**COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Wednesday, 20th February, 2019**

The House met at 2.30 P.M.

*[The Deputy Speaker*

*Hon. (Mr. John Killo Dawe) in the Chair]*

**PRAYERS**

**MOTION**

EXPOSITION OF PUBLIC POLICY-GOVERNOR’S ADDRESS

**COMMUNICATION FROM THE CHAIR**

**Hon. Deputy Speaker:** .....*(inaudible)* reports conducted by Health Sciences to the County Assembly of Marsabit from 15th January 2019. This is the report and it’s committed to the Health Committee. Chair?

**PAPER LAID**

***(Hon. Halkano Konso laid the paper on the Table)***

**Hon. Halkano Konso (Majority Leader):** Thank you Mr. Speaker. I beg to table a motion on the state of the County affair by H.E the Governor of Marsabit Hon. Mohammed Mohamud Ali.

Pursuant to the Standing Order No. 220 subsection 5 Mr. Speaker, the thanks of the County Assembly be recorded for exposition of the public policy contained in the address of the Governor.

In his yearly address, the Governor mentioned several things done by the County Government. To mention a few, the County Government did a lot on the Marsabit market which was started by the former Government. But the County Government has now engaged a new contractor who is expected to finish the project.

**[Hon. Halkano Konso (Majority Leader)]**

The Governor also mentioned abattoir. It is a key item for the pastoralists and the Community. Ninety five percent of the income generated by the County Government comes from livestock. Completion of the abattoir will improve the economy and the livelihood of our people. The Governor in his speech said that the work on the abattoir was done based on the survey done by the World Bank, that at the early stages the work began against the advice from the World Bank that the work should be at an area that has a good holding ground for livestock. The Second Governor stopped the project based on this advice and also carried out a survey on the viability of this project though the report is not yet out. The Governor promised that once the report is out, the work will be done based on the recommendations of the taskforce.

Another important item mention by the Governor is the Bongole Resort. It is one of its kinds in the County where people can visit there for so many occasions. It can also earn very good revenue.

The County Government of Marsabit has planned and came up with its CIDP as stated in the Constitution. In his speech, the Governor mentioned that Article 175 states on the principles of separation of powers between the two levels of Government, the Executive and the County Assembly and the two third gender rule. He stated our role as a legislative arm of the Government.

This Government has done a lot in its two and half years. As you are aware, we have 21 ambulances in the County and immediately he came to power, His Excellency the Governor waivered the ambulance charges and it is one of the first achievement of this Government as you that many lives were lost because some could not afford the ambulance charges required for referrals.

Vocational training colleges are now free and many students have now access unlike before and the students are now gaining knowledge and skills which is very important.

The Government in its first year started a very important flagship project which is Level 5 Referral Hospital in Sololo. Although it is not yet advertised, it is in the procurement process and I am sure within a month the advert will be out and my people of Obbu and Marsabit County at large will enjoy the services of a Level 5 Hospital.

We have Kenya Medical Training College being established and the contract is ongoing. I am sure come the year 2020 this college will be admitting students for important courses that will enhance service delivery in our Hospitals because the students will be undertaking their internships.

**[Hon. Halkano Konso (Majority Leader)]**

Having mentioned those few remarks I beg to table the Motion on the speech by His Excellency the Governor. Thank you.

**Hon. Hussein Abdi Wako:** Thank you Mr. Speaker.

I rise to second the motion. Having said so much, I think the Majority Leader has gone through several achievements. I also would like to add my voice on the same especially on the roads sector.

When we came here first, there were complaints from electorates especially from Marsabit Central that the roads they were using were left unattended to but the Government seems to have taken it seriously and we have seen several roads tarmacked in Marsabit Central.

While we appreciate the Government for the effort it has made, it think it will be important for bumps to be set up on those roads because there are no bumps and this will be very dangerous in future. Even the drainage is not covered and this is also likely to be dangerous when there are power outages at night. Therefore, I urge the department concerned to consider the issues of bumps and also the drainage.

