

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Tuesday, 27th February, 2018

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

The Speaker, County Assembly of Samburu, (Mr. Lempere Solomon) in the Chair

PRAYER

MESSAGES

NOMINATION OF COUNTY SECRETARY AND 14 CHIEF OFFICERS

The Speaker, (Mr. Lempere Solomon): Hon. Members, I have a message from the Governor. Standing Order No. 43 (1) relating to messages from the governor provides that the Speaker shall read to the House any message delivered to the speaker from the Governor for communication to the County Assembly.

In this regard hon. Members, I wish to convey the message from the Governor nominating the County Secretary as well as other persons for various Chief Officer positions.

1. Mr. Stephen Sirinka Letinina – County Secretary and head of public service.
2. Mr. Reuben Lemunyate – CO Agriculture Livestock Development, Veterinary and Fisheries.
3. Dr. Andrew Lanyasunya – CO Culture, Social Services and Gender.
4. Mr. David Lesamana – CO Economic Planning and ICT.
5. Mr. Marios Lerugum – CO Education and Vocational Training.
6. Mr. Daniel Lenoolkirna – CO Finance.
7. Mr. Bernard Lesurmaat – CO Lands, Housing, Physical Planning and Urban Development.
8. Ms. Lydia Nkini Letinina – CO Public Service Management and Administration.
9. Mr. Samuel Nakope – CO Medical Services, Health and Sanitation.
10. Mr. Wilson Lekoomet – CO Roads, Transport and Public Works.
11. Mr. Daniel Lesaigor – CO Special Programs.
12. Ms. Alice Lenanyokie – CO Sports and Youth Affairs.
13. Ms. Joy Letooyia – CO Tourism and Marketing.
14. Ms. Susan Lelemoyog – CO Trade, Cooperative Development and Enterprise Development.
15. Mr. England David Loosenge – CO Water, Environment, Natural Resources and Energy.

The message was submitted by way of a letter dated 26th February, 2018 and received on 27th February, 2018 addressed to my office for submission to the County Assembly. Hon. Members,

Pursuant to section 45 (1)(b) of the County Government Acts provides that the Governor shall appoint with the approval of the County Assembly the County Chief Officers.

It is pursuant to the above mentioned provisions that the following appointments have been presented to the Assembly as per the Public Appointments County Assembly Approval Act No. 5 of 2017. The County Assembly is required to conclude the process of approval or rejection of the nominees within the 14 days on the dates of notification.

The County Assembly is required to conclude the process of approval or rejection of the nominees within 21 days on the dates of the notification. Section 14 (3) of the County Government Act provides that in considering any appointment for which the appointment of the County Assembly is required and under the Constitution an Act of parliament or County Legislation, the appointment shall be considered first by the committee of the County Assembly, the committee recommendations shall be presented before the County Assembly for approval.

At the proceedings of the committee at the County Assembly shall be open to the public. Pursuant to Standing Order No. 46 (1), I therefore direct the sectoral Committees to consider the list of the nominees for positions of the County Chief Officers as well as the Committee on Appointment to consider the nomination of the County Secretary for approval by the House.

In this regard, I wish to guide that the Committee should table their report before 20th March, 2018 for consideration.

Hon. Members, pursuant to provision of paragraph 3 of Standing Order No. 43, which is the Messages from the Governor, it reads;

(43) When a message from the Governor or the Senator of the County is read, the message shall be deemed to have been laid before the County Assembly and the Speaker may refer the message to the relevant Committee of the Assembly for consideration.

I hereby refer the message from his Excellency the Governor containing the names of the nominees together with supporting documents to the fore mentioned Committee to undertake the necessary approval hearings. Thank you.

STATEMENTS

DELAYED DISTRIBUTION OF EMERGENCY RELIEF FOOD

The Speaker, (Mr. Lempere Solomon): Hon. Members, we expect response for statement number 001/2018 from the Leader of Majority regarding delayed food distribution as requested by Hon. Benjamin Leitore.

