

UASIN GISHU COUNTY ASSEMBLY

HANSARD

Thursday, 26th September, 2017

The House Met at 3:27 PM

[Deputy Speaker (Hon. Hosea Lamai) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

STUDENTS FROM SEGERO HERALDS HIGH SCHOOL WELCOMED TO THE PUBLIC GALLERY

Deputy Speaker (Hon. Hosea Lamai): Honourable Members, I wish to bring to your attention that within our public gallery we have our dear students and teachers from Segero Heralds High School; those are from three students from Tulwet/Chuiyat Ward which is represented by Honourable Songok. Honourable Members, we have 58 students and three teachers. I would wish, on behalf of the leadership of this County and the leadership of the County Assembly, to welcome our students so that at the end of the day, they may be able to achieve their objective of learning what is being undertaken within the Assembly in terms of legislation, in terms of representation and in terms of oversight.

Our teachers and students feel welcomed; we will be interacting later for other directions over the Assembly. I would wish to bring to your attention, dear students and teachers, that we have 47 Members; we have 30 elected and 17 nominated representing gender, youth and People Living with Disability.

Honourable Members, I would like to do two communications.

COMPLAINT OVER COUNTY ENFORCEMENT OFFICERS' CONDUCT

One, we are in receipt of a complaint from the Centre for Human Rights and Democracy over the County Enforcement Section, and the office wishes to congratulate us the elected Members and also the Governor for his election for the second term. They wish him all the best in his term of office and our term as legislators. Honourable Members, the office of the Centre for Human Rights and Democracy has received various complaints and allegations from the citizens that the County enforcement section are arbitrary arresting them and unlawfully confiscate their items, extraction of money, false and framed charges against them totally forcing them and citing allegations which are unlawful.

Honourable Members, this office has launched a complaint and urges us to look unto this matter, as a matter of urgency and in protection of the Constitution of Kenya because all citizens have equal rights.

Honourable Members, given that this matter is touching on issues to do with our staff and businessmen, this complaint will be handled by the Committee on Trade and the Committee on Public Service Management for us to research on these allegations and finally table a Report over this matter.

ORANGE DEMOCRATIC MOVEMENT (ODM) CONCERN OVER THE ELECTION AND THE APPOINTMENT OF THE MINORITY PARTY LEADER

Honourable Members, we are also in receipt of a concern by the Orange Democratic Movement (ODM) over the election and the appointment of the Minority Party Leader. A notice is herein given pursuant to Standing Order 16(1), the Orange Democratic Party

Movement, being the second largest party in the County of Assembly of Uasin Gishu, has appointed Ali Ramadhan Werambo, ID number 13698914 as a Member of Kiplombe County Assembly Ward representative, and as a Leader of Minority in Uasin Gishu County Assembly.

The notice further says that in regard to election, it is that according to a coalition agreement entered pursuant to the Political Parties Act, this notice is issued to us under Standing Order no.116(5). It is also requesting that Honourable Ali Ramadhan Werambo be elected as the Minority leader, being a member of the minority party and they have an annexure of the meeting of the Orange Democratic Movement party to the County Assembly and there was an attendance of Members, and finally they were able to propose the Committees that they would wish Honourable Ramadhan Ali to be in. That is the Public Investment Accounts Committee, Finance and Planning and Budget Appointment Committee, Trade Committee, Lands and Housing. It has been signed by party Chairpersons, Party secretary and Honourable Ali Werambo. In that regard Honourable Members, I want to give the legal opinion on the position of leader of minority as advised by our legal department.

Honourable Members, reference is made to three correspondences from Hon. Ali Ramadhan Werambo Member of County Assembly for Kiplombe Ward elected on an Orange Democratic Party ticket which we have in our possession. The Honourable Member alleges that pursuant to Standing Order No.16 (1) the Orange Democratic Party being the second largest party in the County Assembly has appointed Honourable Ali Ramadhan Werambo ID NO. 13698914 as Leader of the Minority Party in the Uasin Gishu County Assembly. The Honourable Member is relying on Standing Order NO 16(1) which states that the minority party or the coalition of parties in the County Assembly shall elect a Member to the County Assembly belonging to the party of coalition or parties to be the leader of minority.

Standing Order no 16(5) requires that the Minority Whip of the minority party or the coalition of parties shall make communication to the Speaker in writing the decision together with the minutes at which the decision was made. Honourable Members, the matter arising in this issue is whether the Honourable Member for Kiplombe Ward is rightfully and legally the leader of minority of Uasin Gishu County Assembly. Is he entitled to the privileges enjoyed by the leader of minority? Is he entitled to be the Member in the Select Committees where the leader of minority is a Member and does not qualify to sit as a board Member in the County Assembly Service Board?

Pursuant to Section 2(1)a of Uasin Gishu County Assembly Standing Orders and page four, second paragraph reads as follows; ‘ County Assembly party means a party or a coalition of parties consisting of not less than five percent of the Membership of the County Assembly.

