REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 29th August, 2023

The House met at the Assembly Chambers at 2.30 p.m.

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

PAPER LAID

VETTING REPORT OF DR. ALLAN MUGAMBI, CHAIRPERSON NOMINEE FOR LCDA

Hon. Stephen Ndiritu: Mr. Speaker I want to lay the following Paper;

Report by the Finance and County Planning Committee on the vetting of Dr. Allan Mugambi, Nominee for appointment to the position of Chairperson Laikipia County Development Authority dated 3rd August, 2023.

(Hon. Stephen Ndiritu laid the Paper on the Table)

NOTICE OF MOTION

VETTING REPORT OF DR. ALLAN MUGAMBI, CHAIRPERSON NOMINEE FOR LCDA

Hon. Stephen Ndiritu: Bwana Spika, kwanza nashukuru Bunge nzima na Mwenyezi Mingu kwa kutufikisha kikao hiki. Mara ya mwisho tulikuwa hapa tukienda Devolution. Katika ule mkutano, Rais alisema MCA wapewe haki yao kama tu Mbunge wa Bunge kuu. Tunaomba tupewe hio haki kulingana na mwongozo wa Rais.

Jambo la pili nashukuru kwa wale walichangia kule mchezo wa CASA. Niliona Joali akicheza vizuri, nikawaona Salim, Gathoni, Kihika na wengine. Laikipia tulitambulika kwamba tilifika CASA na kuweza kuwakilisha. Naomba wale walishinda na kuleta vikombe naomba watambuliwe ndio tutie nguvu hawa Wajumbe na wafanyakazi. Walioshinda wapewe zawadi kwa sababu tuko na bajeti ya msaada.

Mchezo wa Darts walishinda na mimi ni mmoja wao na najivunia kuwa mmoja wao. Pia, kuna timu ya Badminton ambao walicheza vizuri. Pia Golf hata kama tulishindwa. Pool table pia walienda vizuri. Naomba waweze kushughulikiwa vizuri. Pia kuwe na mechi za kirafiki kwa sababu nakumbuka mfanyakazi mmoja anaitwa Karimi alituokoa sana ingawa hajakuwa akifanya mazoezi. Alikuwa timu ya Volleyball na waliposhidwa akaja kutuokolea na tunajivunia naye.

I now wish to give notice of the following motion;

THAT, taking into consideration the findings of the Sectoral Committee on Finance and County Planning in its Report on the Vetting of Dr. Allan Mugambi, Nominee for appointment to the position of Chairperson Laikipia County Development Authority dated 3rd August, 2023, and pursuant to the provisions of sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017;

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THIS House approves the appointment of Dr. Allan Mugambi as the Chairperson for Laikipia County Development Authority. Thank you.

MOTION

VETTING REPORT OF DR. ALLAN MUGAMBI, CHAIRPERSON NOMINEE FOR LCDA

Hon. Stephen Ndiritu: Hon. Speaker I beg to move the following motion;

THAT, taking into consideration the findings of the Sectoral Committee on Finance and County Planning in its Report on the Vetting of Dr. Allan Mugambi, Nominee for appointment to the position of Chairperson Laikipia County Development Authority dated 3rd August, 2023, and pursuant to the provisions of sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017;

This House approves the appointment of Dr. Allan Mugambi as the Chairperson for Laikipia County Development Authority.

Hon. Speaker, I once again want to thank the team that was refurbishing this House especially the microphones. I can attest even the sound is very clear. The people who are doing this work are perfect. In future, I think the people I represent from Thingithu will be able to see me when I am in this House and know what I am doing. This is also a signal to the Members who miss sessions. There is a danger ahead. All Members should be very active and there are consequences for not attending plenary proceedings in future.

I have a motion on Vetting of Dr. Allan Mugambi. He was nominated by H.E the Governor and was advertised in the Daily Nation. The advert is at the back of this report. The Committee sat and vetted him and I want to report to this House that the Finance and Economic Committee vetted him as the Chairperson for Laikipia County Development Authority. I want to congratulate the Members of the Committee for their availability during the vetting.

