

**COUNTY ASSEMBLY OF SAMBURU**



**THE HANSARD**

**Wednesday, 9<sup>th</sup> November, 2022**

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

*The Speaker, (Mr. Fred Lengees), in the Chair*

**PRAYER**

## **ADMINISTRATION OF OATH**

**The Clerk**, (Mr. Patrick Leshore): Hon. Members, Article 74 of the Constitution of Kenya, provides that no person shall assume or perform any function of a State Office before subscribing to an oath of office. It states that,

*“Before assuming a State office, acting in a State office, or performing any functions of a State office, a person shall take and subscribe the oath or affirmation of office, in the manner and form prescribed by the Third Schedule or under an Act of Parliament”.*

Hon. Members, the Speaker and the Members nominated by the Political Parties to the County Assembly Service Board are required to take the oath of office.

Hon. Members, I now proceed to swear in the Chairperson of the Board, who is the Speaker, in accordance with Third Schedule of the County Assembly Service Act, 2017 and who will therefore swear in the other two Members.

*(The swearing in is conducted in the following Order)*

1. *Hon. Lengess Fred – The Chairperson*
2. *Hon. Lealmusia Ali - Member*
3. *Hon. Lekuchula David – Member*

*(The Speaker assumes the Chair)*

## **PAPERS**

**The Deputy Speaker**, (Hon. Jackson Lelenkeju): Hon. Speaker, I beg to table nomination and approval of the Speaker’s panel list, pursuant to Standing Order 15 (1), the following Members have nominated to serve in the Speaker’s panel;

1. Hon. Jonathan Lemoosa – 1<sup>st</sup> Chairperson
2. Hon. Stacy Nareyo – 2<sup>nd</sup> Chairperson
3. Hon. Kaunda Lenamparasio – 3<sup>rd</sup> Chairperson

I beg to table.

*(The Deputy Speaker tables the list)*

## **NOTICE OF MOTION**

**The Deputy Speaker**, (Hon. Jackson Lelenkeju): Mr. Speaker Sir, I beg to give a notice of the following Motion; THAT, pursuant to Standing Order 15 (3), the County Assembly approves the appointment of the Speaker's panel as follows;

1. Hon. Jonathan Lemoosa – 1<sup>st</sup> Chairperson
2. Hon. Stacy Nareyo – 2<sup>nd</sup> Chairperson
3. Hon. Kaunda Lenamparasio – 3<sup>rd</sup> Chairperson

## **MOTION**

**Vice Chair, Committee on Appointments**, (Hon. Jackson Lelenkeju): Hon. Speaker, I beg to give move the following Motion; THAT, pursuant to Standing Order 47, the County Assembly debates and adopts the Report of the Committee on Appointment on the vetting of County Executive Committee Member nominees, County Secretary, and County Attorney. Thank you Mr. Speaker Sir and I request Hon. Lemoosa to second the Motion.

**MCA Nyiro Ward**, (Hon. Jonathan Lemoosa): Thank you Hon. Speaker Sir. Hon. Speaker Sir, I do second the Motion for very important reasons. One, as stipulated in Standing Order 47 of the County Assembly read with Article 179(2)(b) of the Constitution of Kenya read with section 30(2) (d) and 44(2d) (b) of the County Government Act, 2012, Section 5 of the County Attorney Act, 2020; and Section 5 of the Public Appointments (County Assemblies Approval) Act, 2017, it is actually important to have such arrangements for the County Government to discharge its duties. It is very hard or almost an illegality when appointment is not forthright approved by the Assembly.

Mr. Speaker and the Hon. Members, noting of course, this is a new dispensation in the County Government of Samburu; H.E the Governor forwarded the names to be vetted by the House Appointments Committee as stipulated actually by what I had prefaced before. Mr. Speaker, we are already late as a County, and no services will be rendered to our people unless these people are actually approved by this House.

The Committee, which I also sat, perused their records and suitability and we found that every nominee meets the requirements as required by the law and for this reasons Mr. Speaker Sir; I wish to move and support the Motion. Thank you Hon. Speaker.

**The Speaker**, (Mr. Lengees Fred): Thank you Hon. Lemoosa. Hon. Members, I now propose the Question; THAT, pursuant to Standing Order 47, the County Assembly debates and adopts the Report of the Committee on Appointment on the vetting of County Executive Committee Member nominees, County Secretary, and County Attorney.