In the second Assembly, only one Honourable Member was elected on an Orange Democratic Party ticket. Orange Democratic Party is a registered party with the registrar of the political parties. This clearly does not mean that it meets the five percent threshold and therefore this Honourable Member does not qualify to be the leader of minority and cannot enjoy any privileges accorded to the office. Honourable Members, on the issue of being a board member of the County Assembly Service board; Section 47 of the County Assembly Service Act, 2017 on the composition of the County Assembly Service Board provides in Part C that the board shall consist of two Members of the County Assembly nominated by the political parties represented in the County Assembly according to their proportion of Membership in the County Assembly.

Honourable Members, again here the five percent threshold is not met because even if numbers are accorded proportionally, Jubilee will still command the lion share of the membership and therefore the Honourable Member for Kiplombe Ward does not qualify to be the Member of the Service Board. It is important to note that the position of leadership in

the Honourable House is purely party issues and once members have been elected to various positions, the parties communicate through their minutes to the Speaker who formally makes the communication in the House. The Honourable Member for Kiplombe is entitled to sit in all Committees apportioned according to the formula of allocation of Committees in the County Assembly. He however cannot sit in the select Committees where the Members or the leader of minority is mandatory. This is an advisory Honourable Members, over the issue that was raised by one of our Honourable Members and that is the direction from the office of the Speaker.

MEMBERS WELCOMED TO THE SESSION

I would wish to take this opportunity to welcome you for this afternoon session; I want to seek your indulgence. We have taken long to start the afternoon session, we seek your indulgence.

Clerk!

NOTICES OF MOTION

ADOPTION OF THE COUNTY ASSEMBLY LEADERSHIP

(Hon. Josphat Lowoi – Leader of Government Business)

Deputy Speaker: Leader of Government Business.

MCA Lowoi: Thank you very much, Mr. Speaker, Sir. I have Notices of the following Motion:

Pursuant to Standing Order no.15 (1) (5) that this County Assembly do adopt the Leadership as follows:

1. Hon. Josphat Lowoi – Leader of Majority
2. Hon. Hosea Lamai – Deputy Speaker
3. Hon. David Singoei – Majority Chief whip
4. Hon. Gilbert Tenai – Deputy Majority Chief Whip
5. Hon. Jenny Chebet – Deputy Majority Leader
6. Hon. Isaac Kemboi – County Assembly Service Board Member
7. Hon. Sarah Malel – County Assembly Service Board Member

Thank you.

Deputy Speaker: Proceed to the other Notices!

AMENDMENT OF STANDING ORDER NO. 158, TO INCREASE COMMITTEES' MEMBERSHIP FROM 11-13

(Hon. Josphat Lowoi – Leader of Government Business)

MCA Lowoi: Thank you, Mr. Speaker. I would like to move the Notice of the following Motion:

That the Uasin Gishu County Assembly do resolve to amend the Standing Orders pursuant to Standing Order No. 158 to increase the membership from 11-13.

Deputy Speaker: Proceed.

RESOLUTION TO AMEND THE SECOND SCHEDULE (SECTORAL COMMITTEES) IN THE STANDING ORDERS

(Hon. Josphat Lowoi – Leader of Government Business)

MCA Lowoi: Thank you, Mr. Speaker, Sir. I would like to move a Notice of the following Motion:

That this County Assembly do resolve to amend the second schedule (sectoral Committees) in our Standing Order as follows;

1. Agriculture
2. Livestock Development and Fisheries.
3. Devolution and Public Administration
4. Public Service Management
5. Finance and Economic planning
6. Education, Culture and Social Services
7. Youth Affairs, Gender and Sports
8. Health Services
9. ICT and E-Government
10. Trade and Industrialization
11. Cooperatives and Enterprise Development
12. Lands and Housing
13. Physical Planning and Urban development
14. Roads, Transport, Energy and Public Works
15. Water, Environment, Natural Resources, Tourism and Wild Life Management.

Deputy Speaker: Proceed and give the other notice.

RESOLUTION TO ADOPT NAMES OF HONOURABLE MEMBERS TO THE HOUSE BUSINESS
COMMITTEE

(Hon. Josphat Lowoi – Leader of Government Business)

MCA Lowoi: Thank you, Mr. Speaker, Sir. I would like to give Notice of the following Motion:

Pursuant to Standing Order no. 152; that this County Assembly do resolve to adopt the following names of Honourable Members to the House Business Committee.

1. Hon. David Kiplagat – Chair (Mr. Speaker)
2. Hon. Josphat Lowoi – Leader of Majority
3. Hon. David Singoei – The Chief Whip
4. Hon. Gilbert Tenai – Deputy Chief Whip
5. Hon. Jenny Chebet – Deputy Leader of Majority
6. Hon. Alice Rono – Member
7. Hon. Ramadhan Ali – Member
8. Hon. Jonathan Ngetich – Member
9. Hon. Maria Kesumo – Member
10. Hon. Edward Yego – Member
11. Hon. Joel Rugut – Member
12. Hon. Leah Sambai – Member
13. Hon. Julius Sang – Member

Deputy Speaker: Proceed!

