

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on Wednesday, 16th November 2022 at 9:40AM

The Speaker (Hon. Kemboi) in Chair

PRAYERS

The Speaker (Hon. Kemboi): Sergeant-at- arm ring the quorum bell for five minutes

(Quorum bell rung)

The Speaker (Hon. Kemboi): We still don't have quorum sergeant-at-arms ring the bell for another five minutes

(Quorum bell rung)

The Speaker (Hon. Kemboi): Majority Leader. Order members...

(Loud Consultations)

Majority Leader do we have quorum?

Hon. Lokorio (Deputy Majority Leader): Yes Mr. Speaker.

The Speaker (Hon. Kemboi): Clerk!

COMMUNICATION FROM THE Chair

The Speaker (Hon. Kemboi): Hon. Members today is the 21st day from the day the Governor forwarded the list of the CECs, this technically means that this is our last day to either reject or approve the nominees. Hon. Members the ball is in your court.

NOTICE OF MOTION

APPROVAL OF COUNTY EXECUTIVE COMMITTEE MEMBERS (CECMs) NOMINEES

The Speaker (Hon. Kemboi): Deputy Majority Leader!

Hon. Lokorio (Deputy Majority Leader): Hon. Speaker, may I give notice of the following motion on approval of nominees for appointment to the position of County Executive Committee Members.

Whereas the committee on appointment is established pursuant to standing order 190(4) which provides for vetting and consideration by the County Assembly. Appointment under article 179(2) (b) of the constitution in this case the County Executive Committee Member.

Disclaimer: *The electronic version of the County Assembly of Baringo Hansard report is for information purposes only. A certified version of this report can be obtained from the Clerk - Baringo County Assembly*

Aware that section 35 and 36 of the County Government act as read together with article 179(2)(b) of the constitution of Kenya provides for power of the Governor to nominate and appoint the County Executive Committee Members with the approval of the County Assembly.

Further appreciating that section 35(1) of the County Government act provides that the Governor shall when nominating members of the County executive committee consider the following

- a) The composition of the County Executive Committee reflects the community and cultural diversity of the County
- b) Take into consideration the principals of affirmative action as provided for in the constitution
- c) Consideration of the two third gender rule
- d) Representation of the minorities and the marginalized groups

Acknowledging that section 36(1) provides for levels of County Executive Committee Members in addition provided under article 183 of the constitution.

Aware that the Governor Hon. Benjamin Cheboi filed a letter dated 18th October 2022 forwarded to the clerk the list of 10 proposed executive committee members for vetting and subsequent consideration for approval by the County Assembly pursuant to provisions of public appointment, County assemblies approvals act of 2017.

Subsequently, upon commitment to the committee on appointment the committee approved the following appeared before the committee on 8th, 9th and 11th November 2022 at the Kenya school of Government and were vetted on their suitability on appointment of the County Executive Committee Members.

Now, therefore, in view of the foregoing this motion urges the County Assembly of Baringo to consider and adopt the report of the committee on appointment approving the following nominees to the various departments upon a successful vetting process

- 1) Ruben Rutto for Lands Housing and Urban Development from Baringo Central
- 2) Risper K. Chepkong'a for Agriculture, Livestock and Fisheries from Baringo North
- 3) Peninah Bartuin for Devolution, Public Service and Administration from Baringo South
- 4) Maureen Karelo Lemashep for Youth, Gender E- Government and ICT from Tiaty
- 5) Rev. Symon kuita for education sports culture and social services from Tiaty
- 6) Wilson Cheserek for Finance and Economic Planning from Baringo North
- 7) Dr, Solomon Sirma for Health Services from Eldama Ravine
- 8) Zachary Kiprotich for Industry, Commerce Tourism, Enterprise and Cooperatives Development from Mogotio
- 9) Eng. Lekonaya Kibwalel for Public Works, Transport and Infrastructure from Eldama Ravine
- 10) Richard Naaman Tamar for Water Irrigation, Environment and Natural Resources from Baringo South

Mr. Speaker sir I beg to give notice.

The Speaker (Hon. Kemboi): Hon. members by virtue to the powers given to me by Standing Order 1 I direct that this motion shall be heard and shall be debated in this session. Next order!

