

## COUNTY ASSEMBLY OF SAMBURU



### *THE HANSARD*

**Tuesday, 17<sup>th</sup> October, 2023**

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

*The Speaker, (Hon. Nareyio Stacy), in the Chair*

### **PRAYER**

## **PAPERS**

### **COUNTY BUDGET REVIEW AND OUTLOOK PAPER**

**The Minority Leader**, (Hon. Leleruk James): Thank you Hon. Speaker. I would like to table County Budget Review Outlook Paper.

*(Hon. Minority Leader tables the Paper)*

**Temporary Speaker**, (Hon. Stacy Nareyio): Hon. Members, The County Review and Outlook Paper stand committed to the Committee on Budget and Appropriation.

## **STATEMENTS**

**Temporary Speaker**, (Hon. Stacy Nareyio): Hon. Members, it is notified **THAT**, pursuant to Standing Order No. 45 (1) (c) the following tentative response for statements for Tuesday 17<sup>th</sup> October, 2023 have been approved:

1. Statement No. 9/2023 from Hon. Jeremiah Leitoro, MCA El'barta Ward. To the Chairperson Committee on Environment, Water and Natural Resources in regards to El'barta Ward water projects.

**Chairperson, Committee on Environment, Water and Natural Resources**, (Hon. Lemartile Francis): Thank you Madam Speaker. We received a response from the Department but we are not satisfied with the response given because the response was signed by a junior officer from Operation and Maintenance in the Department who is not answerable to this House.

Madam Speaker we request for deferment so that we send back to the Chief Executive Committee (CEC) so that he responds by Tuesday next week at 2:30 PM.

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): Thank you Madam Speaker, it seems that the Executive is not serious in their matters, the Constitution and the County Government Act are very clear; the statement is being addressed to the CEC of the Department, not a junior person

*(Applause)*

It is a high time that we show muscles to the Executive

*(Applause)*

Because they are taking us as I do not know what. This is a House of law, representation, oversight and we need every legislation which is there in place to be followed letter by letter, if it is the CEC to answer, then the CEC should answer. Madam Speaker we need your direction on how we can discipline the CEC, thank you Madam Speaker.

**The Minority Leader,** (Hon. Leleruk James): Thank you Madam Speaker, I rise as also as a member of Committee on Environment, Water and Natural Resources. I saw the response given on what Hon. Leitoro asked. Madam Speaker, however I am the Leader of Minority in this House, we cannot allow somethings to happen as asked. Members want to know the truth about what they have asked; somebody just gave us a one paged report, what is he or she trying to say to this House.

Madam Speaker we need your direction concerning this issue on water. As a House, we cannot continue however much we want to praise our Government. If the junior officers are not working the way, we want and the way the Honourable Members want. Today, we have seen a junior officer who signed the response, this has never happened and I think this is the first time a junior officer responds to this House as if we are answerable to them.

We want you to give orders concerning the CEC; that report should be in the *Hansard* of this House so that when we call her, she will be answerable on what happened and so that this House is not taken for granted. We will be asking so many questions, this House is not to just rubber stamp things that are not okay, thank you Madam Speaker.

**Temporary Speaker,** (Hon. Stacy Nareyio): Thank you Hon. Koileken. I request the Chairperson Committee on Environment, Water and Natural Resources to keep the Department involved on toes and ensure that they submit a substantive response for the Members.

2. Statement No. 2, requested by Specially Elected Member; Hon. Lenamatiyio Silapia to the Chairperson, Committee on Labour, Justices and Legal Affairs in regards to the legal representation at the County level.

Hon. Minority Leader.

**MCA Suguta Marmar Ward**, (Hon. Leleruk James): Hon. Speaker I have the response that Hon. Silapia requested from the Chairperson Sectoral Committee on Labor, Justice and Legal Affairs concerning legal representation at the County level. Madam Speaker, the Committee conveyed the request for the Statement to the County Secretary. On behalf of the Committee I wish to report the communication received regarding the above request. I beg to lay this response from the County Secretary; Reference is hereby made to your letter; Ref/SBU/CA/CK/VOL1/2023 dated 6<sup>th</sup> September 2023 and I wish to respond as follows;

1. **THAT**, the County Executive has legal representation under the office of the County Attorney as established Pursuant to the office of the County Attorney Act 2021 which was operationalized in November 2023.
2. **THAT**, we acknowledge the office has only one legal person of yet County Attorney, However the County Executive is in the process of staffing the office by employing additional staff as per the office structure and has budgeted for a Director position this Financial Year 2023/2024 as per the attached annexure.
3. **THAT**, additionally the office has been allocated operational budget as per the annexure.

