

## BOMET COUNTY ASSEMBLY

### OFFICIAL REPORT

Wednesday, 29<sup>th</sup> March 2017

The House met at 02.30 pm

[*Hon. Temporary Speaker (Hon. Julius Korir) on the Chair*]

PRAYERS

❖ QUORUM

**Hon. Temporary Speaker (Hon. Julius Korir):** Sergeant at Arms kindly ring bell for 10 minutes.

*(Quorum Bell rings )*

**Hon. Temporary Speaker (Hon. Julius Korir):** The ten minutes are over can the sergeant at Arms ring the Bell for another 8 minutes.

*(Quorum Bell rings)*

Yes Hon. David Rotich.

**Hon. D. Rotich BigFive:** Hon. Speaker there is quorum

❖ COMMUNICATION FORM THE CHAIR

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon. Members we are pleased today to have pupils and teachers from Chebole Primary within Mutarakwa Ward, so join me in welcoming them.

*(Applause)*

❖ STATEMENTS

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon. Members there are a number of Statements. Hon. Samson Towett on 22<sup>nd</sup> June 2016 sought a Statement from the Chairperson Committee on Budget and Appropriations concerning motor vehicles procured by the County Executive. The Statement was first committed to the Committee on Infrastructure, Roads and Public Works but on 15<sup>th</sup> Feb 2017, it was committed to the Committee on Budget and Appropriation. The Chair or Vice-Chair to respond since it was given 14days.

Hon. Samson Towett on 18<sup>th</sup> January 2017 sought a Statement from the Chairperson Committee on Administration, Peace, Justice and Legal Affairs concerning the conversion of the former Agricultural Training Centre (ATC) to Centre for Devolved Government (CDG) , You had requested for a further period of 7 days to respond to the Statement.

Hon. Robert Serbai on 24<sup>th</sup> January 2017 sought a Statement from the Chairperson Committee on Administration, Peace, Justice and Legal Affairs concerning the role of the County administrators. You have further period of 7 days to respond to the Statement.

Hon. Hellen Chepkirui on 1<sup>st</sup> March 2017 sought a Statement from the Chairperson for the Committee on Gender, Sports and Social Services regarding allocations of funds for persons with disabilities. You have further period of 7 days to respond to the statement.

**Hon. R .Langat:** Thank you Hon. Speaker as earlier said I had requested the Speaker that I had a lot with the Committee on Labour and Public Services which to date I have not cleared. The Chair is aware about that.

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon. Serbai or any other Member of the Committee.

*(On a point of order)*

**Hon. R. Serbai:** I understand what the Vice-Chair has said that he is overwhelmed by the Committee on Labour and Public Service but there is a team at the Committee on Budget and Appropriation, which is doing a disservice to this County Assembly. There are various Statements touching on the Committee on Budget and Appropriation that have not been answered up to date. My point of order is the Committee on Budget and Appropriation in existence. If yes, what then is the Committee doing?

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon. Leonard Kirui, are you a Member of the Committee on Budget and Appropriation?

**Hon. L. Kirui:** Thank you Mr. Speaker Sir, I am a Member of the Committee on Budget and Appropriation and apart from the Statement that we have, we are also dealing with the usual budget process making process. For sure, I can attest to this Assembly that the Committee on Budget and Appropriation has been trying so much. I remember the last time we called the CEC, he responded to the three Statements at once. The CEC was economical with the truth.

We have not dealt with the Statement exclusively as required. This is occasioned by the lack of quorum. Hon. Mosonik yesterday said “*the ground is moving*” and what he meant was that Members are busy in their Wards such that there is no quorum across the Committees. We are also

aware that we have 2-3 weeks to nominations. We cannot cheat ourselves that we are comfortable while there are campaigns.

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon. Serbai

*(On a point of order)*

**Hon. R. Serbai:** I think the Chair is lying to this Assembly. All of us have nominations and it not like the Members who are here does not do campaigns. This should not bring any hitch to the business of this Assembly. Overall, before the campaigns started the Committee on Budget and Appropriation has been very weak. Most of the issues were being answered by the Vice-Chair.