**Vice Chair, Committee on Appointments**, (Hon. Jackson Lelenkeju): Hon. Speaker, In Accordance with Article 179(2)(b) of the Constitution of Kenya read with section 30(2)(d) and 44(2D)(b) of the County Government Act, 2012, Section 5 of the County Attorney Act, 2020; and Section 5 of the Public Appointments (County Assemblies Approval) Act, 2017 H.E the Governor nominated the following persons as County Executive Committee members, County Secretary and Head of Public Service and County Attorney;

1. Dr. Nassir Lekudere for appointment as County Executive Committee member for Medical Services, Public Health and Sanitation;
2. Raphael Siambu Lenayiarra for appointment as County Executive Committee member for Tourism, Trade, Cooperative & Enterprise Development;
3. Elly Stephen Loldepe for appointment as County Executive Committee member for Agriculture, Livestock, Veterinary services and fisheries;
4. Egelan L. Mark for appointment as County Executive Committee member for Education, Technical and Vocational Training;
5. Lentaano Ntemuni Evelyne for appointment as County Executive Committee member for Culture, gender, Social Services, Youth and Sports affairs;
6. Leluata Lpitila Moses for appointment as County Executive Committee member for Public works, Transport and Roads;
7. Kaparo Sylvana for appointment as County Executive Committee member for finance, economic planning & ICT;

8. Loosenge E. David for appointment as County Executive Committee member for Lands, Physical Planning, Housing & Urban Development;
9. Lekalesoi N. Rose for appointment as County Executive Committee member for Water, Environment, Natural Resources & Energy;
10. Lesuuda Wilson for appointment as County Secretary and Head of Public Service and;
11. Loronyokie S. Peinan for appointment as County Attorney.

Mr. Speaker Sir, the nomination of the eleven persons was conveyed to the Speaker through a letter Ref: SCG/CA/APPT/VOL.4/22 dated 21<sup>st</sup> October, 2022. The nominee's curriculum vitae and other testimonials were enclosed in the letters.

On 25<sup>th</sup> October, 2022 and in accordance with the provision of Section 7(1) of the Public Appointment (County Assemblies Approval) Act, 2017 the Speaker reported the receipt of the notification to the County Assembly the nomination of the County Executive Committee Members, County Secretary and Head of Public Service and County Attorney. In accordance with Article 185(3) of the constitution of Kenya read with section 8(1)(a) of the County Government Act, 2012 and pursuant to the County Assembly of Samburu Standing Orders No. 46(2) the names of the nominees were referred to the Committee on Appointments for vetting and reporting to the House within 14 days.

Consequently, and in accordance to Section 7(4) of Public Appointments (County Assembly Approval) Act, 2017, the Clerk of the County Assembly placed a public notice on 25<sup>th</sup> October 2022, inviting the public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise; of each nominee in accordance with the public Appointments (County Assembly Approval) Act, 2017. The public notice indicated that the submissions were to be received by Tuesday 1<sup>st</sup> November 2022 at 5.00 pm. By close of the submission period, the Committee did not receive any memoranda touching on the suitability or otherwise of any nominee

The nominees appeared before the Committee as scheduled between Wednesday 2<sup>nd</sup> November, 2022 and Thursday 3<sup>rd</sup> November, 2022 for approval hearings in accordance with the provision of the Constitution, County Government Act, 2012, Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Samburu Standing Orders on their suitability or

otherwise for appointment to the positions of County Executive Committee Member, County Secretary, and Head of Public Service and County Attorney respectively.

Pursuant to section 7(8) and (9) and section 8 of the public Appointments (County Assemblies Approval) Act, 2017, the committee observed that the following nominees met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the positions they have been nominated for; and had requisite abilities, academic qualification and professional experience to be approved for appointments;- as County Executive Committee Members in accordance with Article 179(2)(b) of the Constitution read with section 30(2)(d) of the County Government Act, 2012:

1. Dr. Nassir Lekudere, nominee County Executive Committee Member for Medical Services, Public Health and Sanitation;
2. Mr. Raphael Siambu Lenayiarra, nominee, County Executive Committee Member for Tourism, Trade, Cooperative & Enterprise Development;
3. Mr. Elly Stephen Loldepe nominee County Executive Committee Member for Agriculture, Livestock, Veterinary services and fisheries;
4. Ms. Lentaano Ntemuni Evelyne nominee as County Executive Committee Member for Culture, gender, Social Services, Youth and Sports affairs;
5. Mr. Egelan L. Mark nominee as County Executive Committee Member for Education, Technical and Vocational Training
6. Mr. Leluata Lpitila Moses nominee as County Executive Committee Member for Public works, Transport and Roads;
7. Ms. Kaparo Sylvana nominee as County Executive Committee Member for Finance, Economic Planning & ICT;
8. Mr. Loosenge E. David nominee as County Executive Committee Member for Lands, Physical Planning, Housing & Urban Development;
9. Ms. Lekalesoi N. Rose nominee as County Executive Committee Member for Water, Environment, Natural Resources & Energy;
10. As County Secretary and Head of Public Service in accordance with the provision of section 44(2D)(b) of the County Government Act, 2012: Mr. Lesuuda Wilson

- 11.** As County Attorney pursuant to provision of section 5 of the Office of the County Attorney Act, 2020: Ms. Loronyokie S. Peinan

Mr. Speaker Sir, having conducted the approval hearings for the nominees in accordance with the constitution, County government Act, 2012, Public Appointments (County Assemblies Approval) Act, 2017 and County Assembly of Samburu standing order No. 46(4), the Committee recommends that, this assembly;-