Hon. Speaker the office of the County Secretary remains available for further clarification or information. Signed by the County Secretary. I do not know if the Members asked all the Statements because there is a breakdown of the budgeted amount that are in that office so I beg to table the report, thank you Madam Speaker.

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): Thank you Madam Speaker. I have a great concern about this division, the office of the Attorney if you go to the National Level there are three arms of the Government who are very crucial for administration of any Country and that is why I say this office is very crucial, many of our Bills and Acts are parked, putting this House to be inactive, it is not doing anything.

Since the Assembly started there are several Acts and Policies in place but due to the laxity, inactiveness or arrogance of this Department it has extended that this Assembly is doing nothing. That is when we take stock of what this Assembly is doing, I have got an opportunity of attending a training with Attorney but she seems to not know her work that the work of

applications of anything is for this Assembly, the work of execution or implementation is for the Executive but her work is interpretation.

What is there is according to the Constitution, the Act and regulations and seeing whether the comas or the full stops are there but the ideas is ours and now sworn here and if she was very much competent she would have equipped herself with enough staff so that this Assembly will work timely and swiftly to whatever activities or issues brought to this Hon. House.

My feeling is the response is very shallow and we need to summon the County Attorney here for much clarification because now it is a third person who is answering and we need from the primary person who is the first person, thank you Madam Speaker.

**Specially Elected MCA, (Hon. Nakinyi Jane):** Thank you Madam Speaker. I am seeing some figures here on the same Statement that a Member of the County Assembly asked and I can see that there is a lot of figures knowing that in the office of the County Attorney it is only one person in the office, is this budget for her office or for I do not even know.

I am not sure of it but is only for one office surely if one officer can consume 25 million in a year and when you see the distribution of this amount of money there are somethings that are repeated severally, if you see the purchase of office furniture it is written several times, if you go and see clearly there are many things repeated twice and remember this is the budget of a half of the year of 2022 and 2025 totaling the amount of 250 to 25 million.

If you look at 2023/2024 the budget, we have currently the same officer uses 15 million and I wonder if we have to furnish this office every year. We do not know whether this furniture is consumable, I see there is loophole of losing County money and we have a lot of problems in the County. We do not see the work of the Attorney as said by my colleague from Nachola Ward especially pertaining the legal matters of the County that we needed her to assist in the Executive and in the Assembly.

We need to know much about this office because there are many fishy things going on and if it is the officer who signed this Statement to come and answer for it. Then he should appear and tell

us why this amount of money is being used yet we do not see the work of that office. For that I need more clarification and it is not satisfying at all, thank you Madam Speaker.

**Temporary Speaker**, (Hon. Nareyio Stacy): Thank you honorable Members. I would like to request the Chair for Labor, Justice and Legal Affairs committee to push the County Secretary to state the exact time that the recruitment of the Legal Affairs staff because it is now one year down line and we have only one staff in that office. So we request that he should state the exact time of the recruitment.

We also urge you to ask the department of legal affairs to appear before the house and explain the figures indicated in the statement. I have also gone through the figures but I do not understand them. I do not understand how a single department can consume all this money therefore I request them to appear before this house and explain.

Statement number 15/2023 requested by Hon. Mohamed Asha to the Chair, committee on Culture, Gender, Youth and Social Services in regard to women empowerment in Samburu County.

**MCA Baawa Ward**, (Hon. Lenanguram James): Thank you Hon. Speaker. The Hon. Mohamed Asha requested for a statement from the Chairperson Sectoral Committee on Culture, Gender, Youth and Social Services in regard to women empowerment in Samburu County. The committee conveyed the request for the statement to the CECM in charge. Hon. Speaker, on behalf of the committee, I wish to report the communication received regarding the above request. Madam Speaker I beg to read the report for the CECM. Thank you.

