

**COUNTY ASSEMBLY OF SAMBURU**



**THE HANSARD**

**Tuesday, 20<sup>th</sup> February, 2018**

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

*The Deputy Speaker, County Assembly of Samburu (hon. Jonathan Lemoosa) in the Chair*

**PRAYER**

## STATEMENTS

### DELAYED DISTRIBUTION OF RELIEF FOOD

**Leader of Majority**, (hon. Christopher Lentukunye): Thank you hon. Speaker, I wish to read the responses from the County Secretary concerning the questions posted as follows:

“Your letter on statement dated 5th Feb, 2018 referred, forwarded are the responses on the above mentioned subject for your perusal and necessary action”.

In the response from the County Secretary which I am reading, “my office acknowledges receipt of the letter regarding request for statement from the member for Wamba West ward, hon. Leitore, pertaining to the delayed emergency food distribution. While this is regretted, I hereby provide the following responses to the question as raised by the hon. Member as follows:

1. Whether there is any emergency relief food in possession of the County Government and when was it received.

*Response:* County Government is in possession of 14,400 bags of 50kgs each which is equal to 720 metric tons of maize.

2. Why was relief food bought if any and whether it is meeting its intended purpose?

*Response:* the relief food was bought to cushion the vulnerable house-holds against effects of looming drought. Despite the delays, the food will still serve its intended purpose because of the drought circle.

On 11<sup>th</sup> Nov, 2017, Samburu County received rains and the situation changed until now. Apart from small pockets, the on-going assessment puts the county on stressed levels. We technically distribute food at alarm and emergency face-off.

The department of Disaster and Risk Management has embarked on the process of developing prerequisite legislation and structures to deliver its mandate. However, lack of sufficient resources is affecting implementation of the department work-plan. The department would like to site a few examples in which it played its role as articulated in the County Disaster and Risk Management Act, 2014.

In 2017 April to May, the department through the County Steering Committee managed one of the most successful County Integrated Emergency Response in the History of the County bringing on board key County Departments and partners with

Agriculture, Livestock and Veterinary, Trade and Cooperatives, Public Works, Water and Irrigation, Governor's Office, Youth and Social Services, County Assemblies partners with WFP, NDMA, Ministry of Interior and National Coordination, Caritas, KRCs, Child Fund, BOMA project, Feed the Children, FADP Etc. to prepare and implement the County Drought Response Plan 2017. The drought response plans included relief food distributed for 121 beneficiaries. Maize which is equal to 720 metric tons of beans. 100 metric tons of maize and 180 tons of beans. Oil was also given of 40.5 Metric tons. Destocking of more than 1000 cattle worth more than 20 million and 3500 shoats equal to Kshs.7 million distributed of meat. Water trucking to communities, subsidy for 262 households and institutions. Cash transfer an estimated over 40 thousand households. That is over Kshs.360 million. Food for asset for 20,621 Household estimated over Ksh. 185 million.

Further, the department in Coordination with other arms of the Government has been coordinating peace building and cohesion. The drought cycle however, we have planned distributing as soon as we received oil after 20<sup>th</sup> February 2018 when the tender documents will be open. The tender procurement was delayed because the company which won the tender to supply the oil reigned on its commitment to supply from January 2018 and the procurement process began afresh as per the law.

3. If any, which type of food and what is its value. White maize was valued at Ksh. 18,432,000 for 14,400 bags of each 50kgs which is equal to Ksh 1,280 per bag.
4. Why is relief food always delayed to be distributed to the public in affected areas? Doesn't this lead to an increase in aflatoxins leading for it to be unfit for human consumption? The response indicates that in 2017 the distribution of food was delayed because the National Cereals and Produce Board didn't have part of required stocks of 180 metric tons of beans in Maralal had to mobilize the delivery of requested quantities from their other storages outside the County. It took them months to deliver beans and we had to begin distribution without beans. However, all the beans were distributed later. In 2018 from 16<sup>th</sup> January 2018, the food distribution was delayed because WFP the County Partner is unable to give feedback on its readiness to handle the food until 23<sup>rd</sup> January 2018 citing internal logistical challenges. Another reason contributing to the delay is inability by the company selected to procure oil coming back in February 2018 to turn down the supply contract

