

## SAMBURU COUNTY ASSEMBLY

### THE HANSARD

Wednesday, 11th February, 2015

The County Assembly met at the Assembly

Chambers at 9:30 AM

(The County Assembly Speaker (Mr Lelegwe) in the chair)

### PRAYERS

### STATEMENTS

**Hon Lemulugo:** thank you Mr. Speaker, I rise to respond to the statement sort by Hon Leakono on **11<sup>th</sup> February 2015**. Hon Leakono sorts a crosscutting statement to three ministries concerning the drought disaster across the county. As the chair for health together with my committee, we took the concern of the member for *Elbarta* ward and we held a meeting with the CEC for health and the chief officer. We therefore came up with the following:

The mobile clinics are already in the field e.g. beyond zero campaign is already in *Lekamoru* and other teams are preparing to move as from tomorrow to other areas like *Naisiisho, Lekuru, Mbukoi, Marti, Suyian, Loongutuke, Lamerok, Naishamunye and Loisesia*.

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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**Speaker (Hon Lelegwe):** Order Mr. Leshoomo, we first let the member go through routine statement before I give you to raise yours.

**Hon Leshoomo:** but we don't have the written statement and this statement was asked last week

**Speaker (Hon Lelegwe):** thank you Mr. Leshoomo. Order Mr. Lemulugo. I request the clerks to supply members with the statement and the members should definitely pass the dispensing table before you take your chairs to collect your statement, thank you. Continue Hon Lemulugo.

**Hon Lemulugo:** thank you Mr. Speaker. The mentioned are the few areas that were identified and these members can notify us if there are areas which were not covered. Other areas are the sides of *Pura* and there were ambulances allocated for those areas and there is one ambulance for *Suguta Mar Mar* and it is good to cover that said too and we have got many medicines. The only thing we require from this house is for the members to notify us of other locations so that we can send our ambulances to provide services to those people, thank you.

**Speaker (Hon Lelegwe):** Hon Letura.

**Hon Letura:** thank you me speaker, I would like to thank the chair for medical services for the good response he has given to this house but I also think the chair needs to make clarity on who is supposed to do the mapping of the areas as he is saying that it's the members to bring the names of those areas when I know that we have a bigger responsibility of legislating this house and also oversight role and therefore the chair should be clear on who is supposed to map the areas and where the animals are. Is it the ministry of agriculture or the MCAs as he mentioned that the members of the house to bring the report to him. The chair is also putting us in an awkward situation when the chair wants the ambulances to start doing the emergencies and providing medicines like the mobile clinics. I think this will be jeopardizing the facilities because the ambulances are supposed to be standing by so that in cases of emergency, then the ambulance should be available but not moving around to provide mobile clinic services. So is the chair ready to support his claims of ambulances working in **forrus** or the ambulances remaining in the facilities and supporting the referrals? Thank you

**Speaker (Hon Lelegwe):** Hon Lesoipa

**Hon Lesoipa:** thank you Mr. Speaker for giving me this chance and I also echo the same sentiment. As I thank the chair for the response, there are still some issues that need clarification. The issue of the target area- the modalities that were used to identify the stated areas because I can see so many areas are not touched because there is a huge migration that has settled in *Ng'elesha* across *Loosuk*, part of Laikipia and some parts of east. The biggest

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## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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population as we speak is in *Ng'elesha* and another one towards *Lerata* and yet they are not mentioned here. The chair also mention *Suguta* as one of the areas provided with ambulances which could be another alternative to supply medicines to far regions but the range between *Suguta* and *Ng'elesha* is very far and that ambulance in *Suguta* ward is not even enough leave alone allocating it another task. So I want to urge the chair to come clear and tell us the mobile clinics that are available for these services rather than allocating the said ambulances to these tasks and to come clean on modalities that were used to ascertain the identified areas to be targeted and approximate number of people living in these areas so that we can have a clear schedule on how to attend these areas as they have just been listed but with no dates on when they will be attended. Therefore this statement needs to be clarified. Thank you

**Speaker (Hon Lelegwe):** Hon Rebecca Lengupae

**Hon Rebecca:** thank you Mr. Speaker. I would like to thank the chair for initiative of quick response. I would also want to add the place called *Kauro* as it is also one of the areas with a big population in Samburu east, thank you.

**Speaker (Hon Lelegwe):** thank you members and as you are aware the house wanted a statement from the chair for medical services and the chair have just did so, any additions to the statement is done by the committee and not by the house so I direct that the members do not take the statement as satisfactory, then the chair will rather refer back the statement to the committee for further discussion and then table the report later. Otherwise I will give the chair a chance to give response to the issues as raised by Hon Letura, Hon Lesoipa and Hon Rebecca Lengupae, thank you.

