

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Thursday, 9th March, 2023

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

The Deputy Speaker, (Hon. Lenamparasio Caunda), in the Chair

PRAYER

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Temporary Speaker, (Hon. Lenamparasio Caunda): Hon. Members, before we start, I want to take this opportunity to recognize Bliss Hospital officials who are here with us in the public gallery. You are welcome and we are so happy to work with you guys. We hope we can collaborate with you nicely. Feel welcome. Thank you so much.

COMMUNICATION FROM THE CHAIR

Temporary Speaker, (Hon. Lenamparasio Caunda): Hon. Members, I have two communications to make;

1. As a requirement of the Public Service Commission, Members are allowed to fill the Wealth Declaration forms. We have the forms at the Deputy Speaker's office. As from today, kindly collect the form, fill and return it to Human Resource Department.
2. We request that we will be signing our plenary register for House records. Again in case of any issue concerning this House, that register usually helps so much. So Members, as from today henceforth, kindly be signing our plenary register. Thank you.

PAPERS

Vice-Chairperson Finance Committee, (Hon. Lenyakopiro Charity): Thank you Hon. Speaker. I beg to table the Report of the Committee on Finance, Economic Planning and ICT on the consideration of the Samburu County Finance Bill, 2022.

NOTICES OF MOTION

Vice-Chairperson Finance Committee, (Hon. Lenyakopiro Charity): Hon. Speaker, I beg to give notice of the following Motion:

THAT this House debates and approves the Report of the Committee on Finance, Economic Planning and ICT on the consideration of the Samburu County Finance Bill, 2022. Thank you Hon. Speaker.

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STATEMENTS

Response for Statements

Temporary Speaker, (Hon. Caunda Lenamparasio): Hon. Members, it is notified that the following Statements are due for response today Thursday, 9th March, 2023 at 2:30 PM Pursuant to Standing Order No. 45 (c);

1. Statement No. 013/2023 from the Chairperson Sectoral Committee on Education and Vocational Training regarding the status of the disbursement of the bursary for the financial year 2022/2023 and the recent appointment of the Bursary Coordinator by the Governor. The statement was requested by Hon. Francis Lemartile, Wamba West Ward MCA.
2. Statement No. 018/2023 from the Chairperson Sectoral Committee on Environment, Water and Natural Resources regarding the payment of water project of Lesoit Naibor Borehole in Elbarta Ward before completion. The statement was requested by Hon. Jeremiah Leitoro, MCA for Elbarta Ward.

I can see the Chairperson, Sectoral Committee on Education is in the House, kindly take the floor.

Chairperson Committee on Education and Vocational Training, (Hon. Lorunyei Lawrence): Thank you Mr. Speaker. Hon. Speaker, I beg to respond to a statement requested by Hon. Francis Lemartile, MCA Wamba West Ward concerning the following; the Chairperson was requested to go back and bring;

1. What are the qualifications of the Bursary Coordinator appointed recently by the Governor? And asked that please attach the proofs of the qualifications, financial literacy as provided by the Samburu County Bursary Fund Act, 2015.
2. When was the last time the Wards Bursary Committees were appointed?

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3. Are there Wards Bursary Committees, and if so kindly provide their names, ID number and the village they come from?
4. The Bursary Coordinator should provide a report on the Committee containing the following;
 - a) The status of the bursary
 - b) Distribution of the special bursary
 - c) Ward Fund bursary

Mr. Speaker, following the request seeking the above asked questions, I start by responding to the first question; what are the qualifications of the Bursary Coordinator appointed recently by the Governor? Just for the record the bearer of this office is supposed to be established through a process by the Public Service Board and as at now it has not yet appointed an individual.

However, according to Samburu County Bursary Fund Act, 2015 section 5 (1) *There shall be a Bursary Coordinator who shall be the officer administering the fund.* Subsequently section 5 (3) of the Act spells out the qualifications of the said officer. Therefore the Bursary Coordinator is not an appointee of H.E the Governor but rather it is an office that should be established through the County Public Service Board, therefore there being no such established office, the CECM for Education and Vocational Training in consultation with His Excellency, the Governor appointed the said officer who is the Political advisor to the Governor to be the acting Bursary Coordinator until the establishment of the office of Bursary Coordinator. The appointed officer does not draw any remuneration from the bursary kitty. He is a person of good character and a trusted manager

On Qualification, the officer is on the affirmative that he has a degree on Public Administration and Governance from Mt Kenya University. The documents are yet to be presented because they have not been picked from the university. We have agreed that the documents shall be presented to the appointing authority in due course.

The next question was when was the last time Ward Bursary Committees were appointed? According to Samburu County Bursary Fund Act, 2015 section 12 (1), There is established a Ward Bursaries Committee in each Ward in the County.