forcing the County Government procurement to begin the process afresh. The tender document for the oil will be open on the 20<sup>th</sup> February 2018 meaning the supplies will be expected the following week on 26<sup>th</sup> February 2018 and general food distribution projected to begin on the first week of March 2018. The Disaster Management department considered all options available and found the alternatives not logistically and financially feasible. The department did not have the required capacity and resources to carry out the distribution without the partner. If the County decides to distribute the food without the partner means it needs to ask for an extra budget to cover the required human resources and logistics like advertising and hiring the food monitors, advertising and procuring the storage facilities, advertising and procuring transport running for about 40 million. While in agreement that delays in distributing food risks food developing aflatoxins the food is always subjected to food quality assessment test by WFP before distribution. WFP procures a private company to conduct food quality test before distributing.

5. Why has the department established the act not acting on its roles as provided and ensure mitigation of drought before it happens. The response states that despite the above challenges, the department would like to clarify that disaster management or drought mitigation is a shared function between the National and the County Government. Drought mitigation and response cuts across departments with some departments having responsibility to enhance food security, sustainable livelihoods and resilience building. The work of the department includes development of legislation or policies, strategies and disaster management tools such as the County Disaster strategy, hazard maps and structures as provided in the County Disaster Management draft policy that is December 2017. The activities strengthening linkages with community based structures, County Administrators offices, Sub County ward administrator's village councils and conservancies structures and Ministry of Interior and coordination of National Government together in putting in place conflict preventive measures and disaster response mechanism e.g. distribution of food water and peace building activities. Alongside these programs, the departments in collaboration with the NDMA has spearheaded the County planning and execution of drought rapid assessment leading to the preparation of drought response plans in 2017 and ongoing plans for 2018 as discussed on 16<sup>th</sup> February 2018.

In a meeting chaired by his Excellency the Deputy Governor, this process has on board all County Government National Government departments and development partners. Finally, we regret the many challenges and undesired situation at the moment, thank you Mr. Speaker.

**Ndoto Ward MCA**, (Hon. Raisy Letura): Thank you hon. Speaker. I thank the Majority Leader for the response. The response is timely. They have treated the matter as urgent since it was asked on Thursday. However, I have some concerns on the responses. This is a matter that needs serious attention. It is either the department acting casual to the responses needed by the House or they just do not care on the plight of Samburu North and East. We are from these areas and we understand the situation on the ground especially Samburu North such as Suiyan. We have been to these areas a few weeks when there was a raid that left the people living there in a very bad situation. This House wanted to know exactly when the food was bought in order for us to know whether the Executive understood the role of the emergency food.

It is very clear in the first statement that asked the time the food was bought. However, in the response, it was evaded. Whoever answered this statement could not even state the time the food was bought and the time it is still staying in the silos of Maralal awaiting distribution. Personally, I doubt whether that food is there. The moment the Executive won't say the day the food was bought, then we develop some questions that need to be answered and need to be addressed.

In the question that read, 'why was the relief food bought if any and whether it is meeting its intended purpose'? this was the response, 'despite the food will still serve its intended purpose because of the drought circle. On 11<sup>th</sup> November, 2017, Samburu County received rains and the situation changed tremendously, and up to now, apart from small pockets...'

Hon. Speaker, I draw you again to website of NDMA and I quote, NDMA advices government especially on issues to do with distribution or emergency responses for that matter and I wish to thank the NDMA, Samburu chapter for advising correctly and everyone who cared to look on what was on the website, they have even gone ahead and publicized in their website on what was to happen in Samburu county.

NDMA did produce a disaster notification services on January 2018 bulletin and issued a warning. The CS is saying on November, there were a lot of rains that made them think otherwise yet even now we have parts of this county that are affected by drought.

Part of their warning was depleting pasture which has resulted into early mitigation in search of pasture and the drought will lead to low milk production, likelihood to increase of malnutrition cases. In terms of trade it will lead to low purchasing power hence poor trade diversity.

Thirdly, there will be likelihood of further trekking distances as water diminishes till onset of the next season.