In response to the letter reference SBU/CA/CK/CGSS/VOL5/23 dated 8<sup>th</sup> September 2023,

1. As the statement budget allocation for women empowerment. The allocation for women empowerment initiative for the financial year 2022-2023 was Kshs.3.4M that facilitated the following women empowerment activities for the financial year 2022-2023 as outlined:

- a) Marked International Day of Gender Activism. Sixteen days of gender activism. That its impact is to increase awareness of gender-based violence. That cost Kshs. 894,000.
- b) Village savings and leading association training. Its impact is women socio-economic inclusion and increased access to economic resources and opportunities. That cost Kshs. 424,100.
- c) Judea Share out and VSLA training on groups leaders. Its impact is for women economic inclusion, increased access to economic resources and opportunities.
- d) Women training on group dynamics and IGS that increases women's access to opportunity productivity skills and market information. That cost Kshs. 521,118.
- e) Ward women empowerment costing Kshs. 880,100. That sum up to Kshs.3.4million.
- f) The village savings and lending models field survey. In model that in women-led and participated through group savings. Its aim to empower participants to increase access and use collective power to overcome social and financial barriers.

Note that women empowerment initiatives are mostly funded through Ward Fund that is overseen by the Ward MCA.

The answer for question two whereby the question was asked, programs or projects were funded through this allocation. So the answer for that question two is following outcomes/impacts were realized by improve saving culture of women groups in Samburu County. Increased income. Improves livelihood that is nutrition, clothing etcetera. Improves capacity to meet requirement like medical and education. Increased assets accumulations notably like furniture for home, radios and mobile phones. Improves social network and capacity to take up leadership roles as communities led by VSL Members. Improves self-esteems and control of household resources especially by women.

The answer for question three that was asked about the mechanism place with the department of culture gender and social services, so the answer is that the Department of culture gender and social services get reliable and consistence feedback from village agents on how women empowerment through VSL is carried out. Technical Report were also submitted to the office once the activities is done. Follow up and supervision is also done especially during the chair out

period where beneficiaries gives feedback and a road map in a constantly drawn, monitoring and evaluation officer attached to the department gives regular status and progressive Reports.

Question four reads how actively have relevant stakeholders including women organizations, civil society groups and the Department of culture gender and social services being involved in the planning? And the answer is that the Department work closely with gender sector working group which is not limited to civil society organizations, women organizations but all stakeholders. The extensive work of GSWG includes;

Convene quarterly meetings of GSWG, conduct quarterly review meeting, receive and deliberate on annual work plan of each stakeholder fore purpose of cooperation and coordination at County level, harmonize gender related activities to avoid duplications in the County, developed joint implementations strategies for similar gender related work.

Receive and deliberate on progress of joint programs and gives recommendations on the improvement of the implementations of such activities or programs. Ensure and adhere to gender responsive building, make policy and programs, recommendations through the steering committee to intergovernmental forum on gender and contribute to joint knowledge management by sharing and documenting being practice in gender sector. Thank you Madam Speaker.

**The Speaker,** (Hon. Nareyio Stacy): Hon Asha are you contented with that Report?

**Specially Elected Member,** (Mohammed Asha): Thank you Madam Speaker, though not satisfied with this Statement again. If you see number five, Ward empowerment, 880,100, this is not what I asked and also Madam Speaker if you see the response of answer to question number two, Women empowerment initiatives are mostly funded through the ward fund that is overseen by the ward M.C.A, I did not ask for ward fund for the MCA, I asked about the Department. What the department does with the Money that the Assembly allocated?

So though not satisfied Madam Speaker, I think I will let this go for now but next time when we asked questions, let the Department answer what they have been asked. Thank you.

**The Speaker,** (Hon. Nareyio Stacy): Hon. Jane



**Specially Elected Member,** (Nakinyi Jane): Thank you Madam Speaker, thank you Madam Chair Women coeres, for me I will not say go, just to give up because of the statements and the answer of the Department. Am really not satisfied with what the Department has answered and I want the Department to go back and rethink and answer the questions the way it was asked.

About the Women empowerment funds, the way she has written here the Ward Women empowerment 880,100. We need to see what does even that Ward has to do with the empowerment? What activities do they do with the empowerment? Because if we just leave that way, then it means we just allocate the Money activities we do. Secondly, am not confused about the photos which the officer has sent to or has given as the evidence for Women Empowerment.

