chair. Hon. Jeremiah Leitoro, are you satisfied with his response?

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Hon. Speaker, I wish to beg my colleagues if it possible for me to get the answers next Tuesday, because those people are suffering. I will really appreciate Hon. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan): Chairperson Environment, would you be in position to collect all facts, evidences and table it as he says?

Chairperson Committee on Environment, Water, Natural Resources and Energy, (Hon. Lemartile Francis): Hon. Speaker, and Hon. Member Leitoro, please just give me time because if we hurry up I will bring an incorrect or incomplete information. We need to follow that project from the time initiated to the payment and the pending works. We would even make the visit to

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the area to get the reality on the ground. So please hold on with us let it be on Thursday 9th March, 2023.

Temporary Speaker, (Hon. Lemoosa Jonathan): Agreed Hon. Chairperson Environment. Hon. Members, I now refer this statement to the Chairperson, Sectoral Committee on Environment, Water, Natural Resources and Energy. So guided and referred.

Specially Elected MCA, (Hon. Asha Mohammed): Thank you Hon. Speaker. Hon. Speaker, I request to ask for a statement. Hon. Speaker, Pursuant to Standing Order 45(c), I hereby request for a statement from the Chairperson of the Sectoral Committee on Education and Vocational Training regarding poor management of Early Childhood Development Centers.

Hon. Speaker, the Constitution of Kenya (2010) establishes Government at two levels, National and County Governments. Article 6(1) divides the territory of Kenya into 47 Counties. Therefore, Kenya is transiting from a centralized government to devolved system of government. The Constitution establishes a devolved system of governance in accordance with the objects and Principles of devolution as articulated by Articles 174 and 175. The Constitution of Kenya is the supreme guiding law on education. It contains provisions that have various implications for the education sector. Hon. Speaker, Article 43(f) of the Constitution says that every person has a right to education; 53 (1) (b) every child has a right to free and compulsory basic education.

Hon. Speaker, the Government of Kenya takes cognizance of Pre-primary education as a crucial foundation stage, for primary education, character formation and lifelong learning. This is in line with the Sustainable Development Goal (SDG) Number 4. Target 2 which obligate States to ensure that all children access quality early childhood development, care and pre-primary education so that they are ready for formal schooling. Pre- primary education provides opportunities for children to enhance their cognitive, social, moral spiritual, emotional and physical development as well as aesthetic aspects.

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Hon. Speaker, the Early Childhood Development (ECD) Policy Framework in Kenya is based on principles that are universally accepted as forming the cornerstone of quality early childhood development services and programs. The policy ensures that the holistic needs of young children are met to maximize the realization of their full potential and safeguarding the rights and welfare of the child as per the Children Act of 2001.

Hon. Speaker, Early Childhood Development in Kenya spells out various objectives that should be achieved by offering the ECDE services to the Kenyan children by providing education geared towards development of the child's mental capabilities and physical growth, unlike in Samburu County government with improper and untimely systems of monitoring early childhood development Programs.

Hon. Speaker, in view of this, Chairperson of the Sectoral Committee on Education and Vocational Training should inquire into and report on:

1. The full report on Early Childhood Development Education on the total number of teachers in the county as well as when was the last intake (Recruitment) for ECDE teachers were done and also indicating Teacher-Child ratio in the county.
2. Any plans by the department in recruiting teachers.
3. The full report on Development projects in ECDE centers across the county if ever done.
 - i. Classrooms
 - ii. Toilets
 - iii. Fences
4. Measures put in place by the department to ensure that proper supervision is done to ECDE including transfers ever done, action taken to discipline Teachers, replacement if any. Thank you Hon. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan): Very well Hon. Asha. The Chair, Vice-Chair or Member of Education Committee to respond on the same.

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Member Committee on Education and Vocational Training, (Hon. Loloju Joseph): Thank you Mr. Speaker Sir, thank you my colleague Hon. Asha. I stand here on behalf of our Chair for education being a Member. Mr. Speaker Sir, I wish to respond to Hon. Asha, bear with us give us time we promise we will consult with fellow colleagues as we wait our Chair, we will respond promptly on Tuesday next week. I am not going on Wednesday. Kindly, bear with us till Tuesday. Thank your Mr. Speaker Sir.

Temporary Speaker, (Hon. Jonathan Lemoosa): Very well Hon. Joseph. Tuesday, at what time?