- 1.** Approves the nomination of Dr. Nassir Lekudere for appointment as County Executive Committee Member for Medical Services, Public Health and Sanitation by H.E the Governor;
- 2.** Approves the nomination of Mr. Raphael Siambu Lenaiarra for appointment as County Executive Committee Member for Tourism, Trade, Cooperative & Enterprise Development by H.E the Governor;
- 3.** Approves the nomination of Mr. Elly Stephen Loldepe for appointment as County Executive Committee Member for Agriculture, Livestock, Veterinary services and fisheries by H.E the Governor;
- 4.** Approves the nomination of Ms. Lentaano Ntemuni Evelyne for appointment as County Executive Committee Member for Culture, Gender, Social Services, Youth and Sports affairs by H.E the Governor;
- 5.** Approves the nomination of Mr. Egelan L. Mark for appointment as County Executive Committee Member for Education, Technical and Vocational Training by H.E the Governor;
- 6.** Approves the nomination of Mr. Leluata Lpitila Moses for appointment as County Executive Committee Member for Public works, Transport and Roads by H.E the Governor;
- 7.** Approves the nomination of Ms. Kaparo Sylvana for appointment as County Executive Committee Member for finance, economic planning & ICT by H.E the Governor;
- 8.** Approves the nomination of Mr. Loosenge E. David for appointment as County Executive Committee Member for Lands, Physical Planning, Housing & Urban Development by H.E the Governor;

9. Approves the nomination of Ms. Lekalesoi N. Rose for appointment as County Executive Committee Member for Water, Environment, Natural Resources & Energy by H.E the Governor;
10. Approves the nomination of Mr. Lesuuda Wilson for appointment as County Secretary and Head of Public Service by H.E the Governor;
11. Approves the nomination of Ms. Loronyokie S. Peinan for appointment as County Attorney by H.E the Governor;

Mr. Speaker Sir, may I take this opportunity to thank all members of the committee for their input and valuable contribution and time during approval hearings and report writing. The Committee also takes this opportunity to thank the office of the speaker and office of the Clerk of the County Assembly of Samburu for the technical support accorded to the committee during this exercise.

On behalf of the Committee on Appointments and pursuant to the provision of section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017; and provision of standing orders No. 46(4), it is my pleasure and duty to present to the House the Report of the Committee on Appointments of the approval hearings of the nominees for appointment to the position of County Executive Committee Members, County Secretary and Head of Public Service and County Attorney respectively.

Mr. Speaker Sir, Hon. Members, I now invite contributions from the Hon. Members and it is my pleasure that given the need for us to render services to the people we represent, I urge the Hon. Members of this House to support the Committee's work to expedite the work of the CECMs in the County so that our people can get services. I now give Members the opportunity to contribute.

**MCA Elbarta Ward**, (Hon. Jeremiah Leitoro): Thank you Mr. Speaker. Mr. Speaker, I wish to thank the Committee on Appointments for a job well done. Mr. Speaker, we have just received the report this afternoon, and I wish to request, we defer the putting of the Question, pursuant to Standing Order 54 to the next day, to all us to go through the report. Mr. Speaker, I think also, some of our Members were not allowed to come in during the vetting day, and that was contrary to Standing Order 184, so in that regard we wish to request for more time so that we can be able to go through the report and perhaps we can be able to debate on it. Thank you Mr. Speaker.

**Specially Elected MCA,** (Hon. Silapia Lenamatiyio): Thank you Mr. Speaker, I also stand to support the report and commend the Committee for the well-done job, but Hon. Speaker, according to our Standing Order 37 (2) it says that; “The Order Paper shall be published in the County Assembly website and shall be made available to Members at least 12 hours before the County Assembly meets” What we are seeing here is that this House is not following how our Standing Order are guiding us. When coming in, we met the report on the Table and we are supposed to get this report 12 hours before the House meets so that we can read, do scrutiny on it before time. So I call upon you Hon. Speaker, we are not rejecting the report, but give us time to read and understand and make some observations. Looking at this report, we cannot just finish within 45 or 30 minutes. I beg this House time, we read and then we will pass the report. Thank you.

**Member, Committee on Appointments,** (Hon. Leleruk James): Thank you Mr. Speaker, I stand to support the approval of the CEC Members, reason being that we vetted them, they met the threshold and they are men and women of good character. I do not understand the reason why the Members are requesting, and maybe the Members do not believe the work the Committee did. I must thank the Committee on Appointments because they gave all their time, did their best going for long hours to ensure that this report is ready for approval. Already we are late. We must congratulate H.E the Governor, because the members he has given to us are of high caliber, they have experience. There is no any doubt they do not qualify, and I urge fellow Members to support this report and approve it so that the work of this County can go on because we are late. The more we create more time, that we do not have, unless there is something that is substantial that makes it not to be passed today, then I urge you the Speaker to make a decision that this report be approved for the work to continue because we did our best. We even did our research and found that these members qualify to lead this County to another level. Thank you.

**The Speaker,** (Mr. Lengees Fred): Thank you Hon. Leleruk, and I thought we tabled this report at 9.00AM in the morning.

**MCA Wamba East Ward,** (Hon. Jackson Lelenkeju): It requires us that if any Member is not contented about just going through the report then we can extend up to 7 Pm. But this is just a

report that requires to be agreed to or disagreed to. Hon. Members there is nothing fishy in this, I want to invite Hon. Lemoosa to read that Article.