I can attest to this House that several schools in Ndoto ward have been closed for example Seren primary and dispensary too. There is no water, even as at now. I am also aware parts of Nyiro that are in dire need of water. Since January no tank of water was taken to those areas. Coming to the issue of food, it is a shame that we have food in the store and we do not know when it was bought but I wish the committee of this House can ascertain the right day the food was bought and placed in the stores. I can tell you it was somewhere July or June. What is that food doing from July and what was its intended purpose? Suppose the food was going to save a Samburu child, do you want to tell us that no one would be alive today? We are being told that there are issues of tests but someone is incompetent or sleeping on the job. The community is aware that the last time we did food distribution was February last year. We only did it once and we don't know where the rest of the food went. We are going to Serian telling Samburus that we are going to do food distribution every three months. We had difficult time doing our campaigns as we were told we have been on air promising food every one month as well as livestock off-take.

Look at the kind of food being bought for emergency purposes. We are told there is 720 metric tons of white maize. How can a two-year-old child consume white maize where there are no beans that can supplement the nutritional value of the maize. We are told that oil has not even been bought till now. The other day, we were in Archers Post while undertaking the CIDP and we asked the same question. We were told that food will be distributed in the next one week. It is now one month down the line. It is even shameful to those who are supposed to implement this. H.E the Governor, while addressing the House and it is in the Hansard

record and his speech, said that food will be distributed next week but now we are told that they don't know if food will be distributed in March. Maybe there will be rains by then. Someone said that we might be told that the food cannot be consumed due to aflatoxins or maybe find its way to some traders in Maralal or elsewhere.

This should be taken seriously. The answer provided to the House by the Leader of Majority and wherever the response came from is not sufficient to answer the cry of the people in Samburu North, East and parts of West Sub-county. We need to know the truth of this matter as an assembly whether the food is there or not. So that we know if the handlers are incompetent and the food has already been sold and we are waiting for the second consignment. It is high time that the House must wake up and work for Samburus. It can only be done by us taking serious measures that will force the executive to work for the people of this County.

The Committee should be formed immediately to see if the food is there and how it can benefit the Samburu child. We also should summon those in charge of the food and I don't know if there is someone to give nutritional advise but as a medic I can advise that you cannot take maize and you are trying to deal with malnutrition and targeting the elderly and the young who cannot consume the maize in places where there are no milers to get flour for the kids. Thank you.

**MCA Suguta Marmar Ward**, (hon. Shadrack Lesoipa): Thank you Mr. Speaker. I stand to join the Member for Ndoto in expressing my displeasure on the response provided on this matter. As Members of the First Assembly, we questioned the quality of food supplied to our ECD centres and I thanked the concerned who took action and bought food that can be consumed by small children. They were previously given maize but I think they have rice and other things now. Those who care for their people would not provide white maize and purport to be responding to drought emergencies.

I also thank the First Assembly who saw the need to create the Department of Disaster Response to enable it to deal with emergency issues. To my surprise, the purpose that we thought the department was to help is turning to be a mystery.

I remember the other time that maize was bought but delayed in the stores only to be told that it was not fit for human consumption. I see the same happening and I ask the House to take early measures. We should move fast by forming an *ad hoc* committee to investigate this.

To my knowledge, this food was bought on July last year around the time when we had severe droughts in parts of the county. We were told the food was not distributed because it rained on November. We expect rains in early March and we will be told the same thing and by June, aflatoxins will be there. We should physically verify if the food is there. We were also told that the company that won the tender, the WFP, has logistical challenges in distributing the food. If the company won the tender and it is unable to supply, what are you telling the people of Samburu?

I remember us putting a big amount of money, over Shs. 100 million, in this department for that purpose. We did a program in June which, unfortunately, stopped there. We slaughtered some animals and provided food but up to now, nothing happened. It is a program that is supposed to run every month. I asked myself, have we been doing a PR program?

There is an issue that hon. Letura mentioned that happened in Suiyan. It was a disaster but when we called the department but we were subjected to procurement rules. This will lose meaning and it should be left to the respective department to handle it. If it is food, the Agriculture department should handle it. When the Disaster Management department came in, it had some quick responses but if it is subjected to the same procedures seen here, we will not move. The livelihood of the people of Suiyan have been driven away, the elderly left without food or shelter and others are mourning the dead while sleeping hungry.