The Majority Leader is not here? Hon. Benjamin Leitore

MCA Wamba West, (Hon. Benjamin Leitore): Thank you Mr. Speaker, as you indicated I expected a response but it is shocking that the whole government side is absent Mr. Speaker. From the Leader of Majority, Deputy Leader of Majority, the Majority Chief Whip and the whole lot are not in Mr. Speaker. We urgently need the response because it is a County concern; the people we represent from the lowlands require these services. Mr. Speaker, we wish that the response be given today if possible

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you Mr. Speaker, I rise because I think I anticipate as hon. Leitore indicated, we might not get the response today because it already late. That said, we now get accustomed to failure to receive responses especially if they are sought from the Executive.

Mr. Speaker, it is a little bit shameful that on a matter that touches on soft belly of our people, sought and adjourned twice we do not have a response yet. It is time that this House re-affirms itself now in discharging its oversight mandate because this House can surely not be taken for granted even on a matter of life and death. When a hon. Member asks for a statement explaining why people do not have food while the government has purchased it.

I request that the House reprimands the persons who were to come with the response to this House and give us further direction on how quickly we can get the response because this is an issue of life and death to all our people in this County not only to the ones at the lowlands. We know there should be an intervention because there is neither food nor rain and the food is in the

stores, why should it be delayed from distribution. Mr. Speaker this is a matter that we cannot afford to wait, we therefore beg for your indulgence and direction that this statement be responded to as soon as yesterday

MCA Nachola Ward, (Hon. Lawrence Lorunyei): Thank you Mr. Speaker, I think it will be third time if it will be postponed today. Last Thursday, they were serious that they would respond to the statement this Tuesday.

As hon. Lempei said, it seems that the Majority Leader is not serious in the matters of this House. We need to be seriously committed to the business of this House, hence I urge your office to guide us on how serious we can attend to the business of the House, thank you Mr. Speaker.

MCA Waso Ward, (Hon. Paul Wonyang): Mr. Speaker sir, I rise to dispel the connotation that things are so bad and I want the House to know that I am not speaking on behalf of the Majority Leader but I want to inform the House that I saw the Governor flagging off relief food today, it is in the social media... *(Point of Order by Hon. Leitore)*

MCA Wamba West, (Hon. Benjamin Leitore): Mr. Speaker, it is within the tradition of this House that there are means and ways to respond to statements sought by the hon. Members. The statement I sought was directed to the government side. The Member for Waso is a Member of PNU which is not an affiliate party to Jubilee; it is the role of the Majority Leader to respond since he is the leader of government business in this House.

By Standing Order 87 on statement of fact, should we rely on social media or facts tabled in this House? The Member is out of Order

The Speaker, (Mr. Lempere Solomon): Hon. Members, I have been informed that the statement has just come to the House so we will give hon. Lempei to represent the government and read the statement

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you Mr. Speaker. First of all let it be clear that am a Member of this government and now I speak like government. That said Mr. Speaker; I was concerned about the delay by the government I represent.

As you indicated Mr. Speaker, this is a statement that just came; I will read the statement on behalf of the government as much as I have not seen it before. The letter written by the Director of programs, Mr. Lesaigor says:

“Forwarded responses of the above mentioned subject for your perusal and necessary action

The evidences are hereby attached for ease of references, thank you in advance. Looking for your understanding in this matter”

Signed by Daniel Lesaigor

Mr. Speaker, the whole of this statement is more written in a spread sheet way, it will be hard to make a follow up but it will be avail to all the Members for analysis.

“Further to the statement dated February, 19th 2018 by the County Secretary and the Head of Public Service County government of Samburu and acknowledgement of the time given I hereby respond to the question raised by the Member for Wamba West Ward, Hon. Leitore Benjamin pertaining delay in emergency food distribution. Attached please find the responses with supportive documents and Annexes

Question

- 1. Whether there is an emergency relief food in possession of the County government and when was it received?*

The response is;

*The Department of special programs confirms that it handed over to world food programme emergency relief food amounting to 14,400 bags of 50 kilograms’ maize equivalent to 720 metric tons supporting annexure is the County distribution and loading plan February 2018. Annex 2 – 11b4618022 dated 24th October, 2017 and Annex 3 – 11b4618017 dated 24th October, 2017 or... **(Interjection by a Point of Order by Hon. Lorunyei)***

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

The Response;

The above detailed emergency relief food was indeed purchased for the purpose of providing relief in response to the anticipated worsening drought and the potential need of supplementary food for the month of January, February and March 2018. The purchased relief food can still meet its intended purpose to alleviate effects of prolonged drought on vulnerable households. The relief food was not distributed to date due to;

