

**SAMBURU COUNTY ASSEMBLY**



**THE HANSARD**

**Wednesday 11<sup>th</sup> March, 2015**

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

*(The county assembly deputy speaker (Hon Lanyasunya) in the chair)*

**PRAYERS**

## STATEMENTS

**MCA Nachola**, (Hon Lawrence Lorunyei): Thank you Mr. Speaker, pursuant to standing order number **41 (2) (c)**, I hereby request for a statement from the chairperson of the sectorial committee on Culture, Social Services and Gender pertaining payment of facilitation of the Volunteering Medical Male Circumcision Programme (VMMC), which was done in Nachola ward late last year. The people of Nachola ward come from a community which did not practice male circumcision. Being aware that male circumcision reduces the chances of contracting HIV/AIDS, a community self-group comprising of the already infected persons took an initiative to mitigate the infection levels by circumcising men on voluntary basis in Nachola ward. The proposal was taken to the department of Culture, Social Services and Gender which later funded the project. This exercise was done from **1<sup>st</sup> – 14<sup>th</sup>** of December 2014. Until today, the facilitation of the said project never received their payment on this. In light of the above, the chair should inquire into and report on:

- Whether the respective department is aware of this matter.
- When the department will make the payment of this facilitation.

Aware that my community does not practice circumcision, it takes effort and hard work to influence them that circumcision reduces the chances of contracting HIV/AIDS. Those who were infected took the initiative of educating the people on the importance of circumcision and it took time to influence them. We wrote a proposal to the department of Culture, Social Services and Gender who gave a nod and said that the policy is not yet but it will be effected on **1<sup>st</sup>** December. Then after we did that one, we passed the policy in this hon. house which also says that because the county did not get the money, still we are to wait. We waited but there was no communication. I talked to the chair of the concerned department and up to this minute, there is no answer. And yet when we planned we took an initiative because in every plan there is mobilization for actual activity and graduation which has costs. Then through my own PR, I linked the great task to give them at least the materials so that the event can succeed. I became a guarantor and because these are business people, they are saying that their money has stayed for a long time and they are about to take me to court. This hon. house therefore should compel the chairperson to shed light because they committed themselves, thank you.

**Deputy Speaker**, (Hon Lanyasunya): the hon chair

**MCA Nyiro**, (Hon. Lemoosa): Thank you Mr. Speaker for giving me this opportunity to try and explain this matter. In the personal capacity as the chair of the committee on culture, social

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services and gender, I might not be able to address the issue because I am not the implementer. The hon. member is wrong to say that I be compelled to explain this matter because it is the responsibility of every sectorial house committee to address issues when they are raised. This is the first time the hon. member is seeking for answers to his question. This does not warrant any authority to compel the chair, I will be ready and happy to inquire about the matter and bring to this house facts surrounding this particular situation. If I may understand, the word voluntary means it is up to an individual person to undertake the particular initiative, mark you; this is for personal benefit because the Voluntary Male Circumcision as it is stated is voluntary. I don't think there is any incentive that is placed before an individual or all what it requires is education; creating awareness as to why one has to undertake this initiative. This is very true Mr. Speaker. If we make this initiative of circumcision something that we pay, then the Samburus have to be compensated over this issue. On that regard, I cannot deny the member a fact to understand the surrounding of this particular question and as a chair and as I had said before, I will be ready and happy to go back to the executive who are the implementers and get this answer to the concerned hon. member. Without taking much time, Voluntary Male Circumcision is a personal initiative for personal benefit as even as the hon. member had said it mitigates the spread of HIV/AIDS, thank you.

**MCA Wamba West** (Hon. Leitore): Thank you Mr. Speaker; I would like the hon. chair to give more information on this not because male circumcision is voluntary but because it is also wise as the member for Nachola has also stated this is an initiative for this community for the first time. We know it is also within the government agenda that circumcision should be practiced by all especially by men in order to curb the problem of HIV/AIDS. I think the member for Nachola was promised by the department that his people will be supported when they volunteer to go through that voluntary circumcision. So I just want the chair to state a date that he will deliver the response and clarify if anything has been spent for the same or if there are plans to facilitate the pending bills for Nachola Circumcision Initiative, thank you.

