

SAMBURU COUNTY ASSEMBLY



THE HANSARD

Thursday, October 17th, 2019

The County Assembly met at the County Assembly chambers at 2.30 a.m.

The Speaker, Samburu County Assembly (Mr. Lempere Solomon) in the chair

PRAYERS

QUESTIONS AND STATEMENTS

MCA Lodokejek Ward, (Hon. Jerias Leshoomo): Thank you Hon. Speaker. Pursuant to Standing Order 41(2) (c) I hereby request for a Statement from the Chairperson for Sectoral Committee on Labour, Social Welfare, Justice and Legal Affairs regarding the County Executive's staff audit.

Hon. Speaker Sir, Article 235 of the Constitution of Kenya, 2010 states that *a County Government is responsible within a framework of uniform norms and standards prescribed by the Act of Parliament for establishing and abolishing the Public Service, appointing persons to hold those offices or act in those offices and confirming appointments and exercising disciplinary control over and removing persons holding or acting in those offices.*

Hon. Speaker, the specific human resource audit functions are to determine the effectiveness of the human resource functions as it relates to the Samburu County compliance with state and federal employment regulations to analyze indicators and rectify any restraining forces that affects the County's ability to operate effectively and to identify any potential compliance issues that allows the County to defend its employment practice and policies challenged by agencies or individuals.

Hon. Speaker, early this year a human resource audit was conducted to review current human resource policies, procedures, documentation and systems to identify need for improvement and enhancement of the human resource functions as well as assess compliance with overcharging rules and regulations.

Hon. Speaker, there are persons employed by the County Government and are yet to be seen in their respective offices hence earning salaries on a monthly basis. One case for instance, Hon. Speaker, is Mary Ekai Kanyaman who was employed as an Advisor to the Governor on gender matters yet she draws a salary as a Director in the ECD section of the Education Department.

In view of this Hon. Speaker, the Chairperson should enquire into and report to this House on; -

1. Condition of employment of Mary Ekai Kanyaman
2. Qualification of Mary Ekai Kanyaman.
3. Findings of the Human resource audit report
4. Explanation of the legal fees paid to Mary Ekai Kanyaman court cases
 - a) Mary Ekai Kanyaman Vs County Assembly of Samburu the Case is in Nanyuki.
 - b) Mary Ekai Kanyaman Vs County Assembly of Samburu the case is in Nakuru
 - c) Mary Ekai Kanyaman Vs County Assembly of Samburu the case is in Nyahururu
 - d) Mary Ekai Kanyaman Vs the Speaker & the Clerk of County Assembly of Samburu the case is in Nanyuki.
5. Mary Ekai Kanyaman has never reported to work despite the appointment as an Advisor at the Office of the Governor.

The Speaker, (Mr. Solomon Lempere): Chairperson Labor, Social Welfare, Justice and Legal Affairs, when will the statement be ready? The Vice Chairperson because am not seeing the Chair.

Specially Elected MCA, (Hon. Asha Mohammed): Hon. Speaker, give us two weeks that is on 31st.

The Speaker, (Mr. Solomon Lempere): Two weeks is a long time for a Statement.

MCA Elbarta Ward, (Hon. Peter Lempei): Hon. Speaker, as a Member of that Committee, I am descending to the task ahead of us and knowing that there are facts needed at hand, I suggest that we be given one week because these are facts that need to be collected from an office. Knowing that today is Thursday and I do not know other business that we could be having, give us latest Thursday next week. That is one week.

The Speaker, (Mr. Solomon Lempere): The Assembly will be adjourning on Tuesday next week for a period of around 10 days. So, if it is anytime next week it should be Tuesday. Is Tuesday afternoon enough time?

MCA Elbarta Ward, (Hon. Peter Lempei): Mr. Speaker, I will take an undertaking to ensure that the Committee engages the relevant Department and ensure the Chairperson presents. I will take the undertaking to inform the Chairperson. I will also make sure that the facts that the Hon. Member has asked will be presented on Tuesday.

The Speaker, (Mr. Solomon Lempere): Okay we will be expecting the Committee to report to the House on Tuesday 22nd at 2:30 pm.

THE SAMBURU COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2019, 1ST READING.

A Bill for an Act of the County Assembly of Samburu to authorize the issue of sum of the money out of the County Revenue Fund and its application towards the service of the year ending on the 30th June, 2020 and to appropriate that sum by the County Assembly for the certain public service and purpose.

PROCEDURAL MOTION

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you Mr. Speaker, I request that the County Assembly exempts the Samburu County Supplementary and Appropriation Bill, 2019 on the provisions of Standing Order 119 (3) to exempt committal of the Bill to relevant Committees and public participation, thank you Hon. Speaker.

I request Hon. Leshoomo to second the Motion.

