REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 11th February, 2025

The House met at the Assembly Chambers at 5.20 p.m.

[The Deputy Speaker (Hon. Anthony Theuri) in the Chair]

PRAYERS

PAPERS LAID

APPROVAL OF MEMBERS TO RUMURUTI MUNICIPALITY BOARD

Deputy Speaker: Hon. Nicholas, kindly switch on your microphone.

Hon. Nicholas Lempaira: Thank you, Hon. Speaker. I beg to lay the following papers;

a. Report by the Transport and Public Works Committee on the vetting of Ms Ann Ngima Munyi, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

b. Report by the Transport and Public Works Committee on the vetting of Mr. Christopher Kimano Muchiri, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

c. Report by the Transport and Public Works Committee on the vetting of Mr. Longishu Mandai Erastus, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

d. Report by the Transport and Public Works Committee on the vetting of Ms Monica Njeri Wanjiku, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

e. Report by the Transport and Public Works Committee on the vetting of Rev. Lolinyei Longisa Lolima, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

f. Report by the Transport and Public Works Committee on the vetting of Francisca Ida Lenaitorono, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

g. report by the Transport and Public Works Committee on the vetting of Fredrick Mwangi Njuguna, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

(Hon. Nicholas Lempaira laid the Papers on the Table of the House)

NOTICES OF MOTIONS

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APPROVAL OF MS. ANN NGIMA MUNYI TO RUMURUTI MUNICIPALITY BOARD

Hon. Nicholas Lempaira: Thank you, Mr. Speaker. Mr. Speaker, I beg to give notice of the following motions;

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Ms Ann Ngima Munyi, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

APPROVAL OF MR. CHRISTOPHER KIMANO MUCHIRI TO RUMURUTI MUNICIPALITY BOARD

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Mr. Christopher Kimano Muchiri, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

APPROVAL OF MR. LONGISHU MANDAI ERASTUS TO RUMURUTI MUNICIPALITY BOARD

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Mr. Longishu Mandai Erastus, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

APPROVAL OF MS. MONICA NJERI WANJIKU TO RUMURUTI MUNICIPALITY BOARD

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Ms Monica Njeri Wanjiku, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

APPROVAL OF REV. LOLINYEI LONGISA LOLIMA TO RUMURUTI MUNICIPALITY BOARD

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Rev. Lolinyei Longisa Lolima, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

APPROVAL OF FRANCISCA IDA LENAITORONO TO RUMURUTI MUNICIPALITY BOARD

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Francisca Ida Lenaitorono, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

APPROVAL OF MR. FREDRICK MWANGI NJUGUNA TO RUMURUTI MUNICIPALITY BOARD

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Fredrick Mwangi Njuguna, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

Thank you, Mr. Speaker.

MOTIONS

APPROVAL OF MS. ANN NGINA MUNYI TO RUMURUTI MUNICIPALITY BOARD

Hon. Parleto Lekopien: Thank you, Hon. Speaker. I beg to move the following motion;

THAT this Assembly adepts the report by the Transport and Public Works Committee on the vetting of Ms Ann Ngima Munyi, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

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Hon. Speaker, on the introduction of the report.

Establishment of the Transport and Public Works Committee

The Sectoral Committee on Transport and Public Works was constituted by the House on 26th October,2022 during the First Session of the Third Assembly in Laikipia County. In March 2024, the committee was reconstituted by changing the Chair and Vice Chair as 1.3.1. The Committee is established pursuant to Standing Order 191 and the functions shall be to;

(i) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.

(ii) Study the programme and policy objectives of departments and effectiveness of the implementation.

(iii) Study and review all County legislation referred to it.

(iv) Study, assess and analyse the relative success of the departments as measured by the results obtained as compared with their stated objectives

(v) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the Assembly.

(vi) To vet and report on all appointments where the Constitution or any law requires the Assembly to approve, except those under Standing Order 184(Committee on Appointment); and

(vii) Make reports and recommendations to the Assembly as often as possible, including recommendation of proposed legislation.

Mandate of the Committee

The Sectoral Committee on Transport and Public Works is mandated to consider all matters relating to County transport, including County roads, street lighting, traffic and parking, public transport and ferries and harbours, excluding the regulation of international and national shipping and matters related thereto; county public works and services including storm water management systems in built up areas and water sanitation services.