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2. The ward bursary committee shall consist of the following;
 - (a) An educationist who shall be the chairperson to the ward bursary committee
 - (b) The Ward Administrator who shall be the secretary
 - (c) Four members of the public representing special interest groups including youth, marginalized groups, persons with disabilities and faith based organizations: and
 - (d) A representative from the office of the elected Ward Representative.
3. Members of the ward committee under subsection (3) (a) and (c) shall be nominated by their respective groups or forums and forward the names to the Chief Officer for Education for formal appointment.
4. The members of the committee other than the Ward Administrator and a representative from the office of the elected member of the County Assembly shall hold office for a term of three years and shall be eligible for reappointment for one further term. To that end therefore, the last time the Ward Binary Committees were appointed was on 2nd December, 2022.

The other question was are the Wards Committees and if so kindly provide their names, ID number and the village they came from. Since the establishment on 2 December, 2022, all wards have bursary committees and all of them received their appointment letters. The selection casted the requirements spelt out in the Samburu County Bursary Act, 2015 section 12(1) (see attached annexure for the list of names and other details).

And then number three, the Bursary Coordinator should provide a report to the committee containing the following:

- a) The status of the bursary: The fund received KSHs. 97.4 M from the exchequer. According to the budget projection; the fund is short of KSHs. 18.9 M. This amount will be requested in the subsequent budgets and supplementary adjustments. To that end, the bursary for this year has been disbursed across the county where students in Boarding high schools form 2 to form 4 where a total of 8012 students benefited with KSHs. 4000 each, 953 students in certificate college got KSHs 5000 and KSHs. 5500 for the diplomas where a total of 2342 students

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benefitted and KSHs. 7000 for the degree students where 2049 students benefitted. KSHs. 6M for scholarships have been set aside for the existing beneficiaries and a few joining this year to undertake specialized courses provided in the Act.

b) Distribution of the special bursary: This year because of the budgetary constraints there was no allocation for special bursaries.

c) Ward fund bursary: The department is awaiting lists of the Ward Fund beneficiaries from the respective ward MCAs for the disbursement of the same.

Thank you Hon. Speaker, I beg to sit.

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Hon. Speaker and I appreciate my capable Chair, Education, for the response because Hon. Speaker the first question is well answered. He quoted the clauses of the Act which I appreciate. He confirmed to this House that the Samburu Bursary Fund Act, 2015 section 5 (3) states the qualifications of the Bursary Coordinator as follows;

- a. Should have a degree from a recognized university or its equivalent.
- b. Has knowledge or experience of at least three years in matters relating to Finance Management or any other related field.

So Mr. Speaker, those are the qualifications of the Bursary Coordinator as stated by the Act.

Mr. Speaker, I do not agree with the response given by the Chair, Education, because this is the second statement we have returned to them and requested them to provide and attach photocopies of the credentials of the person in charge/appointed in that office, and it is the third time they are bringing the report without any proof or any document to show that the person who was appointed is qualified for the position. So Mr. Speaker, I do not agree with that, and one to my Chair or the CECM recommendation telling us that the appointed officer; he is a person of good character and a trusted manager. Can he tell us what parameter should we use to measure that he is a good person and a trusted one? He should come with evidence telling us he is a

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person who has worked in several institutions and we might trust him on that. But on a plain paper without attaching a degree certificate, that is very wrong.

And Mr. Speaker Sir, the Committee and the Department are taking this House lightly. This is a statement we asked last year November, and they are delaying us instead of furnishing the required information. If the information is not there, clear the air that there is no any certificate. And I think they have cleared the air because this is the second time coming without it so there is no certificate we are waiting.

Mr. Speaker Sir, the CECM says the person is in the acting capacity. That doesn't qualify. Even on the acting capacity, you should meet the qualifications of the office. You cannot bring a villager to the office. You should have a degree and stay on acting capacity waiting for approval of the appointment. So Mr. Speaker gives us direction on that.

Secondly Mr. Speaker, the second question was about Wards Bursary Committees. And I appreciate my Hon. Member Lorunyei, he made sure he brought the list to this House for the Hon. Members to confirm because that is the cry we had. And he brought the list we wanted. The CECM says the Ward Committees were appointed on 14th May, 2018 and their term elapsed on 14th May, 2021. On the second response he says that the last time the Ward Committees were appointed was 2nd December, 2022. So Mr. Speaker, since we came to this House there was no existing Ward Committees and they are confirming to us that the first Ward Committees were appointed on 2nd December, 2022 and we know form one bursary was issued before that. So the office was existing illegally.

Hon. Speaker, if we go by the names on the list, even if we are not the appointing authority, but we have one person to represent the MCA's Office. Several Members of this Hon. House can confirm that persons appointed to represent the MCAs' Offices are not persons who work in those offices. Several Members would come and confirm that.

Temporary Speaker, (Hon. Lenamparasio Caunda): Hon. Lemartile, kindly be very specific. I think you are only conversant to your office so give time for other Members to confirm their. Be specific on Wamba West Ward.

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MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Hon. Speaker for that clarification I confirm mine but last time when the statement was brought, several Members came to the floor to confirm so that is why I know there are several Wards which were affected.

Thank you Hon. Speaker, the last question is about the bursary status and they gave us a breakdown of the beneficiaries. Hon. Speaker the Committee is confirming that the bursary has been disbursed for this financial year and I confirm that the committee members of my Ward have never had a sitting disbursing the bursary and there is no meeting minutes by that committee.