(Hon. Jerias Leshoomo bows to second the Motion)

The Speaker, (Mr. Solomon Lempere): Hon. Members, I now propose the question that the County Assembly exempts the Samburu County Supplementary and Appropriation Bill, 2019 on

the provisions of Standing Order 119 (3) to exempt committal of the Bill to relevant Committees and public participation, thank you Hon. Lempei

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you Hon. Speaker, I rise to explain the exemption of the Bill knowing the urgency of the matter at hand looking at the business in the Motion also knowing that we took the main Budget for public participation and that this is an extract of the main Budget.

Hon. Speaker, I would request that we exempt the Bill from that particular process so that we are able to expedite the business. They are businesses that were earlier on done in the main budget. Mr. Speaker, it will be proper for us to customize and handle it as a House because much of the business in the main budget had been done in terms of provisions of the Standing Order so that we are able to expedite the business without much ado, thank you Hon. Speaker.

(Question put and the Motion passed)

THE SAMBURU COUNTY SUPPLEMENTARY APPROPRIATION BILL 2019, SECOND READING.

Chairperson, Committee on Budget and Appropriation, (Hon. Peter Lempei): Hon. Speaker, I beg to move the following; THAT the County Supplementary Appropriation Bill, 2019 be now read for the Second time, I request Hon. Leshoomo to second the Motion.

(Hon. Jerias Leshoomo bows to second the Motion)

The Speaker, (Mr. Lempere Solomon): Hon. Members, I wish to propose the Motion; THAT the County Supplementary Appropriation Bill, 2019 be now read a Second time.

(Question put and the Motion passed)

The Samburu County Supplementary Appropriation Bill, 2019, a Bill for an Act of County Assembly of Samburu to authorize the issue of a sum of money out of the County Revenue fund

and its application towards the services of the year ending 30th June, 2020 and to appropriate that sum by the County Assembly for certain public services and purposes

SAMBURU COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2019

COMMITTEE OF THE WHOLE HOUSE

(The Speaker leaves the Chair. Chairperson Committee of the Whole House Takes the Chair)

Chairperson, Committee of the Whole House, (Hon. Benjamin Leitore): Order Hon. Members, let us bring the House into Order as we proceed to the remaining part of the Bill. I call upon the Clerk to read clause 2, 3 and 4.

2. The County Treasury may issue out the County revenue fund and apply towards the supply granted for the year ending on 30th June, 2019 the sum of Kshs. 6,802,165,441 and the sum shall be deemed to have been appropriated as from the 1st July, 2019 for the services and purposes specified in the schedule.

3. Appropriation in Aid. In addition to the sum granted by section 2, there may be applied for the several services and purposes specified in the third column of that schedule.

4. Appropriation of the Money granted. The supply granted for the year ending on 30th June 2020, in respect of the votes in accordance with the Supplementary Appropriation Bill, 2019

Chairperson Committee of the Whole House, (Hon. Benjamin Leitore): Hon. Members, I propose the question that clauses 2, 3 and 4 be part of the Bill

(Question Put and clauses 2, 3 and 4 passed)

First schedule. Code, recurrent expenditure

R 4211 the amount required in the year ending 30th June, 2020 for salaries and expenses of the County Assembly Kshs. 490, 297, 034

R 4212 The amount required in the year ending 30th June, 2020 for salaries and expenses of the office of the Governor, Deputy Governor, County Secretary and County Public Service Board Kshs. 472, 074 857

R 4213 the amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Finance, Economic Planning and Information Computer Technology (ICT) Kshs. 632,069,038

R 4214 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Agriculture, Livestock, Veterinary Services and Fisheries Kshs. 543,324,329

R 4215 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Water, Environment, Natural Resources and Energy Kshs. 167,841,279

R 4216 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Education and Vocational Training Kshs. 431,854,452

R 4217 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Medical Services, Public Health and Sanitation Kshs. 973,994,211

R 4218 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Lands, Housing, Physical Planning and Urban Development Kshs. 94,632,831

R 4219 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Roads, Transport and Public works Kshs. 108,288,766

R 4220 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Tourism, Trade, Enterprise Development and Cooperatives Kshs. 182,831,648

R 4221 The amount required for the year ending 30th June, 2020 for salaries and expenses for the Department of Culture, Social Services, Gender, Sports and youth Affairs Kshs. 172,301,086

Chairperson, Committee of the Whole House, (Hon. Benjamin Leitore): Hon. Members, I propose the question that R 4211 to R 4221 be part of the Bill.

(Question put and R 4211 to R 4221 passed)

Chairperson, Committee of the Whole House, (Hon. Benjamin Leitore): And Please Members make use of your microphones. I see most of you are responding to the question without using them. It is very important that your voices get recorded. Clerk to read sub-total

Sub-total for the first schedule is Kshs. 4,269,509,531

Chairperson, Committee of the Whole House, (Hon. Benjamin Leitore): Hon. Members, I propose the question that sub-total be part of the Bill.