Member, Education Committee, (Hon. Joseph Loloju): Tuesday at 9.

Specially Elected MCA, (Hon. Asha Mohammed): Hon. Speaker, I do not think that is in order.

Temporary Speaker, (Hon. Lemoosa Jonathan): Please let us be orderly.

Member Committee on Education and Vocational Training, (Hon. Loloju Joseph): Hon. Speaker after consultation with my colleague Hon. Nakinyi we have come into conclusion that we will avail the response on Tuesday 7th March, 2023 at 2:30 Pm.

Temporary Speaker, (Hon. Lemoosa Jonathan): Hon. Members I now refer this statement to the Chairperson. What is your point of order?

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): I rise on point of concern, I do not know if it is in order. Hon. Asha asked about poor management of Early Childhood Education Centers(ECDC), I also want to add on another question so that the Chairperson can respond all together.

You find that if an ECD teacher passes on or resigns the Department takes long to replace that teacher. In my Ward; there are three teachers who passed on three years ago and the Department has not yet replaced them up to now and I do not see a reason of why they are delaying yet there is a budget for that. The parents are paying for volunteers to teach in a school run by the County

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Government. I kindly ask Hon. Loloju to add that question and know through Hon. Asha as to why the Department is taking long to replace teachers, thank you Hon. Speaker.

Member Committee on Education and Vocational Training, (Hon. Loloju Joseph): Thank you Hon. Lenamparasio, that is point taken and I kindly ask for your patience and we will respond to that question on 7th Tuesday,2023 at 2:30 Pm, thank you Sir.

Temporary Speaker, (Hon. Lemoosa Jonathan): Hon. Members as directed by our Standing Orders number 45 (c) *A Member may request for a statement from the Committee Chairperson relating to matters under the mandate of the Committee, the Speaker may either appoint a day for the statement or direct that the statement be issued on the same day, and the statement sought must be restricted to matters within the mandate of the Committee and which have exhaustively dealt with concluded by the Committee or where the Chairperson is authorized by Members to issue preliminary reports to the House.*

So you are in order and any other Member who feels that the statement is not touching on matters that you find pertinent in your Ward or the County; you have the leave to pronounce your concern.

I so direct that our secretariat includes the concerns of Hon. Lenamparasio on the same, Mheshimiwa Dube.

Specially Elected MCA, (Hon. Dube Osman): Ahsante Mheshimiwa Spika. Naunga mkono Mheshimiwa Asha kwamba saa zingine wizara inejenga shule juu ya milima na kwa hivyo watoto walemavu wanapata taabu sana. Naomba kamati ya elimu ichunguze na kwamba masilahi ya walemavu yatiliwa maanani, ahsante Mheshimiwa Spika.

Temporary Speaker, (Hon. Lemoosa Jonathan): Nimeshukuru sana kwa yale umekariri na nafikiri ni sheria kwamba tunapo kadiria kufanya ujenzi lazima tuangalie masilahi ya walemavu; Wizara haijazingatia hayo. Karani wetu waweke concern hiyo kwamba kuanzia sasa sheria imekadiria maneno ya walemavu. Ahsante.

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Hon. Members, I now direct this statement to the Chairperson Education and Vocational Training regarding the poor management of Early Childhood Development as obliged by Hon. Loloju, the statement is so directed.

Hon. Members it is notified that the following statements are due for response today on Wednesday 1st March, 2023 at 2:30 Pm Pursuant to Standing Orders number 45 (c):

- (a) Statement number 015/2022 from the Chairperson Committee on Public Investments and Public Accounts regarding the status of the previous Auditor General Reports that were tabled on the floor of the House. Requested by Hon. Lealmusia Ali, MCA Ndoto Ward.

Hon. Leshimpiro Paul.

Chairperson Public Investment and Public Accounts, (Hon. Leshimpiro Paul): Thank you Hon. Speaker, may I take the opportunity to welcome our students from Kisima Girls and their teachers to the House, they are our daughters and most likely our grandchildren.

Hon. Speaker I stand to answer statement 015/2022 from Hon. Lealmusia Ali MCA Ndoto Ward who requested to know the status of the previous Auditor General Reports that were tabled on the floor of this House.