Mr. Temporary Speaker sir, you are aware that we used to have a seven-member Committee and the present composition is thirteen-member. Meaning it is enough force to tackle the matters coming up before. To say that the Committee on Budget and Appropriation is doing a full job in this Assembly is a lie. The Committee on Budget and Appropriation must wake up and do the work. It should not be about the campaigns. Not unless Hon. Kirui is telling us, we go for *Sine Die* recess.

**Hon. Speaker:** Hon. Kirui, kindly finish your submission.

**Hon. L. Kirui:** Ok Hon. Speaker. For those who are critical in what the Members are saying, I heard him saying that it is the Vice-Chair who has been answering at the same time he is saying that we have not been answering. So when the Vice-Chair answers...

*(Hon. Serbai rises on a point of order)*

**Hon. Speaker:** Because of time Hon. Serbai, allow Hon. Kirui to finish then we go further.

**Hon. L. Kirui:** In short Hon. Speaker, I want to say this Statement was dealt by the Committee on Infrastructure and Public Works but they were not able to do it and that is why it was brought to the Committee on Budget and Appropriations. I want to say the Committee on Budget and Appropriation after receiving this, had a lot of work especially on the budget making process and with other Statements that they had. I request that you still give more time to the Committee on Budget and Appropriation so that we can work around the clock to ensure that we complete. What they need to consider first is that it was in the Committee on Infrastructures and Public Works before heaping blames on the Committee on Budget and Appropriations. The Committee on Infrastructure took long with this Statement.

Thank you.

**Hon. Speaker:** Because of time, let us have Hon. Kirui.

**Hon. J. Kirui:** Hon. Speaker. I happen to be a Member of the Committee on Budget and Appropriation and indeed, this matter was referred to our Committee. The Committee on Infrastructure and Public Works failed to answer adequately. As Hon. Kirui from Siongiroi has requested, we ask that you give us more time because this is a very critical matter. We know the Governor of this County, who is a tourist in other Counties, is using some of these vehicles. Ngong MP for Emurua Dikir is using one of it on hire purchase. Therefore, we need time so as to unearth some of these malpractices going on in this County and to end this impunity that this rogue Governor has brought...

(On a point of order)

**Hon. R. Bett:** Mr. Speaker, I know this is an Assembly of procedure. It is an Assembly where we follow procedures and at all time respect the rules and norms whenever one is talking about anything. In accusations and allegations, there should be substantive evidence tabled. When someone says the Hon. Governor of this County has hired out a vehicle belonging to this County, I request that those substantiation and clarity be tabled in this Assembly.

**Hon. Speaker:** What is your point of order Hon. Bett?

**Hon. Bett:** Mr. Speaker, the Hon. Member for Ndaraweta is alleging that the Governor of this County has lent out a vehicle to a Member of Parliament for Emurua Dikir, Hon. Jonah Ngeno for his use. This is a maligning statement which is not true. If at all the Member is not ready to table then he should automatically withdraw such a statement.

**Hon. Speaker:** Hon. Josphat, are you ready to substantiate that one Hon. Member from a different County is using one of the vehicles? If you are not ready to substantiate now you need to withdraw.

**Hon. Josphat:** My Statement was clear Hon. Speaker that we needed time as the Committee on Budget and Appropriation to come up and even have the number plate of the vehicle because they keep on changing the number plate. As we know in Narok County, he was trying to open up offices, trying to look for the Governor of that County, and misusing those vehicles ferrying the people from Bomet County such that when they are in Narok, they look like Maasais. Some even came from my Ward. Therefore, we need to pin this dictator down.

**Hon. Speaker:** I think Hon. Josphat has made it clear that the delay of the answer to this Statement is to get the facts. Nevertheless, when you look Hon. Josphat, the Statement is inquiring more on specifically the purchase of the motor vehicles and not the use nor where they are. Hon. Josphat in this, you are out of order. Not unless there is a Statement to that effect, that is where you will need to come to the investigating report, but on this, the issue was more on the purchase and whether it was on hire purchase and why it was captured on a particular financial year.