**Hon Lemulugo:** thank you Mr. Speaker. I want to tell the members that this issue is a concern of all of us and we are not talking about the ambulances as the members are saying but we are talking about mobile clinics, so there is the difference between ambulances and mobile clinics but there is a chance that the ambulances can also be used to bring services to people. As I said this issue is a disaster and emergency and I don't think it will require more time to carry on survey and mark the areas and I don't think it is possible to mark the areas simply because the people do keep migrating day by day. I want to assure Hon Rebecca Lengupae that we are going to consider the mentioned areas.

**Speaker (Hon Lelegwe):** Hon Lorinyei.

**Hon Lorinyei:** thank you Mr. Speaker. I would like to thank the chair for trying to respond to the statement, however I can see it is very shallow because he has just given us a list without a proper or detailed ....showing the places, when and where these mobile clinics are. But putting

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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it in general like this is not giving us clear information. So I would like the chair person to go back though he has met with the **CEC** who is a professional and this is not what a professional give a statement. We want a clear and well spelt response, thank you

**Speaker (Hon Lelegwe):** Hon Leshoomo

**Hon Leshoomo:** thank you Mr. Speaker. I think the chair for health is trying to mislead this house when he tables the places mobile clinics will be visiting to secure the humans who are in the after the livestock during migration. *Lekuru* is in my ward and I don't think there is any migration in *Lekuru*. The livestock migrated to *Kirisia* forest and the chair....

**Speaker (Hon Lelegwe):** order Hon Leshoomo. Continue Hon Lemulugo

**Hon Lemulugo:** we are talking about *Lekuru* in the side of *Nyiro*

**Speaker (Hon Lelegwe):** continue Hon Leshoomo

**Hon Leshoomo:** Thank you but the chair did not mention several livestock which migrated towards *Kirisia* forest. I also want the chair to tell us what action and response is he taking to ensure that people living in the forests are also considered in this programme, thank you.

**Speaker (Hon Lelegwe):** Hon Lobuk

**Hon Lobuk:** thank you Mr. Speaker. While I concur with the response given by the chair for health and his committee, we still have so much to clear as far as this statement is concerned. Initially, this statement was a crosscutting issue touching three committees of this house but the statement has just tried to answer the responsibility of one committee because the major issue was the supply of foodstuff and medicines for the people who are grazing the livestock outside their areas. And secondly, the focus of this drought in this particular time is falling under these mentioned areas including others which are not mentioned. I concur with Hon Leshoomo that there are so many animals in *Kirisia* forest. In fact, most of the animals from *Baawa* and *Lodokejek* wards are in *Kirisia* forest and they were never mentioned. So we still need clarity as far as this statement is concerned. It is very brief especially to a professional who the chair went to seek advice from, thank you.

**Speaker (Hon Lelegwe):** Hon Leakono

**Hon Leakono:** thank you Mr. Speaker. I rise to support the chair for health Hon Lemulugo on what he has laid down in front of this house. Actually, it is the work of the members of this house to present their electorate areas to this house for intervention and as such, the member did not close the statement. He has given room for the members to add more places....

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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**Speaker** (Mr. Lelegwe): Hon Letura

**Hon Letura:** Mr. Speaker I don't think the member is in order to respond to the statement on behalf of the chair because I don't think he has enough evidence that the members can account for and on which capacity the member is answering on behalf of the chair for ministry of health and medical services so Mr. speaker, may be you can give you direction because sometimes we are on a very serious business and Hon Leakono wants to take the house for a ride ...

**Speaker** (Hon Lelegwe): order Hon Letura. You are out of order and should have explained yourself and also you should have raised your point of order without using such words as you have used refer to the contributions by Hon Leakono who is giving response of a statement he was seeking answers from the chair for health and medical services. Hon Leakono may inform the house if you are satisfied so that so that the chair for health do not seek any further clarification to your statement and if you are not satisfied, then the chair will give the response as he has just tabled then the members can contribute. Thank you Hon Leakono and if you have any other issue then you can continue.

**Hon Leakono:** thank you Mr. Speaker for your protection. Actually I am satisfied with the response of the chair for health and I was only contributing as information and not answering on behalf of the chair for health. I was just enjoining giving information on the same, thank you.