ADOPTION OF HONOURABLE MEMBERS NAMES TO THE SELECTION COMMITTEE

(Hon. Josphat Lowoi – Leader of Government Business)

MCA Lowoi: Thank you, Mr. Speaker, Sir. I would like to move a Notice of the following Motion:

Pursuant to Standing Order No. 153, This County Assembly resolve to adopt the following names of Honourable Members to the Selection Committee as follows;

1. Hon. Josphat Lowoi – Chair
2. Hon. David Singoei – Member
3. Hon. Nancy Sang – Member
4. Hon. Mary Boroswa – Member
5. Hon. Hoseah Some – Member
6. Hon. Amos Kiptanui – Member
7. Hon. Hillary Rono – Member
8. Hon. Pius Kigen – Member
9. Hon. Jeruto Barbengi – Member
10. Hon. Joseph Korir – Member
11. Hon. Hosea Lamai – Member

Deputy Speaker: Proceed.

ADOPTION OF HONOURABLE MEMBERS' NAMES TO THE APPOINTMENT COMMITTEE

(Hon. Josphat Lowoi – Leader of Government Business)

MCA Lowoi: Thank you very much, Mr. Speaker, Sir. I would like to give a notice of the following Motion:

Pursuant to Standing Order No. 185, This County Assembly resolves to adopt the following names of Honourable Members to the Appointment Committee as follows;

1. Hon. David Kiplagat – Chair
2. Hon. Josphat Lowoi – Member
3. Hon. Hosea Lamai – Member
4. Hon. Jonathan Ngetich – Member
5. Hon. Zipporah Maiyo – Member
6. Hon. Nancy Sang – Member
7. Hon. Pius Kigen – Member
8. Hon. Patrick Bundotich – Member
9. Hon. David Singoei – Member
10. Hon. Philip Meli – Member

Thank you, Mr. Speaker, Sir.

Deputy Speaker: Thank you, Leader of government business.

Honourable Members, the Motions will be moved at an appropriate time as per our Order Paper.

Honourable Lowoi!

MCA Lowoi: Thank you very much, Mr. Speaker, Sir. There is a Motion on Order No. 8 if you can ---

Deputy Speaker: Proceed

MCA Lowoi: Thank you, Mr. Speaker, Sir. During our last meeting we had a notice of Motion on the exposition of the Governor's speech. I would like to call this to your attention and your consideration that you allow us move this Motion on Wednesday at 2:30pm to allow Honourable Members to read through the Governor's speech so that they can discuss on it

objectively. They were just supplied with the copies of the speech this afternoon in this sitting.

Deputy Speaker: Honourable Members, having considered the suggestion given by the Leader of government business, I invoke Standing Order No. 1 and I give my discretion that the Governor's address to be discussed on--- you have said on Tuesday Leader of government business?

MCA Lowoi: As it is required, that we discuss it in four sittings then we start it from Wednesday at 2:30pm onwards.

Deputy Speaker: That one is considered Leader of Government Business; we can proceed with our other Orders.

Clerk!

Leader of government business!

MOTION

ADOPTION OF THE COUNTY ASSEMBLY LEADERSHIP

(Hon. Josphat Lowoi – Leader of Government Business)

MCA Lowoi: Thank you very much, Mr. Speaker, Sir. I would like to move the following Motion:

Pursuant to Standing Order No.15 (1) (5) that this County Assembly do adopt the Leadership as follows:

1. Hon. Josphat Lowoi – Leader of Majority
2. Hon. Hosea Lamai – Deputy Speaker
3. Hon. David Sing'oei – Majority Chief whip
4. Hon. Gilbert Tenai – Deputy Majority Chief Whip
5. Hon. Jenny Chebet – Deputy Majority Leader
6. Hon. Isaac Kemboi – County Assembly Service Board Member
7. Hon. Sarah Malel – County Assembly Service Board Member

These names, as discussed and as in this Motion, were agreed on by the Membership of this House sitting in an election. The same election was according to our Standing Orders. Our Speaker was overseeing the elections and to date we have not received any complaint or any petition trying to stop the election of the said Members. So we are bringing them this evening to this House so that they can be adopted by this House and be allowed to perform their duties.

As I move this Motion I want to call upon Honourable Isaac Kirwa Kemboi from Kapsoya who is a Member of the service Board to second.

Deputy Speaker: Honourable Isaac!

MCA Kemboi *(Seconded)*

Deputy Speaker: Thank you.

Honourable Members, a Motion has been moved and seconded. I therefore propose a question.

(Question proposed)

Deputy Speaker: Correction, Honourable Members, Sarah is with single 'S'; that is an error.