- 1. Logistical issues, The County government of Samburu and the United Nations World Food Programme have a memorandum of understanding, and the World Food Programme has systems in place to aid relief food distribution purchased by the County government of Samburu subject to the food being tested to be suitable for human consumption in respect to these conditions. The special program of Samburu requested the World Food Programme in the letter dated 22nd January, 2018 to send quality check inspectors to test the quality and suitability of the purchased relief food for distribution for human consumption, the World Food Programme subsequently sent inspectors to test the purchased food which they found to be suitable for human consumption communicated as such by the inspectors on 5th February, 2018. Since 5th February, 2018 the special program has been waiting for correspondence from the World Food Programme for logistical assistance including transport and cost of distribution since the County government of Samburu did not have available resources at the time or presently to carry any distribution of its own*
- 2. Supply of vegetable oil Tender number SCG/T/014/2017-2018. The County government placed an open tender in the Standard newspaper on 11th October, 2017 inviting interested suppliers to bid, by the closing date 30th October, 2017 five firms had expressed interest. Following the evaluation Legwaras Investment Limited was found to be the most responsive and was awarded the tender, the supplier wrote to us via a letter dated 15th January, 2018 but received on 22nd January, 2018 indicating that he was not in the position of supplying oils citing that the prices quoted were below ex-factory price. A new tender SCG/T/054/2017-2018 was advertised which closed on 20th February, 2018 which is now undergoing evaluation, see the attached*

- documents and supporting documents there attached too were an MOU supply of vegetable oils and Annex 8 new tender reference No. SCG/T/054/2017-2018*
3. *On the type of food and what is its value. The food purchased was 14,400 bags 50kgs white maize valued at 18,432,000 at 1,280 per bag below is the attached sales order. although the tender for the vegetable oil is an on-going process, the Department had prepared a general distribution and loading plan beginning 1st week of March 2018 Annex 9 shows the program letter on NCPB dated 9TH October, 2017 Annex 10 A NCPB dated 12th October, 2017*
 4. *Why is the Department established in the Act not performing its role as provided to ensure mitigation of drought even before it happens?*
The Special Programs Department of Samburu maintains that it's performing its roles within the limited resources available. The achievement indicated is
 1. *The review of the Samburu County Disaster Management Act 2015 and recommendations made thereof for repealing*
 2. *Began the process of drafting the County Disaster Management Policy which brought on board donors to support the process which calumniated to the draft policy*
 3. *Coordinated the preparedness of the County response drought plans 2017*
 4. *Coordinated the preparation of the County contingency plan 2017*
 5. *Fund raising for disaster management*
 6. *Plans on disaster simulation*
 7. *Development of disaster policy, logistic support for delivery of relief food*
 8. *Preparation of the sector County Integrated plan*
 9. *Preparation of disaster working paper*
 10. *Conflicting prevention actions following establishment of community based early warnings structure and coordination with other government structure*

The supporting documents are:

Annex 12 – planning minutes

Annex13 – DRM Draft policy

Annex 14 – preparation of the CIDP

Mr. Speaker, it is with great honour that I wish to conclude my statement as the representative of the government.

MCA Wamba West Ward, (Hon. Benjamin Leitore): Thank you Mr. Speaker Sir. I appreciate the response given. I have not seen the signing of the report by the County Secretary through which the government responds. I am worried whether the statement is true because the officer who responded to the statement should have forwarded it to the County Secretary then to the Assembly through the Leader of Majority. We have been waiting for this statement for long. We had also been informed that the delivery of this food is being done now. We are considering whether the government is serious in giving this food to the people bearing in mind that we passed a budget on March last year, there was adequate funds to buy the food stuffs but it is almost a year without this being done. We are really worried whether the government only reacts when statements are raised on the floor of the House. We have seen incidences where people are being affected by the drought, water and we are worried of service delivery by this government.

Specially Elected MCA, (hon. Antonella Lobura): Thank you Mr. Speaker Sir. The Maize and beans were purchased but oil is still an on-going process. We have seen the tender for oil which is not yet received. How can our community consume maize and beans without oil? It would have better for the department to purchase oil quickly so that our people will not continue to suffer. Thank you.