Committee Membership

The Committee as constituted, in October,2022 comprised of the following members;

1. Hon. Kihika Caroline Wanjiku -Chairperson
2. Hon. Kimani Simon Kanyutu - Member
3. Hon. Parleto Lekopien Sammy - Member
4. Hon. Muchemi Daniel Mugweru - Member
5. Hon. Muturi Nicholas Mwaniki - Vice Chairperson
6. Hon. Mwangi Benson Kuria - Member
7. Hon. Nicholas Lempaira Korkole - Member

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Establishment of the Transport and Public Works Committee

The Committee on Transport and Public Works was constituted by the House on 26th October, 2022 during the First Session of the Third Assembly in Laikipia County. It is a Sectoral Committee established under Standing Order No.191(5)(f) with the mandate to consider for approval by the House, appointment of the Members of the Rumuruti Municipality Board.

Appointment process of the members of the Rumuruti Municipality Board

Pursuant to Section 14 of the Urban Areas and Cities Act, 2011, H.E. the Governor, forwarded to the Clerk of the County Assembly, the names of the following nominees vide a letter (Reference Number: CGL/GVN/EI/24/08) …

Deputy Speaker: Hon. Parleto, I am guided by the wisdom of this leadership that we are looking at the interest of time and that you just read the observations and recommendations if it is possible.

Hon. Parleto Lekopien: Thank you, Hon. Speaker. I stand guided.

(Consultations)

Hon. Parleto Lekopien: Thank you, Hon. Speaker. Sorry, there was a mistake.

Deputy Speaker: Hon. Lempaira, as you know the Standing Orders of this House, I am protecting Hon. Parleto until the last minute. Switch off your microphone and let him do his work.

Hon. Nicholas Lempaira: Hon. Speaker…

Deputy Speaker: Not in this House. Hon. Member for Sosian is properly protected by the Speaker. Kindly switch off your microphone and let Hon. Parleto do his work. He is very obedient and he follow the rules from the Speaker.

Hon. Parleto Lekopien: Thank you, Hon. Speaker for protecting me from Hon. Lempaira. As well you should also protect us from Hon. Ndiritu.

Deputy Speaker: True. When that time comes.

Hon. Parleto Lekopien: Thank you, Hon. Speaker. I will just read the Committee's Observations for Ms. Ann Ngima Munyi.

Committee's Observations

The Committee having considered the nominee's Curriculum Vitae and heard her oral submission during the vetting exercise/interview, made the following observations;

1. She had satisfied the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity.
2. She had been cleared by the Criminal Investigation Department (CID), Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority on tax compliance, Higher Education Loans Board (HELB) and the Credit Reference Bureau.

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3. In accordance with Article 78(1)(2) of the Constitution of Kenya and Section 35(3) and 35(4) she is a Kenyan citizen and does not hold dual citizenship and is therefore fit to hold office as a Member of the Rumuruti Municipality Board.
4. Her academic credentials, and experience are impressive and in compliance with Section 7 of the Public Appointments (County Assemblies Approval) Act, 2017 and S.14 Urban Areas and Cities Act (CAP.275).
5. She has never been charged in a Court of Law.
6. As stipulated in Article 75(1) of the Constitution, she has no potential conflict of interest
7. She has never been dismissed from office for contravention of the provisions of Public Officer Ethics Act which deals with conduct of public officers.
8. She had not been adversely mentioned in any investigatory report of County Assembly or any Commission of Inquiry.
9. The nominee exhibited impressive knowledge of topical issues touching on the functions and roles of a Member of a Municipal Board.

Committee's Recommendation

Pursuant to Section 14 of the Urban Areas and Cities Act no.13 of 2011, Section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 191(5)(f), the Committee recommends that, this House APPROVES the nomination of ANN NGIMA MUNYI for appointment by H.E. the Governor as a Member of the Rumuruti Municipality Board

Thank you, Hon. Speaker. I urge this House to please approve the nomination of Ann Ngima Munyi. As a transport Committee, we vetted her and we found that she is fit to hold the office. For the matter of time, I just want to urge the House to support the motion and approve Ms. Ann Ngina. I urge Hon. Lempaira to second the motion. Thank you.

Deputy Speaker: Hon. Lempaira, the floor is yours. Kindly Hon. Parleto, switch off your microphone.

Hon. Nicholas Lempaira: Thank you, Hon. Speaker. As a Member of the Transport and Infrastructure Committee or the Public Works Committee, I want to ascertain in this House and make things clear that I support the nomination of Ms. Ann Ngima Munyi for the appointment to Rumuruti Municipality Board. She appeared to us; we vetted her and we found she is suitable and qualify for the position of being a Committee Member. Thank you, Mr. Speaker.

(Question proposed)

Deputy Speaker: The floor is open for debate. Hon. Kanyutu.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I am a Member of this Committee. I was in the committee when we were vetting. As per the guidelines that we had, in the committee, she was able to give all the documents and she participated well in the interview. So, Mr. Speaker, I support.

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Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Ninasimama kuunga mkono ripoti ambayo imeletwa. Tumeisoma na tumeielewa. Tunaomba Waheshimiwa waweze kuipigia kura ili iweze kupita. Asante.