Hon. Samson, do you have an issue?

**Hon. Samson:** Thank you Hon. Speaker. Indeed, my colleagues have started ventilating the issue maybe because the answers were not availed this afternoon. Being the seeker of this Statement, I am hurt, to say the least, because this Statement has been in the Floor of this Assembly for the last nine months. I sought it before the approval of current budget. I had some specific intentions on the vehicles on hire purchase. My intention was to have current money used prudently. Now the budget is almost entering its fourth quarter, and it is like I will not be able to achieve the objective I had.

Mr. Speaker, this Statement was first committed to the Committee on Infrastructure and Public Works, which took a length of time. It came to the Committee, which I am also a member, and now I find myself in a fix because we have not been able to sit as a Committee on Budget and Appropriation due to a number of reasons that Hon. Kirui has said and some even included the legislative summit. I would, maybe, want this Statement to take the shortest time possible, maybe by next week, before we go on recess, so that at least my intentions can be achieved although it will have been delayed.

As they say, justice delayed is justice denied. We have powers as the Members of the Committee to see what we can do, but I urge my fellow Members of the Committee to sit and deal and not only on this Statement but also there are a number of Statements which are expected to be answered by the Committee.

Let me use this opportunity to urge the Members of the Committee on Budget and Appropriation that we sit. Otherwise, Hon. Speaker, I am discouraged based on the number of months that it has taken. The sooner it is answered adequately, the better.

Thank you Hon. Speaker.

**Hon. Speaker:** Hon. Leah

**Hon. Leah C:** Thank you Hon. Speaker. I am also a Member of the Committee on Budget and Appropriation and I concur what the other Hon. Members have said. I also want to request that we, the Members of the Committee on Budget and Appropriation be allowed to sit in between the Plenary session, so as to attain the quorum. We also spent a lot of time in the retreat and we did not get time to address these issues. That is my request Hon. Speaker.

**Hon. Speaker:** Thank you Hon. Leah for the request that was first requested by Hon. Samson who is the seeker of the Statement. I wish you dispensed this Statement in the next seven days. That is the direction we will take but we also need to understand that there was a ruling last week that was touching on the Committee on Budget and Appropriation. There has been a delay in the answering some of the Statements. I will only say that the rulings that were given by the Speaker last week

are binding and that the Committee should sit and attend to the issues that were raised. Given that, some of the issues are supposed to be steered by the Chair of that Committee.

It is the prerogative of the Committee to sit and do things right within the Committee so that some of these issues can move fast. In addition, I urge the members of the Whole Assembly that this Statement has taken almost one year to be answered and we have the powers. Therefore, it is not only affecting the Committee but the Whole Assembly. What can we do so that a Statement cannot take as long as this one? We are not portraying a good image to the members of the public of this County. Therefore, it is a mandate of the Whole Assembly to stamp their authority and act because the oversight and legislative powers of this County are vested in this Assembly.

Therefore, I direct that this Statement be answered in the next seven days given that the Committee has sat and organized their affairs. Therefore, answer this Statement next week in the afternoon session. By then I hope the committee will have sat and their house is in order so that Committee Member cannot answer and yet the Chair is present.

Statement number two, Hon. Samson again, on 18<sup>th</sup> January 2017 sought a Statement from the Chairperson Administration, Peace, Justice and Legal Affairs.

Hon. Chair, the Floor is yours.

**Hon. R. Bett:** Thank you very much Hon. Speaker. As for this Statement, I remember I answered this Statement partially and some subsidiary questions that arose. As a Committee, we found out that we needed more information and we wrote to the CS, that is the substantive CS. In the other answers, we were given answers by the former acting CS, which the Hon. Members questioned. So we wrote to them seeking more substantive answers. One of the answers was the meeting that took place and resolution to the effect that CDG be the central point of training, which we requested the CS for minutes to that effect. The minutes, which showed that, they did and resolved that CDG become a central training place instead of being an Agribusiness department training personnel in that field of Agri-business. To date we are yet to get a substantive and clear answer, which I am requesting that you give us some days. You can recall that last week we were not there and this week I can admit that we have not gotten the correct answers, which can satisfy the statement seeker. This Statement has taken time and if something is not answered within a stipulated time it means that you have denied justice the seeker. I am requesting that you give the Committee more time so that we can transact business.