**Speaker** (Hon. Lelegwe): Hon. Lemulugo

**Hon. Lemulugo:** Thank you Hon. Speaker, this was the statement that was a cross cutting the two ministries and I am just responding on the ministry I do Chair Mr. Speaker, and like the members have just said that the even the Kirisia is concern for the Hon. member for Baawa and Hon. Leshoomo, we have already put there the beyond Zero campaign which is going to cover all those areas of forest and it was just started in one side it will go all the way to Tamiyoi and all other areas of the forest, which is quite close to Maralal, and Mr. Speaker I want to tell our members that we have a crisis and I think we should not wait any longer to carry out any kind of survey when our people are suffering Mr. Speaker, the member for Elbarta seeked a statement and was asking an immediate effect on the same, we still have problem with the food Mr. Speaker, our people are dying of hunger, even two days ago, people were fighting over small food in Bukoi, so I am not seeing the reason we are waiting that we carry out all survey, the only thing I was asking the members that we did not put any guideline on how we are going to visit those areas but we need to know from the members what exactly the people are living so that we can move there, we can go all as a team, so it is not a closed statement, it is very clear that any members having any other places which we did not identify, they should tell us, so that we can move there not to carry on all survey, Thank you Mr. Speaker

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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**Speaker** (Hon. Lelegwe): Hon. Irene Leshore

**Hon. Irene Leshore:** Thank you Mr. Speaker, I just take this opportunity to thank the Chair for the committee on medical services, because he has brought the statement sought by Hon. Leakono in a very timely manner according to what the members said the matter is very urgent, as the Chair has said we met yesterday as a committee together with the CEC and the Chief Officer and although maybe we have not put down everything we were told by the CEC and the Chief Officer of health the department is said that they are very much ready for any emergencies and they have enough drugs and those vehicles to attend to those people who are herding in these areas Mr. Speaker, so once again I take this opportunity to congratulate my Chair and also urge (Applause), other Chairs to be bringing their statement like him thank you Mr. Speaker,

**Speaker** (Mr. Lelegwe): Hon. Linda Nasrian

**Hon. Linda Naserian:** Thank you Mr. Speaker, mine is not to give further contribution but I just have two concerns, first is to congratulate the sectorial committee for medical services for responding to this statement in time Mr. Speaker Sir. And also for prioritizing Naisicho area of Nyiro ward because we know that, that is the place where all our livestock are currently and Mr. Speaker Sir we know that there is a serious crisis of hunger Mr. Speaker and the most vulnerable people are women and children we really urge the other sectorial committees that were involved because that were three the other two and there is the issue that was cutting across three sectorial committees so I urge the other three sectorial committees to tell us on their plans concerning the issue, don't just assume that the sectorial committee of health has responded to the statement and you forget it too, I urge the other two chairs of the sectorial committee to give us response as soon as possible on the plans to curb hunger in Samburu County, Thank you Mr. Speaker

**Speaker** (Hon. Lelegwe): Thank you Hon. Members, Hon. Osman Dube

**Hon. Osman Dube:** Asante sana mhhimiwa Speaker, ni kama kamati ya afya tumefanya kazi kweli, unajua kila kitu ni kuchukua hatua moja mbili na kuendelea mbele, kwa hivyo nampongeza huyu mwenyekiti wetu, hii kazi itafanyika kwa sababu mobile clinic ni moja, litazunguka Kaunti yote itapa, asante sana Mr. Speaker

**Speaker** (Mr. Lelegwe): Thank you Hon. Members for your contributions on the statement as tabled by Hon. Lemulugo and the Chair takes this and gives a directive because of your contributions that most of you inform the house, if order Hon. Members, the Chair is on his feet, Thank you. I want to give this directive from the chair and my directive is informed by your

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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contributions in the house that most of you, have noted that the statement was a cross cutting statement for the three sectorial committees of our house and you have also acknowledged that other two sectorial committees have not done their part in the response of this statement therefore the Chair considers the statement as partly responded to and partly not responded to, and I therefore refer the statement back to the Sectorial committee and to the other two relevant sectorial committees, Thank you, We proceed to the next statement, the next statement is the statement as requested by Hon. Irene Leshore department of Finance, Economic, and Planning, concerning the steps that the Government has taken in awarding the tenders to Youth and women of Samburu County, Thank you, Hon. Leshoomo

**Hon. Leshoomo:** Thank Hon Mr. Speaker Sir; I am supposed to respond to a statement raised by Hon. Irene Leshore, on the awarding of tenders to the youth, women and the disable Mr. Speaker. Mr. Speaker the response has just been brought as we were entering the house and Mr. Speaker we are supposed to meet as a committee after the house and I request for more time until tomorrow when I will present the statement Mr. Speaker