Hon. Speaker as you know, for all these years since devolution in 2013 when this Assembly was established, the Auditor's General reports for both the Assembly and the Executive has been arriving to this House since 2014 unfortunately no report has been concluded up to now. It is a requirement by the law that the reports are tabled in this House and then directed to the Committee then the concerned persons mentioned in the Auditor's Report are summoned by the Committee and thereafter there is an interrogation of the same document and they need to provide evidences of what was cited out by the Auditor in the report.

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It is important to note that not everything notified by the Auditor General is a crime; it can be that by the time the Auditor was writing the report the project in question may not have been completed and so it is notified to the Assembly of the same.

Hon. Speaker no report has been concluded. After interrogation of the concerned persons mentioned in report then there is a need of going for the field visits, the report writing by the Committee and come up with recommendation that hopefully that the House will adapt and then the Committee on Implementation sees to it that the project comes to conclusion.

Hon. Speaker the Committee has completed its work plan and in the next one week we intend to summon and interrogate the mentioned persons in the reports 2019/2020 from both the County Executive and the County Assembly. Hon. Speaker, but before we act as mentioned we want to have a meeting with the Auditor General in Nakuru so that we sort all these reports and to know where we can start and be guided by both our legal experts and the Auditor General himself.

Hon. Speaker we received an invitation by the Senate last week; the Senate is requesting that whenever there is a summon by the Senate two members of the PIC and PAC Committee will accompany the summoned person so that we learn and to also take the appropriate measures that might be recommended by the Senate.

Hon. Speaker we are looking forward to bringing more than four reports to this House, recommended and we hope that this House will help us to adapt the recommendations and our recommendations might not be friendly; they may require firing of some persons and surcharging among other things. Thank you Hon. Speaker.

(Applause)

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you Hon. Speaker. Before we went for a recess I had sort a statement from the Chairperson Committee on Lands, Physical Planning, Housing and Urban Development on the status of land registration in our County; and when I was in Chair last Thursday I directed that the statement be responded to today 1st March,2023.

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Bearing in mind that the insecurity situation in our County and around this belt is now going from livestock to land. Mr. Speaker if we cannot secure our land through papers first then we are at risk and that is why I requested that statement. Mr. Speaker I kindly ask for your direction on that.

Secondly, thank you Hon. Leshimpiro for the response; but Mr. Speaker it is a shame that we are reading 2019 reports in 2023, the law requires that we get the reports quarterly and it is a mandate given to this House to ensure that each Department avail those reports, I urge every Chairperson to check with respective Departments so as to bring the reports to the House, thank you Mr. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan): Hon. Lenamparasio you are in order as directed by our Standing Orders number 45 (c) and I now so direct that this statement by using statement tracker be availed to the House on Wednesday 8th March, 2023 at 2:30 Pm.

The issue of submitting quarterly reports is an expressly direction to take and so every Chairperson to liaise with the sector Committee such that after every three months we have the reports otherwise this matter will be referred to Liaison Committee such that it is enhanced.

**MOTION ON APPROVAL OF THE COUNTY ASSEMBLY ANNUAL
CALENDER FOR THE SECOND SESSION, 2022**

MCA Maralal Ward, (Hon. Loloju Joseph): I beg to move the following Motion **THAT,** Pursuant to the Provisions of Standing Order 27(1), the County Assembly of Samburu by a resolution made on March 1st 2023; the County Assembly of Samburu approves the calendar of the Assembly on regular sessions for 2023 as set out in the schedule. I call upon Hon. Nakinyi to second.

Specially Elected MCA, (Hon. Jane Nakinyi): Mr. Speaker. I stand to second the Motion.

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Temporary Speaker, (Hon. Lemoosa Jonathan): Very well. Hon. Members, I propose that Pursuant to the Provisions of Standing Order 27(1) of the County Assembly of Samburu by a resolution made on March 1st 2023 the County Assembly of Samburu approves the calendar of the House on regular sessions for 2023 as set out in the schedule. Members can ventilate into it.

Specially Elected MCA, (Hon. Jane Nakinyi): Hon. Speaker I really support the House Business Committee for coming up with the schedule for the Calendar for this year. This is most prudent since it assists Members to ventilate and organize themselves on working out things. If we do not have a schedule for activities then Members may divert and may also lack forum for our House, I congratulate the Committee of the Whole House, thank you Mr. Speaker.