(Question put and sub-total passed)

Second schedule

D 4211 The amount required in the year ending 30th June, 2020 for capital expenditure of the County Assembly Kshs. 80,000,000

D 4212 The amount required for the year ending 30th June, 2020 for capital expenditure of the office of the Governor, Deputy Governor and County Public Service Board Kshs. 18,000,000

D 4213 The amount required in the year ending 30th June, 2020 for capital expenditure for the Department of Finance, Economic Planning and Information Computer Technology (ICT) Kshs. 57,000,000

D 4214 The amount required for the year ending 30th June, 2020 for capital expenditure for the Department of Agriculture, Livestock, Veterinary Services and Fisheries Kshs. 349,841,292

D4215 the amount required in the year ending 30th June 2020 for capital expenditure for the department of Water, Environment, Natural Resources and Energy Ksh. 376, 947, 971

D4216 the amount required in the year ending 30th June 2020 for capital expenditure for the department of Education and Vocational Training, Ksh. 165, 364, 260.

D4217 the amount required in the year ending 30th June 2020 for capital expenditure for the department of Medical Services, Public Health and Sanitation Ksh. 381, 211, 046.

D4218 the amount required in the year ending 30th June 2020 for capital expenditure for the department of Lands, Housing, Physical Planning and Urban Development Ksh. 148, 372, 817.

D4219 the amount required in the year ending 30th June 2020 for capital expenditure for the department of Roads, Transport and Public Works Ksh. 680, 936, 333.

D4220 the amount required in the year ending 30th June 2010 for capital expenditure for the department of Tourism, Trade, Enterprise Development and Cooperative Ksh. 195, 482, 191.

D4221 the amount required in the year ending 30th June 2010 for capital expenditure for the department of Culture, Social Services, Gender, Sports and Youth Affairs Ksh. 75, 500, 000 only.

Hon. Members I now propose the question that D4211 to D4221 be part of the Bill. I now put the question that D4211 to D4221 be part of the Bill.

(Question put and passed)

SUB TOTAL

The Sub Total for the total expenditure is Ksh 2. 532. 655.910

I now propose the Sub Total be part of the Bill. I now put the question that the Sub Total be part of the Bill.

(Question put and passed)

GRAND TOTAL

The Grand Total for the Development and the Recurrent expenditure Ksh 6, 802, 165, 441.

Hon. Members I now propose the question that the Grand Total be part of the Bill. I now put the question that the Grand Total be part of the Bill.

(Question put and passed)

LONG TITLE

A Bill for an Act of the County Assembly of Samburu to authorize the issue of a sum of money out of the County Revenue Fund and its application towards the year ending 30th June 2020 and to appropriate that sum by the County Assembly for certain public services and purposes.

Hon. Members I now propose the question that the Long Title be part of the Bill. Hon. Members I now put the question that the Long Title be part of the Bill.

(Question put and passed)

SHORT TITLE

This Act may be cited as the Samburu County Supplementary Appropriation Act 2019 issue of Ksh.6, 802, 165, 441 out of the County Revenue Fund for services of the year ending 30th June 2020 and appropriation of the money granted.

Hon. Members I now propose the question be part of the Bill. Hon. Members I now put the question that the Short Title be part of the Bill.

(Question put and passed)

MCA Elbarta Ward, (hon. Peter Lempei): Thank you Mr. Chairperson. I beg to move that the Committee do report to the Assembly it's consideration of the Samburu County Appropriation Bill 2019 and its approval thereof without amendments.

Thank you hon. Lempei. I now put the question that the Committee do report to the Assembly it's consideration of the Samburu County Supplementary Appropriation Bill 2019 and its approval thereof without amendments.

(Question put and passed)

(House Resumes from Committee of the Whole House)

The Speaker, (Mr. Solomon Lempere): Hon. Leitore, Vice Chair Committee on Budget.

Vice Chair, (Committee on Budget): Thank you Mr. Speaker. I beg to report the Committee of the Whole House has considered the Samburu County Supplementary Appropriation Bill 2019 and its approval thereof without amendments.

MCA Elbarta Ward, (hon. Peter Lempei): Thank you hon. Speaker. I beg to move that the House do agree with the Committee on the said report. I request hon. Leparsaiya to second the Motion.

(Hon. Leparsaiya bows in seconding the motion)

The Speaker, (Mr. Solomon Lempere): Hon. Members I wish to propose the question that the House do agree with the Committee on the said report. I wish to put the question that the House do agree with the Committee on the said report.

(Question put and motion passed)

The Samburu County Supplementary Appropriation Bill 2019, Third Reading.

The Speaker, (Mr. Solomon Lempere): Hon. Members I wish to propose the question that the Samburu County Supplementary Appropriation Bill 2019 be now read a third time. Hon. Members I wish to put the question that the Samburu County Supplementary Appropriation Bill 2019 be now read a third time.

(Question put and passed)

The Samburu County Supplementary Appropriation Bill 2019. A Bill for an Act of the County Assembly of Samburu to authorize the issue of a sum of money out of the County Revenue Fund

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and its application towards the services of the year ending 30th June 2020 and to appropriate that sum by the County Assembly for certain public services and purposes.

Hon. Members the time being 15 minutes past four o'clock and there being no other Business, this Assembly now adjourns until Tuesday October 22nd 2019 at 2:30 p.m.

