



**Third County Assembly
(NO.091-A)**

**REPUBLIC OF KENYA
COUNTY GOVERNMENT OF GARISSA
GARISSA COUNTY ASSEMBLY**



**Third Session
(90)**

THIRD COUNTY ASSEMBLY – (THIRD SESSION)

ORDER OF THE DAY

WEDNESDAY 9TH OCTOBER, 2024 AT 2:30 P.M

ORDER OF BUSINESS

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions

5*. Papers

Hon Speaker, I beg to lay the following report on the table of the House today, Morning 2024;

1. The report of the committee on Water and Irrigation Services on the Public Petition by the residents of Waberi Ward regarding lack of water in Bulla college, Bulla hodan, Bulla manyatta, South b and parts of Bulla bashal, Bulla mzuri and Bulla masalani

(Hon Marian Mohamed Hassan-Committee Chair)

6*. Notices of motion

(Hon Marian Mohamed Hassan-Committee Chair)

Hon Speaker, I beg to give notice of the following motion;

That, this House considers and approve the report of the committee on Water and Irrigation Services on the Public Petition by the residents of Waberi Ward

...../7(cont'd)*

regarding lack of water in Bulla college, Bulla hodan, Bulla manyatta, South b and parts of Bulla bashal, Bulla mzuri and Bulla masalani

7*. Questions and Statements

1. (STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON LANDS, HOUSING, PHYSICAL PLANNING AND URBAN DEVELOPMENT)

Hon. Speaker, Pursuant to Standing Order 47(1) (c), I wish to request a statement from the Chairperson of the Sectoral Committee on Lands, Housing, Physical Planning and Urban development regarding the lack of a drainage system and a designated dumpsite in Dertu Town.

Hon speaker, the lack of a drainage system in Dertu has led to significant challenges, particularly during the rainy season, resulting in flooding and waterlogging that affect both residential areas and the market place. Additionally, the absence of a designated dump site exacerbates the waste management crisis, leading to littering and environmental degradation.

Hon Speaker, this situation not only poses health risks to the community but also undermines efforts to maintain a clean and sustainable environment. Addressing these issues is crucial for improving living conditions and promoting public health in Dertu.

Hon Speaker, the chairperson should inquire into and report on;

1. Whether there are any plans by the government to implement a drainage system to mitigate flooding issues. If yes?
2. What are the long-term strategies that can be put in place to ensure proper maintenance of drainage systems and waste disposal in Dertu Town?
3. What steps are being taken to establish a proper dump site for waste management in Dertu?

(STATEMENT SOUGHT BY HON ADEN HASSAN ODOWA - MCA DERTU WARD)

2. (STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON AGRICULTURE, LIVESTOCK AND PASTORAL ECONOMY)

Hon. Speaker, Pursuant to Standing Order 47(1) (c), I wish to request a statement from the Chairperson of the Sectoral Committee on Agriculture, Livestock and Pastoral Economy regarding operationalization of Bahuri Camel Market in Dertu Ward.

Hon Speaker, Bahuri camel market has been in existence for three years and it has not been operational since then.

Hon. Speaker, Bahuri camel market was established as a designated area for the buying and selling of camels, which are essential for our community considering we are pastoralists.

...../7(cont'd)*

This marketplace was aimed to enhance trade efficiency, provide better prices for sellers and ensure that buyers have access to healthy and well-cared for animals.

It also includes regulations to promote fair trading practices and improve the overall economic conditions for those involved in camel rearing and trading.

Hon Speaker, the chairperson should inquire into and report on;

1. When does the county government plan to operationalize Bahuri Camel Market?
2. What plans does the county government have to transform it from a camel market to a fully-fledged livestock market?

(STATEMENT SOUGHT BY HON ADEN HASSAN ODHOWA - MCA DERTU WARD)

3. (STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON HEALTH)

Hon. Speaker, Pursuant to standing Order 47 (1) (c), I wish to request for a statement from the chairperson of the Sectoral Committee of Health regarding the non-functioning of health facilities in Dekaharia ward.

Hon. Speaker, Article 43 (1) (a) of the constitution of Kenya 2010 provides every person the right to the highest attainable standards of health, which includes the right to health care services, including reproductive health care. Therefore, health care services help to improve quality of life.