Temporary Speaker, (Hon. Lemoosa Jonathan): Very well Hon. Nakinyi. Reading from the mood of the House silence means that you oblige to this. Hon. Members allow me to put the Question that Pursuant to the Provisions of Standing Order 27(1) of the County Assembly of Samburu by a resolution made on March 1st 2023 the County Assembly of Samburu approves the calendar of the Assembly on regular sessions for 2023 as set out in the schedule.

(Question put and Motion passed)

**THE SAMBURU COUNTY YOUTH AND WOMEN ENTERPRISE
DEVELOPMENT FUND BILL, 2022 (SAMBURU COUNTY BILLS NO. 8)**

Committee of the Whole House

Mace Lowered

Temporary Speaker leaves the Chair

Chairperson Committee of the Whole House takes the Chair

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Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Welcome Hon. Members, we are in the Committee of the Whole House which means that we are going through the Bill step by step. I expect that all the Members have the Bill. There are no recommended amendments. We will go to the clauses so that we do not much time to discuss. To our teachers and students, if someone is not feeling well since the House is not well ventilated just bow here and you are excused. You are not in prison. You will be provided with water.

Hon. Members, in considering a Bill in a Committee, the various parts thereof shall be considered in the following sequence;

1. Bill as printed;
 - a) Excluding the clause providing for the citation of the Bill, the commencement if any and the interpretation.
 - b) New clauses.
 - c) Schedules.
 - d) New schedules.
 - e) Interpretation.
 - f) Preamble if any.
 - g) Title.
 - h) The clause providing for the citation of the Bill.

I request the clerk to read the clauses below on clause 2 and 3.

Clause 2 - Interpretation

Clause 3 - Objects and purpose of the Act.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Hon. Members I propose **THAT** clause 2 and 3 be part of the Bill. I request the Members to be close to the microphone because we are also voting. Hon. Members I propose that clause 2 and 3 be part of the Bill.

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(Question put and clause 2 and 3 passed)

Clerk to read clause 4 to 6.

Clause 4 – Establishment of the Fund.

Clause 5 – Object and purpose of the fund.

Clause 6 – Capital of the Fund.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): I propose the Question **THAT** clause 4 to 6 as read be part of the Bill.

(Question put and clause 4 to 6 passed)

Clerk to read clause 7 to 19.

Clause 7 – Establishment of the Committee

Clause 8 – Remuneration

Clause 9 – Election of the Vice Chairperson

Clause 10 – Term of office

Clause 11 – Appointment and qualification of Committee members

Clause 12 – Functions and powers of the Committee

Clause 13 – Partnership

Clause 14 – Conduct of Business

Clause 15 – Strategic Plan

Clause 16 – Funding of projects

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Clause 17 –Signing out on behalf of the Committee

Clause 18 –Delegation of duties

Clause 19 –Role of the County Executive Committee Member

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): Thank you very much Hon. Leshimpiro. According to me I have some point of concern on clause 7, it needs some discussions since it talks on the establishment of the Committee. They have only highlighted the composition of the Committee where the first one is the Chairperson of the Committee who shall be nominated by the County Executive Committee Member and appointed by the Governor then there is the Chief Officer who for the time being is responsible for the matters related to Trade and Enterprise, there is the Director, three people representing Sub Counties, two people representing Youth and nominated by joint forums but appointed by the County Executive, we have two people representing women and one person each representing people with disability, Faith Based Organization and minorities.

My point of concern is on number 3, b on their qualifications which reads here that possesses a minimum of a degree from a recognized university in Kenya for the Chairperson and I have no problem with that and Diploma for the other Members; I want raise a concern that bearing in mind that the education level in our County is very low and raising the bar on qualification of these Youth and Women having Diplomas will only be for the people living in towns to be nominated by the CECs. This thing will be for the whole County and if you come to a place like Loosuk you will hardly find business people with Diplomas; some are semi illiterate while others are total illiterate but are doing very good in business. We should not exclude our illiterate people from this Committee.

My second issue is on what they call joint small enterprise for youth and women; the bodies that will nominate this Committee, do we have registered small enterprises youth forums for Samburu Central? You may find three people from Maralal gather to represent Samburu Central.

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If you also go to Samburu Central for example but I do not know you may find people from Wamba or Archers selecting people. It should be well structured so that every person doing business should participate in nominating these people for the Committee. I have another concern...