*(Members murmuring)*

Sorry Mr. Speaker Sir, I rest my case, I do not object that it should be published on time so kindly let us approve the report for the sake of urgency of services needed by our people, thank you.

**MCA Nyiro Ward**, (Hon. Lemoosa Jonathan): Thank you Speaker Sir. Standing Orders directs matters to be handled in different ways and actually we do not rely on one standing order since time to time depending on the nature of the House business we are so much directed.

With your permission before I indulge the Standing Orders. Hon. Members, the Committee on Appointments sat and the report which is brought to the House would have some dissenting voices because it is allowed maybe for the minority side of the Government to give its stand maybe contrary to maybe the majority.

But in this case, even the public had an opportunity to petition either the morals or suitability of each candidate of which none was availed. Meaning both the majority, minority and the public concurred with the Nominees. Our Standing Orders No.29 (2) *Unless the convenience of the House the Speaker or the Chairperson (as the case maybe) directs earlier or later interruption of business, at 6:30 pm. or (if it is an Allotted Day) at 7:00 Pm on the occasion of a morning sitting, the Speaker or the Chairperson of the Committees shall interrupt the business then under consideration and if the House is in Committee the Chairperson shall leave the chair and report progress and ask leave to sit again.*

With your permission and direction, we can have an extension since the matter before us was allotted by the House Business Committee and directed that this matter be handled today. In case, we want to allot another day, it is the discretion of the Speaker guided by the Standing Orders No.29 (2). Hon. Speaker it is within your mandate to give a direction to this as specified under our Standing Orders, thank you.

**MCA Angatta Nanyekie Ward**, (Hon. Leshimpiro Paul): Thank you Hon. Speaker. On a point of information; the Hon. Members cited that this is a 47 paged document, I just want to inform the Members that if you look at it, page one is list of content and the content of the report is. I do not see why take so long to study such a document because it just two page that is relevant in the entire processes, thank you Hon. Speaker.

**MCA Maralal Ward**, (Hon. Loloju Joseph): Thank you Hon. Speaker. I think whatever Hon. Leshimpiro said is repetition. My good friend, we went to school and need not to be told this and this

*(Applause)*

We just want to read the report for ourselves, period. Hon. Lemoosa, honestly It does not matter, we can extend at the discretion of the Chair, we are asking that we are allowed to go through the report, what is so peculiar about it? Thank you Mr. Speaker Sir.

*(Applause)*

**Specially Elected MCA**, (Hon. Lonoolkulal Esther): Ahsante Bwana Spika. Mheshimiwa Spika naomba ya kwamba venye Waheshimiwa wanasema ni ukweli, Kamati imefanya kazi yake na nashukuru kabisa kwa kufanya kazi yao na tunawaamini.

Bwana Spika kuna mambo ambazo hazikuweko tukiwa huko na hizo vitu zilipofika hapa hatukuwa na malalamishi mengi. Naomba kwa heshima kwa niaba ya wenzetu ambao si wanakamati, tafadhali tusivunjane mioyo hata kama tukona machungu.

Mheshimiwa Spika nakuomba kwamba wakati mwengine waheshimiwa wapewe muda wakutosha wakusoma ripoti. Kwasababu ya muda na heshima ya wenzetu ambao waliketi na kuandika ripoti hii tusiweke migogoro mengi, tuunge kamati mkono, Naunga mkono ripoti hii, ahsante mheshimiwa Spika.

**Specially Elected MCA**, (Hon. Mohamed Asha): Thank you Hon. Speaker, I stand to support the report and congratulate the Committee for the commendable job they have done.

Hon. Members, there is no need of us rejecting this report because as you all know, our people are suffering. We have a lot of issues going on right now. We have issues on insecurity and drought. Kindly, Hon. Members let us not be selfish... *(Interjection by Hon. Lorunyei on point of Order)*

Hon. Speaker protect me from Hon. Lorunyei.

**The Speaker**, (Mr. Lengees Fred): Go ahead Hon. Asha.

**Specially Elected MCA**, (Hon. Mohamed Asha): The Hon. Members said they do not have an issue with the report concerning Dr. Nassir. We know that we have a lot of issues at the Samburu Referral Hospital.

I need to ask the Hon. Members, how many of you cannot read this report at night? Hon. Speaker I do not see the reasons for rejecting this report

*(Hon. Lorunyei, Hon. Asha and several Hon. Members loudly consult)*

**The Speaker**, (Hon. Lengees Fred): Hon. Lorunyei you are out of Order. Go ahead Hon. Asha.

**Specially Elected Member**, (Hon. Mohamed Asha): Hon. Members, please let us be honest with ourselves. Please let us pass this report so that our County can start working, we are already late and behind the schedule.

Hon. Speaker allow me to honourably request the Hon. Members to pass this report without issues and then next time if you bring us such kind of things and expect us to rubberstamp Hon. Speaker we are not going to do that. We kindly need to pass this report so that our people can receive services.