Hon. Speaker, the residents of Dekaharia Ward are experiencing lack of health services for the last seven years, the ward has three locations and eight sub locations with a population of about ten thousand people.

Hon. Speaker, the residents of Galmagala currently seek health services from Sangailu health center, both of which are operating at the same capacity. This forces the residents to walk approximately forty-five kilometers (45) to access these essential services.

Hon. Speaker, the health facility in Sangailu, where the residents seek services, is already overstretched, serving a significant large population. The situation on the ground is critical, particularly in Galamagala where a health center exists but remains unstaffed. On rare occasions, there is only one nurse available, who often becomes overwhelmed due to the high demand.

Hon. Speaker, Bula Golol dispensary faces similar situation and requires urgent intervention. Currently, the facility is non-functional, mainly due to past insecurity in the area. However, with a military camp located just 500 meters from the dispensary, the situation has changed and this issue needs immediate attention.

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Hon. Speaker, In the statement the chair should inquire into and report on:

1. Why is Bula Golol dispensary not functional?
2. When will the department assign a clinical officer, lab technician and nutritionist to the facility?

(STATEMENT SOUGHT BY HON AHMED NOOR ADEN - MCA DEKAHARIA WARD)

4.(STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON WATER AND IRRIGATION SERVICES)

Hon. Speaker, Pursuant to Standing Order 47(1)(c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Water and irrigation services regarding the urgent need for fencing and the distilling of the water pan in Saka Junction community.

Hon. Speaker, it is crucial to note that access to clean and safe water is a fundamental right guaranteed by Article 43 (d) of the Constitution of Kenya, 2010. Furthermore, the fourth Schedule of County Government Act, 2012 emphasizes the County Government's responsibility to provide essential services, including water supply, to its residents.

Hon. Speaker, the importance of water infrastructure, especially in arid and semi-arid regions, cannot be overstated. Access to clean, reliable water sources is crucial for the

survival of both the human population and livestock, as well as for promoting sustainable development in these communities.

Hon. Speaker, Saka Junction Community, like many other parts of the County, depends heavily on water pans for its daily water needs. These water pans, however, face significant challenges such as contamination, evaporation, and the risk of livestock and other animals polluting or depleting the water supply. Fencing these water pans would not only secure them from contamination but also ensure that they serve the community effectively, especially during dry seasons.

Hon. Speaker, the process of desilting is equally vital to increase the capacity of the water pan, especially in preparation for upcoming rains or in times of water scarcity. Over time, siltation reduces the storage capacity of water pans, thereby limiting the amount of water that can be harvested and stored for future use.

...../7(cont'd)*

The desilting of the water pan in Saka Junction will allow the community to harvest and store more water, reducing their vulnerability to water shortages and drought.

Hon. Speaker, it is of paramount importance that the County Department of Water undertakes immediate steps to ensure the fencing and desilting of this water pan for the long-term sustainability and safety of the water resource.

Hon. Speaker, the Chairperson should inquire into and report on:

1. When is the department of water planning to undertake the fencing of the water pan in Saka Junction community?
2. What specific measures are in place to ensure the desilting of the water pan to increase its capacity and safeguard its use by the community?
3. How does the department intend to ensure that the water pan remains clean and safe for both human and livestock consumption once the fencing and desilting are completed?

(STATEMENT SOUGHT BY HON ABDIWELI ADEN ABDULLAHI - MCA SAKA WARD)

5.(STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON WATER AND IRRIGATION SERVICES)

Hon. Speaker, Pursuant to Standing Order 47(1)(c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Water and irrigation services regarding the urgent need for the rehabilitation and repair of the piping system, as well as the installation of an elevated plastic water tank in Magatho Village, Saka Ward.

Hon. Speaker, access to clean and safe water is a fundamental right guaranteed by Article 43(d) of the Constitution of Kenya, 2010. The Fourth Schedule of the County Government Act, 2012, underscores the County Government's responsibility to provide essential services, including water supply, to its residents.

Hon. Speaker, the acute water shortage in Magatho Village has severely affected the community's daily activities and overall quality of life. The existing piping system is outdated and inadequate, leading to frequent water supply disruptions.