Hon. Speaker I beg that you give direction on this matter because it is long overdue, Mr. Speaker we gave a last chance to the Committee last Thursday to furnish this House with the required information, thank you Hon. Speaker.

Temporary Speaker, (Hon. Lenamparasio Caunda): Hon. Lemartile I would like to know if you are satisfied with this statement response? There were three parts of the statement sort, are you in disagreement with the whole response?

MCA Wamba West Ward, (Hon. Lemartile Francis): Correct, I am in disagreement with the three responses. I only concur with 1 (a) which is about the qualifications of the Bursary Coordinator, but is the officer qualified, I do not concur with that.

Specially Elected MCA, (Hon. Dube Osman): Ahasante Mheshimiwa Spika. Mimi kama Dube nakubaliana na Mheshimiwa Lemartile. Mheshimiwa Spika nimefanya uchunguzi wangu na ni majina ya walemavu katika kamati ya Ward Bursary ni za uwongo, ningependa mwenyekiti wa kamati ya elimu anionyeshe kadi ya ulemavu ya walemavu katika kamati hizi kumi na tano

(Applause)

(Point of Order by Chairperson Committee on Education and Vocational Training)

Chairperson Committee on Education and Vocational Training, (Hon. Lorunyei Lawrence): Mheshimiwa anafaa kuangalia orodha ya wanakamati na kuthibitisha, kwa mfano katika wadi

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yangu mwanakamati anae wakilisha walemavu ni mlemavu ukweli. Mheshimiwa dube awe specific kwa masawali yake, ahsante.

Specially Elected MCA, (Hon. Dube Osman): Mheshimiwa Spika mimi nataka mwenye kiti anionyeshe kadi za ulemavu za wanakati hao... *(interjection by the Temporary Speaker)*

Temporary Speaker, (Hon. Lenamparasio Caunda): Hon. Dube nafurahi kwamba kila mara ukisimama unatetea walemavu hata hivyo ningependa ujue kwamba Disable Council katika kaunti hii imefeli kwasababu sio walemavu wote wakona kadi za ulemavu na wale ambao wakona kadi hizo sio walemavu.

Cha kwanza ambacho unafaa kufanya kama mwakilishi wa walemavu ni kuhakikisha kwamba walemavu wote wakona kadi za ulemavu, tafadhali hilo ni changamoto ambalo unafaa kutia maanani.

Cha pili tafadhali kuwa specific ni kwa wadi gani ndio mwanakamati sio mlemavu.

Specially Elected MCA, (Hon. Dube Osman): Mheshimiwa Spika naweza kuthibitisha Baragoi town... *(interjection on a point of order by Chair Committee on Education and Vocational Training)*

Chairperson Committee on Education and Vocational Training, (Hon. Lorunyei Lawrence): Mheshimiwa Spika, hakukuwa na swali ya walemavu katika swali lililoulizwa ama anipe muda.

Specially Elected MCA, (Hon. Dube Osman): Mheshimiwa Spika, Mheshimiwa Lorunyei alisema kwamba kamati ikona wawakilisha wa vijana, wamama na walemavu. Mwakilishi wa walemavu katika Wadi ya Baragoi si mlemavu na wadi zingine tano Zaidi.

Temporary Speaker, (Hon. Lenamparsio Caunda): Hakuna wadi inaitwa Baragoi

Specially Elected MCA, (Hon. Dube Osman): Elbarta Ward.

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker, I want to thank the Chairperson; Hon. Lorunyei who is my neighbour and the Member for Nachola Ward.

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Hon. Speaker I want to disagree with the statement response presented to this House on the following basis:

One, as stated by Hon. Dube, I have issue with the membership of the Elbarta Ward Bursary Committee because I strongly believe that the requirement pursuant to Bursary Act, 2015 section 12 (1) has not been met. Hon Speaker I raised this issues severally in this House and it is astonishing that the Hon. Chairperson is unaware of the issues raised in this Hon House; he should revisit the records because this is a House of records Hon. Speaker.

The Bursary ACT,2015 stipulates *(12) There is established Ward Bursary Committee in each Ward in the County. The Ward Bursary Committee shall consist of the following:*

- (a) An educationist who shall be the chairperson of the ward bursary committee,*
- (b) The Ward Administrator who shall be the secretary*
- (c) Four members of the public representing special interest groups; youths, marginalized groups, persons with disability and faith based organizations*

Hon. Speaker I do not want to mention names here; but, the person representing the persons with disability mentioned in Elbarta Ward Bursary Committee is a healthcare worker and he is not a person living with disability Mr. Speaker, and that is a fact Mr. Speaker

(Applause)

The person representing the youths in the list forwarder is a person who is over 50 years Mr. Speaker, is this fair? Hon. Speaker even the representative of my office is not a person from my office. Hon. Speaker. Let it be in record that the person listed in the Elbarta Ward Bursary Committee as my office representative is not my representative and he does not represent my office Elbarta Ward.

(Applause)

Hon. Speaker what I have gathered from Hon. Lorunyei on the question on qualifications of the Bursary Coordinator is that although we do not have the copies of the certificates with us, but the Act is clear that the Coordinator must have three years' experience in Finance matters but Hon.