STATEMENT

WHY KAPKONG-KAPKELELWA WATER PROJECT NOT DONE

DESPITE THE AVAILABILITY OF WATER PIPES

The Speaker (Hon. Kemboi): Hon. John Tarus, Hon. Jacob Cheboiwo could have Hon. Tarus asked you to ask the statement on his behalf? ...Sorry

Hon. Kigen: Thank you Mr. Speaker sir, Hon. Tarus asked me to step in. He is seeking a statement from the Chairperson Water and Irrigation Committee on the following matters of concern;

Following the allocation of Kshs. 2 million for Kapkong-Kapkelelwa gravity water projects water pipes were delivered but no other works was done

- i. Why were the other works not done despite the availability of the water pipes
- ii. What measures have been put in place by the department to ensure that the work is done considering its importance to the residents

Thank you.

The Speaker (Hon. Kemboi): I direct the Chairperson for water to take up this issue and give us a report in 21 days.

Next order!

(Statement deferred)

MOTION

APPROVAL OF COUNTY EXECUTIVE COMMITTEE MEMBERS (CECMs) NOMINEES

(By leave of the House)

Approval of nominees for appointment to the position of County Executive Committee Members.

Hon. Lokorio (Deputy Majority Leader): Mr. Speaker, I beg to move that Whereas, the Committee on Appointments is established pursuant to Standing Order 190(4) which provides for vetting and consideration by the County Assembly, appointments under Article 179(2)(b) of the Constitution, in this case the County Executive Members;

Aware that, Section 35 and 36 of the County Governments Act as read together with Article 179(2) (b) of the Constitution provides for the power of the Governor to nominate and appoint County Executive Committee Members with the approval of the County Assembly;

Further appreciative that, Section 35 (1) of the County Government Act provides that the Governor shall, when nominating Members of the County Executive Committee consider the following:

Disclaimer: The electronic version of the County Assembly of Baringo Hansard report is for information purposes only. A certified version of this report can be obtained from the Clerk - Baringo County Assembly

- i. The Composition of the County Executive Committee reflects the community and cultural diversity of the County ; and
- ii. Take into account the principles of affirmative action as provided for in the Constitution.
- iii. Consideration of two third gender rule;
- iv. Representation of the minorities, marginalized group.

Acknowledging that, Section 36(1) provides for roles of County Executive Committee Members in addition to the functions provided under Article 183 of the Constitution;

Aware that, the Governor Hon. Benjamin Cheboi, vide a letter dated 18th October, 2022 forwarded to the Clerk, the list of 10 proposed County Executive Committee Members for vetting and subsequent consideration for approval by the County Assembly pursuant to the provisions of Public Appointments (County Assemblies Approval Act) of 2017.

Subsequently, upon commitment to the Committee on Appointments, the nominees appeared before the Committee on 8th, 9th and 11th of November 2022 at the Kenya School of Government and were vetted on their suitability for appointment of the County Executive Committee Members to the various Departments in Baringo County .

Now therefore, in view of the foregoing, this motion urges the County Assembly of Baringo to consider and adopt the Report of the Committee on Appointments approving the following nominees to the various departments upon successful vetting process:

1. Arc. Reuben Ruto
2. Risper K. Chepkonga
3. Peninah Bartuin
4. Maureen Karelo Lemashep
5. Rev. Symon Kiuta, PHD
6. Wilson Cheserek
7. Dr. Solomon Sirma
8. Zachary Kiprotich
9. Eng. Lekonaya Kibwalel
10. Richard Naaman Tamar.

Mr. Speaker, I beg to move .

Mr. Speaker Sir, The Committee on Appointments is established pursuant to Standing Order 190(1) which provides that ‘there shall be a select committee to be designated the committee on Appointments to be appointed by the House, consisting of the Speaker as the Chairperson of committee, the Leader of Majority party, the Leader of the minority party and their deputies and not more than four other members nominated by the House Business Committee on the basis of proportional party membership in the House taking into consideration the numerical strength of the parties and interest of independent members’. The list of the Members is herein attached

Mr. Speaker Sir, The committee executes its mandates under Standing Order 190(4) which provides that: ‘the Committee on Appointments shall consider, for approval by the County Assembly, appointments under Article 179(2) (b) of the Constitution.

Mr. Speaker Sir, May I take this opportunity to thank all Members of the Committee and the technical team for their invaluable contributions and engagement during the vetting exercise that was successful. The Committee also takes this opportunity to thank the Offices of the Speaker and the Clerk to the County Assembly of Baringo for the necessary support accorded to it during the vetting exercise. The Committee is also grateful to the public who attended the better part of the exercise not forgetting the media fraternity for their coverage of the proceedings of the Committee, thus enhancing accountability and transparency of the vetting process.