Ensuing debate?

Honourable Amos!

MCA Kiptanui: Thank you, Mr. Speaker, for the time that you have given me. First and foremost, I wish to thank Members of this County Assembly for the excellent work that they did when they were considering the leadership. I want also to appreciate the efforts of our able Speaker and also the staff of the County Assembly for the good work they did to ensure that we constituted the leadership of the County Assembly. I want also to appreciate that we really captured the special interests and also the affirmative action. When you look at how it has been constituted, it meets the rule that is required in any kind of an elective or nominated position. I want to say that the names that we have before us was a result of extensive consultation. This is a demonstration of confidence that we have on the people that are before us this afternoon and I want to request and plead with them that they will provide leadership when they are required if not always. This is an indication that we are moving forward in terms of ensuring that we deliver our agenda as the leaders of this County Assembly and the government of Uasin Gishu. So I support the adoption of the names and I wish them all the best as they discharge their legal mandate and duties.

Thank you, Mr. Speaker.

Deputy Speaker: Then I now put the question, Honourable Members.

(Question put and agreed to)

Honourable Members, the leadership of the House has been adopted and I wish them all so well from the leadership of the Speaker, that you discharge your mandate collectively and work as a team.

(Applause)

Leader!

MOTION

AMENDMENT OF STANDING ORDER NO. 158, TO INCREASE COMMITTEES' MEMBERSHIP FROM 11-13

(Hon. Josphat Lowoi – Leader of Government Business)

MCA Lowoi: Thank you very much, Mr. Speaker, Sir. I wish to move the following Motion:

That this County Assembly do resolve to amend the Standing Orders pursuant to Standing Order No. 158 to increase the membership from 11-13.

Mr. Speaker, Sir, if I can read the provisions of Standing Order No. 158; 'Subject to any written law, this Standing Orders or a resolution of the County Assembly; a select Committee shall consist of an:

- a) odd number of Members
- b) Not less than nine and not more than 11'.

This comes as a consideration from the Select Committee and the Membership of this House. The last Assembly had only 44 Members and it was so easy for them to be included in various sectoral Committees; they only needed 11 members for them to hold four Committees. But now we have 47 Members and would have disadvantaged three more members. This now calls for an amendment that we are allowed by the Standing Orders; That we move those numbers from the maximum of eleven to a maximum of 13 and that is to be corrected as follows; That the membership to read from 9 to 13 and not from 9 to 11. I can

read it again' 'Subject to any written law this Standing Orders or a resolution of the County Assembly; a select Committee shall consist of an odd number of Members, (b) 'not less than nine', that remains, 'and not more than 11' and that is where we replace and we make it 'not more than 13' so that we have a maximum of 13. It is not a must that we fill them with 13, but we must have that room so that we can make sure that all Members are included in the Sectoral Committees because sectoral Committees are the Committees that serve this County. They are the Committees that we work hand in hand with their departments to make sure that everything else has been over sighted upon.

The functions of this County Assembly are three: we have the representation role, we have the oversight role and we have the legislation role. So through those Committees we can achieve the correct and the required functions of those Committees. As I continue contributing to this, I would urge Members to allow this because it is to the advantage of sub-counties, it is to the advantage of every Member to be in that Committee, to serve in that Committee with their expertise so that we can serve our people the way it is required.

As I conclude, now that you have approved me to be the Leader of Majority in this House officially, I want to sincerely thank the Honourable Members of this House. I will discharge my duties without fear or favour. I will make sure that I am discharging my duties without being discriminative to anyone. I will work for you; I will make sure that I pay you back by working for you and for you to work for your people.

Thank you very much and God bless all of us.

(Applause)

Mr. Speaker, Sir, in moving that Motion, I would like to call upon Honourable Amos Kiptanui a Member from Racecourse Ward to second.

Deputy Speaker: Honourable Member for Race Course.

MCA Kiptanui: Thank you, Mr. Speaker. I stand to Second this Motion that we amend our Standing Orders so that we can accommodate Members of this County Assembly and I want to really appreciate the move that we have taken. At least each and every Member will have a Committee to sit and to discharge their respective mandates because the men and women that we have in this Assembly are of great potential and they have a lot of experience in different fields. This will be an opportunity for all of us to share the same with Members of this County Assembly and also by extension the Members of the society or the community that we come from. So I support the same. Thank you.

Deputy Speaker: Thank you, Honourable Member for Racecourse.

Honourable Members, a Motion has been moved and seconded and therefore I propose a question.

(Question proposed)

Ensuing debate!

Honourable Member for Tembelio!