It was mentioned that this is a responsibility shared between the county and the national government. We can as well move as leaders and approach the Administration Police and fuel their lorries. The NDMA also have lorries and the food will reach the destinations in time. With the issues of procurement and logistics, I am seeing us not saving lives when needed. We cannot subject the lives of our people to unnecessary technicalities while the Assembly is providing budgets for all that. Let us stand together and make sure that people are provided with food which is the basic human need on earth. We cannot have a productive society or children going to schools while hungry while food is in the stores. The nutritional value of the food should also be checked if it is fit for the elderly and the young. Thank you.



**MCA Maralal Ward**, (hon. Fred Kiragu): Thank you Mr. Speaker. I wish to contribute on this unfortunate scenario. The answer given is not satisfactory. In a disaster, things are done usually but in an unusual manner. The answer we have here shows it like a normal procedure of procurement and others. It does not carry the meaning of the day.

We cannot continue treating our people like chicken giving them dry maize whenever there is a problem. It would have been better if the maize was grinded and people given as maize flour. It is time we changed to rice or maize flour.

It is either that the department has decided not to learn because, as recent as last year, maize was destroyed because it was unfit for human consumption. I saw it on the papers but they should have learnt that they should not purchase when they are not ready to supply.

We are going to have rains in a week or two. What should we do with this maize? Will it wait or land in places not destined for? This is what the House should be thinking about. It is even worrying that this maize might not be there. Also, you cannot purchase food and then request for testing. This should have been done at the point of purchase. This arrangement is also prone to suspicion. Unless we still want to continue wasting county funds and destroying food.

I think next time we have reports; the pages should be numbered for easy reference. In page 17 where it says what the department has done was not necessary for us as we did not question them on this. Ours was questioning why food is in the stores while people are dying? The answer says that the food will serve the intended purpose but it is not going to serve those who have passed on. You cannot deny someone food for six months and still say it will serve the same purpose. Some might even be too weak to eat the maize.

I don't understand why WFP is mentioned every time. Even when we were in Archers Post and the officer in-charge told us that it was going to take about a week or two to distribute the food but now it is two months. Is there seriousness? This Assembly is going to fail in its duties if our people are going to continue suffering this way due to the procedures mentioned in this answer. As the hon. Lesoipa has said, they should either shape-up or ship-out. I thought I would see vehicles running from NDMA offices and Cereals to Suiyan area. There was nothing and the food is still in the stores. People are mourning, their animals are gone but the food is still in the stores. The Members who went there were begging for foods from

shops to take there. I saw hon. Leparsaiya moving from one shop to another begging for *posho*, rice and others.

To conclude, we cannot be told of someone who won a tender for cooking oil and has not brought it up to now. In an emergency situation, it should have been cancelled and food purchased through the shortest means possible. Every auditor should understand what an emergency means. If an emergency occurs here, you will find us going through those glass windows and this is what the department should have done. You cannot tell us of Shs. 40 million that would have been used to transport while we have vehicles running here up and down. What would have been the problem if 10 Fortuners that the County government has would have run to Suiyan full of maize flour. Did we seek assistance even from the missionaries? If there is no sick person; the ambulance would also transport food. That is what happens in an emergency. This House should wake up and protect the populace of this county. Thank you.

**Specially Elected MCA, (hon. Josephine Lesilamba):** Asante Mheshimiwa Spika. Hapa tuko na mchezo wa paka na panya ambapo panya humia. Tungependa kuelezwa kama kuna chakula au la na pia ni kwanini wananchi hawajapewa chakula hadi sasa. Waswahili walisema kuwa, tumbo lililojaa halijui lililo na njaa. Hatutaki mchezo. Ikiwa pesa ziliwekwa kwa ajili ya wananchi basi chakula kitolewe. Hatutaki kujua mambo ya procurement na logistics. Walipokaa kupanga chakula cha wananchi walipanga hadi vile chakula itawafikia wananchi.

Hatutaki kurembesha galani na vyakula ilhali wananchi wanaumia. Tulipokua Archers Post, tulijua kuwa waheshimiwa wa bunge la kwanza walikua wametenga pesa hizo, ni miezi saba sasa zimepita na wanatuona kama sisi ni watoto. Tunataka tujibiwe kulingana na maswali tulizo uliza. Asante.