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Speaker we know that this is a person who has been in this Assembly for the past 15 years and so I do not know where he got the three years' experience in managing matters on finance.

Hon. Speaker despite having issues with our Ward Bursary Committees, there are there just for the lack of a better term, let us say "flower girls". They are not there to do what the law stipulates them to do. To my understanding the Elbarta Ward Bursary Committee has never sat to allocate bursary, and if they had sat then let them forward the minutes and records of the bursary beneficiaries Hon. Speaker.

Hon. Speaker even if someone holds an office at an acting capacity, the law still stipulates that he must meet the maximum requirement Mr. Speaker... (*interjection on a point of order by chairperson*)

Chairperson Committee on Education and Vocational Training, (Hon. Lorunyei Lawrence): While I appreciate the venting of the statement response by the Hon. Member; but I have not attached the copies of the certificates of the Coordinator then they can disapprove and then I approve.

I ask the Hon. Members not to anticipate, what facts do we have to disapprove the Bursary Coordinators' qualifications? thank you Hon. Speaker.

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Hon. Speaker you need to protect us. On what point of order did Hon. Lorunyei rose on, point of order or point of information, let him tell us, otherwise he is just interrupting us.

Temporary Speaker, (Hon. Lenamparasio Caunda) Hon. Leitoro kindly wait until the day Hon. Lorunyei brings the credentials here then we discuss if the Bursary Coordinator is qualified or not. What is your point of order Hon. Leleruk

MCA Suguta Marmar Ward, (Hon. Leleruk James): Mr. Speaker, as a Speaker I think you are an arbiter but not to suggest otherwise, we are just requesting for us to deliberate and every Member give his/her opinion.

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Temporary Speaker, (Hon. Lenamparasio Caunda): Hon. Leleruk, so should we let the Members to contribute the same thing even the whole night? I am going to give a direction on favour of this House.

MCA Poro Ward, (Hon. Leerte Patrick): Mheshimiwa Spika nakubaliana na Mheshimiwa Dube na Mheshimiwa Leitoro. Majina ya wawakilisha katika Ward Bursary Committee ya wadi yangu, kuna wale nawajua na kuna wengine siwajui, ni kama Ward Administrators wameteua marafiki zao katika Ward Bursary Committee. Mheshimiwa Leitoro amesema mwakilisha wa vijana katika kamati hiyo katika Wadi yake ni mtu wa miaka hamsini ama sitini.

Nikona tashwishi kwamba wakilishi wa walemavu katika kamati hiyo si mlemavu.

(Applause)

Naomba kila Mheshimiwa achunguze kamati hizo katika wadi zao na Mheshimiwa Lorunyei atuambie kama anaweza thibitisha kwamba wakilishi wa walemavu ni walemavu kweli, ahasante.

(Applause)

Specially Elected MCA, (Hon. Lenamatiyio Silapia): Thank you Hon. Speaker. Looking at the response the Department just listed the names of the representatives and the villages they represent but it did not indicate whether it is true the representative comes from the village.

Hon. Speaker it is not prudent to discuss on qualifications of the Bursary Coordinator without having the copies of his credentials or certificates, I urge the Committee to summon the Chief Executive Committee Member (CECM) of Education and Vocational Training to give more information about the Bursary Coordinator. Mr. Speaker and if the Committee cannot do so then we go ahead and form an *Ad Hoc* Committee to do that, thank you Hon. Speaker.

The Majority Leader, (Hon. Lentukunye Christopher): Thank Mr. Speaker. I thank the Chairperson for the statement response sort by Hon. Lemartile. This House is a House of laws, rules and records; whatever we deliberate here must be within the law and guided by the Standing Orders of this House.

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Mr. Speaker, this statement was sort long time ago

(Applause)

Mr. Speaker allow me to use a word that might not be pleasant; I may term this statement response as “casual”

(Applause)

because I do not think any of the questions asked has been answered satisfactorily.

Mr. Speaker if I refer to the list provided, I raised my hand a long time but I thank you for giving me the chance now. Hon. Dube has always been persistently representing people living with disabilities, I also want to testify to this House that even in my Ward as you directed that we give our views, the person that Hon. Dube was concerned with is a normal and strong person yet he was referred to as a person living with disabilities. The person who was to represent the youth is a man of 50 years. This is why Mr. Speaker if you allow I may say it is a very casual Statement. The CEC should be very serious. I urge this Hon. House that this Statement should be taken back and be brought again for deliberation.

I also support Hon. Lemartile’s Statement and I thank him because he has been pushing every time for this Statement to be brought to this House. On matters record I say that we should have proof of everything that you table here, like age and status on suitability or disability should have proof. It should also be indicated clearly the qualification of the officer whether he is qualified or not. I urge this House to recommend that this Statement be taken back to the CEC and be returned to this House in the shortest time possible for this House to deliberate and make the necessary recommendations, thank you.