...../7(cont'd)*

Additionally, the absence of elevated water tanks exacerbates the problem by limiting the storage and distribution capacity of water in the area.

Hon. Speaker, the timely rehabilitation of the piping system and installation of elevated plastic water tanks are crucial steps toward ensuring that the community has reliable access to water, particularly during dry seasons.

Therefore, Hon. Speaker, the Chairperson should inquire into and report on the following:

1. When the Department of Water plans to rehabilitate and repair the piping system in Magatho Village, Saka Ward.
2. What specific plans are in place for the installation of elevated plastic water tanks in the community.
3. How the Department intends to ensure that the rehabilitation and installation processes address the existing water supply challenges effectively.

(STATEMENT SOUGHT BY HON ABDIWELI ADEN ABDULLAHI - MCA SAKA WARD)

6.(STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON AGRICULTURE, LIVESTOCK AND PASTROL ECONOMY)

Hon. Speaker, Pursuant to Standing Order 47(1) (c), I wish to request a statement from the Chairperson of the Sectoral Committee on Agriculture, Livestock and Pastoral Economy Development regarding the plans for opening access roads, canals, and providing seedlings and farm inputs for farmers in Saka Ward.

Hon. Speaker, Agriculture including crop and animal husbandry is a function of the County Government as stipulated in the fourth schedule part 2 of the constitution of Kenya 2010.

Hon. Speaker, agriculture is a vital sector for the economic well-being of our community, and access to essential resources is critical for our farmers' productivity and sustainability. The lack of proper access roads and irrigation canals has hindered farmers' ability to transport their goods and access water for their crops, thus limiting agricultural output.

Hon. Speaker, the provision of quality seedlings and farm inputs is equally important to enhance crop yield and support sustainable farming practices.

...../7(cont'd)*

Farmers in Saka Ward rely on these resources to improve their livelihoods and contribute to food security in our region.

Hon. Speaker, in the statement the Chairperson should inquire into and report on:

1. When does the Department of Agriculture plan to open access roads and canals in Saka Ward?
2. What specific measures are being implemented to ensure the timely provision of seedlings and farm inputs to farmers in the area?
3. How does the Department intend to support farmers in overcoming existing challenges related to agricultural production and infrastructure?

(STATEMENT SOUGHT BY HON ABDIWELI ADEN ABDULLAHI - MCA SAKA WARD)

7. (STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON WATER AND IRRIGATION SERVICES)

Hon, Speaker, Pursuant to Standing Order 47(1)(c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Water and irrigation services regarding the water crisis in Bula Rahma, Daley location in Saka Ward.

Hon. Speaker, the right to water and sanitation is well defined under Article 43 of the Constitution of Kenya. Every person in Kenya has the right to clean and safe water in adequate quantities and the right to reasonable standards of sanitation.

Hon, Speaker, Water that is easily accessible and safe is essential for maintaining public health **and** better management of water resources, sanitation, and delivery can therefore significantly contribute to improved livelihoods and hence improved quality of life.

Hon. Speaker, currently, 32 percent of the Kenyan population still struggles to get their hands on dependable sources of safe drinking water. Sustainable Development Goals (SDGs) target addresses the achievement of universal and equitable access to safe and affordable drinking water for all by 2030,

...../7(cont'd)*

on this note, the goal underscores the need for and importance of prioritizing efforts that aims at promoting universal access to safe drinking water to all.

Hon. Speaker, the community is currently facing a severe water shortage, which is forcing school going girls to fetch water from the river Tana, a journey of 12kilometers that exposes them to dangers from wild animals. This situation is not only a health risk but also impacts the education and safety of our children.

Hon. Speaker, in the statement the chairperson should inquire into and report on:

- 1) Whether the department is aware of the water crisis affecting Bula Rahma, Daley location. If yes?
- 2) When will the department intend to restore water supply in Bula Rahma, Daley location?
- 3) Whether the County Government in conjunction with GARUWASCO has put in place proper water and sewage infrastructure?
- 4) What measures is the department taking to ensure safe and accessible water for the residents of Bula Rahma?