MCA Kigen: Thank you so much, Honourable Speaker. I stand to support the adoption of this Standing Order and before I do that, Honourable Speaker, I would like to congratulate you for being elected as the deputy Speaker as well as the Leader of Majority and also the Chief whip. This shows the confidence that this House has on you and we pray that God will help you to steer this Assembly forward. I want to strongly support the adjustment of the requirements of Standing Order No.158 that we adjust our Committees from 11 to 13. This is a mandate that, in view of the number of Members in this Assembly, is indeed in order and right for us to do that so that we are able to accommodate all members given that the number

is not an even number. I strongly support that we amend the Standing Order to conform to that requirement and the number.

I strongly support. Thank you so much.

Deputy Speaker: Honourable Members, I therefore put the question.

(Question put and agreed to)

Deputy Speaker: Our Standing Order No.158 has been amended so as to increase the membership of our various Committees from 11 to 13. I hope Clerk, that one is noted so that we can review our Standing Order particularly No. 158.

Clerk!

MOTION

AMENDMENT TO THE SECOND SCHEDULE (SECTORAL COMMITTEES) IN THE STANDING ORDERS

(Hon. Josphat Lowoi – Leader of Government Business)

Deputy Speaker: Honourable Lowoi.

MCA Lowoi: Thank you very much, Mr. Speaker, Sir, I wish to move the following Motion:

That this County Assembly do resolve to amend the second schedule (Sectoral Committees) in our Standing Orders as follows;

1. Agriculture
2. Livestock Development and Fisheries.
3. Devolution and Public Administration
4. Public Service Management
5. Finance and Economic planning
6. Education, Culture and Social services
7. Youth Affairs, Gender and Sports
8. Health Services
9. ICT and E-Government
10. Trade and Industrialization
11. Cooperatives and Enterprise Development
12. Lands and Housing
13. Physical Planning and Urban development
14. Roads, Transport, Energy and Public Works
15. Water, Environment, Natural Resources, Tourism and Wild Life Management.

Mr. Speaker, this has come when the Governor has restructured some departments. The work of a sectoral Committee is actually to investigate, inquire into and to oversight a department from the other side of the Executive. The Committees we had the other time could not match because the restructuring done has already broken some Committees. I can take an example of the Committee on Agriculture. Agriculture involved agriculture and livestock as one Committee, but now we have two different County Executive Committee Members (CECs) and COs (County Officers) one taking Agriculture and the other one taking Livestock Development and Fisheries. For effectiveness of oversight, we need to cut them down so that members in that Committee can handle a CO so closely as to account for the funds that this House is going to allocate to the various Committees. This has been brought so that we also structure our second schedule, that these Committees are approved by this House so that

when we place members to those Committees we are placing members to a legally identified Committee by the standing orders.

This is because Standing Orders will be audited and our membership will be audited and therefore, by the law given to us by the standing orders of the County Governments Act, we need to amend the Committees to conform with the departments on the Executive side so that when the Committee of Agriculture sits down and calls the CEC for Agriculture, you can deal with somebody who really deals with Agriculture instead of a Committee where there is inclusion of Cooperative and Enterprise Development or Trade and Industrialisation. The Committee of trade can call somebody from Cooperatives and they don't have the actual figures and the actual amount of budget and their work plan as required by law. So Mr. Speaker, I urge these members to allow us approve this Sectoral Committee. You know somebody is wondering where the other Committees like budget and PIC and PAC. Those are Select and standing Committees in the Standing Orders. These are Sectoral Committees that deal directly with the department as proposed by the Executive side led by the Governor.

I therefore urge this House to support this cause of bringing these 15 Committees to be Sectoral Committees and I call upon Hon. Catherine Barmao to second.

Thank you.

Deputy Speaker: Honourable Catherine Barmao!

MCA Dr. Barmao: Honourable Speaker, I support the Sectoral Committees.

Deputy Speaker: Thank you, Honourable Member.

The Motion have been moved by the Leader of Government Business and seconded by Honourable *daktari*, I therefore I propose a question.

(Question Proposed)

Ensuing Debate!

Honourable Member for Kapkures!

MCA Tarus, D: Thank you, Mr. Speaker. I want to support the Motion that our Standing Orders be amended to make our Committee the number proposed. It has been well said by the majority leader that this is to conform to the departments that have been formed by the other side of the Government which is the Executive. To cite a few, in our first Government, the department of Devolution and Public Administration was not there, the other Committee is Trade and Industrialisation, which were merged with the Cooperative and Enterprise Development fund. This Committee has been divided into two, so there should be a Committee to oversight the same. I think this amendment has come at the right time. I urge Honourable members that we support that the standing orders to be amended to include all these Committees.

Thank you, Mr. Speaker.

Deputy Speaker: I will therefore put the question, honourable Members.

(Question put and agreed to)

Deputy Speaker: Honourable Members, The House has resolved to amend the second schedule (Sectoral Committees) in our Standing Orders

Clerk!