Deputy Speaker: I now call the move to reply.

Hon. Parleto Lekopien: Thank you, Hon. Speaker. I thank the House for supporting Ms. Ann Ngima Munyi to be the member of the Rumuruti Municipal Board. As you know, Rumuruti is our County Headquarters and we need to do a lot of things in that municipality. As you know, it is new and we need to keep things moving and rolling. Thank you, Hon. Members for supporting. I appreciate you.

(Question put and agreed to)

APPROVAL OF MS. MONICA NJERI WANJIKU TO RUMURUTI MUNICIPALITY BOARD

Hon. Daniel Mugweru: Thank you, Hon. Speaker. On behalf of the Chair, Transport and Public Works Committee, I beg to move the following motion;

> THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Ms Monica Njeri Wanjiku, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

(Consultations)

Hon. Speaker, do not get confused. I am talking about number two Ms. Monica. If anybody tells you number nine, that person is misleading you.

Deputy Speaker: Right. I stand guided by your statement and the Speaker is always blind so I take your advice. Continue.

Hon. Daniel Mugweru: Hon. Speaker, if someone gets confused in the way, should not mix me up. I am not confused. Hon. Speaker, I am talking about Ms. Monica Njeri Wanjiku. The report from the committee clearly indicates that she was the best rated. Hon. Speaker, she was highly rated. Having in mind that this committee is composed of six truthful men and one truthful woman, we only speak nothing but the truth that Ms. Monica is one of the best among the members who were presented to be members of Rumuruti Municipality Board.

So, Hon. Speaker, I urge Hon. Members to support this motion on the approval of Ms. Monica for the Rumuruti Municipality to start working. She being voted the best, we really pray that even the House approves her with the highest number and also if she goes there, she gets the best position it will be better for us all. Hon. Speaker, I want to call upon Hon. Kanyutu to second so that we may move on. Thank you, Hon. Speaker.

Deputy Speaker: Hon. Daniel Mugweru, before you get a seconder, I am guided that you should also read nine so that we do not confuse the order paper. If you will not mind, I give you that opportunity to read the two. Who has for the Christopher?

Hon. Daniel Mugweru: Hon. Speaker, I have it.

Deputy Speaker: So kindly read it with no worries.

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Hon. Daniel Mugweru: So, Hon. Speaker you are guided that we move two motions at the same time? Hon. Speaker, someone is misleading you.

Deputy Speaker: I think we need to withdraw that motion. Read number nine only and you do not read for Christopher. Justify it as number nine.

Hon. Daniel Mugweru: Hon. Speaker, I do not want to mix myself. Let me be guided properly. You may also let me understand whether approving number eight before number seven is wrong?

Deputy Speaker: I will send my clerk there to guide you as we move forward.

APPROVAL OF MR. CHRISTOPHER KIMANO MUCHIRI TO RUMURUTI MUNICIPALITY BOARD

Hon. Daniel Mugweru: Hon. Speaker, for the sake of time and peace, that argument will come later. Let me move the motion on the approval. Hon. Speaker, I beg to move the following motion;

> THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Mr. Christopher Kimano Muchiri, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

` Hon. Speaker, on behalf of the Chair, we all have the report from the Transport Committee in regards to this nominee. Hon. Speaker, the committee that I said speaks the truth and nothing but the truth. Hon. Speaker, the Transport Committee found him suitable to be appointed in that board. Having said that, the committee is to trusted and it is working on your behalf, I call upon Hon. Kanyutu to second the same. Thank you.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I stand to second but as I second, I need a correction. Kimamo is somebody I know. He is not Kimano, but Kimamo. That correction should be made so that we do not change the name of the person that we vetted. I wholly confirm that as per the qualifications, he is excellent. He is an advocate and I was even shocked with the way he portrayed himself in the vetting process and I really appreciated his input.

I wish he is among the people who we will entrust to see our County Headquarters-Rumuruti going to the next level. Thank you, Mr. Speaker.

(Question proposed)

Deputy Speaker: The floor is open for debate. I now call upon the mover to reply.

Hon. Daniel Mugweru: Hon. Speaker, I thank the Hon. Members because silence means that they are in support of him irrespective of miscommunication and inconveniences, he has emerged the best. Members, continue supporting this member, he is among the best who can serve Rumuruti Municipality. Thank you.