MCA Nachola Ward, (hon. Lawrence Lorunyei): Mr. Speaker, when you failed to listen to me, I was standing on Standing Order number 29 which says that *any Member may raise a point of order at any time during the speech of another Member stating that the Member rises on a point of order and the Member shall be required to indicate the Standing Order upon which the point of order is raised.*

Any statement asked by this House must be answered by the CEC and the County Secretary on the part of the government. We cannot take statements from clerks, chief officers or any other subordinate staff because they are supposed to prepare their reports for their bosses who are the CECs who are answerable to the County Secretary. We are debating something which has not

come from the right office. This document was signed by the Chief Officer who will not be answerable to what we are going to say here. We need a detailed statement from the right person and the person signing will be accountable. The Chief Officer is not answerable to this House.

MCA Ang'ata Nanyukie Ward, (hon. Paul Leshimpiro): Thank you Mr. Speaker. It will be too long that we want to have an answer for the third time. That would not be prudent because the answers that we were given the first time and now are almost similar with just a few changes. If we tell them to give an answer the third time will be like we are forcing them to cheat. They have cited several challenges that made them not perform as required. I find the Samburu County Disaster Management Act as a copy and paste from Laikipia County. In fact, there are some parts where they have not even erased the name Laikipia. The original problem is that an Act was adapted from another county without taking into consideration the uniqueness of our county. In my opinion, this Act needs to be reconsidered and made more meaningful to the people of Samburu County. That will help the office deliver its services well.

I am of the opinion that the department requires a committee like any other sector that oversees their activities.

Lastly, if we are buying oil today and we are beginning distribution of the maize, are we going to have another equivalent cost to distribute oil alone? In my opinion, it is illogical to continue buying the oil but they should go on to distribute on the first week of March, as they said.

MCA Maralal Ward, (hon. Fred Kiragu): Thank you Mr. Speaker Sir. I am satisfied with the report but there are some things that are not in order. I do not know the intention of the department in giving the relief food. Do they check the nutritional value of the food to their recipients? They supplied beans before the end of last year, about three months later, they have supplied the maize and maybe after another two months, they will supply the oil. How are people benefiting when they eat beans alone, then maize alone then oil? How does it sound even to a person that does not know the value of food? If they were serious, they should have supplied the three items at a go so that the people can have a nutritious meal. Thank you.

MCA Elbarta Ward, (hon. Peter Lempei): Mr. Speaker, just to respond on the queries raised. We are serious as government though there were challenges cited. The department that we are

pushing is young and we must acknowledge that we have challenges of bringing up the structures and we will ensure that crucial issues to our people are given a priority as they are matters of life and death. We did not wait for the statement to be requested but we started procuring before the statement came which was only for the delay. We acknowledge that there was delay attributed to finances, logistics and the capacity of the department as it is. These are internal challenges that the government is addressing from within.

Hon. Lorunyei had several concerns regarding the authenticity of the documents before us. I wish to confirm that the department lies within the Office of the Deputy Governor and does not have a CO as at now but a Director who has been elevated to be a CO. What was signed by the Director is authentic and can be relied upon. We are only six years as a government and new departments are cropping-up based on the needs of our people. We will continue to build capacities in things that are crucial to our people so that Members do not feel that challenges are not being addressed.

On the concerns from the Member for Ang'ata Nanyukie, the document that he has just brought forward is a draft borrowed from Laikipia and no one can rely on it. That is why they said *we are reviewing the Act of 2015 so that we operationalize it as Samburu County*. It will be customized into our scenario.

I wish to assure all the hon. Members that we are responding to this on behalf of the government which is focusing on service delivery and we are serious on the tasks ahead of us. Thank you.

MCA Waso Ward, (hon. Paul Wonyang'): Thank you Mr. Speaker. I have just realized that I am in the opposition. (*Loud laughter*) As already mentioned, we are having a challenge that most statements being responded by the executive are not meeting the threshold required. I would like you to assist us, Mr. Speaker; in communicating that they should know how to respond to the questions. It is not that they don't have the answers but the way they are responding is a big challenge.

For this case, I think the food has been flagged-off and Samburu North and East, the hardest hit, are expecting food and we are going to follow-up as members so that the food gets to the intended beneficiaries.