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Is it within clause 7 to 19?

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): No.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Then it can wait. Hon. Chair Lemantaan Kelvin but any other Member can have his own input or her inputs on the same as suggested by the Hon. Member.

Chairperson Committee on Tourism, Trade, Cooperative and Enterprises, (Hon. Lemantaan Kelvin): Thank you Hon. Chair and Hon. Phelix. We try to select people who are competent on the job; I do not think it is wrong choosing learned people with a Degree and Diplomas. I encourage our people to go to school, thank you.

MCA Loosuk Ward, (Hon. Lenamparasio Caunda): I am not satisfied.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Hold on and let us hear from other Members, any Member who wishes to contribute should stand.

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Hon. Chair I stand to support Hon. Phelix on the membership especially on the clause 7 on the Establishment of the Committee on part D that states three people representing Sub-County nominated by the Joint Forum for Micro and small enterprises for the youth and women appointed by the County Executive; I think these are the people that we may exempt on qualifications, we do not want to cut off people doing small and micro enterprises. Most of these people have not gone to tertiary institutions; if possible we can amend on that, thank you.

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MCA Maralal Ward, (Hon. Loloju Joseph): Thank you Hon. Chair, I stand here to support Hon. Phelix Lenamparasio. Bearing in mind, Mr. Speaker, as we all know we have various organizations. All ladies, my mother, your mother they have these kinds of women groups where they meet collect a few coins and move forward with what we call table-banking and they are doing very well despite the fact that they not gone to school.

As much as we encourage people to go to school, we also need to have that kind of consideration. Whereby we put our own old ladies into consideration. Therefore, with all due respect, I kindly beg that education should not be the cutoff line.

MCA Wamba West Ward (Hon. Lemartile Francis): Thank you Chair. Honorable members I think the committee in question is the County Committee not from the village level. It is the Committee which will manage these funds so we cannot bring onboard somebody who does not know or will not elaborate all circulars or scrutinize applications. This is a very serious committee. We should be managing millions of shillings for the county so education is paramount for one to be in that committee. Reading clause 12, the functions of this committee; they are the ones to train these people. They are also the ones to manage these funds. They are the ones to prepare annual reports on the operations and performance of the funds to the executive. Therefore, we definitely need someone with education. That is why we came to a Diploma level for those people. In case we decentralize to locational level or Ward level I think then we will withdraw the education requirement. Thank you.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Hon. Loloju you made your contribution.

MCA Loosuk Ward (Hon. Lemparasio Caunda): Thank you Chair. Even if we agree to let this Bill pass as is I just have some two points to note here. As much as we value education then we should not use that education as a tool for eliminating our semiliterate people who are doing very well in business. If you go to the Maralal Sale Yard here, all those big business people, most of

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them have not reached form four. You cannot just appoint someone from town because they have a diploma and bring them to manage the funds. Secondly, the honorable member says the committee needs to manage these funds the composition of this committee has a chairperson who is a degree holder from a recognized institution, the Director and the CO. these are enough to account for the money. But then we should not have this committee being people with diplomas because they will just micromanage this fund. We should have the committee composed of people even from form four certificate from different wards because at the end of the day, it is not easy getting people with Business Diplomas in all the wards. It is possible but let us kindly not use education background as a tool for eliminating our people. I cherish education. I am so happy to see these young girls here. They are the ones who will decrease the level of illiteracy in our County. Right now we are standing at 78%. Maybe in a couple of years we will be approaching 60 or 50%. Again, because we want this committee to be in place as soon as possible then we should work with what we have. If we have form four leavers, then we work with form fours. Thank you Chair.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Thank you Hon. Lenamparasio Caunda. Thank you also for taking into consideration the presence of our daughters here and the best presence we could have given them is to value education and to give them a position. I am sure that being a County as explained by Hon. Lemartile, being a County Committee it requires good education. People have been taking advantage; if we give the chairperson a degree, the CO is also a degree holder and maybe a third person is a degree holder, the rest are not educated they will take absolute advantage of the situation. So we need all of them to be in one level so they have good understanding.

Honorable members reading from the mood of the house, Hon. Dube just hold on; we will have another section

(Question put and the clause 7 to 19 passed)

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Clause 20 Application of the public finance management Act 2012.