Mr. Speaker Sir, On behalf of the Committee on Appointments and pursuant to Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017, and the provisions of Standing Order No. 185 of Baringo County Assembly, it is my humble duty and pleasure as the Chairperson of the committee to present to the County Assembly, this report on the vetting of the County Executive Committee Members which was diligently addressed by the committee.

Mr. Speaker Sir, the requirements for nomination as County Executive Committee Members as provided in Chapter six of the Constitution of Kenya 2010, the County Government Act 2012 section 35(3). The requirements shall include...Members can go through the requirements.

Mr. Speaker Sir, Section 36 (1) provides for roles of CECM'S In addition to the functions provided under Article 183 of the Constitution, a County executive committee shall:

- a) Supervise the administration and delivery of services in the County and all decentralized units
- b) Perform any other functions conferred on it by the Constitution or national legislation; and
- c) Carry out any function incidental to any of the assigned functions.
- d) Monitor the process of planning, formulation and adoption of the integrated development plan by a city or municipality within the County among others.

Mr. Speaker Sir, H.E. The Governor, Hon. Benjamin Cheboi vide a letter dated 18th October, 2022 forwarded to the Speaker of Baringo County Assembly, the list of ten proposed CECM members for vetting and approval by the County Assembly as follows:

1. Arc. Reuben Ruto
2. Risper K. Chepkonga
3. Peninah Bartuin
4. Maureen Karelo Lemashep
5. Rev. Symon Kiuta, PHD
6. Wilson Cheserek
7. Dr. Solomon Sirma
8. Zachary Kiprotich
9. Eng. Lekonaya Kibwalel
10. Richard Naaman Tamar.

Mr. Speaker Sir, Pursuant to Standing Order 44(1), the Honorable Speaker informed the Assembly on 13th October, 2022 at its sitting at 2:30 pm that he had received the

notification of the nomination. The notification of nomination was therefore referred to the Committee on Appointments for vetting and reporting to the Assembly as per section 35 the County Governments and Section 9(1) of the Public Appointments (County Assemblies Approval) Act of 2017.

Mr. Speaker, Section 7(10) of the Public Appointments(County Assemblies Approval) Act provides that ‘ A person may, prior to the approval hearing provide a written statement on oath or a memorandum to the Clerk with evidence contesting the suitability of a Nominee.’

Mr. Speaker Sir, This chapter comprises of the oral submissions by the various nominees, their overall ratings and general suitability to the respective County Executive Committee Members positions. Thereafter committee observations, recommendations and conclusion of the entire vetting process.

Mr. Speaker Sir, It should be noted that there were no Memorandums, Petitions or Sworn Affidavits received from the general public for all the nominees who appeared before the Committee on Appointments...

(Loud Consultations)

The Speaker (Hon. Kemboi): Hon. Cynthia Jerotich, Hon. Purity Tallam, Hon. Ernest Kibet and Hon. Alex Kurui and the group...

(Laughter)

this is a House of rules and procedures. Hon. Lokorio should be heard in silence. I direct so. Proceed Hon. Lokorio.

Hon. Lokorio (Deputy Majority Leader): Thank you Mr. Speaker for protecting me. It should be noted that there were no Memorandums, Petitions or Sworn Affidavits received from the general public for all the nominees who appeared before the Committee on Appointments for vetting or the approval hearing.

Mr. Speaker, The nominee Architect Reuben Cheruiyot Ruto appeared before the Committee on 9th of November 2022 at 10:00 AM at Kenya School of Government and was vetted in accordance with the provisions of the Constitution, Public Appointments (County Assemblies Approval) Act and the County Assembly Standing Orders on his suitability for appointment to the position of CECM Lands, Housing and Urban Development, Baringo County . The Committee conducted a face-to-face vetting process. The nominee took Oath as per the provisions of Article 179 of the Constitution.

Mr. Speaker Sir, The Committee scored the Nominee at 81.2 % as overall Suitability having considered the nominee’s potential pursuant to the provisions of Public Appointments (County Assemblies Approval) Act, 2017, his Curriculum Vitae and having heard his oral submission during the vetting exercise.

Mr. Speaker Sir, the following table indicates the average score of the Nominee on the technical. Members can go through.

Mr. Speaker Sir, Accordingly, on the candidates' overall suitability, majority of the members indicated that the nominee was suitable and qualified for the position basing on his vast experience and his educational background.

Lastly Mr. Speaker Sir, the Committee unanimously recommended Architect Reuben C. Rutto, as CECM for Lands, Housing and Urban Development in Baringo County .