**Hon. Irene Leshore:** Point of Order Mr. Speaker Sir

**Speaker** (Hon. Irene Leshore): Continue Hon. Irene Leshore

**Hon. Irene Leshore:** Mr. Speaker I just think that it is becoming a concern some of us that some of our statements are not being taken seriously in this house, (Applause), and when I was giving this statement I clearly stated that it is an urgent because as we speak now tenders are being given out to people and those special interests groups they risk being left out again, like the last financial year Mr. Speaker, so I am not really satisfied with the answer of the Chair because he had since Thursday up to today to put the statement in order Mr. Speaker, so we seek your guidance on this Mr. Speaker,

**Speaker** (Mr. Lelegwe): Hon. Osman Dube

**Hon. Osman Dube:** Asanti sana MR. Speaker, nashukuru sana kwa kuwa hiyo statement imekuja, ni ukweli sisi disabled kama kaunti saa hii elfu ishirini na saba, hatupati, hata mtu mmoja hajapata, na kama ni kampuni, disabled wako nayo, kwa nini, akina mama na vijana na disabled, kwa nini hawapati kitu kawa hicho, kwa hivyo, naomba Mr. Speaker hii kitu iwe ya haraka tupate hiyo haki yetu asante sana,

**Speaker** (Hon. Lelegwe): Hon. Leakono

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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**Hon. Leakono:** Thank you Hon. Speaker Sir, sincerely speaking I also believe that the Hon. has actually not been taking questions seriously, (Applause), because in the first place they are very quick to convince us when the finance people want us to approve any change of

**Speaker (Mr. Lelegwe):** Order Hon. Leakono, you are out of order to give your contributions, continue Hon. Leakono and give your contributions without referring any other matters that are not before the house, Thank you.

**Hon. Leakono:** Thank you Hon. Speaker Sir, I request to sit for the time being maybe until later  
Thank you

**Speaker (Mr. Lelegwe):** Hon. Lobuk

**Hon. Lobuk:** Mr. Speaker this is a paramount issue which we need to act upon Mr. Speaker this issue has been withstanding for a long time women and youth and the special interest group of this country Mr. Speaker forms a larger population of this County, and they have been ignored throughout, that is an acceptance, we need to accept that and they form a larger population, you know, all of us understand that and we have been isolating them from this group of people whenever communities Mr. Speaker, and this is in our constitution Mr. Speaker this is well spelt out that the 30% must go to the youth of this County, women of this County and the disabled groups, but we have been very slow in implementing that, and the constitution of this country is a supreme document over all other authorities, we are seeing anomalies going on as far as tenders are awarded in this County Mr. Speaker, even supplying office curtains are given to big men, why not women and youth, such trivial things, you find very well bodied people going to get that tender and a weaker sex is left behind Mr. Speaker, we need this house to intervene as quickly as possible before this process is over Mr. Speaker, Thank you

**Speaker (Mr. Lelegwe):** Hon. Lesoipa: Thank you Speaker Sir, once again, I stand also to echo the sentiments, it is very prudent that the laws of this Country and the act that govern each and every section of our living should be adhered to, so Mr. Speaker as much as I support the issue it could be very prudent if you could arguing here in this Hon. House having facts on the table, we want to clearly exactly who are the directors of this companies which are being awarded tenders and which companies and who are these directors of this companies

**Speaker (Mr. Lelegwe):** Order Hon. Lesoipa, I have informed Hon. Leakono to give contributions on the statement before the house and so Hon. Lesoipa, you are out of order, Hon. Lorunyei

**Hon. Lorunyei:** Thank Mr. Speaker Sir; I don't whether it is a technical way of delaying statements as the Chairperson is doing because this is the second year, and all those who applied for tenders, the list are in the offices why not just bring facts here instead of saying that

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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he is going to look for more time, (Applause), yes the constitution is there, 30% should go to these special groups youth, women and disabled people as now the tendering is going on, they are giving out tender, is it not a technical delay that after this the special groups are at least out of time, (Applause), so I would like your guidance Mr. Speaker Sir to tell the Chairperson, to give the response as quick as possible, at the right time

**Speaker** (M. Lelegwe): Thank you, Hon. Leitore

**Hon. Leitore:** Thank you Mr. Speaker, I stand to share information with the chair of finance and Mr. Speaker I was with the Chair when we did a follow up on the information on the treasury and Mr. Speaker as the chair has indicated the information is with the chair but it only arrived late after the preparation of the order paper and Mr. Speaker it is clear that anything that has not been indicated or involved by the chair that it be represented in the floor of this house Mr. Speaker will not be in order to be reported Mr. Speaker this is just but to share information, this is just but to pass information or to share information to the house that a detailed information is available to the chair of finance Mr. Speaker, and it was only just to request members that be patient that tomorrow morning the chair will table the report, (Applause),