**Hon. Speaker:** The seeker of the Statement

**Hon. S. Towett:** Thank you very much Hon. Speaker. I want to concur with Hon. Bett as far as the amount of time required and I know that we have not had time. The Committee has not demonstrated well that they have invited the County Secretary and when are they expecting him to

appear before the committee so that we are sure that we are expecting an answer from them. I heard Hon. Bett indicated that he was only addressing a subsidiary question, but if you look at the answer he had given to me and the Assembly before, the first question had not been answered satisfactorily because there were no minutes or resolutions provided. Question 2 was talking about budgetary allocation and they had talked of different departments facilitating the training at a given time. There was no answer for question (d).

When you talk about subsidiary questions only being answered, there were other follow up questions, which came after. I would say that the first questions had not been adequately attended and secondly there were other subsidiary questions. I request Hon. Bett should go back and look at them so that we do not waste time going back to the questions. I do not have any objection on what Hon. Bett has requested.

*(Hon Julius Korir assumes the seat of the Speaker)*

**Hon. Julius Korir (Temporary Speaker):** As per the request of... *(Interruption)* Do you have any objection on the response Hon. Kirui?

**Hon. J. Kirui:** Hon. Speaker, giving this Committee on Administration, Peace, Justice and Legal Affairs the responsibility of coming up with the answers is like giving your coat to the hyenas and expecting to get in the morning. The Hon. Chair is confirming to this house that there was no resolution as such and that is why they cannot produce the minutes. There was no minute of converting the Agricultural Training Centre (ATC) into a Centre of devolved Governance (CDG). It is commonsense that a dictator rules this County and he decreed the changes. He did not pay attention that Agriculture is the backbone of the economy in this County. He closed down the ATC such that nowadays we do not have where to train farmers. He converted what an ATC to a place of training his militia termed as '*Kiplogom defence forces/chepcupo*'. It is also a dumping place for the officers who are not supporters of the Governor.

Kindly give this Statement to a more serious Committee like the Committee on Implementation because there are so many officers who are idle and earning salary. These are some of the issues that will find its way to the EACC and I know that Hon. Bett is being honest when he said that he could not trace the minutes so it's like you are forcing him be to go to the collision course with the party leader. The acting County Secretary who previously handled the question is now the acting Deputy Governor so this is a County of impunity. The Governor purported that he sacked his own Deputy Governor, and by thus doing, he was constitutionally dissolving the County.

Hon. Bett has no moral authority to handle this because he is close with the Governor and normally says what the Governor will say today and tomorrow. This is a great sycophancy and giving this Statement to this Hon. Chair is doing injustice to this Assembly

**Hon. Julius Korir (Temporary Speaker):** Hon. Serbai

**Hon .R. Serbai:** Hon. Speaker it is quite ridiculous that we are talking about the CDG and it is actually my first time to hear from Hon. Bett that the ATC was actually converted to a CDG. Under the County Government's Act, for any establishment of any office it must pass through the County Assembly. The CDG has not passed through this Assembly and I do not know where they are getting the money to run it because as an Assembly we cannot budget for an institution that has not been approved by this County Assembly. The so-called militias are the people who were rejected by the County Assembly and as per my colleague; most of them are only loitering around.

The Committee on Budget and Appropriation should be able to tell us where these people are getting their salaries because we never captured them in the budget. The number of vehicles that are there, remember that once, Hon. Josphat Kirui was once a Majority Leader and when he rebelled against the Governor, they took his official vehicle.