Temporary Speaker, (Hon. Lenamparasio Caunda): Thank you very much Hon. Lentukunye. Hon. Members I am giving directives on this Statement bearing in mind that the biggest issue here that the Hon. Members are disagreeing with is the disqualification of the Fund Administrator and the membership of the Ward Bursary Committee, as per the Statement that I am reading here these are the two major concerns of the Members. I am referring this Statement

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to the Chairperson for the third and the last time. On qualifications and as you bring the Statement back next week on Thursday at 2:30 pm we want it attached with the Curriculum Vitae of the Fund Administrator with copies of his credentials.

It is only in Poro, Wamba North and Elbarta Ward which is my example that they are so concerned with people living with disabilities, it is good that you note the person representing PLWDs is not disabled. Hon. Dube as a Champion we have to consider that then we will be done from the Committee. First of all, the MCA is not the appointing authority to this Committee maybe you are can only forward the name of your staff to the Committee. The appointing authority is the department from there we just want to know who in every Ward represents PLWDs and the Youth. You may find someone as old as Dube and if he brings his idea he is 34 years old, who knows. We want proof since this is a House of rules and not hearsay.

Kindly, Hon. Lorunyei you are our senior and with a lot of respect I want to refer this Statement back to you on Thursday next week 2:30 pm please do it. Do you have anything to say?

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Thank you, Mr. Speaker. I agree with your direction. All the answers have been provided it is only that the certificates are not here.

Temporary Speaker, (Hon. Lenamparasio Caunda): I think the member has to travel to MKU to bring the certificates in the course of the week.

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Mheshimiwa Dube anataka kama wale walemavu wako na ile kadi.

(Point of Order by Hon. Lemartile)

MCA Wamba West Ward, (Hon. Lemartile Francis): Mr. Speaker I think that you have already given your direction, how can he give us another direction to the matter?

Temporary Speaker, (Hon. Lenamparasio Caunda): Thank you very much. I think the Chairperson Environment, Water and Natural Resources has a Statement to respond requested by Hon. Jeremiah Leitoro. Hon. Lemartile give response.

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MCA Wamba West Ward, (Hon. Lemartile Francis): Mr. Speaker and Hon. Members, the Hon. Member for Elbarta Ward Hon. Leitoro requested for a Statement from the Chairperson of Sectoral Committee on Water, Environment, Natural Resource and Energy concerning the payment of Water Project of Lesoit Naibor borehole in Elbarta Ward before completion; the Committee conveyed the request for Statement to the County Executive Committee Member in charge of Water, Environment, Natural Resources and Energy.

On behalf of the Committee, I wish to report the communication received regarding the above request. The first request asked by the Member was why was the contractor for Le Soit Naibor in Elbarta Ward paid before the job was done; in the Financial year 2021/2022, the department of water tendered Soit Naibor borehole as part of a 3-number borehole single-lot contract namely Latakweny, Soit Ng'iro, and Soit Naibor. Kindly note that the three boreholes are tendered and paid as one project.

Mobilization of the machinery to all three sites that formed the contract was done, two sites were fully drilled and equipped leaving Soit Naibor not attended. Soit Naibor was not attended because of rejection by the community during that time. The contractor was therefore directed to undertake a complete overhaul of Loruko borehole to revive the source (Loruko Phase II) to deliver water to Loruko village. The contractor for Soit Naibor agreed to mobilize back the machinery to fully drill and equip the Soit Naibor borehole upon acceptance by the community.

Further to this this the Chief Officer sort intervention through the group ranch secretary for Ngilai to commence Soit Naibor borehole drilling in two weeks' time as he undertakes the Sikira, Bendera, Ngorishe and Mpatpat drilling works.

The second question was about Nteremuka borehole. The report for the borehole breakdown was reported this year January 2023 by the MCA Elbarta Ward. The operation and maintenance team visited the borehole and reported to the department that both the submersible pump and motor were faulty. Since the department had no budget line for the rehabilitation for the boreholes the Department through UNICEF assistance procured a number of boreholes accessories for 7 water facilities (Nteremuka, Sepei, Lorok Onyekie, Lodung'o Juu, Parkati, Lesirikan and Nkutoto Arus).

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After the tendering process the borehole accessories for Nteremuka, Lesirikan, Parkati and Nkutoto Arus were supplied on Sunday 5th March 2023. Nteremuka therefore is amongst the facilities that will be attended by the operation and maintenance team on Friday 10th March 2023 which tomorrow.

There is also a question on why Bendera community is not getting piped water yet three kiosks and piping systems are in place. On learning about the non-functioning Bendera water system SAWASCO management dispatched a team on 2nd March 2023 from Maralal Headquarters led by the technical manager to Baragoi to examine and repair the system. The line which was established to be faulty was fully repaired. Bendera community is now getting its water from three functional water kiosks

The second question was on why the water tracks are given the first priority and not the immediate Bendera Community; the answer is the recent management changes carried out by SAWASCO MD touched on all branches including Baragoi. The changes were meant to improve on water service delivery such as the issue raised by Hon. Leitoro. The following managers were recently deployed to Baragoi as part of the changes;

1. Stephen Lesumpat is the new scheme manager.
2. Andrew Lanyasunya is the scheme operations manager.

The new managers are under instructions to prioritize community water for domestic purposes and only allow tracks on a very restricted scheduled basis.