(Question put and agreed to)

APPROVAL OF MR. LONGISHU MANDAI ERASTUS TO RUMURUTI MUNICIPALITY BOARD

Hon. Parleto Lekopien: Thank you, Mr. Speaker. On behalf of Hon. Caroline Kihika, the Chairperson of the Transport and Public Works Committee, I beg to move the following motion;

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THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Mr. Longishu Mandai Erastus, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

Hon. Speaker, I want to urge the House to approve the nomination of Mr. Longishu Mandai Erastus. As the Transport Committee, we vetted him and he is qualified. He is among the best that has been approved with the best marks to be a member of the Rumuruti Municipal Council. I will ask Hon. Mugweru to second the motion. Thank you.

Hon. Daniel Mugweru: Hon. Speaker, I second. Thank you.

Deputy Speaker: Hon. Stephen, you are aware of the Standing Orders of this House. When the Speaker is standing, you should freeze. So, you should stay there until I finish reading this.

(Question proposed)

Deputy Speaker: I will now call upon the mover to reply.

Hon. Parleto Lekopien: Thank you, Hon. Speaker. I thank the Hon. Members for approving the nomination of Longishu Mandai Erastus. As you know, the Transport Committee did its best, and Mr. Mandai showed the skills that he is capable of working in Rumuruti Municipality. Thank you.

(Question put and agreed to)

APPROVAL OF MS. MONICA NJERI WANJIKU TO RUMURUTI MUNICIPALITY BOARD

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I beg to move the following motion;

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Ms. Monica Njeri Wanjiku, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

Hon. Speaker, this is the person I had said scored the highest but some people wanted to believe that she did not score the highest. I repeat, once again: she scored the highest. She is the best among all of them. The truthful committee still stands with that; that she was the best. We are calling upon the whole House because you believe in us, we work on your behalf. We support the approval of Ms. Monica Njeri Wanjiku to be a member of Rumuruti Municipality Board. I call upon Hon. Stephen Ndiritu to second. Thank you.

Deputy Speaker: Hon. Stephen, you have the floor.

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Nataka kushukuru kwa ripoti ambayo imeletwa na Mheshimiwa Mugweru. Unajua Mheshimiwa Mugweru ni mtu wa kusema ukweli na amesema mbele ya Jumba hili kwamba yeye ni msema kweli. Kwa hivyo, sina shaka. Naunga mkono kamati pamoja na mapendekezo yake. Asante.

(Question proposed)

Deputy Speaker: I call upon the mover to reply.

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Hon. Daniel Mugweru: Thank you, Hon. Members for believing in me and supporting this member in silence. Silence means that you believe in her and in what I have told you. Thank you very much.

(Question put and agreed to)

MOTION

APPROVAL OF REV LOLINYEI LONGISA LOLIMA TO RUMURUTI MUNICIPALITY BOARD

Hon. Nicholas Lempaira: Thank you, Hon. Speaker. On behalf of the Chair of the Transport and Public Works Committee, Hon. Caroline Kihika, I beg to move the following motion;

THAT, this Assembly adopts the report by the Transport and Public Works Committee on the vetting of Rev. Lolinyei Longisa Lolima, nominee for appointment to the Rumuruti Municipality Board dated 6th December 2024.

Hon. Speaker, allow me to read the committee's observations as well as its recommendations.

Committee's Observations

The committee, having considered the nominee's curriculum vitae and heard his oral submissions during the vetting exercise, made the following observations:

1. He had satisfied the requirements of Chapter Six of the Constitution of Kenya on leadership and integrity.
2. He had been cleared by the criminal investigations department, Ethics and Anti-Corruption Commission, Kenya Revenue Authority on tax compliance, the Higher Education Loans Board and the Credit Reference Bureau
3. In accordance with Article 78(1) (2) of the Constitution of Kenya and Section 35(3) and 35(4), he is a Kenyan citizen and does not hold dual citizenship, therefore is fit to hold a membership position in the Rumuruti Municipality Board.
4. He does not hold a form four certificate (KCSE).
5. He holds an Associate Degree in Bible Mt. Kenya Baptist Bible College in Nanyuki as well as a General Bible Diploma from the same institution.
6. He has never been charged in a court of law.
7. As stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest.
8. He has never been dismissed from office for contravention of the provisions of Public Officer Ethics Act which deals with the conduct of public officers.
9. He has not been adversely mentioned in any investigatory report of County Assembly or any Commission of Inquiry.
10. The nominee exhibited impressive knowledge of topical issues touching on the functions and roles of a Member of a Municipal Board.

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Committee's Recommendation

Pursuant to Section 14 of the Urban Areas and Cities Act no.13 of 2011, section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 191(5)(f), the committee recommends that, this House DISAPPROVES the nomination of Rev. Lolinyei Longisa Lolima for appointment as a member of the Rumuruti Municipality Board by H.E. The Governor.

Hon. Speaker, I call upon Hon. Mugweru to second. Thank you.

Hon. Daniel Mugweru: Hon. Speaker, I support the observations and recommendation of the committee, and I second the motion. Thank you.