I also want to report that the Members of this Committee are very active and burnt their midnight oil making sure that this report is in this House and it is perfect. It is also good to let this House know that the County Assembly of Laikipia is the Legislative Arm that was established under Article 176 of the Constitution of Kenya, 2010.

The Sectoral Committee is established under Standing Order No.191 and the Finance and County Planning Committee subject area is stipulated in the first schedule of the standing Order. The committee pursuant to the provisions of Standing Order No. 191(5) (f) shall consider for approval all appointments as required by the Assembly, except those under Standing Order 184. The Membership;

1. Hon. Stephen Ndiritu - Chairman
2. Hon. John Gichuki - Vice Chairperson
3. Hon. Mary Gathoni - Member
4. Hon. George Karuiru - Member
5. Hon. Catherine Umija - Member
6. Hon. Samuel Mugambi - Member
7. Hon Paul Leshuel - Member

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Pursuant to Section 45 of the County Government Act and section 6 of the Public Appointments (County Assemblies approval) Act 2017, H.E the Governor nominated Dr. Allan Mugambi, for appointment as Chairperson Laikipia County Development Authority. The Nomination of the Chairperson was conveyed to the Speaker of the County Assembly through a letter (Reference Number: CGL/GVN/*E (I)/*13*)*, dated 15th June, 2023.

On the Committee meetings, the Committee held three Sittings; two to prepare for the vetting process and a third meeting in which the nominee appeared and was vetted in accordance with the Public Appointments (County Assemblies Approval) Act, 2017.

I take this opportunity to thank Members of the Committee for their input and valuable contributions during the deliberations and vetting exercise. The Committee also takes this opportunity to thank the Office of the Speaker and that of the Clerk of the County Assembly for the logistical support accorded to it during the vetting exercise.

On behalf of the Finance and County Planning committee and pursuant to Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017, and the provisions of Standing Order No. 191(5) (f), it is my pleasure and duty to present to the House, the Committee's report on the vetting of the nominee for appointment to the position of Chairperson, Laikipia County Development Authority.

On the appointment process, Dr. Allan Mugambi, nominee for Chairperson Laikipia County Development Authority. On 19th June, 2023, the Hon. Speaker through a communication, informed the House that the Clerk of the County Assembly had received the name of the nominee and directed that the name and Curriculum Vitae of the said nominee be referred to the Finance and County Planning committee for vetting and reporting to the House as I had said.

On notification to the public, the general public was also notified in the print media by the Clerk of the County Assembly on 23rd June, 2023 of the intention of the Committee on Finance and County Planning to conduct the vetting and approval hearing of the nominee on Tuesday 3rd July 2023, time and designated venue within the Assembly. The Committee did not receive any submission or memoranda contesting the suitability of the nominee.

In conducting the vetting process, the Committee examined the nominee against the following criteria, amongst others, in accordance with the County Governments Act and the Public Appointments (County Assemblies Approval) Act, 2017.

1. Academic qualifications
2. Employment record
3. Professional affiliations
4. Potential conflict of interest
5. Knowledge of the relevant subject
6. Overall suitability for the position
7. Tax compliance
8. Integrity
9. Vision and leadership; and
10. Expectations and key priorities

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The nominee has worked in the following entities among others;

i. Jomo Kenyatta University of Agriculture and Technology JKUAT-2013 to date.

ii. Heritage International school

iii. Tanganyika Coffee Company-2010.

iv. Kampala International University Uganda -2008

The Committee on Finance and County Planning observed the following;

- That the nominee is a Kenyan Citizen.
- That the nominee has not been charged or convicted in a court of law for a criminal offence.
- That the nominee has not been adversely mentioned in an investigatory report in the County Assembly and any other commission.
- That the nominee has not held any position in a political party.
- That the nominee has never been dismissed or removed from office for any personal, public or official duty conflict.
- That the nominee has never been advisory associated with any practise that depicts biasness, favouritism and nepotism while discharging public duties.