**MCA Wamba East** (Hon. Lelenkeju): Thank you Mr. Speaker, before the chair gives a date on when he is going to respond to the statement, I have few concerns in regard to the statement from hon. Lorunyei, member for Nachola ward. As I listened to his contribution and knowing constrains that pertains our budget as the county government, I am afraid if we fund every project especially those that cannot be sustainable, I think we will jeopardize our priorities in terms of development. It's true circumcision is going to mitigate the spread of HIV/AIDS but I also think that it is a personal initiative because what counts to be if it is taking care of my health, then I should sponsor it personally. I could imagine those who practice this take the advantage of the same situation, then the county will be overburdened. I also have Turkanas in

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my ward and they have undergone the said ceremony but and has become part of the culture; nobody pays for them. They also cater for themselves just the same as the Samburus do and I would imagine the number of Turkanas in Samburu County and how much one will need to get circumcised because I am sure the person operating will need more than **ksh. 1000** so it is the number of Turkanas times the amount paid per male Turkana, it will cost this county a lot of money that can be channeled to other developments. Therefore I don't oppose the fact that our colleagues want to join the race by taking care of themselves health wise but they should also pay for the cost as health hazard is a problem affecting every individual, so I totally oppose the county government going for such systems because many people will say if this is done for this community, they will back date theirs and they also go for compensation, so I oppose, thank you.

**MCA Ng'iro**, (Hon. Lemoosa): Thank you Mr. Speaker, I am not opposing the hon. member for Nachola. I will be happy to bring the answers to this hon. house and I said I will be happy and ready to table my finding on Thursday, the 19<sup>th</sup> of March 2015 2.30 p.m. I also have two locations in my ward inhabited by the Turkana community but just imagine how it will be like if for every member who volunteers, be it a Samburu or a Turkana or any other tribe, then the county government has to foot the bill, then how much will we spend on this. Therefore, we are not opposing but we are seeing the danger ahead. But nonetheless, I will avail the answers as I have said on the 19<sup>th</sup> of March 2015 at 2.30 p.m. thank you speaker.

**Deputy speaker**, (Hon Lanyasunya): Hon Pius Lobuk

**MCA Baawa**, (Hon. Lobuk): Thank you Mr. Speaker, we all understand that this is an important exercise that one day this community realizes the importance and the risks of not going through this ceremony. Why I stood is because this statement is genuine and this exercise took place in Nachola. These people had the ceremony and they were not supported. The same ceremony took place in Maralal and these ones were supported. My concern is why not these ones in Nachola? Even if this exercise will not be supported in future, we need to consider some issues before we decide on this.

**MCA Lodokejek**, (Hon Leshoomo): Mine Mr. Speaker is a different statement

**Deputy speaker**, (Hon Lanyasunya): Then we should first exhaust on the current statement, the chair of the said committee to give us when you are going to respond to the statement.

**MCA Nyiro**, (Hon. Lemoosa): Thank you Mr. Speaker. I think the speaker was busy consulting when I gave the dates, I will be giving my response. I wish to bring into light of this house that the Maralal Voluntary Male Circumcision was not supported by Samburu County; rather it was

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supported by Hawaii Phone Company from Japan through Kiragu and I am sure because I attended. Nevertheless, it is prudent to say it is a good initiative and we are opposing to it, and as I later mention, Thursday next week, March 19<sup>th</sup>, 2015 at 8.30 a.m. I will be able to bring sufficient answer to explain this matter, thank you.

**Deputy speaker**, (Hon Lanyasunya): On the same statement, we will slot as agreed by the chair and for the sake of the future planning, I would request hon. Lorunyei not to indulge into expenses. We are sure that the budget has been slotted in and you allow the department to implement so that it will avoid you being the guarantor and put yourself into problems later and you know this is the time that this statement came formally to the house. We are not going to compel the chair but we are going to request the chair to bring the correct information of the statement as sort by hon. Lorunyei. It is also for us to realize that this is an important initiative which will also help to fight against HIV/AIDS in our country. So it will be a good initiative if our county will also support any programme related to health issues e.g. maternal health issue and others. It will be a good initiative if our county will support all the three communities in this county and not just Turkanas. The chair will be able to make a follow up and bring the response as required, Hon Jeiras Leshoomo.