They took CPSB to the said CDG because they rebelled meaning it is a dumping site. Giving it to Hon. Bett is just like carrying your own cross because he is a close ally to the Governor and does not want the Governor to be touched. I agree with Hon. Josphat that this Statement be given to another Committee because Hon. Bett is ashamed to bring the answers to the House. He fears bringing such answers and that is why he is always saying he did not get substantive answers. Hon. Bett and the Governor are age mates and that why he always says whatever the Governor says today or tomorrow is true so it means Hon. Bett will tell the Assembly whatever he is told by the Governor.

Do we really trust this man? Can we have another committee dealing with this matter because as the Members of the County Assembly we really want to know what is happening with the CDG? Did we approve this CDG as is the procedure in the County Government Act? The kind of leadership in this County is very unrealistic and recently the Governor violated the Constitution by appointing another Deputy Governor, which has never happened in any County. Do we expect answers from such a Governor? I beseech you to direct this Statement to the Committee on Implementation instead of the Committee on Administration, Peace Justice and Legal Affairs. This is because there is not justice and administration in where Hon. Bett is sitting.

Thank you Hon. Temporary Speaker.

**Hon. Julius Korir (Temporary Speaker):** Hon. BigFive

**Hon. D. Rotich BigFive:** Asante Mheshimiwa Spika. Ninapokaa hapa nimemhurumia Mweshimiwa Bett sana maanake amerushiwa maneno kwamba ametumiwa kama chombo. Tunaposema Kamati haimanishi yeye pekee yake yupo kwa hiyo Kamati na sijui kwa nini amevumilia ilhali si yeye ana uamuzi katika Kamati. Wahenga walinena kwamba palipo na moshi

pana moto na vile wenzangu wamesema si vyema kutumika kama chombo. Mweshimiwa Josphat alikuwa na gari lililokuwa linavalishwa nambari kama nguo na nilikuwa nahofia sana kama mweshimiwa wa Jimbo hili. Yangu ilikuwa kusisitiza kwamba tunaposema Kamati tunamaanisha wanakamati wote ilhali sio Mweshimiwa Bett pekee.

**Hon. Julius Korir (Temporary Speaker):** Hon. Bett sit down I will give you time to respond and we still need Members to deliberate before giving direction.

**Hon. E. Chepkemoi:** Thank you very much Hon. Speaker for giving me this opportunity. I do not concur with the Hon. Members who are criticizing the Chair because we are here to play oversight role and whenever a Statement is asked the Executive are to give the answers. We do not have powers as the Chairs to alter the information from the Executive, we are here to give our views and so Hon. Bett had the right to give whatever the Executive responded for the Members to react on.

*(On a point of order)*

**Hon. Julius Korir (Temporary Speaker):** Hon.Serbai

**Mhe. R. Serbai:** Mweshimiwa Spika nimesimama kwa sababu ya utaratibu wa hapa. Kumbe kuna wengi wetu ambao wanasema tunahurumia Mhe. Bett. Sisi hapa ni kufanya kazi yetu kwa mujibu wa sheria. Hatuna uhakiki wa uadui. Yale ambayo nimeyasema ni kwamba sisi wenyewe tungekuwa wa kwanza kuhurumia Mhe. Bett kama kuna huruma maanake tumesema ya kwamba yale ambayo yatokea pale si kwamba yatoka kwa Mhe Bett. Kwa vile Mhe. Bett mwenyewe amejulikana kuwa kila wakati kazi yake ni kusema yale Gavana atasema leo kesho na kesho kutwa ni ukweli.

Mhe. Spika wa Muda, majibu yatokeayo pale si makosa yake bali ni makosa ya mkubwa wake. Hivyo hatumlaumu Mhe. Bett ila twamlaumu....

*(Shouts of point of order)*

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon Everlyne, Hon. Serbai is in a point of order

**Mhe. R. Serbai:** Asante sana Mhe. Spika wa Muda. Naona Mhe. Everlyne amepatwa na joto ila ningekuomba umwambie apoeze ja kidogo.