(STATEMENT SOUGHT BY HON ABDIWELI ADEN ABDULLAHI - MCA SAKA WARD)

8. (STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON AGRICULTURE, LIVESTOCK AND PASTORAL ECONOMY)

Hon. Speaker, Pursuant to Standing Order 47(1) (c), I wish to request a statement from the Chairperson of the Sectoral Committee on Agriculture, Livestock and Pastoral economy regarding the fencing of the existing horticultural containers in Saka Ward.

Hon. Speaker, agriculture is a fundamental aspect of development and governance in Kenya, explicitly outlined in both the Article 43 of the Constitution of Kenya and framework for County Government functions as stipulated in the fourth schedule of the constitution.

Hon. Speaker, Horticultural containers were introduced in Saka Ward to enhance local agricultural practices and promote food security among residents.

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These containers provide an ideal environment for cultivating various crops, enabling farmers to grow vegetables and fruits efficiently.

Hon. Speaker, over the years, the containers have become essential for supporting local farmers' livelihoods. However, due to inadequate protection measures, many containers have faced issues such as damage from animals and theft. This has led to a growing concern among farmers about the safety and sustainability of their horticultural efforts.

Hon. Speaker, to address these challenges, there is an urgent need for fencing around the existing horticultural containers to protect them from potential harm and ensure that the benefits of this initiative are fully realized by the community.

Hon. Speaker, in the statement the Chairperson should inquire into and report on:

1. When does the department plan to provide fencing for the existing horticultural containers in Saka Ward?
2. What are the steps being taken by the department to ensure timely implementation of this essential infrastructure for horticultural projects?
3. The measures the department is putting in place to assist farmers in maintaining and protecting the horticultural containers after the fencing is completed.
4. How the department plans to expand such agricultural support programs to other areas in the county to promote productivity and sustainability.

(STATEMENT SOUGHT BY HON ABDIWELI ADEN ABDULLAHI - MCA SAKA WARD)

9. (STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON WATER AND IRRIGATION SERVICES)

Hon. Speaker, Pursuant to Standing Order 47(1) (c), I wish to request a statement from the Chairperson of the Sectoral Committee on Water and irrigation Services regarding lack of water in several schools in Dertu Ward.

Hon. Speaker, Article 191 of the Constitution of Kenya, 2010 outlines the functions and powers of the County Government, which include the provision of water services to our residents. It is essential that we uphold these devolved water functions while respecting constitutional rights.

Hon Speaker, Article 43(1)(d) of the Constitution guarantees the right to clean and safe water for every individual.

...../7(cont'd)*

It emphasizes that access to accessible and adequate water services is a fundamental right, and the government has a duty to ensure the provision of these services.

Hon speaker, schools in Dertu are facing a critical shortage of clean and accessible water, a situation that severely impacts the health, hygiene, and overall well-being of students and staff. Water is a basic human right, essential for daily life, education, and the prevention of waterborne diseases. Without access to reliable water sources, students are unable to maintain proper hygiene, attend school regularly, or engage fully in their education.

Hon Speaker, without access to safe water, the vision of a better future for the children in Dertu cannot be realized. Therefore, urgent and sustained efforts are required to secure a reliable water

supply for the schools, enabling all students to thrive and pursue their education with dignity and hope. The schools affected are Bahuri, Boransis, Uthole and Kamuthe Primary schools.

Hon Speaker, in the statement the chairperson should inquire into and report on;

1. What are the main reasons for the water shortage in those schools?
2. Are there any projects aimed at improving water supply in these schools?
3. How does the county government plan to address the immediate need for clean water in these schools?

(STATEMENT SOUGHT BY HON ADEN HASSAN ODOWA-MCA DERTU WARD)

8*. Motions and Bills

1.PROCEDURAL MOTION

(Hon Marian Mohamed Hassan-Committee Chair)

That, the notice of motion given on this afternoon on the consideration and approval of the report of the committee on Water and Irrigation Services on the Public Petition by the residents of Waberi Ward regarding lack of water in Bulla college, Bulla hodan, Bulla manyatta, South b and parts of Bulla bashal, Bulla mzuri and Bulla masalani be exempted from the provision of standing order 57 (6) (b) of the county assembly standing orders that a notice of motion be given at least one day.