Third question was on do we have technical persons (plumbers) in Baragoi SAWASCO office? The answer was that yes SAWASCO Baragoi Scheme is staffed by trained personnel handling respective dockets. We have two trained plumbers with technical skills;

1. Zakari Lekissat – Plumber.
2. Samuel Lolokile – Plumber.

The plumbers are supported by the scheme managers who are well trained; Stephen Lesumpat, Scheme Manager has technical background while Andrew Lanyasunya, Operations Manager is

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water technician, thank you Mr. Speaker. I beg to lay this response from the Executive Committee Member, thank you.

Temporary Speaker, (Hon. Lenamparasio Caunda): Very well Hon. Francis. Hon. Jeremiah.

MCA Elbarat Ward, (Hon. Leitoro Jeremiah): Thank you Mr. Speaker. I thank my colleague Hon. Lemartile the Chairperson Committee on Water and Sanitation. I am satisfied with almost 80% of the response but I want to mention two matters on Lesoit Naibor borehole, the reasons that I am give here that Lesoit borehole was not done because the community categorically rejected, I do not agree with this statement because how can you reject such a basic commodity yet in 10 kilometers there is no water.

I also dispute this because these are people living in their group ranches and they were given approval by the group ranch officials to drill water boreholes. If it is possible the department should provide evidence that the community rejected the water project and I would also request the Water Committee to do a site visit and ascertain the truth of the matter. Thirdly, how do you pay for a project that has not been done? I am aware that before you pay a contractor there is always a certificate of completion. The certificate of completion must have been filled and issued, how did the contractor get paid for work that has not been done. This is criminal. We want to know who issued the certificate of completion to authorize the payment of this project. I think that there is also another Statement coming because this is not the only borehole payment that has been paid and has not been done. This is a Honorable House and some of us were elected to come and do our oversight work properly. Things must work as stipulated by the law. These are things that we do not want to continue with. Things must flow according to the rules and regulations set.

The Chair also said that the Chief Officer sort intervention through the group ranch secretary for Ngilai to commence Soit Naibor borehole drilling in two weeks' time as he undertakes the Sikira, Bendera, Ngorishe and Mpatpat drilling works. I would like the Chair to furnish me with the exact dates giving me a span of two weeks does not satisfy me. We want to know the exact day that the contractor will go and drill Soit Naibor. If possible let him start with Soit Naibor because that project has already been paid for the rest are yet to be paid. People in Soit Naibor

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are suffering. Drilling a borehole in Sikira and Ngorishe were meant for the ranger's camps but currently people do not live there, let us start with where people are living. \

I am satisfied with the response on the Nteremuka borehole because since I have been given the exact date on 10th which will be on Friday and maybe after that we will be given a report on what has transpired. On the question on SAWASCO I thank the Managing Director Mr. Paul Leringato because he immediately acted prior to the Statement's response and acted immediately the following day after I sought this Statement. There has been a number of changes including changing of managers and currently the people of Baragoi are getting water. Initially the water tracks and the business people were taking advantage of the community.

Imagine having three boreholes in Bendera and the community does not get water yet the pipes are passing by through to Baragoi town yet these people do not get any water. It is not fair at all. I can see that they have instructed to prioritize provision of water to community and domestic purposes, this is a viable instruction and if it is possible for them to have a written instruction on the same and that it should also be provided with the same. With these few remarks I thank my Hon. Colleague.

MCA Wamba North Ward, (Hon. Lentukunye Christopher): Thank you Mr. Speaker. I stand to react on the same debate on payment of projects not done; I urge this House to institute measures and investigate these allegations, I do not say this to contradict what the Hon. Member for Elbarta has said that the project was paid or not paid but we need proof because this is a criminal. Paying for a project that is not done is criminal and corruption. We need that one to be given to this House because there are so many allegations and believe that there is some truth in it. I urge this House to ensure that these evidences are available. We cannot keep watching public funds be embezzled under our watch. That should be taken very seriously because we are not sure that if we make any resolution the contractor to go back to the site we are not sure whether he will go or not because the money has not been paid. We first need evidence that the contractor was indeed paid before reporting to the sight, thank you Mr. Speaker.

Temporary Speaker, (Hon. Lenamparasio Caunda): Thank you and well noted. Hon. Lorunyei kindly.

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MCA Nachola Ward, (Hon. Lorunyei Lawrence): Thank you Mr. Speaker. While I congratulate the Chairperson for answering all the questions, even when there is a question by a concerned member about people rejecting the water. We want to get water. Mr. Speaker I want to stress that for Ngorishe and Sigira boreholes, nobody lives there. It is a proposal site for the rangers. The place mentioned by the honorable member is a manyatta. water must be a priority there. Through your direction that can be done immediately.

Mr. Speaker, all the payment issues cut across all the wards. We do not have evidence because we do not get quarterly reports. If we had these reports, we would have followed up on them. I urge you to order that the reports be submitted to this house so that we can follow every project. Thank you.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Thank you Mr. Speaker. I would also like to contribute as a member of the committee on water and environment. I just want to urge this honorable house that we are here to oversight. I know the information given to Hon. Leitoro, we inquired for from the department. This is just a small thing that you are seeing. A lot of problems have been netted in this County. We are here as representatives of Samburu County. I am urging you Mr. Speaker to give a direction so that we investigate all boreholes existing in this County if they are really done or not because the information we were given when we inquired about Lesoit borehole. Things must change in this County.