Mhe. Spika, namhurumia mwenzangu sana, namheshimu lakini kutokana na maswali yale ambayo ameulizwa, majibu ambayo yatatolewa ijapokuwa hayatakuwa ya ukweli si kwamba Mhe. Bett asema uwongo, la hashu, Ni mkubwa wake aliye na udikteta saana na akisema yale ambayo angependa yasemwe basi sharti Mhe. Bett ayaseme.

Asante sana Mhe. Spika wa Muda.

**Hon Temporary Speaker (Hon. Julius Korir):** Because of the essence of time, kindly expedite this matter.

Hon Metet, do you have any issue?

**Mhe. R. Metet:** Mhe. Spika wa Muda, nilikuwa naonelea michango ya wenzangu kwamba itakuwa ni vyema pengine swali hili litolewe Mwenyekiti Mhe. Bett kwa sababu amesema anatazamia aongezewe muda zaidi. Tukimkubalia, huenda tusipate jibu. Twajua vizuri sana kuwa Mhe. Bett ni rafiki wa ndani wa Gavana, na muelewe ni wa ndani kiasi kwamba hata tukisema Gavana amekohoa, atasema hajakohoa. Ni rafiki wa kila wakati na kila mara. Na haya maswali ambayo ameulizwa ni suala nyeti ambapo yahitaji jibu sahili. Ingekuwa vyema kwa wale waheshimiwa wenzangu amao wamesema kuwa hata akiongezewa siku, miezi na hata miaka hatutapata jibu sahihi. Ni vyema swali hilo litolewe kutoka Mhe. Bett na lipewe idara jingine ili washughulikie vizuri ndio tupate jawabu. Kwa hivyo Mhe Spika wa Muda, naomba wajibu hilo litekelezwe.

Asante sana Mhe. Spika wa Muda

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon Bett you have to respond

**Hon R. Bett:** Thank you Hon. Speaker. I know you are ready to give directions. Nevertheless, I sympathize with Hon. Members who are suffering from a certain syndrome, which is a syndrome of a discipline, a syndrome that does not have cure other than voting which is forth coming.

Mr. Speaker, when someone say that he wants to say he sympathize with Hon Bett, and Hon. Bett being the Chair for the Committee on Administration, Peace, Justice and Legal Affairs, which if you were present in Mombasa, when we attended County Assembly forum, it ...

*(Interruption by a point of order)*

**Hon L. Chepkoech:** Hon. Temporary Speaker, my point is whether Hon Bett is in order to allege that the Hon. Members are suffering from unknown disease. Can he substantiate?

**Hon Temporary Speaker (Hon. Julius Korir):** Hon Bett, you have allege that some members have a...

**Hon R. Bett:** Yes,

**Hon Temporary Speaker (Hon. Julius Korir):** Hon Bett, kindly makes it clear. What type of disorder, which syndrome do the Members are suffering from?

**Hon R. Bett:** It is a mentality syndrome. This honourable Member, I can ...

**Hon Temporary Speaker (Hon. Julius Korir):** Hon Bett, substantiate

**Hon R. Bett:** Let me substantiate. Firstly, by referring to Hon Kirui from Ndarawetta, it is only after he had been shown the door from being the majority leader that he realized that he had not been advocating this Assembly to the effect that of defending the CEO of this County was not in his mental position. He is only coming to realizing that. Why am I saying this?

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon Bett, in your able judgement of the mental ability of a person, can you substantially proof or you be out of order. So you either substantially proof that Hon. Josphat was mentally or medically unfit or unwell but if not then you withdraw.

**Hon R. Bett:** Mr. Speaker, as I withdraw

*(Interruptions)*

Mr. Temporary Speaker, let me withdraw and apologize. I said it is only with the sympathy and the ancient time that he should advocate these issues from day one to the end of his term in this Assembly.

Let me go on, when we talk about sympathy I do not deserve any sympathy in this Assembly. I am only there to advocate issues that touch on the Members and the community of this County.

**Hon Temporary Speaker (Hon. Julius Korir):** you have 10seconds

Hon R. Bett: Mr. Speaker, I know you are trying to revenge because I know ...