Mr. Speaker Sir, The nominee Risper K. Chepkong'a appeared during the Committees' approval hearing held on Wednesday, 9th November 2022 at the Kenya School of Government from 12 noon, the Committee conducted a face-to-face vetting process.

Mr. Speaker Sir, The Committee scored the Nominee at 78.5 % as overall Suitability having considered the nominee's potential pursuant to the provisions of Public Appointments (County Assemblies Approval) Act, 2017, her Curriculum Vitae and having heard her oral submission during the vetting exercise/interview. The nominee displayed a high level of confidence during the vetting exercise.

Mr. Speaker Sir, the following table indicates the average score of the Nominee on the technical areas as below. Members can go through that.

Mr. Speaker Sir, Accordingly, on the candidates' overall suitability, majority of the members indicated that the nominee was suitable and qualified for the position basing on her vast experience, passion and her rich educational background.

Lastly Mr. Speaker Sir, the Committee unanimously recommended Risper K. Chepkong'a for CECM Agriculture, Livestock and Fisheries.

Mr. Speaker Sir, The Committee scored the Nominee Ms. Peninah Bartuin at 73.7 % as overall Suitability having considered the nominee's potential pursuant to the provisions of Public Appointments (County Assemblies Approval) Act, 2017, her Curriculum Vitae and having heard her oral submission during the vetting process.

Mr. Speaker Sir, Accordingly, on the candidates' overall suitability, majority of the members indicated that the nominee was suitable and qualified for the position basing on her experience and her educational background. Ms. Penina Bartuin represents the youth in our County as she is among the youngest CECM nominees.

Lastly Mr. Speaker Sir, the Committee unanimously recommended Penina Bartuin as CECM Devolution, Public Service and Administration.

Mr. Speaker Sir, The Committee scored the Nominee Maurine Karelo Limashep at 65.9% as overall Suitability having considered the nominee's strength, pursuant to the provisions.

Mr. Speaker Sir, the table give indicates the average score of the Nominee on the technical areas. Members can study it. Mr. Speaker Sir, Accordingly, on the candidates' overall suitability, majority of the members were in agreement, that the nominee was suitable and qualified for the position, basing on her record of experience and her educational background.

Mr. Speaker Sir, The Committee scored the Nominee Rev. Symon Kiuta Lonyayo at 66.90% as overall Suitability. The table below indicates the average score of the Nominee on the technical areas.

Mr. Speaker Sir, the nominee Dr. Solomon Kibet Sirma informed the committee that his 25 years working experience and nine in managerial enables him to understand how the devolved health services work.

Mr. Speaker Sir, The Committee having considered the Nominees Curriculum Vitae, having heard their oral submissions during the approval hearing made the following recommendations on the Nominees:

1. That pursuant to the provisions of Section 35 & 36 of the County Government Act of 2020, the Nominees are eligible for appointment as County Executive Committee Members.
2. That in addition to the above, the Nominees academic credentials, professional training and experience are in compliance with the Public Appointments, County Assemblies approval Act, thus qualified for the proposed positions.
3. That the nominees met the requirements of Chapter Six of the Constitution on Leadership and Integrity having clearance from all the statutory bodies.
4. That most of the Nominees have not been charged in any Court of Law except one who was exonerated by the High Court of Kenya.
5. That the Nominees demonstrated knowledge on topical, administrative and on technical issues touching on their departments and have requisite knowledge and ability to serve as Baringo County Executive Committee Members.

In conclusion therefore, Mr. Speaker Sir, having considered all the Nominees overall suitability, the Committee hereby unanimously recommends all of them as suitable and duly qualified to be appointed to the positions of Baringo County Executive Committee Members as follows:

1. Arc. Reuben Ruto
2. Risper K. Chepkonga
3. Peninah Bartuin
4. Maureen Karelo Lemashep
5. Rev. Symon Kiuta, PHD
6. Wilson Cheserek
7. Dr. Solomon Sirma
8. Zachary Kiprotich
9. Eng. Lekonaya Kibwalel
10. Richard Naaman Tamar.

Mr. Speaker Sir, I beg to move and ask Hon. Members to support allow our County to move. May I therefore ask Hon. Sialo to second this motion.

The Speaker (Hon. Kemboi): Hon. Lokorio just before Hon. Sialo seconds, what you want us to do with the report you have not tabled the same.

Hon. Lokorio (Deputy Majority Leader): Hon. Speaker, allow me to table the report and ask Hon. Sialo to second.