**MCA Ndoto Ward**, (Hon. Lealmusia Ali): Thank you Hon. Speaker. I stand to thank the Committee on Appointments for the good job they have done. However, we were here just the other day when we hurriedly passed the Budget, we were given an opportunity with the Director of Budget and we proposed some issues that were supposed to be attended to before we could pass the Budget.

We came to the House said “Aye” and it passed and we forgot to address our own issues, that is what we are trying to avoid, we are not rejecting this report but we are rather requesting that we be given time to go through the report and the move as a team

*(Applause)*

So that we do not repeat the same mistake because if we do that again we will be setting a bad precedent in this House, thank you.

*(Applause)*

**The Speaker**, (Mr. Lengees Fred): Hon. Members, I intend to interrupt this discussion and shall adjourn this House for one and a half hours and then we come at 5:30 Pm.

*(Applause)*

*(Temporary Adjournment)*

**The Speaker**, (Mr. Lengees Fred): Hon. Members, welcome back and resume our debate where we left. Hon. Members, I wish to guide that Members should be able to debate substances of this report and not issues not related to this report.

Hon. Members, you should also be guided to observe Standing Orders No. 83(1) *No Member should speak twice to a question so that Members can allow others to contribute.*

I now open the floor for you to proceed. Hon. Silapia.

**Specially Elected MCA**, (Hon. Lenamatiyio Silapia): Thank you Hon. Speaker for giving me another chance to contribute on the matter of the report by the Appointments Committee. Hon. Speaker I thank you for being understanding and understand the Hon. Members’ requests so that we can go on as an Honourable House together.

Hon. Speaker I support the report as it is and also commend the Committee for the good work they did

*(Applause)*

I am happy that the Committee has approved the four ladies nominated to the positions of County Executive Committee Member for the respective Departments and County Attorney.

Hon. Speaker, speaking from my heart; I am very happy and proud of the ladies and gentlemen nominated. I was following the vetting process through the Assembly's website and I saw ladies who are capable to deliver to the people of Samburu.

I also want to thank the Governor for selecting ladies with capacities to serve Samburu County, Hon. Speaker I take this opportunity also to call upon my female Hon. Members to support this report as it is because of the ladies nominated who have the capacities to serve the people of Samburu and for the betterment of Samburu, and for the County Government to deliver because it is well constituted, thank you Mr. Speaker.

Hon. Speaker, before I forget; it is not that we have bad hearts or anything contrary towards the report but, we have to respect each other just as you understood our request, thank you Hon. Speaker.

*(Applause)*

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): Thank you Mr. Speaker, I stand to support the report. I have read and understood the report tabled by the Committee. I commend the Committee on Appointments for doing a very good job and presenting a very good report to this Honourable House.

I also thank you Mr. Speaker for understanding and giving us enough time to read the report. I urge the House, now that we have all read the report; we now need the Samburu County Executive to kick off immediately, thank you Mr. Speaker.

**MCA Maralal Ward**, (Hon. Loloju Joseph): Thank you Hon. Speaker Sir for actually saving this House at this particular time. Mr. Speaker sir, as I stand now I fully support this report.

*(Applause)*

May it go to the records that as far as I am concerned to the Hon. Speaker because you said and did cut the previous event that was going on whereby documents are being chipped in and we are

told to rubberstamp even without the Hon. Members going through them. Hon. Speaker, you rose above the status on this event and gave us time to go through the report.

Hon. Speaker, may you continue with the same trend and make this House different from one from our predecessors, thank you Mr. Speaker Sir and may God bless this House.

*(Applause)*

*Ashe oleng' Lemoosa.*

*(Laughter and Applause)*

**MCA Wamba North Ward**, (Hon. Lentukunye Christopher): Point of Order Hon. Speaker.

**The Speaker**, (Mr. Lengees Fred): What is your point of Order Hon. Lentukunye?

**MCA Wamba North Ward**, (Hon. Lentukunye Christopher): Mr. Speaker, the Standing Orders of this House stipulates the languages we are supposed to use when addressing and debating in this House. Hon. Speaker, Hon. Loloju should speak the languages that are recommended in this House; the two national languages.

**MCA Maralal Ward**, (Hon. Loloju Joseph): Hon. Speaker we have three national languages as far as we are concerned, hence the Hon. Member should come out clearly.

**The Speaker**, (Mr. Lengees Fred): Hon. Loloju, it is clear in our Standing Orders that we debate in Swahili or in English.

**MCA Maralal Ward**, (Hon. Loloju Joseph): Hon. Speaker, I think sign language is also included.

**The Speaker**, (Mr. Lengees Fred): And sign language, you did not show any sign language here.

**MCA Maralal Ward**, (Hon. Loloju Joseph): Hon. Speaker, I withdraw my statement on a condition that the Hon. Member should understand that there are three languages not two languages.

*(Laughter)*

**The Speaker,** (Mr. Lengees Fred): Okay. Maybe in future when local languages will be allowed; those are the official languages. Hon. Dube.

**Specially Elected MCA,** (Hon. Osman Dube): Ahsante sana Mheshimiwa Spika kwa kunipatia nafasi mara ya pili. Mheshimiwa Spika niliunga mkono ripoti ya kamati hata kwa rekodi kwasababu hakuna haja ya kupinga unacho ona kwa macho.