They give people contracts to do boreholes, say three of them and a lump sum of Kshs. 20,000 for the three boreholes so if someone claims that money they probably have loopholes for getting paid without finishing the three boreholes. I am saying as a member that this committee is ready to investigate and give a comprehensive report on the issue of water problem in this County. Thank you.

Specially Elected MCA, (Hon. Dube Osman): Asante Mheshimiwa Spika. Leo nazungumzia yanayowakumba watu wote, sio disabled pekee. Maji ni muhimu kwa watu wote. Maji ni uhai kwa binadamu na wanyama. Kama hakuna maji mambo ni hatari. Naomba mwenyekiti wa kamiti kwa akilete statement ama jibu asitegemee sana CEC na CO wa idara. Hii kamati iende iangalie kama hii maneno ni kweli ama ni uongo, Bwana Spika.

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Kila mmoja anajua kwake kukoje. Ukimwuliza Mheshimiwa Leitoro kuhusu shida za Elbarta anazijua. Kwa hivyo naomba hivi kwamba kabla Mwenyekiti wa kamati yoyote ile kuleta majibu huku, hakikisha kuwa ni ukweli. Usitegemee CEC na CO. Mheshimiwa Spika tumepitia mengi kwa hii nyumba na tunajua kuna udanganyifu mwingi. Nimekaza mshipi niko tayari kupambana nao. Asante sana Mheshimiwa Spika.

MCA Wamba West Ward, (Hon. Lemartile Francis): Honorable Speaker I wish to appreciate honorable members who commended the response to the question, especially Hon. Leitoro who raised the issue. He has given 80% which he was contented with. 20% about Soit Naibor just because of the answer given is rejection. I was given that information though I myself was not satisfied by it. Due to the nomadic nature of pastoralists, when boreholes are drilled in places of pasture settlements will crop up. That is why some projects were rejected.

We as a committee have plans to visit the area and we will make sure you are with us so that you will go and engage with your community. We will know if that is the correct answer given in the statement. The contractor is ready any time if the community is willing to get water there. Thank you honorable members, especially the one who sought to know the dates, I cannot confirm the date right now. The statement was just raised last week. I will make sure we get answers. In one week I will furnish you with the information on when the contractor will mobilize machinery to drill the borehole. On Thursday next week I will bring a response on the same.

Temporary Speaker, (Hon. Lenamparasio Caunda): Thank you. Honorable members, oversight being your core mandate and representation, I am glad to see you representing your people. Hon. Lemartile, Hon. Leitoro has agreed with 80% of your statement. That 20% about payment of Soit Naibor is the one he is not in agreement with. Personally, I am trying to understand what “rejection by community” means. Secondly, as the law states everything stated in this house should be backed by evidence. Next week Thursday at 2:30pm, the Chair water and natural resources should furnish us with information on the payment of those three boreholes, we want those documents here. We also know where the money for one borehole went. I direct that you furnish us with information on the payment and the procedure for that tender for the three boreholes.

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Hon. Leleruk asked me to direct that the committee goes to investigate the existence of boreholes and the payments. I cannot do that. It is the committee's mandate to investigate. It is your work. However, I direct the committee on water and natural resources to conduct site visits of all the boreholes in Samburu, ascertain their status and report to this house for more discussion. We have a request for a statement from Hon. Lentukunye. Please proceed.

MCA Wamba North Ward, (Hon. Lentukunye Christopher): Thank you Mr. Speaker. Pursuant to the standing order number 45C, I wish to request for a statement from the Chairperson of the sectoral committee on environment, water and natural resources regarding the drilling and equipping status of lorrok onyekie borehole for the financial year 2021-2022. For members who have similar copy it should be indicated 2021-2022 financial year. Also Nairimirimo water extension.

Mr. Speaker, the ASAL region of Kenya has endured three severe droughts in the last decade. That is 2010, 2011, 2016, 2017, 2020 and 2022. The current drought 2022 has been the most severe and longest with widespread livelihood loss and massive displacement of populations. Mr. Speaker, drought and other severe climatic conditions have greatly affected Kenyan farmers, many of whom have suffered loss of their livestock and markets due to disease and malnutrition.

Households are also facing rising food prices, limiting access to and consumption of staple foods such as milk, maize and beans. The country's recent general election has disrupted the operation of County Governments leaving several vulnerable communities in drought affected areas without adequate financial or political support. Mr. Speaker, in the statement the Chairperson should inquire into and report on:

1. The budget allocated to the two projects.
2. The completion status of the two projects.
3. Completion certificate of the two projects, if any.
4. When is the contractor going to commence the work?
5. The name of the contractor.

Thank you Mr. Speaker.

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Temporary Speaker, (Hon. Lenamparasio Caunda): thank you Hon. Lentukunye. Hon. Chair when are you responding?