[Hon. Lokorio (Deputy Majority Leader) laid the Report on the Table]

Hon. Sialo: Seconded.

The Speaker (Hon. Kemboi): I can see Hon. Sharon Keter and Hon. Ngotie, what is the issue?

Hon. Sharon: Mr. Speaker I rise on point of order 37 (2) which 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 House meets but a supplementary order paper shall be made available at least one hour before the House meets.

Mr. Speaker I am reading this section of the law and I am giving it a literal meaning, Mr. Speaker there is a reason why the right hand drafters of this standing order inserted this provision of the law and the spirit of this section Mr. Speaker it was to give Members an ample time to go through the order papers and any other document that was sought by any other Member to be presented before this Hon. House.

Mr. Speaker this order paper was presented to us just some minutes ago and you can see a very voluminous document has been presented to us today for us to go through it and to give our comments and for that reason Mr. Speaker I beg you to allow us time to go through this document so that we can give good review and make a decision over it. Thank you.

The Speaker (Hon. Kemboi): Hon. Ngotie.

Hon. Ngotie: Thank you Mr. Speaker. Mine is almost the same thing that Hon. Keter has touched on. Mr. Speaker did you realize that Hon. Majority leader was not able to go through the whole report but he was giving us only small information because the document is voluminous.

Mr. Speaker, I am on page 7 and I don't expect that we are going to debate on this and give something tangible for the... not that I am rejecting but I have not read the whole document and I know the same applies to the Members.

Mr. Speaker sir why give us this report on the last day, it is not possible because this is a Honourable House and because the CECMs are very important people, we need to discuss and pass or reject. Mr. Speaker sir, we need to read the report and internalize before we make a conclusion on the report.

Mr. Speaker sir, nowhere in common wealth Countries that we have Members of a committee being 12, if it comes to voting how will they vote? They are supposed to be maybe 13 but in this report in the common wealth it is the first committee, and it is going to be in record that the Committee has 12 Members.

Mr. Speaker the mover is asking us not even requesting but he is asking us to pass this report, Mr. Speaker we need some time ... you know these laws are not cast on stones; we can still do something and pass it next week. There is no hurry in Kenya. Thank you.

(Laughter)

The Speaker (Hon. Kemboi): Hon. Members, I am only going to entertain points of order. Hon. Kibet you had a point of order.

Hon. Kibet: Thank you Mr. Speaker, you made a ruling that under the circumstances you allow the motion that we give a notice and we also have the motion. Mr. Speaker, I think as much as we have the rules there are those sections that allows you to use your discretion. Mr. Speaker I have also heard the Hon. Member talk about the membership.

Mr. Speaker the numbers are just made for the purposes of running... Mr. Speaker but if there is no voting, no contesting, we will allow...

(Loud Consultations)

The Speaker (Hon. Kemboi): He is on point of order.

Hon. Kibet: Mr. Speaker I think the other idea, we know that there are timelines and in this case, this is not the first motion that we are trying to beat the deadline. Mr. Speaker from day 1 we knew there was a process where we had a crash program and I beseech Members that we look at the generality of the whole aspect.

Mr. Speaker, the law is very clear, the Governor gives us the names and after 14 days if you don't debate by today the CECs will be automatically be sworn in. I can read the mood and I am seeing Members are so excited ... I know they will pass Mr. Speaker but ... as usual...

(Laughter)

The Speaker (Hon. Kemboi): You are out of order Hon. Kibet. How many people want to rise on point of orders? I can see Hon. Lokales, Hon. Cheboiwo, Hon. Symon Kiplagat and Hon. Alex, so let us take the four and I will issue directions after.

Hon. Lokales: Thank you Mr. Speaker. First of all I was concerned about Hon. Kibet's submission and you see all point of orders are directed to the Speaker and not directed to any Member of this House.

Hon. Kibet standing to defend point of orders, I think you should have given him direction that it is you who has the authority to either dismiss or agree to any point of order.

The Speaker (Hon. Kemboi): Hon. Lokales after hearing him, I told him he is out of order, and you are also taking the same trajectory.

(Laughter)

Hon. Lokales: No, Mr. Speaker. If you have ruled that. Then I will join other Members on the same point of order that Hon. Sharon Keter stood on and I think it is prudent that, you know in this House sometimes there are issues which are very urgent and maybe needs our attention immediately.

But Mr. Speaker we have the whole of today, it is never too late that you give us time even until afternoon. We can still go read this voluminous document, you cannot expect me to read around 50 pages in just the same time and give the best about that document Mr. Speaker.