(Question proposed)

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Mimi nataka kutokubaliana na ripoti ambayo imeletwa hapa ya kumwangusha huyu aliyeteuliwa. Kitu kinachonifanya nikatae ni kwamba ukiangalia ukurasa wa saba, kuna alama, huyu aliyeteuliwa ana alama 72. Tulipokuwa shuleni, 72 ilikuwa alama ya kupita, haikuwa na mambo mengine. Isipokuwa kuna mahali kamati haikuangalia vizuri, huyu aliyeteuliwa yuko sawa na anafaa.

Ukienda kwa maoni ya kamati, kwa sababu tunafuata yale ambayo kamati imefanya; mnasema kuwa nyinyi ni wasema ukweli na nakubaliana nanyi asilimia mia moja. Hata hivyo, ukiangalia pendekezo la kwanza, ametimiza masharti ya Sura ya Sita ya Katiba. Iwapo mtu ametimiza masharti ya Sura ya Sita ya Katiba, basi anatosha kuteuliwa.

Pili, Shirika la Uchunguzi wa Jinai (DCI) haijampata na lawama yoyote. Hio inamaanisha kuwa huyo mtu ametosha kushikilia ile ofisi. Hoja ya nane inasema kuwa hajawahi kuachishwa kazi kwa kukiuka matakwa ya sheria inayodhibiti jinsi ambavyo afisa wa serikali anafaa kutenda.

Ndiposa, Bwana Spika, nasimama hapa na kutokubaliana na hii ripoti. Ukipitia hii ripoti utaona kuwa huyu mtu amehitimu, bali mapendekezo ya ripoti ni kwa Jumba hili likatae uteuzi wake. Jumba hili litamwangusha aje mtu aliyepata alama 72? Nasema kuwa tukatae hii ripoti na tupige kura ya 'La', kwa sababu huyu mtu amehitimu kuingia kwenye hiyo ofisi. Pitia ukurasa baada ya ukurasa bila kupoteza wakati. Tumuunge mkono huyu aliyeteuliwa kwa sababu amehitimu kushikilia hii ofisi.

Nawapeleka kwenye Biblia ambapo Musa aliteuliwa kuwaongoza wana wa Israeli. Musa hakuwahi enda shuleni bali alikuwa na hekima. Mbona sisi tunamkataa huyu aliyeteuliwa? Nawaomba nyinyi Wabunge, kwa ajili ya umoja wa makabila yote katika hii Kaunti, tusikubaliane na huu mswada. Nawaomba mpige kura ya 'la' katika huu mswada ili huyu mtu awahudumie watu wa Rumuruti na watu wa hii Kaunti. Asante.

Deputy Speaker: I now call upon the mover to reply.

Hon. Nicholas Lempaira: Thank you, Hon. Speaker. First, I want to thank the Members who contributed on this motion. I do not want to speak badly, but the law is very clear. I can see what you are doing but the truth is, before you rush to rally the Members to oppose the committee's recommendations, I want you to know that one of the roles of this committee is to vet and investigate where necessary.

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The reason why this committee felt that Rev. Lolinyei Longisa should not serve in the Board is that some of his documents were questionable. You cannot purport to have a degree when you do not have a form four certificate. I have seen that you have ignored that part in the report just as you ignored that you own a PhD in the morning. Being appointed, and it being a requirement stipulated very well in our Standing Orders, and in the Urban Cities Act, no. 13 of 2021; it clearly states that you must have these degrees.

Hon. Speaker, some things are factual. You do not support because you want to support; support things when you have the facts. I have nothing personal against Rev. Lolinyei. I do not even know him, that was my first time to meet him. However, if you do not hold the right documentation, and you give this committee wrong documents, we have no other option other than to disqualify you from being a member of this committee.

Therefore, Mr. Speaker, I still stand to support this motion, that one Lolinyei Longisa Lolima does not have the required academic qualifications to be a member of this committee. If anyone was lobbying to make sure that he goes through, just know that you are doing the wrong thing, you are violating the same Acts and Standing Orders that you purport to follow. Thank you.

Deputy Speaker: Hon. Members, allow me to guide you. If you adopt this report and vote 'yes', it means that you stand with the committee. If you vote 'nay', you disapprove the same.

(Question put and negatived)

Hon. Nicholas Lempaira: We call for division.

Deputy Speaker: Order Members! Next order.

Hon. Nicholas Lempaira: No, Mr. Speaker. We call for division. We are members of this committee and we deserve to be respected.

Deputy Speaker: Hon. Members, I pray that we stay calm. Sit down while I guide you. Your rights are going to be protected. Hon. Members, I pray that we maintain our calm and hold our emotions as I guide you. Standing Order 68(1), and I am going to read in silence;

Voting in the Assembly

(1) "Unless otherwise provided under the Constitution, a question arising in the Assembly shall be decided by a majority of the Members in the Assembly, present and voting."