Clause 21 Opening of the fund account.

Clause 22 Signatories to the account.

Clause 23 Fund Administrator.

Clause 24 Functions of Fund Administrator.

Clause 25 Fund Expenditure.

Clause 26 Disbursement of Funds.

Clause 27 Application for Loan.

Clause 28 Eligibility criteria for application.

Clause 29 Interest rate.

Clause 30 Repayment of loan.

Clause 31 Appointment of financial institution.

Clause 32 Utilization of loan.

Clause 33 Annual forum.

Clause 34 Forms etc.

Clause 35 Winding up of the fund.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Honorable Members I now propose **THAT** clause 20 to 35 be part of the Bill.

(Question was put and clause 20 to 35 passed)

Clause 36 Annual estimates.

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Clause 37 Financial statements and audits.

Clause 38 Annual reports and publications.

Chairperson, (Hon. Leshimpiro Paul): Honorable Members I now propose **THAT** clause 36 to 38 be part of the Bill.

(Question was put and clause 36 to 38 passed)

Clause 39 Offenses, false or, misleading statements.

Clause 40 General penalty.

Clause 41 No action maintained against county executive committee member.

Clause 42 Prosecution of matters under this Act.

Clause 43 Default by loanee.

Clause 44 Regulations.

Clause 45 Repeal.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Honorable members I now propose **THAT** clause 39 to 45 be part of the Bill.

(Question put and clause 39 to 45 passed)

Long title.

The Samburu County Youth and Women Enterprise Development Fund Bill 2022, a Bill for an Act of the County Assembly of Samburu to provide for the establishment of youth and women enterprise fund for empowering youth and women in the County, to provide for the administration of the fund and for connected purposes.

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Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Honorable Members I now propose **THAT** the long title be part of the Bill.

(Question put and the long title passed)

Citation, short title.

The Samburu County Youth and Women Enterprise Development Fund Bill 2022.

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Honorable Members I now propose **THAT** the short title be part of the Bill.

(Question put and the short title passed)

Chairperson Committee on Tourism, Trade, Cooperative and Enterprises, (Hon. Lemantaan Kelvin): Honorable Chairperson I beg to move a Motion **THAT** the Committee do report to the Assembly its consideration of the Samburu County Youth and Women Enterprise Development Fund Bill 2022 and its approval thereof without amendment. Thank you.

Mace placed up

The Chairperson Committee of the Whole House leaves the Chair

Temporary Speaker takes the Chair

Chairperson Committee of the Whole House, (Hon. Leshimpiro Paul): Honorable Speaker I beg to report that the Committee of the whole House has considered the Samburu County Youth and Women Enterprise Development Fund Bill 2022 and its approval thereof without any amendments.

Chairperson Committee on Tourism, Trade, Cooperative and Enterprises, (Hon. Lemantaan Kelvin): Honorable Speaker I beg to move **THAT** the House do agree with the Committee on the said report. Thank you. I call upon Hon. Lemartile to second.

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MCA Wamba West (Hon. Lemartile Francis): Very well. Hon. Speaker, I second the motion.

Temporary Speaker, (Hon. Lemoosa Jonathan): Thank you Hon. Francis Lemartile. Honorable members I Propose the Question **THAT** the House do agree with the Committee on the said report.

Question put and the Motion passed)

**THE SAMBURU COUNTY YOUTH AND WOMEN ENTERPRISE
DEVELOPMENT FUND BILL,2022(SAMBURUCOUNTY BILLS. No.8)
THIRD READING**

Chairperson Committee on Tourism, Trade, Cooperative and Enterprises, (Hon. Lemantaan Kelvin): Thank you Hon Speaker. I beg to move a Motion **THAT** The Samburu County Youth and Women Enterprise Development Fund Bill 2022, Samburu County Bill number 8 be read the third time.

The Samburu County Youth and Women Enterprise Development Fund Bill 2022 a Bill for an Act of the County Assembly of Samburu to provide for the establishment of youth and women enterprise fund for empowering youth and women in the County, to provide for the administration of the fund and for connected purposes.

ADJOURNMENT.

Temporary Speaker, (Hon. Lemoosa Jonathan): Honorable members, the time being eighteen minutes past four O'clock and there being no other business, this Assembly now adjourns until Thursday 2nd March, 2023 at 2:30pm. Thank you.

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