Mr. Speaker you should be lenient to Members and agree that we have time even if we have extension of time in the evening; it is still our time even until midnight. Thank you.

The Speaker (Hon. Kemboi): Yes Hon. Cheboiwo.

Hon. Cheboiwo: Mr. Speaker, I also support what Hon. Sharon has said, Mr. Speaker we should set the standard of this Assembly, the integrity of Members matters a lot. We should not be Members who stamp anything that comes to this House.

As the first day that we are reading thus report of the CEC members. Like me I am still on the CRC Treasury part because that is the most important part and also wanted to go to transport and water I am seeing I will not be part of this discussion if we will run this motion right now. Mr. Speaker you know there is some important decision that allows us to approve. Like now we will proceed to supplementary budget and if we will be ambushed like today then we will be done and this assembly will just be rubber stamping everything.

Mr. Speaker it is my humble request as a senior member of this assembly that we discuss this motion in the afternoon so that we go through it and we discuss what we know. Thank you Mr. Speaker sir.

The Speaker (Hon. Kemboi): Hon Simon Kiplagat

Hon. Symon: Hon Speaker sir I rise on a point of order that is standing order number 52 sub section three. Despite paragraph two the speaker may on the request of a member defer the putting of the question to the following day in which the case the speaker shall.

(Loud Consultations)

Protect me Mr. Speaker. I repeat the Speaker may on the request of a member defer the putting of the question to the following day in which the Speaker shall there upon nominate time at which the question shall be put. I am thing ahead of you as the Speaker

(Laughter)

Mr. Speaker you still have the liberty that the nominated member is within her right to request for more time because even the order paper still gives us time so I request you Mr. Speaker give us time we go through this document, there is no hurry we are in Africa and we need to read these things slowly so that we understand. Thank you

The Speaker (Hon. Kemboi): Hon. Alex

Hon. Alex: Thank you Mr. Speaker I still rise on the same point of order number 52 (3). We have said this is a House of order and I have gone through the recommendations and the report from the Appointments Committee. The only person that I have gone through and I am convinced that he is qualified is the first candidate who is Architect Ruto.

(Loud Consultations)

The Speaker (Hon. Kemboi): Hon. Lokorio, Eng Sitei, and Hon. Robert Cheruiyot I am putting you on notice .

Hon. Alex: Mr. Speaker, I was saying something good and very special to this House. The only candidate that I have gone through in the report is Architect Ruto. I have seen his academic qualifications, I have seen his experience and I am convinced that he qualifies. I don't underrate the rest of the CECs. Mr. Speaker protect me from these people...

(Loud Consultations)

The Speaker (Hon. Kemboi): Hon Alex what is your point of order?

Hon. Alex: My point of order is that the only person I have gone through, the only report I have read is on the nominee number one. Just like these other members have said Mr. Speaker is that we need more time to interact with this document. I wish that the question is not put right now and we are given time until afternoon so that we debate. Mr. Speaker I seek your indulgence and I know you are smart and you can read the mood of the House and you can give us the wishes of our hearts. Thank you

The Speaker (Hon. Kemboi): I have noted Hon Alex. Hon Members I am very delighted and I want to direct you that the Chair shall be heard in silence. It is an order. The standing order is very clear that the Speaker shall be heard in silence. I am delighted by the level of debate in this House. The kind of point of orders that have been raised by members here yesterday and today and readily delighted that the members level of debating is improving gradually and I am certain that if we take this direction we shall have healthy debated and more so this House will be richer in terms of jurisprudence and the kind of debates, bills, motions that will come to this House will be healthier and Baringo will grow.

Hon Members I have heard the points of order from Hon Sharon Keter, Hon. Ngotie, Hon. Lokales, Hon. Cheboiwo, Hon. Simon Kiplagat, Hon Alex Kurui and I would like to respond as follows. In as much as Standing order 37 (2) requires the order papers to be supplied to members within 12 hours you shall know that 12 hours from 9 am is 9PM. It is possible that the orders papers were ready by 9 PM yesterday evening but there was nobody in this assembly who could be given the order papers and the earliest opportunity you could get the order papers was this morning at 8 am when you came to the office. If this assembly had enough offices possibly you should have received them in your pigeon Holes or in your offices. Perhaps when the assembly will be blessed with more money and more infrastructure we will receive the order papers through your email or whatever means within the 12 hours.