*(Interruptions)*

As a Temporary Speaker, you need to give me time to respond adequately to the issues raised. Mr. Temporary Speaker, you are becoming biased.

**Hon Temporary Speaker (Hon. Julius Korir):** Hon Bett, I am not going to allow you more time given that you have not given out a substantive answer to the Statement. Do I give you Assembly's time arguing or responding to issues raised by Hon. Members? You had requested more time to answer the Statement which others Members raised concerns

that the Statement be possibly be given to other Committee. Therefore, Hon. Member you will not waste Assembly's time going round and round without answering the Statement.

*(On a point of order)*

**Hon. R. Serbai:** I request all the Members that we respect the standing orders. A Member is supposed to contribute to a motion before the Floor of the Assembly for a certain number of minutes. When a Member has finished the time allocated, the Speaker has the discretion to stop him or her. We all approved the standing orders and thus we need to respect them.

Thank you

**Hon. Temporary Speaker:** Now I am giving directions on this Statement, the Statement on the Committee on Administration, Peace, Justice and Legal Affairs ...

*(Hon. Bett on a point of order)*

Hon Bett, I am not going to give you any other time. I know you want to respond to the directions that maybe the Statement will be referred to another Committee but the fact remains we want a substantive answers. Hon Bett, what is the point of order? You have three seconds.

*(On a point of order)*

**Hon R. Bett:** Mr. Speaker, you have not answered me why you are biased. Let me say that as I stand on a point of order, I was the one who was given the Statement and I have answers, which were disapproved in this Assembly, as not substantive. I wrote back, for satisfactory answers to be given to this Committee. I should say that I am not scared if you will recommit this Statement to another Committee, because that would not be my business. My business is that to articulate issues touching on the Committee on Administration, Peace, Justice and Legal Affairs.

I think you are only scared ...

*(Interruptions by the Temporary Speaker)*

**Hon Temporary Speaker:** I am not going to allow any other point of order. No, no, no. Hon Josphat, we still have other issues ahead of us. Now let me give directions. This Statement has taken a very long time. The Statement was sought on 18<sup>th</sup> January, and the Committee on Administration, Peace, Justice and Legal Affairs was to answer. Hon. Bett has elucidated some reasons. It is a fact that since 18<sup>th</sup> January to date, there has been no response. The major reason has been that of the acting County Secretary.

As the Chair of the Committee, Hon. Bett can now t be given another seven days to handle the issues because a substantive County Secretary is in office.

The power of oversight is vested to any Committee. Nonetheless Hon Bett should also give reasons why a response to this Statement has taken almost four months. This is not the first time that the Statement has been taken from Hon Bett's Committee to another Committee. We do not want to go back to such scenarios.

Therefore, you have another seven days to respond to this question adequately. By Wednesday afternoon, you should be able to answer this statement substantially. I hope it would be substantive as possible. Let us move to the Statement number 3

Hon. Robert Serbai sought a Comprehensive Statement on 24<sup>th</sup> January 2017 from Chairperson Committee on Administration, Peace Justice and Legal Affairs concerning the role of the County Administrators. In the Statement, the Chairperson is to indicate;-

- a) Whether he is aware that the administrators are now recruiting members to *Chama Cha Mashinani (CCM)* and advocating for policies of the same party.
- b) Who instructs the said officers to recruit members to CCM party?
- c) What disciplinary measures has the County Executive taken given that the said administrators are public officers and have therefore breached the provisions of section 15 of the Public Officers Ethics Act?