I found out that this department is turning out to be a research institute and not a department focused on delivering its mandate. It is doing a lot of plans and policies and I am afraid that they might not be able to have a proper structure to serve better. In order for the department to serve as required, we need to have a sectoral Committee on Special Programs. Issues of drought and insecurity like the crisis in Baragoi, Nachola, Elbarta and Waso Wards. We need to join hands with the national government to solve some of this crisis. So far, we are still not seeing the department in action.

You realize that the Act was passed in 2015 but we are not seeing meaningful actions. The Committee on Implementation has to wake up and follow on the how the legislations are being implemented by this government that is not doing anything. Hon. Lempei is one of the Members that are much affected and I don't think that he goes to Baragoi anymore. He lives in Maralal and I think he is a wanted man in his ward because the government is not doing its work and especially the Special Programs department. Thank you.

MCA Ang'ata Nanyukie Ward, (Hon. Paul Leshimipiro): Thank you Mr. Speaker Sir. I want to inform the hon. Member for Elbarta ward that the little information that I obtained when I arrived here including the introduction was that the yellow printing is a draft while a white one is already a law. It is an Act. Until that time when you have a new Act this one is binding. You cannot tell us that it is no longer binding because we are reviewing; but until you complete the review and bring it to the House for adoption then we will consider it as a new Act. This is the one you are using unless I got a wrong one.

I want this department to have a sectoral Committee is for the purposes of peace. We do not have a role to play in security matters; However, I think that it is our mandate to play peace building. This is why we have conflicts in the North. Last week we had one around the town. We have a role to play but we are not playing it as a County Government or Members of the County Assembly. This is why the situation never changes. We need to do something meaningful, thank you.

The Speaker, (Mr. Solomon Lempere): We are getting to exhaust our comments on the question. I want to give hon. Leitore and lastly hon. Lempei for a right off reply.

MCA Wamba West, (Hon. Benjamin Leitore): I appreciate the Statement as I had indicated before. The response of the Statement is actually accompanied by the distribution plan. This plan is telling us that the Statement is already overtaken by events. The staff of the Disaster Management team was moving on corridors of the Assembly telling us that we have already responded to your Statement and we have forwarded to you a distribution plan. We have questions on the how the County Government is responding to these issues.

We need your direction. The County Government should not play with people's lives in the future. I am saying since I wonder why the response claims the Disaster Management team is young yet they have been there for almost two years now. This House passed a law two years down the line to establish the disaster management team. I do not think that you are supposed to be there if it takes someone two years to understand what to do.

We had passed a budget in this House to deal with disasters such as drought. This budget was done 11 months ago yet we are doing the distribution now. We are seriously playing with people's lives. You should direct in future that this Government and the relevant department should address on emergencies as required and at the right time. We will not be passing budgets in this House for formality purposes. The responses we get are that we are still young as a team and facing challenges, what challenges are you really facing when you already have the staff, funds and the capacity to distribute this food. How do you address issues that affect people's lives when you take 11 months to address and respond? There is a serious problem here.

The Member responding on behalf of the Government should accept that we have problems that require them to be addressed. We cannot keep moving in cycles just to get answers that are not satisfactory. We do not want responses that do not meet the threshold of addressing issues that affect the lives of the people of Samburu County, thank you Mr. Speaker.

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you Mr. Speaker. I would like to continue where hon. Leitore stopped. Contradictory comments have been made by the hon. Member. He started by saying that the Statement is satisfactory and the fact that it had been overtaken by events because it had already been answered by the action of food already being distributed. The hon. Member has answered himself to that extent.

The hon. Member for Waso, I would like to confirm to the hon. Member that this is not a research department. This is a department that is supposed to have policies that is supposed to guide it because it responding to emergencies. Every department should have proper documentation for guidance since we are running a Government. We are not running a Kangaroo arrangement. This is the reason why all the documents should be in place. This is the same reason why it has relied on so many research documents which confirms that it is working within the guidelines of the policy framework.

We have many lives in Baragoi, Nachola and the entire County due to conflict. That is also an element of disaster. We as the County Government can respond only to the extent of the devolved functions which responds to disaster and work together with National Government to ensure that we end this conflict related disasters. I would like to confirm to the Member that I arrived from Baragoi yesterday, I am not going to flee from Baragoi and I will not stop being with the Government because at the end of the day I represent the residents of Baragoi. I am always there. I will always have to articulate the issues of the Government of Samburu.