Yesterday, we came across something dangerous that is happening in the County. I think the department concerned is supposed to caution the community on the danger in future. But what happened yesterday has exposed us in bad light. I think it is a crucial item left during the Governor’s speech. We can’t fail to mention because the Governor has not touched on it. Therefore, our people have the priority of being given an insurance of their business premises. If not insured, it is the responsibility of this Government to give civic education to ensure people are compensated if this happens in future.

During Governor’s speech, we noted that the roads improvements exceeded by a hundred kilometres. This is not just a walk in the park we therefore congratulate our Government for that. Going forward, we urge them to ensure that roads that are supposed to be tarmacked to be completed within this financial year because funds have been allocated and the contractor has already done the feasibility studies on who is going to be affected by the roads and how they will be compensated.

On the abattoir, while we know that the studies done is discouraging for the continuation of the programme, we also want to know what will happen to the funds already injected into that project. It will be important to know what other options are available so that we have this important service in place.

Generally the Governor’s speech touched on very important areas and it is my humble request that this House using its wisdom looks at the positive side than focusing on only the negative one. Thank you.

**Hon. Konchora Abduba:** Thank you Mr Speaker.

The Governors speech touched on most of our needs. He also highlighted the progress achieved for the one and half years. All these achievement and progress across all the departments is a good work done.

From the same speech, I have not come across any statement concerning the marginalised that is the minority, women, youths and people living with disability. Mr. Their issues needs to be addressed so that they can make a good transformation of betterment of their lives. When we don’t include these people in our programme we don’t expect them to transform their livelihoods.

At all the family levels wherever you go, definitely you can see that we are lagged behind by those handicapped people. Even if you want to succeed or achieve something, you will be pulled behind. You will not go ahead. So, these people’s issues need to be addressed with seriousness.

The other issue is about the abattoir. The abattoir is supposed to deal with food security, employment, industrialization which is actually among the big four agenda of the National Government. When the abattoir is completed, it will also benefit the livestock keepers because they will get value for their livestock.

This issue is taking us back in terms of development. The abattoir is one of the project that is supposed to boost the communities and the County according to my thoughts. The abattoir was surveyed by different organizations and stakeholders from international organizations. A lot of funds trickled to set it up. If it is not going to function, it will be a big blow especially to the herders or the pastoralists.

I think it is prudent enough for the department to visit the offices and get clear evidence on why the abattoir should be removed. Even if this is done, we hope we shall save all that investment and also support the interests of the poor pastoralist.

Thank you Mr. Speaker.

***[Hon. Deputy Speaker (John Killo Dawe) left the Chair]***

***[Hon. Speaker (Mathew Loltome) took the Chair]***

**Hon. Speaker:** Thank you Honourable Konchora.

Honourable Sora?

**Hon. Stephen Sora Katelo:** Thank you Honourable Speaker. I want to make my contribution to the Governor’s speech. It is a balanced speech indeed but we need to dig deeper into it and get some action out of this.

I want to draw your attention to few issues from the speech. One such issue is about the Pending Bills and stalled projects. This House is well aware of what we went through during the budgeting process and this has become clear in the Governors s[speech of a Pending Bill that is close to one billion nine hundred and fifty five or so. The Governor has put it clear on how much of those bills were cleared. Just to be specific, a total of Kshs.972, 862,287 of which 417 have been paid while 555 is still pending.

The Governor, in his speech has assured us that all genuine Pending Bills and claims shall be settled. Now with that level of commitment from the leadership of this Government, then it is incumbent upon us as the budgeting process has started, that we get the right report on the status of the balance and commit our self as an Assembly, not after the budgeting process is over but as early as now to see how we balance between the new projects and how we ensure that the genuine pending bill is paid.

***(Applause)***

I want also to draw your attention to mega projects. The Governor has clearly stated a number of projects that are pending but it is a challenge both to the Executive and the Assembly that I am aware through my own investigations that close to 55 health centres have been built and are not running. I don’t know whether this is true. In my own ward, 3 ECDs have been built and the Houses are there for birds as nests. I think this is a wakeup call for us as an oversight body that we get deeper into this. The money for 55 health centres put together can finish Marsabit stadium or the abattoir. I think as a House we need to improve on our oversight role in terms of even physically going on the ground and finding out the status of these projects. I am only talking about three ECDs in my ward. The Honourable Members can talk about some of the investments made which are not operational and that there is no need of allocating more money towards it.