*(This statement had initially been committed to the Committee Labour and Public Service but on 8<sup>th</sup> February, 2017 it was directed that it be handled by the committee on Administration, peace Justice and Legal Affairs. The committee was given 7 days to report to Assembly) - (Statement No. 94)*

**Hon R. Bett:** Hon Temporary Speaker, this indeed confirms that this Committee on Administration, Peace Justice and Legal Affairs is a busy Committee. None the less, I am a very able Chair. Notwithstanding such, I want to say that last week I called the seeker of the statement to appear before the committee. He came and gave us his contributions and indeed we communicated to him that we will seek answers from the executive and in our first letter that we wrote to the County Secretary, he requested for 14 days. The 14 days lapsed last week. Today I tried to get the answers from that office but I have not received. I have interrogated into these issues and clarifications and Hon Serbai appeared before our Committee. He also requested that if indeed the County Secretary was to appear before the Committee he was ready to come and question him further

On the issues of recruitment of CCM members; I hope that the seeker of the statement will concur with me that he appeared before the Committee. The following week we were out for a meeting in Mombasa so I want to urge and request the seeker of the Statement to

allow me sometime so that I get proper communications from the CS's office. I promise table the same in the Floor of this Assembly.

Otherwise, the Committee had dealt with this issue and they are open in their minds. This Committee does not belong wholesomely to Members of CCM. I am a member of CCM but I will deliver and give the answers as per the questions but not as per political alignments of the parties. I know that I will perform the duties bestowed upon me in that Committee at that particular time. If necessary to advocate for issues of CCM, then I am going to advocate outside this Assembly. I know that members in this Assembly are going to say that I am going to give a biased report because I am a member of CCM.

**Hon. Julius Korir (Temporary Speaker):** Seeker of the Statement?

**Hon. R. Serbai:** I am shocked Mr. Speaker because the Chair is defending himself. I am also shocked because my Statement was not requesting that I appear before them. When it comes to issues that Hon. Bett is raising, he even requested for more time. He even wrote a letter to the CS (County Secretary) and the 14 days expired last week and he did not request for more time. Hon. Bett is claiming that he is CCM die-hard and the way the administrators are busy recruiting members of the public through dubious means to be members of Chama Cha Mashinani. Will Hon. Bett answer the Statement objectively given that he has said that he is a die-hard member of Mashinani Party? My question was why are there administrators recruiting members of the public to Mashinani where Hon. Bett subscribes to?

I need answers now, he has been asking for more time.

**Hon. Temporary Speaker (Hon. Julius Korir):** Hon. Bett it is time for Members to react. Hon. Kirui.

**Hon. J. Kirui:** Thank you Hon. Temporary Speaker. The guilty are always afraid. You do not have to study rocket science to be able to comprehend the way he is behaving. I was also shocked the other time when he was tried to challenge the impartiality of the Speaker. Right now he fears the contribution of the Members but I want to console Hon. Bett that in a few months time Mashinani will be no more and those administrators who did not went through County Public Service Board will be no more and those who are breaching section 15 of the Public Officers Act will also be no more.

Since this is like giving your goat to hyena to guard for you, you will realize that a "baptized hyena" will not forget to swallow the goat.

We know that there have been several instances where Hon. Bett has been coordinating people to visit Tumoi. The Deputy President will be visiting Bomet this Saturday, these are the administrators who normally buy goons to jeer the opponents of Jubilee party.

I want to say that in this question Hon. Bett has talked on his personal capacity and not as a Committee. I want to request him, now that the Statement has been pending from January, to relinquish it. He is requesting for more time but we are not going to condone this kind of behaviour of the Chairman who is suffering from "*plokomiosis*".

**Hon. Julius Korir (Temporary Speaker):** Hon. Bency Too.

**Hon. B. Too:** I can see we are lacking quorum.

**Hon. Julius Korir (Temporary Speaker):** Sergeant-at-Arms kindly ring bell for ten minutes.

*(Quorum bell rings)*

**Hon. Julius Korir (Temporary Speaker):** Hon. Members the Standing Orders is very clear that the Speaker may order the bell to be rang for another five minutes, I want to direct that the Statement that are before us should be answered by the Chairs of those Committees within seven days.

The Statements that were asked by Hon. Hellen to the Committee on Gender, Culture and Social Services and I want to direct it to be answered next week Wednesday in the afternoon sitting.

#### **ADJOURNMENT**

Because of the quorum hitch, this House stand adjourned until Tuesday 4<sup>th</sup> March 2017.