**Specially Elected MCA, (Hon. Zamzam Ismail):** Thank you Mr. Speaker Sir, we know that there is looming hunger and drought. We want the best for our people. There are questions that have been asked whereby we see a lot of shortcomings. We have sectoral Committees that are the backbone, platform and the foundation of development. The sectoral committees are really sleeping. They have the powers to summon any state officer. If there was

commitment, we would be discussing about more developments and not asking past questions.

Funds were allocated to various departments, there is no follow up made by the Committees, they are reluctant yet they are the foundation of development and the bloodline of development in this County. I urge the committees to be serious and ask questions on where the funds are going. Lastly, I beg the House to wake up, the sectoral committees blood is not pumping, thank you.

**Specially Elected MCA, (Hon. Osman Dube):** Asante sana Mheshimiwa Spika, tume shangazwa sana. Chakula imekua kama dawa katika Kaunti hili. Imekua ni kama dawa ambapo daktari husema meza kiwango hiki leo na kesho, ukipitisha utakufa. Wananchi wameanza kuisha. Chakula ikiwa mbele yako utapatwa na tama hata ni bora ikosekane. Tunataka chakula ifike kesho. Hii si chakula ya kurembesha nyumba kama vile akina mama hufanya. Kati ya walemavu, kuna wawili ambao walianguka na tukawapeleka hospitalini, walipopimwa ikaonekana kuwa ni njaa iliwalimaliza. Ikiwa wale ambao si walemavu wanalia, je sisi? tumekwisha.

Hatujakuja hapa kulala, tumekuja kufanyia wananchi kazi. Wale waliochaguliwa kwa kura walisema watafanyia wananchi kazi, sisi tulioteuliwa tukakubali kuwa tutawasaidia. Ikiwa chakula hiki hakina msaada, litolewe kabisa. Sisi kama waheshimiwa tungekubaliwa kusimamia wadi zetu ikiwa hakuna namna. Tunaunga mkono kubuniwa kwa kamati ya uchunguzi. Hatutaki mchezo wa karatasi hapa. Hilo ndilo ombi langu. Asante.

**Specially Elected MCA, (Hon. Roselyn Lesaibile):** Thank you Mr. Speaker, I support the hon. Members who stood before me. We fear that we are debating about something that does not exist. We should constitute a Committee which will go and verify if the food is really there so that we may know of the way to go, thank you Mr. Speaker.

**Specially Elected MCA, (Hon. Silapia Lenamatia):** Thank you hon. Speaker, I concur with my colleagues on the response to the Statement. The executive has developed a culture of not bringing satisfactory responses, just like the other response brought to this House. We should form a committee to ascertain whether there is food or we are being cheated on. We are just there to be fooled with unsatisfactory responses.

We should corporate as the hon. Members to this House and seek a way forward regarding the issues with the executive. This is a weighty matter that brings pain to our people. I almost cried last week when I heard about Suiyan, I have a brother there who told me that if there is no help the people will die in a weeks' time. Thank you.

**Angata Nanyekie MCA**, (Hon. Paul Leshimpiro): Thank you Mr. Speaker Sir, I came late when the response was being read, I have three issues to comment:

1. There was a problem of tendering that was cited here that the person given the tender declined this February to supply oil. I have a problem with the integrity of the tender process. I presume that when you give the tender to that person you should have assessed the ability of that person or company to supply food. If the disaster department committed itself to that person or company and then declined, the tendered company should pay damages caused, and then the person given the tender possibly was a tender or a relative to a person of superior in the same department.
2. There is also a statement that said that we were supposed to supply then it rained, in Biology it is said that no plant is planted and consumed in a month or two. Beans take a minimum of two to three months. For maize, the earliest is two months and in our area we live the *Lorroki* takes six months. It is not a sufficient answer when they say that it rained. We mean that we do not give people water to eat but food to eat. The food was never supplied until now in February, we expect rains in March which means that this food will not be supplied because the same reasons of raining will be used.
3. We have the problem of when to supply, this does not only affect the relief food but it is cross cutting. The tender will be given when the March rains arrive. The seeds will be ready by May, when you start supplying the seeds to the people and you expect them to harvest at the end of the season yet the rains will be over. The executive's timings is not consumer friendly.