We agree that food is a serious cause for conflict; this is so because when it is depleted then we get robberies and highway robberies. We will continue looking for appropriate measure to deal with this matter despite the food being distributed today. The hon. Member has confirmed that this department is only two years old. It is not on the duration given but the capacity that you have been given in terms of money. It is possible for you to be allocated a budget that has no money. We all know the functions of the Government as it is; we all know that if we do not get resources from the County Government then it becomes difficult to operate

(Point of order by Hon. Paul Wonyang)

The Speaker, (Mr. Solomon Lempere): You are out of order. Proceed hon. Lempei.

MCA Elbarta Ward, (Hon. Peter Lempei): Thank you hon. Speaker for protecting me from the hon. Member. Thank you for confirming that he is indeed out of order. We have a very lean budget for this department. We as the Government, we will be requesting for more allocation to this department for it to be operating. We are growing internally not only as that department but all other departments as we continue to commit ourselves to the devolved functions. We will

review our internal mechanism and we will proceed to ensure that we are efficient in responding to the hon. Members questions. We also acknowledge that in the event that there is a short coming as the hon. Member for Waso, we should accept that there is internal criticism that are meant to build us and to give us more suggestions on how better we can be a Government. We welcome the criticism by the members and their comments in regard to insufficiency of some of the answers and insufficiency of some of the actions. We have said that as we grow as the Government totally on aggregate we are supposed to be going to the 6th year and we must accept that we keep refining ourselves as we move forward but take cognizance that issues that are raise like for disaster preparedness require swift response serious actions and a concrete plan. I rest my case.

The Speaker, (Mr. Solomon Lempere): Hon. Members I want to give a few directions as we move forward. We got our reply, the activeness and response from the departments relies on the Sectoral Committees and all departments under specific Sectoral Committees. For the information of Members, the department of Disaster is under the Sectoral Committee on Finance. All funds created with an Act of the County Assembly go back to the department of Finance. I want to inform the Members and the specific Chairs of the Sectoral Committees, the activeness and the response from the department will resolve to be relied on the activeness of the Committees to call and summon whoever who is responsible to give timely responses to the Statements.

PROCEDURAL MOTION

MOTION TO EXEMPT THE COMMITMENT OF NOMINEES TO RELEVANT SECTORAL COMMITTEES

MCA Baawa Ward, (Hon. Sirman Lekwale): Thank you hon. Speaker Sir. I beg to move the following Motion that the County Assembly exempts the Samburu County Chief Officers nominees from the provisions of Standing Orders 46(1) to exempt committal of Nominees to the relevant Sectoral Committees and refer them to the Committee on Appointment with the cooption of the relevant Sectoral Committees Chairpersons and Vice Chairpersons for the reasons that there is limited time for all the Committees to undertake the exercise. I beg to move. I call Hon. Silapia to second the Motion; thank you.

(Hon. Silapia bows in seconding the motion)

The Speaker, (Mr. Solomon Lempere): Hon. Members, I now propose the question that the County Assembly exempts the Samburu County Chief Officers nominees from the Provisions of Standing Orders 46(1) to exempt committal of Nominees to the relevant Sectoral Committees and refer them to the Committee on Appointments with the cooption of the relevant Sectoral Committees Chairpersons and Vice Chairpersons for the reasons that there is limited time for all the Committees to undertake the exercise.

MCA Nachola Ward, (Hon. Lawrence Lorunyei): Mr. Speaker I beg to oppose. This is because the Standing Order 46(1) reads; *“upon receipt of nomination of appointment as under the Constitution or under any other legislation required to be approved by the Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration”*. According to the Constitution, it says that it is exempted according to the Constitution 179(b) which reads Article 179 it is about County Executive Committee, (b) reads; *Members appointed by the Governor with the approval of the Assembly from among persons who are not Members of the Assembly* which is the County Executive Committee.

We need every Sectoral Committee to vet their CO according to the mandate of that Committee. That is the only time that the Committee will go in details asking many questions about that Committee or that department. If we generalize them then it means that there are some questions that we can skip. For instance, the Chief Officer of Health should be vetted by the Health Committee same for the Agriculture Chief Officer and so on. The Committees knows the mandate of those Committees.