2.MOTION: APPROVAL THE REPORT OF WATER COMMITTEE ON THE PUBLIC PETITION BY THE RESIDENTS OF WABERI WARD

(Hon Marian Mohamed Hassan-Committee Chair)

Hon Speaker, I beg to move the following motion;

That, this House considers and approve the report of the committee on Water and Irrigation Services on the Public Petition by the residents of Waberi Ward regarding lack of water in Bulla college, Bulla hodan, Bulla manyatta, South b and parts of Bulla bashal, Bulla mzuri and Bulla masalani

3. MOTION: ESTABLISHMENT OF AN AD HOC COMMITTEE TO INVESTIGATE ISSUES REGARDING REFUGEES RESIDING OUTSIDE THE GAZETTED AREAS

That Aware That, there are growing concerns regarding refugees residing outside officially designated or gazetted areas, which may lead to challenges in managing resources and ensuring compliance with legal frameworks;

Further Aware That, the presence of refugees outside these areas may impact local communities, strain public resources, and create potential legal and security concerns;

Now therefore, in exercise of its oversight function, this House resolves to establish an Ad Hoc committee to:

1. Investigate the extent and reasons for refugees residing outside the gazetted areas
2. Assess the impact of this on local communities, including pressure on housing, healthcare, education, employment and conflict between the two parties;
3. Review current laws and policies governing the settlement of refugees in gazetted areas and examine any gaps or challenges in enforcement;
4. Engage with relevant stakeholders, including government authorities, local communities, refugee organizations, and other affected parties, to gather information and insights;
5. Provide actionable recommendations to address the issues, ensuring both the protection of refugees' rights and the management of resources in host communities;
6. Submit a comprehensive report with findings and recommendations to the House within 90 days.

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And Further That, this House resolve to consider and approve the appointment of the following Hon members into the Ad hoc Committee as shown below;

- 1.HON MOHAMED SHEIKH ABDISALAT-CHAIR
- 2.HON DEKOW MOHAMED DUALE
- 3.HON NOOR SHEIKH FARAH
- 4.HON MARIAN MOHAMED HASSAN
- 5.HON FATUMA ADEN ABDI
- 6.HON ZAMZAM MOHAMUD
- 7.HON OMAR ABDI HASSAN
- 8.HON ABUBAKAR HAJJI SUGOW
- 9.HON MUSTAF A. AHMED
- 10.HON HAMDIA AHMED
- 11.HON ADEN HASSAN ODOWA
- 12.HON KHADIJA IDRIS
- 13.HON ABDIRAHMAN MOHAMED

(HON MOHAMED SHEIKH ABDISALAT-MCA LABASIGALE WARD)

.....*Appendix**

A P P E N D I X

QUESTIONS & STATEMENTS

ORDER NO. 7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 50 (1), the **following County Executive Committee Members** will respond to questions in plenary today Wednesday (Afternoon), October 9, 2024 —

QUE. NO

ORDINARY QUESTIONS

I. The County Executive Committee Member for County Affairs, Public Service and Intergovernmental Relations-

01/2024

The Hon. Omar Abdi Hassan MCA Damajale Ward to ask the County Executive Committee Member for County Affairs, Public Service and Intergovernmental Relations: -

Could the County Executive Committee Member -

- (i) Elaborate on when the county government plan to operationalize All the Sub-Counties and place the relevant officers at the sub-county level?

QUE. NO

ORDINARY QUESTIONS

2.The County Executive Committee Member for Health—

01/2024

The Hon. Hassan Dahir Noor, MCA Baraki Ward to ask the County Executive Committee Member for Health and Sanitation: -

Could the County Executive Committee Member –

- (i) explain what plans are there to operationalize laboratory department at Afweine dispensary?
- (ii) Why the entire ward has no community Health Extension Worker (CHEW)?
- (iii) Whether there are plans by the health department to construct health dispensary at Darussalam Sub location?

QUE. NO

ORDINARY QUESTIONS

3.The County Executive Committee Member for Finance and Economic Planning —

01/2024

The Hon. Fatuma Aden Abdi, Nominated MCA to ask the County Executive Committee Member for Finance and Economic Planning: -

Could the County Executive Committee Member –

- (i) explain What is causing delays in respect to payments of pending bills?
 - (ii) What is the total amount and plans put in place to avoid such accruals?
 - (iii) Whether there is payment plan and challenges faced by the county in executing such plans?
-