La pili Mheshimiwa Spika, naomba kamati ya Appointments kwamba wakiteuwa watu wakumbuke pia walemavu. Nimewasamehe mara hii lakini tafadhali kwa uchaguzi wa Chief Officers(CO) mkumbuke walemavu.

Mheshimiwa Spika kazi yangu hapa bungeni ni kuwakilisha walemavu, walemavu wengi pia wamesoma na wakona shaada na certificates. Mheshimiwa Spika nakuomba kwamba bungi hili likumbuke walemavu kama tu vile Katiba ya Kenya sura 54 inasema kwamba pia walemavu wakona haki kama wakenya wengine. Niliomba kuwa member ya Committee on Appointments kwasababu ya interests kama hii, ahsante Mheshimiwa Spika.

**The Speaker,** (Mr. Lengees Frd): Ahsante sana Mheshimiwa Dube. Nashukuru vile unatetea walemavu na wakati huo ukifika tutaangalaji masilahi yao, Hon. Lemoosa.

**MCA Nyiro Ward,** (Hon. Lemoosa Jonathan): Thank you Hon. Speaker Sir. I take this opportunity to commend you for your wisdom. There is a book called the Speaker's Rulings and it shows rulings made by the Speaker and it might be used to refer in future.

I also want to commend our Hon. Members for calling their hearts out in order to understand the recommendations from the Committee; we need to walk together in decision making in this House. With humility I also wish to call upon our House Business Committee and the Clerks to observe what is directed by law. I think our main problem was that Members were not against the report nor the Nominees but I think the time they were supposed to embrace with the report.

Hon. Speaker, we have a very well able secretariat and business are supposed to be posted 24 hours before sittings but this will be achieved when we will maybe go paperless, it is with this humility that I call for consideration through your office and County Assembly Service Board which we have actually constituted today to look upon the possibility of considering Members

with either iPads or whatever so that we walk together in this particular issues of going paperless.

Hon. Speaker, going paperless will save us financial implications and maybe this push and pull whereby we want to say this is a House of orders and regulations and it is in order to say let us go the leg way. There is nothing wrong about that, we just wanted to understand the process. I commend your ruling Speaker Sir, I think the secretariat will have to take upon that ruling and insert the wisdom that you showed today, thank you Speaker.

**MCA Lodokejek Ward**, (Hon. Lekuchula David): Thank you Hon. Speaker. I stand here as a happy man knowing what I am passing on this floor

*(Applause)*

Hon. Speaker I want to commend you for the ruling you made.

*(Some part of this audio is missing)*

**Specially Elected MCA**, (Hon. Osman Dube): Asante sana Mheshiwa Spika kwa kunipa nafasi. Nashukuru kamati kwa kazi ambayo walifanya na kuleta majina hapa. Ninaunga mkono ripoti hili na naomba tulipitishie. Ninasema hivi kwani Daktari Nassir anfaa katika hospitali kwani amekuwa mkurugenzi wa hospitali. Naomba tupitishie kwa muda unaenda sana. Naomba pia tuwe nyuma yao na kufuatilia kazi zao. Yule ambaye hafanyi kazi tupo tayari kumuondoa, Naunda mkono na nasema asante Mheshimiwa Spika.

**MCA Ang'ata Nanyekie**, (hon. Paul Leshimpiro): Thank you Mr. Speaker. I support the report of the Committee in which I am also a Member of that Committee. The Governor always sends these names to the Assembly, the public advert requires that anyone who has issues should petition the Assembly on any of those nominees; when we were writing the report and when tabling we had not received any petition brought to this House against any of these nominees. Once the report was in the public domain it was the duty of Members who may have issues with anyone nominee to come forward and pass the same would have been prudent to the Committee, table their petitions to the Committee and the Committee will make determination of the Petition

If there was no petition by the time that we were making the report the only thing that we can do here is to only approve or disapprove but in the event of wanting to disapprove it has to be substantiated with facts on reasons for disapproval. The mandate of the Committee is very clear in our Standings in the sense that it has given the mandate to vet, approve or reject to the Vetting and Appointments Committee. Unless there is a contrary opinion the Committee found the nine nominees suitable. We further inquired on a number of things while we were doing our mandate; if we for example want to differ the to put question so that we do it tomorrow I do not think the Members will have enough time to investigate issues like the Committee had while investigating the nominees.

In my opinion we should approve the nomination of the nominees. The Committee did their work on behalf of the Assembly and found the nominees suitable. I personally stand behind their nomination since these nominees have undergone trainings on the respective positions that they have been nominated in and an example is Dr. Nassir who is a Medical Doctor who has served in this County for a long time and a local Doctor who has a lot of understanding unless otherwise stated. The one for Tourism has also undergone a number of trainings. The Finance nominee has gone for training in Finance, I find that almost 75% of these nominees have the right skill set. If the Members have issues on the nominees then it is better to highlight them so that we may deliberate, thank you.