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Mr. Speaker and thank you Hon. Lentukunye for that clarification. The questions are very clear. I don't think it will take a long time because knowing the value of the contract and status of the work done. I think I will respond in one week's time. That is on Thursday next week.

Temporary Speaker, (Hon. Lenamparasio Kaunda): Thank you Hon. Francis. It is directed that next week on Thursday you have two statements to respond to.

MOTION

Vice Chairperson Committee on Finance, Economic Planning and ICT, (Hon. Lenyakopiro Charity): Thank you Mr. Speaker. I beg to move the following Motion:

THAT this House debates and approves the report of the Committee on Finance, Economic Planning and ICT on the consideration of Samburu County Finance Bill, 2022. Thank you.

Temporary Speaker, (Hon. Lenamparasio Caunda): Honorable members I propose **THAT** this House debates and approves the report. Hon. Charity, your Motion has not been seconded.

Vice Chairperson Committee on Finance, Economic Planning and ICT, (Hon. Lenyakopiro Charity): Pardon me Mr. Speaker. I ask Hon. Leleruk to second the Motion.

(Hon. Leleruk bows to second the Motion)

Temporary Speaker, (Hon. Lenamparasio Caunda): Honorable Members I propose **THAT** this House debates and approves the report of the Committee on Finance, Economic Planning and ICT on the consideration of Samburu County Finance Bill 2022. Hon. Charity do you have anything to add?

Vice Chairperson Committee on Finance, Economic Planning and ICT, (Hon. Lenyakopiro Charity): Thank you Mr. Speaker. Allow me to read the recommendations of the report. The committee recommends the following:

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1. That the executive moves with speed to expand the tax brackets by streamlining the digitalization process and revenue automation to ensure eligible payers are accommodated.
2. That sufficient civic education on responsibilities of citizens on paying taxes and educating them on equal services rendered to harmonize the conflicts on market centers in regard to cess collection that will enhance revenue collection target.
3. That the county should establish an inspectorate and enforcement department to oversee the collection and safe custody of revenue. That the county is to develop principle legislation and policies in which to anchor their taxes, fees and charges.
4. That the County government ensures efficient and effective human resource capacity.
5. That the county government ensures all unfenced livestock markets are equipped with fences and public utilities.
6. That the revenue department should maintain a proper database for existing businesses eligible for licensing.
7. That the revenue department captures all revenue streams in the County, especially property related revenues, land rates and plot rates.
8. That the County government to come up with revenue collection policy and legislation to enhance revenue enforcement.

On behalf of my colleagues with whom we spent a long time consuming moments to execute the tax that this third assembly that this house charged us to execute. I would like to assure you and the house that the recommendations we present in this report will go a long way in ensuring that our County collects sufficient revenue to meet our requirements. I hasten to urge that this could only be realized upon all the full and effective implementation of our recommendations.

Further, effective and efficient implementation of our recommendations requires that the executive and the assembly work hand in hand. Hence I urge my colleagues in this house to be vigilant in ensuring that their role of oversight and accountability are executed utmost. It is now my pleasant duty to present this report and its recommendations to this house, fully

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recommending and urging the house to adapt it. In the same breath I urge the executive to expeditiously implement it without amendment.

Temporary Speaker, (Hon. Lenamparasio Caunda): Thank you, Hon. Charity. Honorable members it is my pleasure to now give you time to ventilate on the same. The silence means you are good to go.

(Question put and Motion passed)

Vice Chairperson Committee on Finance, Economic Planning and ICT, (Hon. Lenyakopiro Charity): Thank you Mr. Speaker. I beg to move the following Motion:

THAT The Samburu County Finance Bill 2023 be read the second time. Thank you.

Temporary Speaker, (Hon. Lenamparasio Kaunda): Thank you, Hon. Charity. Somebody to second? Thank you Hon. Sarah. What is the point of order, Hon. Dube?

Specially Elected MCA, (Hon. Dube Osman): Mheshimiwa Spika, Mheshimiwa Chair hajasema seconder, Mheshimiwa Sarah akasimama akawa seconder. Hii ni nyumba ya sheria. Tunataka kusikia mheshimiwa Charity aseme Fulani na itakuwa sawa.

Temporary Speaker, (Hon. Lenamparasio Caunda): Hiyo ni sawa mheshimiwa Dube. Hon. Charity call someone to second the motion.

Vice Chairperson Committee on Finance, Economic Planning and ICT, (Hon. Lenyakopiro Charity): Hon. Speaker I am sorry for that. I call upon Hon. Sarah to second the motion.

Specially Elected MCA, (Hon. Lekirenyei Sarah): Thank you Mr. Speaker. I stand to second the Motion.

Temporary Speaker, (Hon. Lenamparasio Caunda): Honorable Members I now propose the Question **THAT** The Samburu County Finance Bill 2023 be read a second time. Any contributions?

(Question put and the Motion passed)

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ADJOURNMENT

Temporary Speaker, (Hon. Lenamparasio Caunda): Honorable Members, the time being forty minutes past four O'clock and there being no other business this Assembly now adjourns until Tuesday 14th March, 2023 at 2:30 p.m. Thank you.