(2) In ascertaining the results on a question under paragraph (1), the Speaker shall, in the first instance, collect the voices of the "Ayes" and the "Noes" and shall declare the results accordingly.

(3) On a question proposed for a decision in the Assembly, the Speaker has no vote.

(4) In determining the number of Members of the Assembly for the purpose of voting, the Speaker shall not b counted as a Member.

Roll call Division claimed

(1) The Speaker shall direct a roll call vote to be taken if a Member claims a division and-

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a) The Speaker considers that there is a reasonable doubt as to the outcome of the vote in question; or

b) If, on a question other than a question of procedure, five or more Members rise in their places to support the Member claiming the roll call division.

(2) The Speaker shall direct a division to be taken in every instance where the Constitution lays down that a fixed majority is necessary to decide any question.

Now, I want to confirm if we have five Members or above.

Hon. Nicholas Lempaira: As the Member who called for division, this committee consists of seven Members, and six of them have signed…

Deputy Speaker: Hon. Lempaira, I need to see by the show of standing up.

(Some Members rose from their places)

Hon. Nicholas Lempaira: Hon. Nicholas Muturi, Hon. Simon Kanyutu…

Deputy Speaker: Do not guide the Speaker.

Hon. Nicholas Lempaira: Then he needs to withdraw his signature. We want to know the people who backslide later on the reports of the committee.

Deputy Speaker: I will call for a roll call and this will be a finality. Thank you, Hon. Members, you may have your seats. We are going for a roll call.

DIVISION

ROLL CALL VOTING

Deputy Speaker: Today we have to be patient. We are going to take a little bit longer. I will allow the clerk to prepare the roll call for each and every Member. Thank you.

(Loud consultations)

Deputy Speaker: Hon. Members! Hon. Shuel, I want to remind you that the House is still in session. So, stay guided as we vote on this. This is going to be interesting but we have to go for it. I need the tellers for the "Ayes" as well as for the "Nays". So, Hon. Stephen is for the "Nays" and I will nominate Hon. Lempaira for the "Ayes".

(Question put and the Assembly proceeded to vote)

AYES: Hon. Nicholas Lempaira; Hon. Benson Kuria; Hon. Catherine Umija; Hon. Daniel Mugweru, Hon. Simon Kanyutu

Teller of the Ayes: Hon. Nicholas Lempaira.

NAYS: Hon. Daniel Kaniaru, Hon. Eunice Salaten, Hon. George Karuiru; Hon. John Gichuki; Hon. Leila Hussein; Hon. Nicholas Muturi; Hon. Mary Gathoni; Hon. Paul Leshuel; Hon. Salim Edung; Hon. Stephen Ndiritu; Hon. Veronica Ikunyua

Teller of the Nays: Hon. Stephen Ndiritu.

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Deputy Speaker: Hon. Members, allow me to read the results

AYES: 5

NAYS: 11

ABSENTIONS: Hon. Caroline Kihika, Hon. Catherine Nyokabi, Hon. Irene Wachuka, Hon. Joseph Gitahi,

(Question carried by 11 votes to 5)

PROCEDURAL MOTION

PLENARY SITTING EXTENSION

Hon. Stephen Ndiritu: Hon. Speaker, I beg to move that;

THAT pursuant to Standing Orders No. 31 (3a) and 31(4), I beg to move that the County Assembly resolve to extend its sitting until the conclusion of business listed at no. 14 of this order paper today.

Hon. Members, we are doing this for the interest of time because the Assembly is guided by the constitution and the Standing Orders. That is why we are seeking the extension of time because we are almost past 6.30 p.m. which is required by the constitution to be the maximum sitting hours. So, I am begging you to support this so that we can conclude this business. I request Hon. John Gichuki to second.

Hon. John Gichuki: Thank you, Mr. Speaker. I support Hon. Ndiritu 100%.

(Question proposed)

Deputy Speaker: I now call the mover to reply.

Hon. Stephen Ndiritu: Thank you, Hon. Speaker and the Hon. Members of supporting this motion of extending the time. Thank you.

(Question put and agreed to)

APPROVAL OF MS. FRANCISCA IDA LENAITORO TO RUMURUTI MUNICIPALITY BOARD

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I beg to move that;

THAT this Assembly adopts the report by the Transport and Public Works Committee on the vetting of, Francisca Ida Lenaitorono nominee for appointment to the Rumuruti Municipality Board dated 6th December, 2024.

Mr. Speaker, Ms. Francisca Ida Lenaitorono appeared before the Committee on Thursday, 5th December, 2024 at 01.00 pm. She introduced herself and the committee observed the following.