**MCA Lodokejek Ward**, (hon. Felix Lekuchula): Thank you Mr. Speaker. I stand to support the report and extend my congratulations to the Committee. I think that this report is a bit bulky and we need some time to go through it so that we may the correct content. We want to break the culture where we are just given reports wo pass without time. We are not rejecting the nominees but we just need more time so that we may be well acquitted with what we are approving and passing, thank Mr. Speaker.

**MCA Nachola Ward**, (Hon. Lawrence Lorunyei): Thank you Mr. Speaker. I am happy that the Government needs to kick off immediately since the Government is supposed to be the Governor and his cabinet. As said by other Hon. Members that this is a House of honor and rules not rubberstamps. It was just tabled during the morning session yet we were not given the report. We

have just been given the report when we walked into this room, we have not even read it. Not baba to read and it is all, we also have our brains to think. We are not rejecting the report but according to Standing Order number 54/3 gives power to defer to the following day so that you can read.

Our Constitution 232, 1 h and I, the representative of Kenya is diverse communities, we do not know whether it is there or not. I affording equitable opportunities for appointment, training and advancement at all levels of the public service of men and women, persons with disabilities and many other things. We are not rejecting the report but only want to debate in this Hon. House while we are well informed. I congratulate the Committee on Appointments since you have done it and done it well but you said yourself that we were not allowed here as Members so we do not have the information on what you talked about and the contributions that you did. The Members of the public were and again we Members of the County Assembly...

*(Point of Order by hon. Leleruk)*

**MCA Suguta MarMar Ward**, (Hon. James Leleruk): Mr. Speaker Sir I want the Members to put the facts on the table because if you support the nominees then why should we not approve them today. We do not want to take the report to another day. Table the facts so that we may deliberate on them. The report was tabled at 9:00 am and if any Member had any issue they should have approached the clerk and find the same report, thank you.

**MCA Nachola Ward**, (Hon. Lawrence Lorunyei): Speaker he was giving a Point of Information and not a Point of Order. This is the Constitution and I am referring about values and response of the public service. Article 232/1, h and I, our County Standing Orders give us a window that a Speaker can defer to the following day. We request to be informed so that we can move together.

**MCA Wamba North**, (Hon. Christopher Lentukunye): Thank you Mr. Speaker. I stand to support the report. I am privileged to be a Member of the Vetting and Appointments Committee and I did participate in this process. Our Members received some concerns which deserve to be heard but I tend not to be really convinced on how they are putting issues across. If the report was tabled in the morning then the Members had enough time to ventilate, it is not a big document such that Members can need more time.

They are just worried to approve this document in a hurry. I urge the Members to put facts across since they had enough time to ventilate and make decisions. The law is very clear that our mandate as far as this matter is concerned is to reject or approve. We should debate now since we have all gone through the document unless Members have some reservations to put across and point out particular issues in the document that they can rely on rather than just saying that we need time. What time do they need? They had enough time, thank you Mr. Speaker.

**MCA Maralal Ward**, (Hon. Jackson Loloju): Thank you Mr. Speaker Sir. This is exactly what we talked about yesterday while you were away. The Hon. Member who brought this issue is none other than Hon. Lorunyei in the sense that documents are just brought and you expect us to pass them. This is illegal. I find this particular debate peculiar. It is like you give me a glass of water then force to drink it. What is the big issue if I go and read the report that our Committee has done? What is so fishy? Why the hurry. I am worried with this kind of trend whereby something like this will just be brought to this House and something like this and then we are expected to rubberstamp it which is wrong Mr. Speaker.

As per the Hon. Members we are not afraid of anything, you went and vetted, I want to be privy on what you brought at the table which is possible only when I go through the documents. How do you expect me to pass something that I have not read? It cannot go that way; you need to give us time. As I stand here I have personally not been served by this document, I am using Hon. Leitoro's document, is that what you want me to pass? Let us be factual; Standing Order number 54/3 states that, 'despite paragraph two, the Speaker may on the request of a Member defer the putting of the question to the following day in which case the Speaker shall nominate a time of which the question shall be put, it is as simple as that. I am not arguing outside the law may we follow the law. May we follow the law.

**The Speaker**, (Mr. Fred Lengees): Order Hon. Loloju. How many pages is that document?

**MCA Maralal Ward**, (Hon. Jackson Loloju): As I said Mr. Speaker, I have not personally been served.

**The Speaker**, (Mr. Fred Lengees): I am asking you how many pages?

**MCA Maralal Ward**, (Hon. Jackson Loloju): 47 pages Mr. Speaker Sir.

**The Speaker**, (Mr. Fred Lengees): How long do you need to read 47 pages?

**MCA Maralal Ward**, (Hon. Jackson Loloju): Overnight Mr. Speaker then tomorrow I am here fully prepared.

**The Speaker**, (Mr. Fred Lengees): Hon. Loloju sit down.

**MCA Wamba East Ward**, (Hon. Jackson Lelenkeju): Thank you Mr. Speaker. I commend the recommendations of the Members who have just spoken and the information that we want to put through in this Hon. House, it is wrong for a Member to say that we are doing an illegality because we are not. We had Standing Order today in the morning at 9:00 am which is a public document. The Members were present, the report was tabled, we all know we had the presence of our clerks around and whoever wanted the report it was available once tabled.