Still in the budgeting process, more health and ECD centres will come up and yet we have not operationalised the ones that we have. So as a House we need to be very cautious. We better operationalise what we have before we go into getting new projects. I don’t know how this sounds but it may cost us to propose no further construction of ECDs and health facilities unless it is proved beyond doubt that the need is there.

**[Hon. Stephen Sora Katelo]**

The market stalls according to the Governors speech is taking shape and we hope that this is fast-tracked since there is commitment from the Executive. We also must demand for timelines as it is in the procurement process so that we know for example in the next eighteen months we are going to have our market and people have moved in. If that is not going to happen, as a House, we are going to hold someone accountable on the same.

I want also to mention about two micro-irrigation schemes around water points in my own ward. Funds were allocated, tilling was done and the project is not coming to fruition because the last stage is planting and getting food out of it to improve on food security. We have a lot of business to do with this.

KMTC is a worthy project but again we must know that it is far much behind schedule. So, if we sleep in our oversight role then we are going to get a lot of problems. Honourable Speaker I want to rush through because I would like to raise a number of issues.

I want to take you to the roads levy fund and what the Governor said on the same. I would like to quote him,

*‘’while still on road network, I want to mention an issue of concern related to the fuel levy fund, a conditional grant that is normally received for the purpose of road maintenance. As you know, in the current budget, the Assembly subdivided this fund to finance various projects across the County. I want to inform the Honourable Members that we got serious reprimand for our action (or is it your action?) that we did not abide by established rules and regulations for conditional grants. We have been guided that the fund is solely meant for roads maintenance and should not managed by the Department in charge for Roads. I urge that going forward we take heed of this and that we remain guided o handling of this fund.’’*

It is very true that this fund is not meant for other things apart from road maintenance. I also doubt whether it is the Assembly that subdivided it or it was a proposal that came from the Executive. Nonetheless, we have to get this business serious. That most of our rural roads are impassable. The last one month I have been grappling with road closures. Even after the heavy rains where a report was done to this Assembly, we never acted. Most of the areas are inaccessible. Should we follow the regulation so that this fund is used for maintenance then we are better placed to make sure that most of the feeder roads are done well. Honourable Speaker I think going forward this House will look at the regulation concerning that in depth so that as we get into the budgeting process we correct and make sure that the millions that are meant to maintain these roads are used appropriately to serve the people of Marsabit County.

**[Hon. Stephen Sora Katelo]**

Expected Bongole Resort to be operational by now but I am sure we will look at it. Otherwise these are big projects that hold a lot of our money. Having mentioned that, the Governor talked about improvement in Health sector. We are aware of the strike that is going on currently. I think as a House we need to get interested on how the County is handling this issue. I am made to understand that the nurses only require Kshs.12 million every year to resume. That is a drop in the ocean. This is something that if there is good will and reason, we can quickly manage. I am not saying that we allocate Kshs.12 million immediately but through the right committee we can look at these concerns and ensure that our people are served and the dangerous effect of the ongoing strike is mitigated.

The CEO of this County mentioned something about our co-existence and put it clearly how conflict in different areas of this County is becoming a thorn in our flesh. I am sure quite a number of us are getting sleepless nights because of different conflicts and reports of deaths all the time. The Governor has put it clearly that we need to coexist and work together for development to be initiated and for progress. More than even development, life of every citizen is very precious.

I urge that we get interested in the upcoming conflicts in different parts of our County, that we take deeper interest to make sure that we restore peace and make sure that our people coexist.

Thank you.

***[Hon. Speaker (Mathew Loltome) left the Chair]***

***[Hon. Deputy Speaker (John Killo Dawe) took the Chair]***

**Hon. Deputy Speaker:** Thank you Honourable Sora.

Honourable Safia?