**Hon. Leakono:** Point of order

**Speaker** (Hon. Leakono): Okay continue Hon. Leakono

**Hon. Leakono:** Hon. Speaker Sir, thank you, is it in order for the Hon. Member to mislead this house by saying that the information is with the chair yet the chair is asking that he is asking for time to get the information from the relevant authorities

**Speaker** (Mr. Lelegwe): Thank you Hon. Members, Hon. Leitore you are out of order the statement was supposed to be responded to this afternoon, and the chair has just requested the house for more time, Hon. Letura

**Hon. Letura:** Mr. Speaker thank you once again, I also want to join the Hon, members Mr. Speaker, on the same issue, of the delayed statement, Mr. Speaker I think as the Hon. Leshore has put it clearly in the last time we were in the seminar Mr. Speaker, That the sought statement is urgent and Mr. Speaker the disabled of this County women and youth should actually benefit from services and contracts that are provided Mr. Speaker, Mr. Speaker to bring to the attention of the members according to article 227 of the constitution of Kenya 2010 it is to raise that each organ or any other public entity to be fair into the contracting of any public goods and services, including the development of provisions to designate categories of preference and the allocation of contracts and the protection or advancements of categories of persons or groups previously disadvantaged by unfair competition or discrimination, Mr.

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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Speaker there is also legal notice, there was a directive by the ministry of...by National Treasury on women and persons with disabilities, after the presidential directive on 30% of all government procurement, which actually states that all Government procurement be allocated to the youth, women and persons with disabilities Mr. Speaker, The president directed that 30% of all the Government tenders be awarded to youth, women and persons with disabilities, following the directive public procurement and disposal, preference and reservations, regulations were amended tried legal notice number 14 of 2013, regulation 31 section 1 clause 1 of the reference amendment replaced that 30% of all Government tenders are to be awarded to this target group Mr. Speaker, I think in that particular regulation there was a lot of issues and a lot of costs E.g. for example I may not read all but, most of the loopholes and gaps were actually to protect these groups Mr. Speaker, because we know since this Country got independence the said group did not benefit from the Government tenders either National and now County, there is also provisions of registration of the disadvantaged groups that is in line with notice number 114 of 2013, that is the treasury public procurement department, there is also reservation preference for the youth, women and persons with disabilities, and Mr. Speaker the treasury according to its regulations of number of 14 2013, there are also reservations Mr. Speaker, and I also believe this County, had this reservations Mr. Speaker, if you allow me to read are:

1. Supply and delivery of flowers
2. Provision of cleaning services
3. Provision of garbage collection
4. Supply and delivery of Newspapers and General magazines
5. Supply and delivery of mobile phones airtime
6. Provisions of Printing services supply and delivery of office common used items
7. Provisions of labor contracts
8. Provisions of Motor vehicle repairs
9. Provisions of repair services for office equipment and machines event organizing
10. Design and branding of promotional materials services such as T shirts, cups banners and posters photocopy and videography

Mr. Speaker those were services reserved for these targets groups, some of the preferences Mr. Speaker as per the regulations are, car cleansing, cub and taxi services, kirio services, provisions of car services, provisions for small works, provisions of pending services, Mr. Speaker just to mention a few because I have a detailed information on the same legal notice Mr. Speaker I think it is so unfair for the women of this County or for this Country to continue crying while the constitution of this Kenya has actually protected them Mr. Speaker, and Mr. Speaker and that is why the Hon. Chair should not in pains to explain to

## SCA/162/2/2015(3)SAMBURU COUNTY ASSEMBLY DEBATES1

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the house or to bring to the house, the information that is required for this target groups Mr. Speaker since Mr. Speaker you should not labor on this you should just furnish yourself with the article 227 of the constitution of Kenya and also abide by this regulation follow the presidential directive and you should have done that through advertisement plan and services and even on tender documents Mr. Speaker, (Applause) all this are provided in the regulation that regulation that from every step there are cases that are actually reserved on every other entity that it is said it is going to offer contract in this County, I think as a house that actually supposed to legislate for all of us we are very passionate on protecting our women our sisters youth and disabled of this County, Mr. Speaker therefore I think the Chair therefore should be I a position as Hon. Leitore did put it to actually present the house whether he has this information with us and Mr. Speaker and Mr. Speaker I don't know why should we delay it up to tomorrow while he can give it today, Thank you Mr. Speaker,