To Hon Ngotie you asked a question about membership of the committee, it is clear that this is the Committee on Appointments and it has nine members plus the Chair it makes 10. In the wisdom of the Chair he included two other members Hon Sialo and Hon Ernest Kibet and the same is directed in the standing order 181 and 189. The Chair of the committee on appointments does not have a vote; technically it means that the two coopted Hon Members don't have a vote. Technically it means that the committee has nine members who can cast a vote if it had to be taken. Hon Lokales and Hon Cheboiwo you tried to influence me to defer the motion but you did not move me however I would like to thank Hon Simon and Hon Alex Kurui for attempting to move the Chair however it is premature.

(Laughter)

Hon Members, I direct as follows. I have heard the sentiments of the Majority Leader that this motion shall be debated now however, and the key word is however the putting of the question shall be deferred to the afternoon. The members who shall debate now are those who are ready, those who are not ready to debate have an opportunity in the afternoon to debate. Hon Members allow me now to propose the question.

(Question is proposed)

Debate is open and members can make their contributions.... Hon. Lekakimon Member for Ilchamus Ward.

Hon. Lekakimon: Thank you Mr. Speaker sir, I stand to give my opinion on this report of the Appointments Committee and I support it for some reasons, one, Mr. Speaker it is legally important to have committees and once constituted they get to start working. This House Mr. Speaker has constituted number of committees that are in charge of every section and when any committee brings a report to this Assembly it is that they have done enough to satisfy this House that the report they are giving is well vetted, well interviewed and the process that is required is communicated well.

Mr. Speaker, when I look at this report and when the Leader of Majority was reading saying that we ask this House to consider and approve, I personally I trusted the committee that they have done good job. Mr. Speaker, we looked at this process through the media, how they were vetting these CECM, the suitability, the qualifications and the tasks ahead of them, we have been following and when the report is tabled here it is a report that we have been following as members of this House with a lot of interest that the CECs that will be mandated to carry the work of this County are up to the task, so I support the report of the committee that was entrusted to this task, so congratulations. I have gone through this report in the shortest time given and I have looked at the areas that are important and I confirm that this report is good.

Secondly, Mr. Speaker, when you look at the report the Governor really followed the procedures, all the CECs were put in the daily Newspapers. Mr. Speaker, I was keenly listening to the Leader of Majority when he was reading the report he said there was no petitions, there was nothing from the public that was brought forward to this committee to defer these members from being appointed and therefore if the public have not given any negativity on these CECs then Mr. Speaker it is our prerogative as Members of this Assembly to support the Governor's Appointments that these CECs are qualified and are suitable for the tasks ahead.

Thirdly, Mr. Speaker, in this County for us who have come back and what made us to come back is because of the work that was not done well previously, the amount of money that was rolled over in this County was a lot, it was Ksh.2.4 Billion and it was recently that we were discussing about the Deputy Governor here who promised this County that there will be no roll overs and when you look at our Constitution Art. 179 (1) it says the County Executive Committee 1. The Executive authority of the County is vested in and exercised by a County Executive Committee. 2. The County Executive Committee consists of the Governor and the Deputy Governor and the Members appointed by the Governor.

Mr. Speaker for the deliberations of this County and for the Governor to exercise his duties and his work to go on well he must have the CECs... now he has the Deputy Governor, here are the CECs and you remember all this work is vested in him, remember our work as Members of this Assembly is Legislation, Representation and Oversight, Mr. Speaker I support that we approve this CECs so that these CECs can start their work immediately and support the Governor and the Deputy Governor so that the money that was rolled over can be put in the supplementary budget and so that we can start seeing the projects in our Wards, remember we are not doing these projects alone we are doing these projects through these CECs and for us to catch up immediately before we go to the next annual budget process, we must use what is there because once the money rolls over it means we shall lose some of the projects in our wards. So for us Mr. Speaker to have our work move faster on the ground is to approve these CECs for this work to go on well.

Mr. Speaker sir, when I look at this report, the Governor has really followed the law. Look at that section of the County Government section 35 where it requires the face of this County. When I look at the constituencies we have and we have about 6 constituencies in this County all these CECs come from these constituencies.

He also considered cultural diversity, the minority and the marginalized. When I see the minorities being considered as the Members of the County Executive, Mr. Speaker we are seeing a Government that is inclusive. A Government that considers every person in this County, Mr. Speaker I support.

Lastly Mr. Speaker sir, when you look at these CEC Members, most of them are qualified despite the rating. You see normally when you sit for an exam and I am sure when these Members are relegated to any interview, everyone has some kind of euphoria. You may be in your good mood during the interview and some fears occur. So once they are above average in the ratings, suitable and qualified, Mr. Speaker we need to approve them and give them time and to see the fruits of their work that will be going on in this County.