If it were really me I could have asked the officer to come here and bring the real photos we do not want black and white confusing if I can see this picture, I is more less agriculture not women gender and culture these photos if you see the second last photo you are giving us pictures of agriculture.

We do not know if this officer went to bring the photos of other department and put it here and cast in this report, people are taking madam Speaker Assembly for granted they are really demeaning our work. So for me I would rather ask the officer the chair of Gender and Culture to tell the officer concerned as a vice women focus chair am not satisfied with the report, currently Madam Speaker we are on our toe being asked by women there in the community, that we were selected to come and represent them.

There is this thing called Maendeleo ya akina ama ama Maendeleo ya Wanawake and this activity, this money is supposed also to assist these women because they are doing a lot to the community. We are not seeing anything about women here instead we are seeing other things we are not sure whether these trainings are for these women or it is another department or it is a long time pictures so am not convinced about this report Madam Speaker; I need this one to be repeated once more. Thank you or the officer herself come here with all the reports we need to see even those people who have attended those meetings for the women because we are being challenged by other women and we do not need to cheat them always people see that we are not doing anything because of the department thank you Madam Speaker.

**Temporary Speaker,** (Hon. Nareyio Stacy): I would request the chair Gender to kindly elaborate the pictures that are on the report because members are not they are not really getting what the pictures entail and when they are taken, they could have even taken it last year and they are bringing it to the report so I would really want you to clarify on the photos that I am seeing here.

**Baawa Ward MCA,** (Hon. Lenanguram James): thank you Madam Speaker even me I do not know how you can elaborate because they have not indicated even dates for the event, so it is very hard to elaborate this pictures thank you.

**Temporary Speaker,** (Hon. Nareyio Stacy): Honorable Lorunyei

**Nachola Ward MCA,** ( Hon. Lorunyei Jeremiah): thank you Madam Speaker being a member of the committee Madam Speaker we need to know the scope of empowering women, where it starts and where it ends Madam Speaker because if we can empower our women on livelihood, nutrition and clothing that is empowerment or Madam Speaker if it is like in medical and education that is empowerment or on communication when they have radios and mobile phones that is empowerment Madam Speaker and also this agriculture we are empowering the women to be self- reliant to access facilities or assets or like any or like the other gender.

Even you getting to trainings it is just empowerment that is making her informed about her rights and everything that is why I am saying I do not know the scope whereby we are to start from this and then stop at that. Like now ward women empowerment there are many members of the wards through their ward fund they have allocated some money to empower the women.

I just ask the Honorable Members unless because if the question is very general we cannot get the right answer but if it is specific about empowering women from this level to that level I think the answer is... I request the Honorable members but about the pictures yes it can be listen a is mistake that she has not put the right photo, like now we wanted the colored also because board members like myself we cannot see very well in white and black but the colored ones at least... and then the dates there might be a mistake on the dates but Madam Speaker the question was about 3.4 Million and it has been distributed it has been explained I details I do not know the scope of empowerment but as the owner of the statement who asked the statement she has given

the ok although not 100% maybe it was 99% or 95% she said that it is ok but if the other members (*laughs*) I say it is

**(Point of Order from Honorable Asha Mohammed)**

**Temporary Speaker, (Hon. Nareyio Stacy):** What is your Point of Order Honorable Asha?

**Specially Elected MCA, (Hon. Mohammed Asha):** Have not said that I am satisfied, Madam Speaker.

**Temporary Speaker, (Hon. Nareyio Stacy):** ok go on Honorable Lorunyei

**Nachola Ward MCA, (Hon. Lorunyei Lawrence):** ok thank you but at least to a certain level you have given in and if any other Member have a question let the other Member ask a new statement so that we can respond the statement according to that order thank you.

**Temporary Speaker, (Hon. Nareyio Stacy):** Honorable Lorunyei I think the member from, the Honorable Jane is also from part of the women caucus so she has all the rights to say that she is not satisfied with the report and also the chairlady of the women caucus has stated that she is not satisfied so the committee should really look into the matter, Honorable Lemantaan

**Waso Ward MCA, (Hon. Lemantaan Kelvin):** thank you Madam Speaker I also read the report for the feedback and it does not look satisfactory. So maybe we would like the CEC or the Department to repeat and also clarify or give us the breakdowns of the figures because we would like also as part of our oversight job to make sure the figures or the amount are going to the right people, thank you.