### **Statement on awarding of tenders to women, youth and people living with disabilities by the County Government.**

**MCA Lodokejek**, (Hon. Leshoomo): Thank you Mr. Speaker, there was a statement brought by Hon. Irene Leshore on 12<sup>th</sup> February 2015, on awarding of tenders to *Women, Youth and Persons with Disabilities*. I gave a response to this statement but some of the hon. members were not satisfied with the response and this is due to the awarding of tenders for financial years **2014/2015** was on the process. In the financial year **2014/2015**, **30** registered companies for women, youth and persons with disabilities were prequalified compared to the five in the year **2013/2014**. The department has reserved **17** categories of tenders for special groups. During the awarding of tenders for the financial year **2014/2015** in the month of February, four registered companies for the youth, women and persons with disabilities got the tenders as reflected in the data on the floor of this house totaling to **ksh. 8,841,515**. The awarding of tenders is still going on until end of May. In the year **2013/2014**, we assumed that the youth, women and persons with disabilities we assumed that five companies got the tenders. In this year alone, by February **2015**, four more registered companies got the tenders and I think by the end of May, several youth, women and persons with disabilities will have gotten the tenders as many of them now got the documents that will allow them to be prequalified for the awarding of tenders, thank you.

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**Specially Elected (Hon. Irene Leshore):** Thank you Mr. Speaker, I would like just to thank the chair for the response and we hope that the department will continue awarding tenders to these groups fairly as stated by the law and we don't like to raise statements here for this to be done, thank you, Mr. Speaker.

**MCA Lodokejek (Hon. Leshoomo):** I have a different statement, but I think the Hon. Members are satisfied because I don't think this one adds up.

**Deputy Speaker (Hon. Lanyasunya):** You will continue Hon. Chair.

### STATEMENT ON KISIMA DUMPSITE

**MCA Lodokejek (Hon. Leshoomo):** Thank you, Mr. Speaker pursuant to standing order 41/2/c I hereby request the statement from the chairperson of the sectoral committee of environment national resources pertaining to lack of public dumpsite in Kisima town. Kisima town is one of biggest towns in Lodokejek ward, the town serves a large population from Lodokejek ward and its environs. However, there is no even a single dumpsite in the town which causes a serious threat to the environment, evidenced by the town that there are polythene papers all over the town and its surrounding. It is clear that there are no measures in place to ensure that problem is addressed urgently. However, Mr. Speaker it is clear from the last year financial budget that in financial year 2013/2014, there were some budgets for dumpsites, but it was never implemented during the year in the highlight of the above the chairperson must inquire in and to report on; (one) the steps that the department will take to address the problem (two) whether the concerned person is aware of the problem (three) the timelines within which the department environment and natural resources intend to address the issue. I think Hon. members have been going to Nairobi through Kisima and I think everyone of you has seen the litter the polythene bags all around the airstrip and beyond Mr. Speaker. Some of the polythene papers are in the airstrip because of the current times because of the overcrowding and windy season that we are facing Mr. Speaker. It has been or we have said we want as the members of this house that the silt, the litter and the polythene are all over, which causes a serious threat to the environment that we live in. I urge the chair to inform the house the steps the department, what measures are they taking to ensure that we have a clean environment in Samburu county everywhere, Mr. Speaker. Thank you, Mr. Speaker.

**Deputy Speaker (Hon. Lanyasunya):** Hon. Chair for environment

**MCA Wamba West (Hon. Benjamin Leitore) (chair for environment):** Thank you Mr. Speaker, I stand to respond; having been informed of the statement at this particular time I

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request through your indulgence on Tuesday afternoon I will be in a position to respond but Mr. Speaker I like also to congratulate the member for raising concerns about his people and particularly the litter that is around Kisima. I have also noticed myself and as a department we are planning, I think the member is actually asking for a dumping site and a dumpsite cost a lot of money and in this financial year as a department in this financial year we had planned a dumpsite for Maralal which had actually cost us a lot because it requires a big land about a hundred acres of land. It costs a lot to have a dumpsite Mr. Speaker because it will actually has a lot of activities. I promise the member that in our international environment day that will be held on 1<sup>st</sup> June, particularly my committee and every member of this house is actually concerned about the environment. We go to kisima and together with the community and the hon. member of that place we will participate in litter collection but by then we promise that we will put the disposals sites and we dispose the litter and we plan for bigger things in kisima. I promise on Tuesday afternoon I will give a comprehensive answer to the same, thank you.