**Hon. Safia:** Thank you Mr. Speaker.

I would like to talk about the key projects- Marsabit market, Marsabit stadium, Bongole resort, Marsabit abattoir. I want to concentrate on Marsabit market. Marsabit market is 40% complete but there is already an outcry that the distribution of the stalls was not fairly done. One of our major roles is oversight. We have to be proactive. When the market is completed, it will not be easy to correct this problem. I am told that distribution of the stalls was done.

I want to ask this House to put the department concerned on its toes before the construction is completed so that the stalls are distributed fairly.

Thank you Mr Speaker.

**Hon. Asunta Galgitele:** Thank you Mr. Speaker. I will only comment on a few areas. The first one is about ambulance service. We are aware that the ambulance service is free and it has gone on well for some time now but currently we have problems with finances. There is no money at all! When the CEC and the CO took over last year in November, they only had 23,000 and up to now they are running on credit basis. We don’t know how long they will sustain this.

We also know that most of our referral cases are due to CT- scan and ICU services. We are happy that we have a CT- scan today. So as to cut on the number of referrals, we need to think about an ICU if possible.

On the abattoir, we understand that most of our people are pastoralists and can benefit well. I am shocked to hear that when the abattoir was started, the survey was not done well. We need to have some good information on the survey that was done and this other one that is being done so that we make comparisons.

On NHIF, we are happy that our people are benefitting from NHIF services. We have a lot of challenges concerning these services. Most of the beneficiaries are yet to receive their cards. Most members are also not captured by their system. If a father or a mother is a beneficiary, their children are also supposed to be direct beneficiaries but they are currently not captured. We don’t know the reason. We also have people from diaspora. Their list is long and they have the cards already. We want to know where the list came from because it has not passed through this House.

The other issue I want to comment on concerns the nurses’ strike. The strike is on. I have visited the facility severally. The theatre is going on well. They have some nurses on call and services are going on as usual. All other nurses are still on strike. This is because of our fault as government. During the first strike we had a meeting at Jirime with the Governor, Senator and all the MPs. The nurses were assured that their issues will be sorted out before expiry of 90 days but nothing has been done to this date. That is why the nurses are on strike.

After they went on the current strike, the Governor highlighted on some promotions, resignations but they couldn’t adhere to it because they were failed and they want it to be effective so that they go back.

That is all that I can comment. Thank you Mr. Speaker.

**Hon. Guyo Duba Yaro:** Thank you Mr. Speaker. First, I want to thank Almighty God for the gift of life and good health during the recess. 2018 has been a challenging especially in terms of security in this County and I want to thank His Excellency for spearheading the peace process not forgetting the interfaith Council.

On the Governor’s speech, two things touched me most one positively and the other negatively! As you have heard it is touching all the sectors; Health..... *(inaudible),* Vocational Training, Education, KMTC and also Fish Factory in Loiyangalani. We thank His Excellency for that.

It has been said over and again, that Education is the great equalizer that opens doors of opportunity for all and I want to thank our Chair for Education for the Scholarship Fund, Education without......*(inaudible)* is the passport to the future, it is an investment in knowledge that pays the best interests.

Concerning the Scholarship Fund, meeting the needs of the people, especially those people from poor background is something which touches all of us, and I want to thank the Excellency for that.

I was shocked about the Abattoir, I remember in Governor’s speech when we opened this House, the Chair for Livestock, Hon. Elema, it was on record, he said that the Governor had talked nothing about the Abattoir, and it is one of the unfinished business by the Former Governor. Even in the second speech, it is unfortunate! Personally, I was waiting that certain amount of money to be allocated for completion of the abattoir.

80% has been done! I want to tell this House if truly our work is oversight as a whole House or the Department concerned to go there, because Segel is just here it is under Central! What remain is just equipping and that 20% to be completed! As we speak the National Government is doing Quarantine construction and it’s ongoing at Kshs.140 million, and it started last year, it is almost complete! I wonder if we are still waiting for another investigation to be done, this is taxpayers money! Even the former regime, have done their investigations, I want to task this House if truly our role is oversight, as a House let’s visit this area and see.