I wish to be given a satisfactory answer to these queries; if it is not possible then Assembly should have a committee to check on this. This is because I was of the opinion because the disasters department currently does not have a committee in charge of it. It does its activities without the fear of someone checking on them. This department should have its own committee just like Health and Agriculture. Thank you.

**Lodokejek Ward MCA**, (Hon. Jerias Leshoomo): Thank you hon. Speaker. I stand to contribute on the response to the Statement by hon. Benjamin Leitore on the delay of the emergency food distribution to the County. I concur with the many sentiments raised by the hon. Members on issues on the distribution of relief food. In regard to the Statement, many things have been raised by the department concerning the challenges faced by the department in food distribution of food to the County.

It is clearly stated in the Statement that there is relief food. It is indicated that there is 14.400 bags in the store. This is in regard to what other Members are saying that there is no food. On the procurement procedures, there is always liberty to supply or not to supply due to some technicalities. We have issues of prices going up.

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): What is it hon. Letura?

**Ndoto Ward MCA**, (Hon. Raisy Letura): Hon. Speaker, I do not know whether hon. Leshoomo is dilute what the Members have been saying because the issues that have been raised by hon. Kiragu states that on emergency issues should be handled in a certain way. Is the hon. Member saying that in case of a fire in any part of this County that we should still wait for the processes on tendering and procurement rather than use any means available to contain that fire? I do not even know in which capacity the hon. Member is standing to teach this this House on tendering matters. I understand that he has worked as a procurement officer sometimes back. I do not know how that will help us when we subject the issues to do with the emergency with tendering process and again whether the person given or giving tender knows the timeline for tenders that if you do not supply within this particular time then that tender stands cancelled.

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): Very well. Continue hon. Leshoomo.

**Lodokejek Ward MCA**, (Hon. Jerias Leshoomo): Thank you hon. Speaker. I was only informing on issues raised by the hon. Members. There are many challenges which were raised by the department to ascertain why the food was not distributed. They talk on capacity on logistics or human resource mechanism that the department does not have to make them supply food to the whole of the Samburu County.

Secondly they talk on funds where we know that food distribution exercise is done by the department in partnership with other donors to distribute food to the whole of the County on a

50 to 50 basis. When the County Government purchase food for distribution and maybe the other part was not ready for the distribution then it brings a logistic problem to the funding of the distribution.

In emergency cases, we know that there are steps that the department should take to handle emergencies immediately. The department faces a lot of challenges; the Assembly should see to it that the challenges are faced to ensure efficiency and effectiveness of the department. Members say that food was never taken to Suiyan, I know that food was taken to Suiyan during the emergency situation, and there was also food that I was supposed to be taken to some villages in my ward. Disaster department cuts across several committees, Public Works is involved, Agriculture and Finance. What the hon. Members are saying is that the Assembly should ensure that the department is able to work with these Committees. I support the Statement.

**Waso Ward MCA**, (Hon. Paul Wonyang): Thank you hon. Speaker, I... (*Hon. Leshoomo stands on a point of order*)

**Lodokejek Ward MCA**, (Hon. Jerias Leshoomo): Hon. Speaker, the Member is not properly dressed. He cannot address this particular House, thank you.

*(Point of information by Hon. Letura)*

**Ndoto Ward MCA**, (Hon. Raisy Letura): Mr. Speaker, I do not know whether hon. Leshoomo is right to direct what hon. Wonyang is supposed to do or alert you to catch your eye.

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): Now that he has caught my eye, Hon. Paul Wonyang please, go out and dress properly then come back to the House, thank you.

**Baawa Ward MCA**, (Hon. Nicholas Leparsaiya): Thank you Mr. Speaker Sir, I would like to thank my colleague hon. Lentukunye, Member for Wamba North, for bringing to the House the responses to the questions on this statement. Mr. Speaker Sir, the first statement or the first sentence on the statement says *County Government is in possession of 14,400, 50kgs which is equivalent to 720 metric tanks*. I think this food is not too little to be distributed at once to the suffering communities. The food lying in the store is actually not helping the vulnerable communities or the households that are mentioned in this statement. I think the

issue here is that we lack seriousness. Mentioning rains, procurement process, partnering is just trying to waste time. We don't need to hear all these things because even if it rains today, people don't eat rain or even have food that instant. Surely, somebody cannot say it will rain tomorrow or that kind of thing.