If the Appointing Committee or the Majority Leader is requesting that we leave our mandate according to our Standing Order 46(1) and then give out to the Appointing Committee, this means that we are unable or not up to task. He has given a reason about limited time, I want you to imagine that one Chief Officer for every Committee Thursday in the morning, in the afternoon we are going for sessions. We can take some time to vet the Committee for like three hours and pass it. Time is not an excuse; thank you hon. Speaker.

MCA Wamba West, (Hon. Benjamin Leitore): Thank you Mr. Speaker; I stand to support the Motion. I want to read Standing Order number 46(2) to the hon. Member for Nachola. This is the reason we are trying to exempt the Committee. Section (2) reads despite paragraph 1 on appointments under article 179(2)(b) shall stand committed to the Committee on appointment. That is what the Motion is seeking. We should exempt the nominees list from the Provisions of Standing Order number 46(1); this is because as indicated by the mover of the Motion, the time is very limited. 21 days is very short time for the Committee to vet the Sectoral Chief Officer.

We have 14 Chief Officers. Every Chief Officer requires to be vetted and a report written on that individual then that report to be forwarded to the Assembly for Approval. When every Sectoral Committee is told to vet a Chief Officer for that particular department and forward a report to the House, we will have 124 reports tabled on the floor of this House. 14 reports for each individual.

Mr. Speaker I think we should be conscious about time. We should be efficient about time because time is of essence; particularly when we want to make sure that we forward the report and approve them within the timelines provided by the law. We should be specific. Mr. Speaker even in the traditions of this house and for proper understanding, we had been vetting the chief officers and the CECs by the committee of appointment and invited specific chair of sectoral committees to participate in vetting in order to make sure that the report is all inclusive, has all committees' recommendations and all members of sectoral committees have participated in it.

I believe that the vetting of the fourteen chief officers may even take up to seven days and subsequently preparing a report on the same. So, Mr. Speaker, I support the motion that we refer the vetting of the chief officers to the appointment committee working with the relevant sectoral chairs to make sure that we produce a report that will be tabled in this house as a single document that carries information on all the fourteen individuals and subsequently forwarding the report to the assembly.

Mr. Speaker, for efficiency purposes, we know the relevant committees have the capacity to do that but we want to table and approve the report within the timelines provided by the law. So, I Support Mr. Speaker.

MCA Maralal Ward, (Hon. Kiragu Fred): Thank you very much Mr. Speaker. I support the motion. To prove that we are not lazy, that we have the capacity to prove at the expense of our electorate is failing. Time does not wait for any person and we have a very short time to do this. In fact, we should have had this report tabled and these chief officers passed by this assembly like yesterday. The delay also will affect service delivery to the electorate.

To delay this report just to prove that the committees have the capacity is wrong. So Mr. Speaker, I support his motion; that we leave it to the appointment committee to do it for the rest of us. But then for the appointment committee to co-opt the sectoral chairs when going through that process. Otherwise, we cannot as an assembly afford to delay service delivery by one day. We should not even go by the 21 days we are given. My proposal is we do it in the shortest time possible, approve the chief officers and let them go to work.

We also have a danger that I foresee. When you have acting chief officers and have been acting since this assembly was elected and since the CECs were appointed. These are the account holders, these are the AIE holders of the respective departments and he or she knows that they are acting. What would stop them from using all means to loot something to go home with? We cannot afford to have those acting chief officers in those offices. So, Mr. Speaker, I would propose that as soon as we can, we approve the chief officers. Thank you, Mr. Speaker.

MCA Waso Ward (Hon. Paul Wonyang): Mr. Speaker Sir, I stand to support this motion. I support it because you realize that the Appointment Committee has experience because we vetted the CECs and right now the committee is going to be efficient in making sure that we beat the deadline that we have. Secondly, Mr. Speaker, you realize the position of chief officers is very crucial. In fact, is more important than the position of CECs because these are the accounting officers who would be running government business of the day.

We need to do a lot of rigorous work and the experience will come in handy when we're looking at academic, experience, employment records, professional affiliations, knowledge of relevant subject matters and already as you've heard from the Speaker, these people have a lot of knowledge and experience. We also need to pool all the expertise that is in the house to make sure that we interrogate suitability of these proposed candidates.

Mr. Speaker, you realize also, in as much as we say 21 days, we want to finish this work within the shortest time possible. We can only do that if we pool the expertise in the house together. We do not know which petitions might come in the house but I can tell you since my statement and everything we anticipate that many positions might come on board and we need people who will scrutinize those petitions and who have experience from previous assignments. I therefore support the motion Mr. Speaker. Thank you.