Department of Trade,.... *(inaudible)* I also want to urge the Department of Livestock so that we see for ourselves whether this project is worth, God forbid if that report says otherwise, this investigation should have been done last year! I don’t want to pre-empt because we are waiting for a report, but I want to ask this Honourable House as an oversight to visit the site, thank you.

**Hon. Tura Ruru Elema:** Thank you Mr. Speaker. I would like to take this opportunity to tell the people of Saku Central where fire gutted down properties, sorry for what had happened and also to recover from the losses they have gone through.

If I get back to the Governor’s speech, it is good that it captured the good effort by this government for one and half years, it is commendable and I really appreciate.

As a representative of North Horr Ward, I waited expected the issues of North Horr to have been mentioned, why I expected is that there is Burra Irrigation that needs to be started in North Horr, Fish Farming in Lake Turkana and this being the Four big agenda that this Ward has captured and put their monies into it, should have been mentioned by the Governor and where the livelihood of this people are not only in farming and fishing and they are now ready to take up this- the food sustainability of our Nation is supposed to be taken into consideration when the Governor should not have forgotten to mention a bit of what this Ward has opted to do.

I also wish to thank the Government for saying Fish factory to be set up at Moite, this needs to be speed up for this is a big agenda that really need to be focused.

On the Pending Bill, I also thank the Governor for saying, Pending Bills for people who have done their work and not paid 3-4 years ago will be taken care off as soon as possible! This is what you struggled with for one and half years we are in this House.

If you recall what we said, when we are trying to look at the last Supplementary, we said Pending Bill must be considered first before any new developmental project for 2019/2020 and I think this House has a serious responsibility to ensure what the Governor has said will be taken care of and full payment of that Pending Bill be done in this Budget. If we don’t do this, then we have really failed the people of this County.

I also want to mention something about my Ward, there was a project that was done, Balchaloki borehole which was a project for Illeret Ward 2018/2019, a project above Kshs.15million that I could see captured in the Governor’s speech, this project is contentious because it was done in a wrong Ward, a project for Illeret Ward done in North Horr Ward is a project that needs to be taken seriously. I wrote a letter of complaint to the Governor, of which I have a copy with me, copied to the County Commissioner, Director General Water Management Authority, The Kenya Wildlife Services and National Museum of Kenya, this was a letter dated 2nd December last year. I mentioned this project to the Governor in my complain and it was done in a fishy way, the project for North Horr Ward- 2018/2019 and any other Ward have been awarded Todate! If I am not wrong! If award has been done, then it is a month ago! This is a project of 2018/2019 done and completed! Why it was done it was fishy! It was done hurriedly and completed when even projects of 2017/2018 have not been completed.

**[Hon. Tura Ruru Elema]**

I felt so bad when this was captured and the response to my complaint was not done, that is a clear indicator they don’t care when problems arise. Let me tell you, this has really affected the peaceful coexistence of the people in those....*(inaudible),* two people died last month due to that issue of borehole! And I have clearly stated here, harmonious living of this people will be seriously affected, and when now two people have died and we still say a commendable job of a borehole, it beats logic!

I also want to talk about NHIF, what Hon. Asunta raised is a big concern, apart from other beneficiaries captured for North Horr Ward, the same way she said for Laisamis, others have not benefited todate, I think this needs to be followed up by possibly Committee concerned, I think Hon. Asunta is the Chair. Let us identify where the problem is either the County Government or NHIF,......*(inaudible)* they are supposed to register this people.

There is also a mention of CFSP, this a serious strategic Paper that will set limits, last year there was an issue where Department that are very critical like the Livestock that is the backbone of this County allocated very little fund! I think we need to get our priorities right so that our CFSP will make us grow in the right direction.

On the issue of ECD and Dispensaries mentioned by Honourable Sora of Sagante, I think the need for ECDs and Dispensaries are there and undoubtfully needed. Like now most ECDs...... *(inaudible)* so many to an extent that in a class there 150 children, stopping building ECDs might be a backdrop that will seriously affect our people. The only think that that is a problem, that will make the ECDs not to be utilized is employment of teachers. Moe ECDs teachers need to be employed.