It is good Hon. Members to understand what is good in the report. I also want to bring to the attention of the Members that any Sectoral Committees and House Committees conduct business on behalf of the rest of the Members here. If I give an example of the Committee on Lands, Planning and Housing they conduct that business and forward. They do it as representatives of this Hon. House.

I think the time the Appointments Committee had to peruse documents, we even do further enquiries as reported by Hon. Leshimpiro we did enough time and on behalf of the Members. Even if it takes another week we are only delaying services for our people but the report will be found by the same Hon. Members. My humble request is that I am not objecting any other type of any other business because we still have almost 55 months to go. This document should be available at any other time since we will still do a lot of documents by all Committees. I do object that it should be published as required by the Standing Orders of this House.

But for the sake of the urgency of this House because we are in a disaster season and we are in dire need of services. Every time you ask of services the pretense that they use is that hatuna hata CECs so that we do not get that excuse day and night the law requires under Standing Orders 29 and I request Hon. Lemoosa to read it can...

**MCA Lodokejek Ward,** (hon. Felix Lekuchula): Consideration that you made to the Members was actually fantastic and thank you for that. I know my sister Hon. Stacy said that I did not make it to read the whole paper here but I think that if there is any paper that I left maybe that the paper that Hon. Leshimpiro said that they are not necessary for you to read. The first and the last page as I go back to my ward I can tell my electorates that I know what was passed on the floor of this House.

You can see a lot of good things here if you go through this report. I refer one of the nominees here the one for Agriculture where he talked about the livestock keeping and I can read, “the nominee informed the Committee that he can consult with stake holders on possibility of tagging cattle with EPS microchips when they are stole into neighboring Counties. When you go through the questions that were answered by the nominee you can see that the nominee has good agenda for this County. You can see the numerous raids across our borders. Once the nominee gets into office then it will be easy to track stolen animals. I sit supporting the report without question, thank you Mr. Speaker.

**MCA Ndoto Ward,** (Hon. Ali Lealmusia): Thank you Mr. Speaker for this chance to give what I have gathered. When we asked you to give us time to read others thought we were joking. I give my observation but before that I thank you for your wisdom and since we went to school together I know we will get a solution for this. I know that we will solve the food situation because it is in the report and the nominees were keen on it. I am impressed with the introduction of fishing. This is new to our people because we are aware of our people’s lifestyle, that is a good one. The nominees are full of wealth on professionalism. I have also seen a nominee who comes from a private sector and we know the input of private sector in our County Assembly. Finally, our services will be automated. We have been asking for service automation as far as revenue is concerned.

Although I had an issue with bullet number one; there are two issues where the nominee said that she will automate and link services to all Su Counties to reduce the pressure of travelling to Maralal to access basic services. I wonder if our services are automated even to the Sub County level, I could understand if she said that I could work to automate the revenue collection function

to ensure the increase of revenue collection. I do not know how we can connect this to the current existing or not. I am ready to support the report without any inch and I congratulate the Committee.

**The Speaker**, (Mr. Fred Lengees): Thank you Mheshimiwa.

**MCA Elbarta Ward**, (Hon. Jeremiah Leitoro): Mr. Speaker I stand here on behalf of Health Practitioners, today as I sit here we are approving one of our colleagues Dr. Nassir Lekudere who is a performer, a Surgeon and well experienced. The health sector over the previous years has never been headed by one in the health care practitioners. We have a CEC who comes from the same departments for the first time in years. We also hope that the CO will come from the same department. This is the time that we will better services at the Health Department. I congratulate the Committee on a well done job and we hope to improve our health services. We hope to take it from the ICU to a better health services provider, thank you Mr. Speaker.

**The Speaker**, (Mr. Fred Lengees): Thank you Hon. Members. I now put the question that Pursuant to Standing Order number 47 of the Standing Orders, the County Assembly debated and adopted the report of the Committee on Appointments of vetting of the County Executive Committee Member nominees, County Secretary and County Attorney.

*(Question put and passed)*

**MCA Wamba East**, (Hon. Jackson Lelenkeju): Thank you Mr. Speaker Sir. May I take this opportunity to congratulate all the Members who participated in contributing and passing the report. Thank you very much to the Committee on Appointments and the tireless effort to ensure that we have this report on time. I thank the Speaker for the one-hour break for the sake of the Members who did not read the report on time. I am glad that we are ferrying in the same boat. It was not the fault of the Committee not to avail the papers. The secretariat has been told to circulate the papers earlier to avoid delay because one hour is a lot of time to adjourn the House for the sake of reading but I am glad that we passed something that is comfortable for all of us. Thank you Members and the Speaker for that wise ruling. I thank the secretariat for bringing the report together on time. I think that we can now release the names to the Governor for swearing in ceremony and thank you for the considerable time that this Members will sit in office at the

right time and provide services delivery to our people soon, thank you very much Mr. Speaker Sir.

**The Speaker,** (Mr. Fred Lengees): Hon. Members the time being 17 minutes past five o'clock and there being no other business this Assembly now adjourns until Thursday, 10<sup>th</sup> November, 2022 at 2:30 pm.