Committee Observations

The Committee having considered the nominee's Curriculum Vitae and heard her oral submission during the vetting exercise/interview, made the following observations:-

1. She had satisfied the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity.

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2. She had been cleared by the Criminal Investigation Department (CID), Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority on tax compliance, Higher Education Loans Board (HELB) and the Credit Reference Bureau.
3. In accordance with Article 78(1) (2) of the Constitution of Kenya and Section 35(3) and 35(4) she is a Kenyan citizen and does not hold dual citizenship and is therefore fit to hold office as a Member of the Rumuruti Municipality Board.
4. She has never been charged in a Court of Law.
5. As stipulated in Article 75(1) of the Constitution, she has no potential conflict of interest.
6. She has never been dismissed from office for contravention of the provisions of Public Officer Ethics Act which deals with conduct of public officers.
7. She had not been adversely mentioned in any investigatory report of County Assembly or any Commission of Inquiry.
8. The nominee exhibited impressive knowledge of topical issues touching on the functions and roles of a Member of a Municipal Board.
9. The nominee did not provide either form four or Diploma Certificate.

Committee's Recommendation

Pursuant to Section 14 of the Urban Areas and Cities Act no. 13 of 2011, Section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 191 (5) (f), the Committee recommends that, this House DISAPPROVES the nomination of Ms. FRANCISCA IDA LENAITORONO for appointment by H.E. the Governor as a Member of the Rumuruti Municipality Board representing the community. She did not provide a form four and Diploma certificates as required by the law.

I call upon Hon. Mugweru to second.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I second.

(Question proposed)

Hon. Paul Leshuel: Thank you, Mr. Speaker. I really respect the committees report and I know that the committee have not doubted the capacity in this report. I don't want to go to other directions but this report is marginalizing some of the tribes and we are here as representatives. According to Constitution of Kenya, 2010, the reason why we voted for it, is to consider the marginalized since independence. The minority people who are represented here because of affirmative action, affirmative action meaning that you have to lower other things to allow that person to be in a position.

Mr. Speaker, according to me, I am always looking for two things. If somebody does not qualify or does not meet the chapter six requirements of the constitution in regards to integrity, if somebody meets that requirement, he/she can become anybody in this country. If you are not cleared by the Ethics and Anti-Corruption Commission, then you have got no reason of holding any position.

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It is the observation of the committee because they did not see the form 4 certificate but according to the Members who are here, I agree that let us not dwell on some things. Perhaps he came from minority in Samburu, probably the certificate was burnt by fire. Today if you ask me for the primary certificate, I cannot provide but I am sure that I went to school. Sometimes we might not get some papers and that is a fact but the primary certificate cannot limit me where I am today. I can even take you to that school if that is what is needed although the committee does not need that. I would like to urge the Members to consider every person so that every person in this county is represented in every position.

Today if we reject the name, the nominee remains with the Governor of this county. Who knows where the decision will go? He may decide to nominate some and leave the others. Will we stand here and vote for…

Deputy Speaker: Hon. Leshuel, is he a she or a he?

Hon. Paul Leshuel: It is a she. What I am saying here, let us give this person a position and not dwell on small things. So I want to urge the Members to oppose the report. Thank you.

Deputy Speaker: Hon. Lempaira, I will give you a chance but also caution you to be mindful of the time.

Hon. Nicholas Lempaira: Mr. Speaker, why am I being restricted on time issues. We have already extended this House until we finish this business. I want to be in record because I am a member of this committee and I would like the Hon. Member not to play around with politics.

Hon. Speaker, it is a shame that we are coming here to say that we are marginalizing the entire community of Samburu. We did not vet the Samburu Community and I would like you to have that in mind. We vetted one, Francisca Ida Lenaitorono. If your Governor had the best interest with the people of Samburu, they are not all illiterate. We have got Samburu who have got PHDs, Masters, Diplomas and Degrees.

Once the requirement states that you must have one, you should produce one no matter the tribe you come from. We did not vet people based on tribe and this should sink into people's mind. That is why someone does not recognize whether somebody is a she or a he. Read the report before you judge us. We have got no problem with whatever decision you make today but it is clear that what the requirements that were asked by the urban cities Act and that is what we followed as a committee.

We did not beat around the bush. So do not victimize the committee by saying that we marginalized the entire Samburu Community. I can bring you a thousand of Samburu's who live in Laikipia and are holders of degrees and diplomas and PHDs. Therefore Mr. Speaker, I support this report and we should always argue with facts and not by what we think. Thank you.

Deputy Speaker: I now call the mover to reply.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I am very grateful while making a reply to this report. I whole heartedly support the report by the committee. As the Hon. Member has stated that we have to consider the marginalized, it is really unfortunate because even if I am not a member of that community, we have got people who have got these papers.