Dispensaries, I have around three dispensaries that are 50 Kms from North Horr Health Centre that are complete with furniture,...... *(inaudible)* water......*(inaudible)* they are white elephant because nurses are not employed! ..... *(inaudible)* That is our oversight, the oversight we do is to ensure that we put in place and the need of the people must be functional and it is the mandate of this House to make it functional and I ask the Honourable Members to ensure that monies are put in the ECD teachers and nurses this year! So, that all this buildings we put there will be functional.

Last but not least, I also want to talk about the Abattoir, I also mentioned about it last time, it is a viable project, when I look at what is being mentioned as a problem is the LAPSSET corridor, LAPSSET is not 20Kms away from that holding ground! It is too close to the Abattoir, when you talk of water on this Mountain, the closest you can get water is Segel! It is only that we are not putting enough money to drill boreholes....

***(Applause)***

**[Hon. Tura Ruru Elema]**

Electricity, this is a holding ground for animals you cannot keep animals in town, you cannot say we put in Saku Central especially where we have put people and Segel is closest to electricity.

***(Applause)***

Tarmack road, Segel is 20kms from here, if you go on this main road from Marsabit to Moyale and branch towards Segel is less than 20Kms, if you are tarmacking within town why not tarmack to the Abattoir? Where over Kshs 300 million has been invested, why does a donor fund a project that is not viable? This project has been accepted and funded by EU and now we are seeing it is not worthy, why should a donor while all this things has not been met decide to fund such a project? This a question that need to answered, thank you!

***(Applause)***

***(Hon. Halkano Konso stood in his place)***

**Hon. Halkano Konso(Majority Leader):** Thank you Mr. Speaker and Hon. Members for contributing to the Governor’s speech in one way or another I was touched by the statements made by Hon. Members in their contribution.

On the issue of Health the Hon. Member for Kargi, congratulated His Excellency the Governor for the good job he has done, but raised certain issues on the same. She raised the issue of ICU missing, and I do believe that the government is in the process of coming up with that ICU because C-SCAN was already done, the heart of.....*(inaudible)* laboratory was done but it was clearly stated in the speech, and as whispers have heard *.....(inaudible)* the Governor, where technical team have briefed him, it will be put in place.

But my main issue is the Abattoir, that were raised by my colleagues.......

***(Hon. Abdirahman Sheikh Bashir stood in his place)***

**[Hon. Halkano Konso (Majority Leader)]**

The feasibility study if the Abattoir was done by the World Bank which I have the copy, I am an interested party, I have a Livestock, I have an interest in the market, being a pastoralist, the recommendation is very clear for the factors to be considered in putting up the Abattoir, one is electricity as Hon. Member from North Horr as clearly stated and electricity is missing....*(inaudible),* borehole was drilled just the other day but more importantly than any of those things, is holding ground and infrastructure. I don’t know why Members are showing a lot of interests, when the feasibility study was done and the World Bank report was there, that we are going to produce it in this House! But meanwhile we have to wait for the report from the task force that is being constituted by His Excellency the Governor and I have the other report of the World Bank which we will combinably present to this House, so that we can see whether that report or the objections......*(inaudible)* 80%, is based on politics or on the viability study that was done. I beg the Honourable Members, let’s wait....

***(Hon. Tura Ruru Elema stood in his place)***

I believe Hon. Tura and the whole House have clearly heard me that if the taskforce report comes out together with the World Bank report which officially comes from the Department of the Government we have to table in this House...... *(inaudible)* As a Hon. Members we have to discuss something from a tangible, viable, realistic and practical instead of saying something we are not sure of.........*(inaudible)* thank you.

**Hon. Deputy Speaker:** Hon. Members we have deliberated enough and still we have one or two sessions to deliberate on the same....*(inaudible)* today

The House remains adjourned.

***The Assembly rose at 11.20am***