MOTION

RESOLUTION TO ADOPT NAMES OF HONOURABLE MEMBERS TO THE HOUSE BUSINESS COMMITTEE

(Hon. Josphat Lowoi – Leader of Government Business)

Deputy Speaker: Honourable Lowoi

MCA Lowoi: Pursuant to standing Orders No.152: This County Assembly resolves to adopt the following names of the Honourable members to the House Business Committee as follows:

1. Hon. David Kiplagat – Chair (Mr. Speaker)
2. Hon. Josphat Lowoi – Leader of Majority
3. Hon. David Singoei – The Chief Whip
4. Hon. Gilbert Tenai – Deputy Chief Whip
5. Hon. Jenny Chebet – Deputy Leader of Majority
6. Hon. Alice Rono – Member
7. Hon. Ramadhan Ali – Member
8. Hon. Jonathan Ngetich – Member
9. Hon. Maria Kesumo – Member
10. Hon. Edward Yego – Member
11. Hon. Joel Rugut – Member
12. Hon. Leah Sambai – Member
13. Hon. Julius Sang – Member

Mr. Speaker Sir, as we all know; the Standing Orders say that the County Assembly should appoint the House Business Committee seven days after it has been sworn in. This is the first Committee that will slot and manage the business of this House. This is the Committee that will be sitting to plan for this County Assembly; this is the Committee that will be listening to every other thing to make sure that members are ready to go for training or any other activity. This is simply because the 47 of us, each one having a Motion, who will sit down and say Lowoi's Motion becomes last and Honourable Kesumo's becomes first? So they will manage those issues so that we don't get into crisis and conflicts. This House Business Committee will consider the 47 Motions in merit using what is required. There are the party issues, if there is a Motion by the People Living with Disability, if there is a Motion sponsored by people who are representing women or a Motion sponsored by people who are representing youth, and whether it is a Motion sponsored by the minority party. All these will be taken into consideration during planning of this Motion. This being a busy Committee, we therefore are required by law to appoint it so that it can also help us appoint the appointment Committee that will vet the CECs.

Mr. Speaker, Sir, I want to urge the members of this House to approve this Committee as read so that the work can start immediately.

Mr. Speaker, Sir, as I move this Motion, I would like to call upon Honourable David Sing'oei to second.

Deputy Speaker: Honourable Member for Ngenyile!

MCA Singoei (*Seconded*)

Deputy Speaker: Thank you.

Honourable members, a Motion has been moved and seconded I therefore propose a question.

Ensuing Debate!

Honourable Pius!

MCA Kigen: Thank you, Honourable Speaker.

I stand also to support the adoption of this list. In our Standing Order 152, this Committee, I would say, is the mother of all Committees, and it is the first Committee that this House is required and mandated by law to establish so that it will start the journey to Canaan. I want to support the adoption of these names. I would also want to say that if you see the list, you will see that the list is well representative and all sub counties are well represented. I would wish that this Committee will work extra hard so that it gives this House business and gives us value for money. I do support.

Deputy Speaker: I therefore put the question, Honourable Members.

(Question put and agreed to)

Deputy Speaker: The Ayes have it, Honourable Members; we have adopted the names of these Honourable Members to the House Business Committee.

Clerk!

MOTION

ADOPTION OF HONOURABLE MEMBERS' NAMES TO THE SELECTION COMMITTEE

(Hon. Josphat Lowoi – Leader of Government Business)

Deputy Speaker: Leader of Government Business!

MCA Lowoi: Thank you very much, Mr. Speaker, Sir. I would like to move the following Motion:

Pursuant to Standing Orders No. 153, this County Assembly resolves to adopt the following names of Honourable members to the Selection Committee as follows:

1. Hon. Josphat Lowoi – Chair
2. Hon. David Singoei – Member
3. Hon. Nancy Sang – Member
4. Hon. Mary Boroswa – Member
5. Hon. Hosea Some – Member
6. Hon. Amos Kiptanui – Member
7. Hon. Hillary Rono – Member
8. Hon. Pius Kigen – Member
9. Hon. Jeruto Barbengi – Member
10. Hon. Joseph Korir – Member
11. Hon Hosea Lamai – Member

Mr. Speaker, Sir, Standing order No.153 requires us after 10 days immediately we are sworn in we are supposed to have a selection Committee. This Committee will help us nominate members to their various Committees so that they can serve. Honourable Members, we all have interests. A member would want to serve in the Committee of Agriculture, another member in the Committee of Health, another in the Committee of Education. Some Members will want to serve in all the Committees and we have the 15 plus five Select Committees. In the 20 Committees, we have every member wanting to serve in those Committees plus the ad hoc Committees. The only Committee that is required by law to do the placement is the Committee on selection. If you can allow me to read Section 153 of the Standing Orders, “there shall be a select Committee consisting of the leader of majority party who shall be the Chairperson, the Leader of the Minority party’, - that we don’t have, we have ruled that

earlier; 'not less than 11 other members and not more than 19 members; there is a restructuring there, 'nominated by the County Assembly parties and approved by the County Assembly.'