**Specially Elected MCA, (Hon. Lenyakopiro Charity):** thank you Madam Speaker as Member of the Committee Culture we cannot give full justification of this report because it has been done by the Department and if the Members are not satisfied we cannot force them to be satisfied, thank you Madam Speaker.

**Specially Elected MCA, (Hon. Jane Nakinyi):** Madam Speaker, once more, I would like to tell Honorable Lorunyei that despite of the breakdown because she says that the 3.4 million has been

done very well distributed but Honorable Speaker, what makes me so much suspicious about this report, I can only see it is only the report of one place called Lulu.

If you read the report madam Speaker, I really wonder whether women empowerment fund is only given to one Ward and one place in Samburu County. I really wanted to see that even if it is little hundred thousand which is given by the department how was it distributed well, which means the officer is also biased Madam Speaker.

So, I am insisting, she needs to write a proper report and come back and give to us because we are really concerned about these women empowerment. Thank you, Madam Speaker.

**MCA, Suguta Marmar Ward**, (Hon. Leleruk James): Thank you Madam Speaker, as leader of minority, I would also like to urge Honorable Members that before tabling of these reports of such kinds, the Committee through their chairman must agree and come with an exhausted report so that when we come to the House...the owner of this report is the culture department and as a leader of minority I have seen the department has really tried, this is the second time I have seen this report and this time round they have given you even some pictures showing they did their work.

I am seeing this one report on gender, around 16 days of activism, they have given the report and also, I have seen in that picture there is a label showing there is that program that is going on. So, to me I just ask the Honorable Members, the department and the members concerned, if you have any enough issues that you have to raise within concerning these documents or these report, you must substantiate what you want because the department has really tried and I want to be guided by Madam Speaker, so that this is the third time that now we are referring this matter to the department.

So, it is good you give a direction because to me I have seen they have really tried, this is the best report that I have seen against the others that I have seen people are trying to give out because the breakdowns are there, if you want the breakdown. We have not asked for the breakdown to be given. They have given their budget, now today it is not budgeted, we are now saying about the pictures, the pictures can be provided.

So, I think if the Committee will go and agree then they bring to the House so that we cannot come and just argue some issues that are well clear because to me, I can confirm it has been done in my Ward. So, to the department that women focus, go straight to the point, if there are issues that have not been addressed, most of you are in that department, so I do not see the reason why we should take this report back to the department.

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): Madam Speaker, I still repeat that it has been well... the details were given. If you go to the attached reports; (1) about The Judea, VSLA share out and training of VSLA's.

“The VSLA has been running in all Wards around Samburu Central since 2020 to date but this year, 2023, it has expanded to parts of Samburu North and Samburu East”. Madam Speaker, I think that lesson has spread although it is a continuous. So, I just beg Honorable Members, we ask other additional questions so that we move on instead of mark timing in one place. Thankyou madam Speaker.

**Specially Elected MCA**, (Hon. Nareyio Stacy): Thank you Honorable Lorunyei, I would direct that chairperson Committee on Gender, Honorable Lenanguram to invite the department on gender and culture to come before the House to face the women conquers because it seems they are not satisfied with the report especially the sectorial ones because they are saying that it is more of agriculture of which I can see, actually myself I sit in that Committee and I can see it is more of agriculture.

So, I would request you to invite the Committee headed by the CEC, (Chief Executive Committee) going down to come and clarify on the issues and to also face the Committee on Gender to clarify on such issues.

I would also like to give a direction to the chairperson Committee on Labour, Justice and Legal Affairs to table a good report pertaining the statement on 31<sup>st</sup> October 2023 at 2:30PM, the earlier statement.

## **9. THE SAMBURU COUNTY FINANCE BILL 2023**

### **Samburu County Bills (3)**

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**First reading**

An act of the County Assembly of Samburu to provide for the imposition or variation of various permit fees, cess, licenses or charges and for connected purposes.

**Specially Elected MCA**, (Hon. Nareyio Stacy): Honorable members the Samburu Finance Bill 2023 stand committed to the Committee on finance, economic planning and marketing.

**ADJOURNMENT**

Honorable Members, the time being 26 minutes to 4 O' clock and there being no any other business, this Assembly now adjourns until Wednesday 18<sup>th</sup> October 2023 at 9am.