**MCA Lodokejek (Hon. Leshoomo):** Thank you, Mr. Speaker sir, kisima town has a dumpsite, kisima town only requires a chain link, the area to be protected so that the chain link so that the dumpsite is protected to control the polythene or the litter during the windy season. I don't think the chain link is expensive as the hon. chair is saying that the dumpsite is expensive. At kisima we have the dumpsite and we only need the area to be fenced to control the litter from being blown everywhere all around the area Mr. Speaker.

**MCA Suguta Marmar (Hon. Lesoipa):** Thank you Mr. Speaker sir I also stand to echo the statement from the hon. member for lodokejek. It is becoming a threat to the people living around that area and also their livestock. As we debate here for the last two months or so, there has been very great entertainment and drama and all the way from kisima somebody's clothes are flown as far as Lolmolog, polythene bags are landing in Kitobor. It is a treble situation that I never witnessed and the way hon. member talked it is a reality and they happen almost every week. It is becoming a concern and you can even ascertain from the town, how the soil is loose and so windy, particularly this open air market. We have markets that are just in open areas, people bring all his maize, carrots and whatever and they are just put on an open air. After business all the polythene bags that were left there, are now left to make every type of drama in the air, all the way to land in watering points where animals usually take water. You cannot even differentiate when a cow is suffering from a disease and when it has swallowed a polythene paper. They are becoming a treat to our people, our properties. So I think the hon. chair is able to be a member of that committee, the only thing I need is to take drastic measures to arrest that situation because it is becoming a nightmare as we talk. Mr. Speaker, I only urge the hon. member not to take the committee to collect litter probably we can use the public on that the

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cleaning day. If there is but I think the business will stand still when the members of this house demonstrate to kisima to collect litter, probably there are other good issues to be dealt with in this house, so I urge the hon. members to speed up lasting solution to that problem.

**MCA Baawa (Hon. Lbuk):** Mr. Speaker, i don't understand how the chain link will arrest the spread of these polythene bags, i think the most important thing, yes we can protect with the chain link at the same time we can collect and dispose these polythene bags from spreading and by that we need some casuals to be in that place so that they can collect this things and burn them. The chain link will never do anything in my understanding Mr. speaker, thank you sir.

**MCA Ng'iro (Hon. Lemoosa):** Speaker sir, i was just about to raise, actually to raise to about a few other issue to mitigate or control these litter in kisima. Like the hon. able chair for environment has said, yes we don't have money actually and a huge amount of money to create these dumping sites, but I think before then there are a few other undertakings that the department could undertake to mitigate this issue as we are looking for these funds, because we know the funds are the problem in the county because we have a lot to do. For example, a few suggestions may be even a creation you know creating of awareness to the members of that community that education could create and actually people of that community to see the dangers to litter around the environment. This actually affect their livestock and even the environment around them. This does not cost much and June from now to June is a long time. The hon. chair is suggesting that we go as a house and assist the community that is along actually, a lot of damage might be actually taking place. Next might be as my colleague as said I think the issue of few casuals or supportive staff to manage this uncontrolled particular litter, these papers. Lastly, let us not actually mind the fact that chain link can do much because, by actually surrounding the dumpsite may be when the community is educated that they dump on the correct site and when there is that chain and when the wind blows I think it can also assist by blocking these particular litters. It is a matter of fact, that chain link can assist control the spread like hon. Lesoipa has said somebody in kisima has gotten his piece of long trousers in lolmolog and this is because of strong winds in this side of kisima. It is true there is a lot of wind in this side of kisima I think because of that nature of land. So what I believe in with proper enclosure, community educated to double the right side and then a few casuals to take care of the situation. I think before we get this money we can have a remedy. Thank you.

**MCA Lodokejek (Hon. Leshoomo):** Thank you, hon. Speaker, i really thank the hon. members for supporting the statement. When I say we just require a few things like just the chain link, I was just saying because, we want to mitigate the minors and we need to protect the area .because, in kisima we have got two staffs in that town. I don't know who is supposed to procure

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the dustbins. Mr. Speaker we live the area the dumpsite is an open ground, we know the situation whereby the goats, the donkeys and the cows go to dumpsite to find something to eat all the polythene use litter the area went all over as Mr. Lesoipa was saying. We are saying if there is not enough money, we need to find some mitigation to protect our environment, thank you, Mr. Speaker.