The Committee on selection shall nominate members to serve in Committee, save for the membership of the County Assembly Business Committee and Committee on Appointments. The Committee on selection shall be appointed within 10 days on the Assembly of a new County Assembly. This is the Committee that will work for once; it is the Committee that after nominating members to those various Committees--- Unless we need to change the Committees after two years by law then this Committee will stand defunct for that period of time. After it has put us to Committees that we want to serve in, this Committee will remain defunct for that period of time.

I wish to call upon the members of the House to approve this Committee as it is so that it starts work immediately to make sure that it places members to various Committees as required by law.

Mr. Speaker Sir, in moving this Motion I would like to call upon Honourable Jeruto Barbengi to second.

Deputy Speaker: Honourable Jeruto!

MCA Barbengi (*Seconded by Bowling*)

Deputy Speaker: Thank You.

Honourable members, a Motion has been moved and seconded by Honourable Barbengi, I therefore propose a question.

(Question proposed)

Ensuing debate!

Honourable Hosea Some!

MCA Some: Mr. Speaker, Sir, I would want to support this Motion. These names look representative. They represent the names of the sub-counties and even the issue of gender. They look to be Honourable Members who can do a good job. I support the Motion.

Deputy Speaker: Thank you, honourable member for Olare/Ainabkoi.

Honourable *daktari* Catherine!

MCA Dr. Barmao: I also support the Motion Pursuant Standing Order No.153, and I also support the adoption of the names bearing in mind that it is an equal representation in terms of Gender and representation from the different constituencies.

I support.

Deputy Speaker: Thank You.

There being no other contribution over the same, Honourable Members, I therefore put the question.

(Question put and agreed to)

Deputy Speaker: The ayes have it, Honourable members.

Pursuant to that Standing Order, the Selection Committee names have been adopted, Honourable Members.

Clerk!

MOTION

ADOPTION OF HONOURABLE MEMBERS NAMES TO THE APPOINTMENT COMMITTEE

(Hon. Josphat Lowoi – Leader of Government Business)

Deputy Speaker: Honourable Lowoi!

MCA Lowoi: Thank you very much Mr. Speaker Sir. According to Standing Orders number 185. This County Assembly resolves to adopt the following names of honourable members to the Appointment Committee as follows:

1. Hon. David Kiplagat – Chair
2. Hon. Josphat Lowoi – Member
3. Hon. Hosea Lamai – Member
4. Hon. Jonathan Ngetich – Member
5. Hon. Zipporah Maiyo – Member
6. Hon. Nancy Sang – Member
7. Hon. Pius Kigen – Member
8. Hon. Patrick Bundotich – Member
9. Hon. David Singoei – Member
10. Hon. Philip Meli – Member

Mr. Speaker, Sir, Standing Order No.185 reads as follows; ‘there shall be a select Committee to be designated the Committee on Appointments to be appointed but the County Assembly consisting of the Speaker as the Chairperson, the Majority Leader, the Minority Leader’ - which we don’t have in this case – ‘and not more than seven other members nominated by the County Assembly Business Committee on the basis of proportional party membership in the County Assembly into consideration the numerical strength of the parties and interests of independent members; 2) the Committee on appointment shall be appointed within seven days on the County Assembly of a new County Assembly and shall serve for a period of three years and those appointed therefore shall serve on the remainder of the term of the County Assembly.’

3) In the absence of the Speaker the Committee shall elect a member from amongst themselves to chair the meeting.

4) The Committee on appointment shall consider for approval by the County Assembly, appointments under articles 179(2) members of County executive Committees.

5) The quorum of the Committee on appointment shall be one half of the members of the Committee, but the Speaker shall not be counted for the purpose of quorum and shall not vote.

Mr. Speaker, Sir this is a very important Committee that also does its work once. It is a Committee that after the Governor forwards the names of appointees, the names of the CECs this Committee will vet the CECs and approve them either way for the County Executive to be well constituted and for the Governor to start working. The law is very clear in our County Governments Act; No 42 (5) Says that the Governor shall forward the name of the CECs 21 days immediately after the swearing in of the County Assembly and this Committee is supposed to be constituted so that when those names arrive, then we are given by law 14 days to dispense with the names to make sure we return the report back to the County Executive, to the Governor for approval of the same names. If we have an issue then we write back to the Governor - that is on the governor’s appointees.

Mr. Speaker, Sir, this is a very important Committee that we need, but it is a Committee that will do their work once. If we don't have any other appointment of a CEC for the next five years, that Committee will not see another sitting because their sitting will be just one.

Mr. Speaker, I would like to urge this House to approve this Committee membership as I have read and make sure that it is in place for us to wait for the appointees from the Governor's side, we forward them and we take them ahead.

In moving this Motion, I would like to call upon Honourable Gilbert Tenai from Cheptiret to second.

Deputy Speaker: Honourable Gilbert!

MCA Tenai (*Seconded by bowing*)

Deputy Speaker: Thank you.