MCA Elbarta Ward (Hon Lempei Peter): Thank you honorable Speaker. From the onset, I stand to support this motion and my first grounding is on matters of law. Mr. Speaker, it is incorrect according to me to say that these standing orders don't have provisions for us to have this procedural motion that allows this to be referred to the Appointment Committee and it is grounded on the standing order that had been ably cited by the hon. Leitore. So, Mr. Speaker, it is clear in my mind that what we are discussing is supported by a certain provision of the law.

Mr. Speaker, the second provision of the law is the Public Appointments Act. It is clear on what a vetting is. It is not an interview, it is not a grilling thing, it is a process that assesses suitability. So, Mr. Speaker when I was listening to the honorable member for Nachola, saying that it requires expertise from the departments, that mischief is addressed by two ways: the proposal by Eng. Wonyang' that chairmen be co-opted and hon. Senior, hon. Kiragu that they be co-opted so that we look at all sectors. That said, Mr. Speaker, this is a vetting process to assess suitability, not an interview.

Based on previous experience, Mr. Speaker, the Appointment Committee would be better placed to sit down within a short time, go through what is required by the Appointments Act in discharging of this mandate and be able to bring to us a report that is all round and that has looked at all the provisions of the law in terms of vetting, not interviewing or grilling. So, Mr. Speaker that is clear in my mind.

Mr. Speaker, further, we look at time and as the honorable Members have said, we have no time. Actually we are late. We are among the last people to have COs in place. These are equivalents of permanent secretaries in the national government. They are our accounting officers. So, Mr. Speaker, to continue having a government that does not have functioning accounting officers would amount to sabotaging our own cause and it would bring forth so many issues.

Further, Mr. Speaker, the largest percentage, almost close to 80% because I'm aware it's only two who did not make it who are old COs, Mr. Speaker, tells us that these are people who had been appointed by the government based on trust, capability and they had been assessed that they can continue discharging their mandate save for the few who did not make it Mr. Speaker.

So indeed our task would be to review their performance. Our task would be to look at their suitability to continue to discharge their mandate and Mr. Speaker, as earlier said by the honorable members, Mr. Speaker, I also support the motion that this be done by the appointment committee and the report is brought for debate. Having all the sector committees vetting will require us to have 15 different reports which will be debated by this house based on what is brought by the sector.

So, Mr. Speaker, when we debate 15 reports, when we have done the vetting for more than two weeks, I don't know the time that this house will have to transact other businesses when 15 reports are before it for debate. So Mr. Speaker, I beg to support the motion and indeed with the reasons that I have given I would say; I beseech all the members to support the motion as it is so that we can move with speed to have our officers in place and continue to provide service to our people. I beg to sit, Mr. Speaker.

Specially Elected MCA (Hon. Ismail ZamZam): Thank you, Mr. Speaker. I stand to support. We know the COs are the work force behind any department and for the last six months it's like all the departments are at a standstill. If you go to any department, may be you want to find out what is going on, there's nothing moving. I urge this house to move with speed because we want service delivery to our people. Thank you, Mr. Speaker.

Leader of Majority (Hon. Lentukunye Christopher): Thank you Mr. Speaker. Mr. Speaker I stand to support the motion. A long time has passed since we passed the names of CECs. The government is not functioning well if we are to take time. Therefore, Mr. Speaker we need to pass the proposed names of nominees for CO positions so that this county government can function as required, Mr. Speaker. Therefore, Mr. Speaker, I call upon honorable members to support the motion so that we can vet these nominees, approve them and give them time to work for Samburu County. Thank you.

The Speaker (Mr. Lempere Solomon): Hon. Members I now wish to put the question that the County assembly exempts the Samburu county chief Officers nominees from the provisions of standing order 46(1) to exempt committal of nominees to the relevant sectoral committees and refer them to the committee of appointment with the co-option of the relevant sectoral committee chairpersons and vice-chairpersons for the reasons that there's limited time for all committees to undertake the exercise.

(The question put and passed)

The Speaker (Mr. Lempere Solomon): Hon. Members, the time being 4:52pm and there being no other business tis assembly now adjourns until Wednesday February 28th 2018 at 9am.