Personally, Mr. Speaker I support the report of the Committee on Appointment and I support the approval of all the CECs that were forwarded and tabled in this Assembly, thank you Mr. Speaker.

(Applause)

The Speaker (Hon. Kemboi): Hon. Kigen.

Hon. Kigen: Thank you Mr. Speaker. I stand following your communication saying that, Members this House will not be used as a conveyor belt. Members we have to go through this report properly and interrogate the voluminous report as a House. I have seen one of the nominee of finance which is serious docket has no primary certificate Mr. Speaker. That is why this House needs to go through the report. We need to know and get an explanation as to why.

(Loud Consultations)

Has no Primary KCPE Certificate.

The Speaker (Hon. Kemboi): Hon. Kigen you are addressing the Speaker.

(Laughter)

Hon. Kigen: Thank you Mr. Speaker well guided. That is why I stand Mr. Speaker to say that for now I won't say whether I support or reject it but I will say we need to be convinced by going through this document. From Baringo Central we are the only Sub County with one nominee and we would want to have more time to see this document, go through it and we will decide if we will reject or we support. Mr. Speaker we want CECs who will serve this County well.

The Speaker (Hon. Kemboi): What is your Point of Order Hon. Lokorio?

Hon. Lokorio: Mr. Speaker I rise on a Point of Order. I just want to find out from Hon. Kigen for insinuating that the Appointment Committee did not go through all the documents for the candidates. Secondly Hon. Kigen is also giving wrong information to the House to the fact that it is only Baringo Central that is represented by one nominee, whereas we have other Sub Counties like Mogotio. So Mr. Speaker guide us on this, thank you.

The Speaker (Hon. Kemboi): Both Hon. Kigen and Hon. Lokorio are out of order. Hon. Kigen you stood to debate but you have gone ahead and raised a Point of Order and instead of you stopping at the point of Order, you have gone ahead and started debating on the Motion. Hon. Kigen you must decide whether you are debating or you are raising on a Point of Order?

Hon. Kigen: Thank you Mr. Speaker I am debating.

(Laughter)

The Speaker (Hon. Kemboi): Then Proceed with the debate.

Hon. Kigen: Okay Mr. Speaker. I am giving reasons on why this document has to be re looked at and be examined...

The Speaker (Hon. Kemboi): Hon. Kigen just take your sit. Hon. Kigen I also want to remind you of the rules of debate, that this is a Motion, once you have contributed then you will not have another opportunity to contribute. So if you have not read the report then you must decide at this point whether you want to take the bite on the cherry now or you will wait for it later.

Hon. Kigen: Thank you Mr. Speaker well guided. I will still need time to go check and go through the report and let me say that was a Point of Order, thank you Mr. Speaker.

(Laughter)

The Speaker (Hon. Kemboi): Is there any Member who wants to contribute on this Motion?

The Speaker (Hon. Kemboi): Hon. Tarus.

Hon. Tarus: Okay thank you Mr. Speaker for giving me his opportunity to contribute on this Motion. First of all, I rise to support the Motion and secondly the committee has done a commendable job and I think from what I have gone through, the committee did a thorough job and on the nominees who have been selected Mr. Speaker, I have gone through their profile and to me we have the best crop of CECs who can deliver on their mandates if and only if they don't become bossy once they get these positions.

Mr. Speaker these nominees when I look at them, they have a wealth of experience and I want to maybe go to, there is this nominee for Health Services Mr. Speaker that is on page 24. When you look at his Educational Background and also his experience, Mr. Speaker this is and of course the health sector in this County is the one which has been having a lot of problems and maybe the finance but when you look at the two nominees, according to me they are the best brains that we have and they can be able to lead this docket.

So Mr. Speaker I want to urge the Hon. Members that once we come to that time of making the decision of passing this Motion, I want to urge the Hon. Members we go through it but according to me this is a good crop of leaders, thank you Mr. Speaker I beg to support.

(The Deputy Speaker Hon. Kimosop Consults the Speaker)

ADJOURNMENT

The Speaker (Hon. Kemboi): Order Members, the debate of this Motion is adjourned until 2:30PM this Afternoon.

The House rose at 11: 03AM

Disclaimer: *The electronic version of the County Assembly of Baringo Hansard report is for information purposes only. A certified version of this report can be obtained from the Clerk - Baringo County Assembly*