As members have said, we don't need to follow this long process of procuring. The process of procurement when it comes to an emergency, need to be addressed accordingly by partnering, I think that all these things that are being mentioned justify the whole mess. Otherwise, we need to be serious. The County government should be serious on issues pertaining to our people. This is not the first time we are getting such statements; I think these statements are just brought here for the sake of bringing them. It does not carry anything by the way. I don't see the need of us taking all this time discussing these simple issues as we are not foreigners. We understand the situation on the ground. If actually we are serious with the lives of our people, we should not be having such kind of debates and statements.

I have heard in these statements; the village council being mentioned. Where I come from, I don't know what role the village council plays in any development. Unless we don't understand the purpose of the food in the store, the management or the disaster team or the executive may have a different purpose for the food and the House may have a different one. Thank you.

**MCA Waso Ward, (Hon. Paul Wonyang')**: Thank you Mr. Speaker Sir, I rise to give support to the sentiments made by the hon. Members before me. Basically if you look at the statement provided by the Leader of Majority, it raises a lot of issues. If you read the last sentence, challenges and desired situations at the moment, that means the department is totally hopeless. That is the statement that tells us that there is nothing that they can do and that is why I think we need to move very fast as alluded by the Member for Suguta Marmar.

We need to form an *Ad Hoc* committee and we try to support this committee perform its mandate. Another issue that we might need to look at when we form that committee is this partnership that we have with the World Food Program because there is nothing we can do as a House with the World Food Program. We know this is a UN body but we are seeing that we have delegated too much to them and now when the problem rises and when we ask them questions, they tell us of their logistical challenges. We don't fund World Food Program, we

fund departments, so we need to understand to what extent this House can oversight World Food Program. Because for now, that kind of Legislative framework is missing.

When it comes to an emergency, procurement rules are very important. If you look at the Procurement and Disposal Act, 2012 and the Amendment Act, 2013 you realize there is provision for procurement amendment so the stories we are getting here about procurement and the suppliers, there must be somebody who is not doing his job properly. The *Ad Hoc* committee that is going to be formed is going to inform this House who is not doing his work. If you look at the current situation, you realize that right now the pastoralists are moving to grazing areas and most of these areas are conflict prone. If we don't strategically do some essentials like food and water in those areas, we are going to lose life and livestock. I have instances of Archers Post and my Ward where pastoralists are moving towards Isiolo and Laisamis borders and some to Wajir border. They need food and water but if this department is not able to respond not only in my ward but other conflict prone areas, things are going to be bad. What happened in Suiyan, if up to now those people have not been fed, then it means that if the same things happen in other places it means we are going to cry again. I beg to support the formation of an *Ad Hoc*. Thank you.

**MCA Poro Ward**, (Hon. Joseph Leshipayo): Thank you Mr. Speaker. The Samburu County Disaster Management, Act 2015, number 21 whereby *for reasons of any impending disaster, the committee is satisfied that immediate procurement of provisions or materials or the immediate application of materials are unnecessary relief and the concerned departments or authority may use direct procurement*. So the problem of delaying just because of the procurement process does not arise. It is a question of somebody assessing whether that is an emergency that they need the food urgently, they can use the provision for direct procurement and the procurement is binding. You cannot buy maize somewhere in July and come back in February and say, I am not able to buy oil. I think those are two contradicting things.

Secondly, we can't deny that Suiyan was supplied with some relief on day one. Maybe the following day after the attack, they were supplied with that food. If you supplied once and now it is almost a month since that Suiyan raid, those people still do not have anything to eat for that one month. Every day we wake up, we drink tea in the morning somewhere at ten you take something else, at noon you eat, at 4 you drink something with a snack and at evening



you have a good dinner and here we are busy saying that food was supplied to Suyian. I don't think their timetable allows them to eat once a month. Thank you.

**Leader of Majority**, (hon. Christopher Lentukunye): Despite having read the statement from the executive, I also join my colleague in echoing their sentiments. We are used to joking or interacting with my colleagues here when we discuss about disaster department. My basic understanding of disaster or emergency is that immediate delivery of any food or any material needed to respond to the problems. The disaster department in our County is the one who are disastrous. But given the statement, especially question one, in their answer they said they bought food, but since it rained, I think that food was packed to wait for another dry season in order to supply. I think, that is a very casual way of answering a question of concern to the general public.