**Hon. Benjamin Leitore (Chair for environment):** Thank you Mr. Speaker, as I said earlier I want to agree with the contribution of hon. members, but it had been a plan with the public health to employ staff to clean our towns and I think the hon. member for Ng'iro has that concern which was not actually a mandate of the environment department but the department of public health under the ministry of health services. There are those plans but I cannot tell what had actually happened to prevent the employment of these staff. I hope Kisima town will have a change when these staff are being employed. I have said on Tuesday I will give a comprehensive answer as we I did promise that I will still meet the executive and we will plan to protect the disposal sites as the member was saying in order to prevent that litter actually I was just mentioning on the national environmental day and this is a voluntary day for everybody to come out and clean the environment. Despite the fact that the hon. members and especially the members of environment example hon. Lesoipa so I expect as a chair to see Mr. Lesoipa in front this is the day we come out as the environment leaders and any other citizen of this country and for all citizens in this country or all people of the world to come out and clean our environment voluntarily. This is an environment that every and each person will make sure that he/she lives in a clean environment, Mr. Speaker on Tuesday I will give a response.

**Speaker (Hon. Lanyasunya):** Thank you hon. chair for environment statements have normally come in form of queries that led us into challenges or problems affecting the county. So this is a good pointer based on members contributions that major towns in our county are facing the same problems. It is a good initiative as you take initiative as the chair and the committee to make sure that in future the department for environment and natural resources comes up with the initiative to address this menace across major towns, like if possible headquarters of every ward. Next order.

**Speaker:** hon.lemoosa

**MCA Nyiro (Hon. Lemoosa):** Thank you, speaker sir, first pursuant to standing order 30(1), **aware** that there are security crisis in our county; concern that as the representatives and leaders of the people to address this issue, I hereby rise to seek the adjournment of this house to discuss this issue of urgent county importance, speaker sir, I beg to move .

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**Speaker (Hon. Lanyasunya):** As moved by the deputy leader of majority and basing on the standing orders as read I now propose the question, as I want to read the standing orders 30(1) as we are all aware of the security crisis in our county it is our responsibility that as the representatives and leaders of the people to address this issue hereby rise to seek the adjourn of the house to discuss this issue of urgent county importance.

**Speaker(Hon. Lanyasunya):** I now I put the question for the adoption of question of the motion on standing order (30) /1 security crisis in our county it is our responsibility that as the representatives and leaders of the people to address this issue, I hereby rise to seek the adjournment of the house to discuss this issue of urgent county importance.

*The adjournment motion to allow the house to discuss the insecurity crisis in the county was unanimously passed.*

Thank you, hon. members the house is now given the chance to discuss the matter and when we are through then the house resumes. Thank you, hon. members we now resumes so that I dispense of the matter at hand. Thank you hon. members as you know based on discussions of the members it is actually very urgent that the issues of insecurity in our county should be addressed and thus we are aware that the mandate of security handling is very sensitive and is the mandate of the national government, but since all governments addressed the needs of the people no development can be achieved without people living in peace. I would like to give directions on the matter by reading what we are required to do by law, our discussions will be really based on these standing orders number 178. Limitations of mandate (one) the deliberation of a select committee should be confined into a mandate of the committee and any extension or limitation for that matter, mandate as may be directed by the assembly and in the case of a selected committee on a bill to the bill committed to it is relevant amendments. In the exercise of its function and that is to a select committee will not consider any matter that is not contemplated within the mandate of the county assembly under the constitution. When you go to standing order number 193; under the sectorial committee, am referring to the what the standing order says both about the select committee and the mandate of sectorial committees. Committee to be limited to mandate in standing order number 193 (one) except as expressly provided for in in this standing orders no matter should be referred to as select committee except on a motion approved after notice given. (2) notwithstanding paragraph 1, the speaker may in exceptional circumstances on a request where a member refer a matter to a committee. So basing on (2) bearing that the matter is urgent, I now refer this matter liaison committee so that tomorrow 10:00am so the chairs should attend and any other member willing to attend so that a way forward can be found and then subsequently as provided in this standing order, it says that any

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matter which does not fall under our mandate shall not be given to a particular select committee through a motion approved by the assembly. And as you have discussed we need also to do many things we need to do because there are national security policy, we have the aspect of the community policy and that can be a lee way that our assembly can also come up with some kind of a committee, a joint committee that will join hands with the security hands within the county to promote community policy and we will be able to see what recommendations that committee will come up with. Thank you members, without any further business before us the house stands adjourn until tomorrow's morning session.

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