A Motion has been moved, Honourable Members, and seconded by Honourable Member for Cheptiret/Kipchamo. Therefore I propose the question.

(Question Proposed)

Ensuing debate?

Honourable Whip!

MCA Singoei: Honourable Speaker, may I take this opportunity first of all to congratulate all the members who were elected and those who were nominated, and those who have managed to secure various positions in the various Committees and the other Committees that are coming which actually forms the larger House. These are just Committees that are going to dispense their work once maybe twice and it is done.

Honourable Speaker, I want to contribute to this Motion because all the Committees are important but when I stress this is very important, it is because this is the Committee that for the first time when the Governor is appointing his CECs, this is the Committee that he is looking at and he will be praying so hard that his list goes through. So Honourable members, whoever is in this Committee you have a very tough job because; one, you are dealing with somebody who is looking for employment, you are dealing with a person who the Governor has a lot of interest in and so you must balance. Give somebody of quality; do not be compromised because the Governor has appointed somebody. It should not be automatic that this person must be appointed and it is this Committee that will later sit and discuss or you can just simply stay for 14 days and the Governor's list is deemed to have been passed. If you like what the Governor has appointed, just don't have to sit and wait for 14 days and the list will go through and the Governor will appoint them. But I know we will not allow that to happen. We must vet these people and we are encouraging members of the public, because I see the school children have gone away but we are also encouraging members of the public to do a petition on Governor's appointees. Not necessarily to say you are not approving even to give support of a CECs who has been appointed by the Governor. If a petition comes to this House and a member of the public says that, that man deserves that job, it gives him more credit and the Committee will look at the merit of your petition and somehow it might support that person.

Otherwise, Honourable Speaker, I want to wish the Committee all the very best. Thank you.

Deputy Speaker: Honourable Malel!

MCA Malel: Thank you, Honourable Speaker. I wish to take this opportunity to thank you foremost for your election to be our deputy Speaker and all the leadership of the House; congratulations and wish you all the best. I want to take this opportunity to thank all of you

who supported and elected me into the position of the board. As I stand, I wish also to congratulate this honourable House of the First County Assembly on the exemplary work that you did in the First Assembly. Now that we are here in the second Assembly, we can learn more from you as new members. We want to thank you very much for the good work you did regardless of the teething problems of the new County Governments since they were coming in place. I wish to take this opportunity to thank the people of Kimumu for having elected me to serve for five years in this Honourable House.

Indeed, it is a great honour and I would have wished to serve in the last County Assembly but it was not my time but I thank God that they gave me opportunity this time round. It is my prayer that, as we carry ourselves for the next five years in this House, let us carry ourselves with dignity and any development agenda that will be tabled in this House we shall always be ready to support so that we see our county improving for the next five years. I want to take this opportunity to wish well all the members who have been proposed to serve in this Appointment Committee. I believe you will give us the right people who will have the interest at heart to serve the people of Uasin Gishu County and I believe they will be men and women who are real and true Kenyans who really have that interest at heart. As you are going to serve in this Committee, we shall pray for you that you give us the right people and we pray that God will lead you when you shall be vetting them and may you not be swayed by anyway but make decisions that are beneficial to all of us.

Thank you and I support the approval of these names.

Deputy Speaker: Thank you, Honourable member for Kimumu.

I now put the question, Honourable Members.

(Question put and agreed to)

Deputy Speaker: The ayes have it, Honourable Members; the members to the committee On Appointment have been adopted as per our Standing Order, Honourable Members.

Honourable Members, before we adjourn, I would wish to seek your indulgence and do one communication that we just received.

COMMUNICATION FROM THE CHAIR

APPOINTMENT OF THREE COUNTY EXECUTIVE COMMITTEE MEMBERS

This is the appointment of the County Executive Committee which is in line with what we have already passed some few minutes ago and this is pursuant to Article 179 part 2 (b), of the Kenyan Constitution 2010, and Section 30 part 2(d) and 35 of the County Governments Act.

‘I hereby’ - that is the Governor – ‘now present the nominees for the positions of the County Executive Committee members for vetting:

1. Engineer Gideon Birir - CEC Roads, Transport, Energy and Public works
2. Joseph Kurgat - CEC Education, Culture, Youth Affairs, Sports and Social Services
3. Julius K. Ruto - CEC Finance and Economic Planning.’

Honourable members, we have been advised that the outstanding seven names - we were expecting 10 names to have been forwarded - will be availed to the House in due course. We have the attached annexure, which is not with me here now, of the academic certificates and their testimonials. Honourable members, the three names are being committed now and

immediately to the Committee on Appointment for vetting and finally tabling their names for possible adoption and approval in this Honourable House.

Thank you, Honourable Members.

ADJOURNMENT

Deputy Speaker: There being no other business on our order paper, Honourable Members, the House stands adjourned until tomorrow at 9AM.

The House rose at 4:35PM