This department needs to be serious on issues pertaining emergency because when something happens that needs an immediate intervention, if we wait for normal procurement rules, I think that emergency will lose its meaning. Therefore, we call for seriousness when it comes to emergency issues.

Having all affirmed that the department is not doing what is required; sometimes we need to give credit where it deserves. During the raid at Suiyan, they actually responded. I was there with all the members of the department and all the items were availed. That is how they should work. I don't know whether we have two categories of emergencies because this big food that is lying in Cereals Board and is still lying for almost half a year, I don't know whether it is waiting for security or any other issues.

Therefore Mr. Speaker, I really support the sentiments of my colleagues and call upon hon. Members to stand firm to ensure that all the services that are provided to our people by the County Government should be delivered timely.

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): Thank you the Majority Leader, hon. Members, it is clear that the C.S. who actually forwarded the answers to the sought statement did not actually present facts to the house. Hon. Members, though our Standing Order number 41 is touching on members' responsibilities on statement of facts, in this case because it is the hon. Members who read these statements to the House, the CS or the department concerned is charged with the responsibility. *A member shall be responsible for*

*the accuracy of any fact which the member alleges as true and can be required to substantiate such facts instantly.* This also applies to the department but of course we would have actually picked a few evidences of receipts and some facts to convince the House that what they are saying is actually true. Hon. Members, our Standing Order number 90 (5) on Appointment of Sectorial Committee, and I seek leave to read clause 5 on the functions of the sectorial:

1. Investigate, inquire into and report all the matters related to the management activities and registration, operations and estimates assigned the department.
2. Study the programs and policy objectives for the department and the effectiveness of the implementation.
3. Study and reveal all county legislations referred to it.
4. Study, assess, analyze the relative access of the department measured by the results obtained compared with the stated objectives.

Just like hon. Leshimpiro has stated that this particular department has a void of a committee to oversees, this is not a fact that this department can run away from this House because this house overlooks all functions of the County government and as such, therefore, is obliged to present facts and any other issues as presented by this House.

Therefore, this hon. House will exercise its oversight roles on this matter, and before then there was an attempt to explain what was actually required only that it lacked some detailed information, facts and evidences.

Therefore, hon. Members, I seek your permission to refer this particular statement to the said department and having in mind all the cited Standing Orders no. 39, no 195 and so on that by Thursday 22<sup>nd</sup> February, 2018 at 2:30 p.m., we would want to have this statement as sought with all the evidences on this matter, failure to which, this House has no any other option but to respond to the hon. Members' pleas of forming the *Ad Hoc* Committee. Thank you.

**MOTION**

**APPROVAL OF COUNTY ASSEMBLY CALENDAR**

**Leader of Majority**, (hon. Christopher Lentukunye): Thank you once again Mr. Speaker Sir. I beg to move the following motion; **THAT**, pursuant to Standing Order number 29 (1) of the County Assembly of Samburu, this Assembly approves the Samburu County Assembly Parliamentary Calendar for the period between February to December, 2018. Thank you Mr. Speaker Sir. I call upon Hon. Leparsayia to second the motion.

*(Hon. Leparsaiya bows in seconding the motion)*

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): Very well, hon. Members, I know propose the question **THAT**, pursuant to the Standing Order number 29 (1) of the County Assembly of Samburu, this Assembly approves the Samburu County Assembly Parliamentary Calendar for the period between February to December, 2018.

**MCA Suguta Marmar Ward**, (hon. Shadrack Lesoipa): Thank you hon. Speaker, I stand to support the Calendar. As I peruse the paper, the timings are normal and also Mr. Speaker a lot of public holidays are also factored in and I call upon the hon. Members to adopt it to enable this House run smoothly in 2018.

**The Deputy Speaker**, (Hon. Jonathan Lemoosa): Thank you hon. Shadrack Lesoipa. Hon. Members, reading from the mood of the House, they are satisfied with the Calendar of the House. I now put the question.

*(Question put and motion passed)*

Hon. Members, the time being 3 minutes past 5 o'clock and there being no other business, this Assembly now adjourns until Wednesday, February 21<sup>st</sup>, 2018, at 9:30 am. Thank you.