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If the House will approve, now they will be holding meetings with advocates and other educated people, at the end of the day, you will find somebody saying that a community is being side-lined because they are not getting what is being done in the meetings. It is unfortunate and I would be very open that on my part, you must have papers because there is no way you can claim that they were burnt. Even if they were burned, you would have an affidavit proving the same.

As a committee, we followed the guidelines on how to make recommendations for a person to be approved in the board. As a committee, we did our part but if the House approves, I will appreciate whatever the House approves but it would be a shock. Sometimes in future, you will get people claiming that they are understanding what is transpiring in the Rumuruti Municipality Board. Thank you.

(Question put and negatived)

APPROVAL OF MR. FREDRICK MWANGI NJUGUNA TO RUMURUTI MUNICIPALITY BOARD

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. On behalf of the chairperson, Hon. Caroline Kihika, I beg to move that;

THAT this Assembly adopts the report by the Transport and Public Works Committee on the vetting of, Mr. Fredrick Mwangi Njuguna for appointment to the Rumuruti Municipality Board dated 6th December, 2024.

Mr. Speaker, the committee having considered the nominee's Curriculum Vitae and heard his oral submission during the vetting exercise/interview, made the following observations;

1. He had satisfied the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity.
2. He had been cleared by the Criminal Investigation Department (CID), Ethics and
3. Anti-Corruption Commission (EACC), Kenya Revenue Authority on tax compliance, Higher Education Loans Board (HELB) which expired in February, 2018 and the Credit Reference Bureau.
4. In accordance with Article 78(1) (2) of the Constitution of Kenya and Section 35(3) and 35(4) he is a Kenyan citizen and does not hold dual citizenship and is therefore fit to hold office as a Member of the Rumuruti Municipality Board.
5. He holds an International General Certificate of Secondary Education and not KCSE
6. He holds a Diploma in Community Development
7. He has never been charged in a Court of Law.
8. As stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest
9. He has never been dismissed from office for contravention of the provisions of Public Officer Ethics Act which deals with conduct of public officers.
10. He has four (4) pending cases in court.
11. The nominee exhibited impressive knowledge of topical issues touching on the functions and roles of a Member of a Municipal Board.

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Committee's Recommendation

Pursuant to Section 14 of the Urban Areas and Cities Act no. 13 of 2011, Section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 191(5f) the Committee recommends that, this House DISAPPROVES the nomination of MR. FREDRICK MWANGI NJUGUNA as a Member of the Rumuruti Municipality Board for appointment by H.E. the Governor. He did not provide a form four certificate and has four pending cases in court.

Thank you, Mr. Speaker and I request Hon. Leshuel to second.

(Hon. Paul Leshuel seconded)

(Question proposed)

Hon. Stephen Ndiritu: Thank you, Hon. Speaker. I am standing to oppose the report and the recommendation of this committee. One, we are being guided by the report of this committee and if you go to page of rating, the person has got an average of 64% marks and it is Hon. Lempaira and the entire committee who voted for him and therefore that is a pass.

We have no doubt with this person and therefore I don't know why they are disapproving the nominee. When God wants to bless you, nobody should come before of your blessings. So, there is no need of arguing that we have got so many people with degrees and PhDs. The blessings lie to no other but Fredrick Njuguna Mwangi and that is one thing I am not agreeing with the report.

Secondly, the committee itself is contradicting the report. Go to recommendation no. 6. He has never been charged in a court of law. Then go to number nine, he has got four cases. What are they telling us? Unless you have got something else with the nominee. Hon. Leshuel had stood to support the minority and therefore I am also standing to support the majority so that they can be in that board. Therefore, I am supporting Mwangi Njuguna and not because he comes from majority but because he is qualified.

Hon. Leshuel has said that if a person attains the requirement of chapter six, he qualifies for everything. I support the nominee to be in that board. I am requesting the committee that in this one, support Mwangi Njuguna to be in the Rumuruti Municipality because we also need to balance on tribe. Don't tell us that if somebody is nominated from a certain community, then we can look for another person. I have clearly said that if God blesses you is final. So, this is the person whom God Has blessed. I am satisfied and I am requesting the Members to reject this report for the unity of this county.

Deputy Speaker: I now call upon the mover to reply.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I really do appreciate the support of the committee members and the Members of the House for supporting this motion because it is time we had a board well constituted in Rumuruti. Thank you.

(Question put and negatived)

ADJOURNMENT

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Deputy Speaker: The sittings of this House now stand adjourned until tomorrow Wednesday, 12th February, 2025 at 10.00 a.m.

The House rose at 6.45 p.m.

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