The nominee informed the committee that his experience would assist him in development on the priorities of H.E the Governor in the county which include agriculture, health and water etc. He also added that he would bring other stakeholders on board from the international communities, local agencies to provide resources that are needed by the County to bridge budgetary gaps and deficits.

Mr. Speaker, when someone says that, that is exactly the person that we need. This county has a deficit on the budget. If this person is approved by this House by the time we are bringing budget, all the gaps will be filled because of his intelligence. He has money and connections, so he is the person we need to approve as early as now because he will bring more money.

If a person is giving us money, he said to the committee that he is going to make sure that we get more resources locally and internationally, that tells me that he doesn't need any salary. This is a reality and I am not aware if he is going to be paid but I am worried because there was another person who we vetted in this House in the last regime who said that he is not going to receive any salary but unfortunately after approving him, he was in the bank looking at whether the salary has been deposited.

Mr. Speaker, I am also worried about this person on whether he will honour what he has said but because our work is to approve the Chairperson for LCDA, this person was appointed by the Governor. We shall approve him and then the Governor will see whether the person will do what was expected.

It is our mandate to follow up on whether he will be able to bring more resources to this county. People come here and pretend that they are good people and that they will support the county but unfortunately by the end of the day, we found out that we were conned. I do not think that Dr. Allan will con us. We expect more funds and we expect him to go and talk to the

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agencies and the international community and support our county. On that Mr. Speaker, I would like to give the committee's observations.

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

1. THAT, the nominee had satisfied the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity.
2. THAT, he 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. THAT, in accordance with Article 78(1) (2) of the Constitution of Kenya and Section 35(3) and 35(4) of the County Government Act, he is a Kenyan citizen and does not hold dual citizenship and is therefore fit to hold office as a Chair, Laikipia County Development Authority.
4. THAT, his academic credentials, and experience are impressive and relevant for the position he is nominated to.
5. THAT, he has never been charged in a Court of Law.
6. THAT, as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
7. THAT, he had never been dismissed from office for contravention of the provisions of Public Officer Ethics act which deals with conduct of public officers.
8. THAT, he had not been adversely mentioned in any investigatory report of the County Assembly or any Commission of Inquiry.
9. THAT, he is not a member of any political party neither does he hold any political office.
10. THAT, the nominee exhibited impressive knowledge of topical issues on enhancing major developmental milestones in the County and had the requisite abilities, qualifications and experience.

Mr. Speaker, on the Committee's recommendations; pursuant to 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 Dr Allan Mugambi, for appointment by H.E. the Governor as Chairperson for Laikipia County Development Authority.

Mr. Speaker, that is our recommendations and there are rumours which I will let this House know that the person we are approving today has a letter of appointment. I am shocked to hear that rumour. This tells us that whatever we are doing here, to others we are doing nothing. Mr. Speaker, if that person has a letter of appointment, this is a serious joke. I do not know whether it is true or not but there are those people who attended the swearing in of Madam Kendi and I can see there was something like that happening.

Mr. Speaker, I was not there and that is why I am saying it is rumours. Mr. Speaker, if it is true, this is a dangerous move for this county and to these Members because they were elected by the people knowing that these people will represent them in the House. They are the

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lawmakers and if they are the lawmakers and the law is being broken before your eyes, it is very dangerous.

I am not happy because I am getting them as rumours but we need to confirm if it is true because tomorrow, we are going to pass a budget here. The money that we are going to appropriate to the government, the government will spend that money before making the estimates. We should not be taken for granted. We were elected so other Members can be taken for granted but as for me, I deny this.

Mr. Speaker, let us be keen and let us be serious on certain issues. This is not a joke but this is a House of Law and we should respect the law and the House. If we are not going to be respected this time, I can see a red card and tomorrow one Member will be removed from his position by someone else outside. This will happen here. This has happened which I have said they are rumours that I am not aware but we need to investigate.

Mr. Speaker, if these rumours are true, you are the head of this House, it will seem like we are not a House of law and order. We are market people. Mr. Speaker, let us be serious on what we are doing. Let us follow and let this House be respected. Even the President of this Republic should respect the House. Even if it is the Member of the Parliament, he should respect this House. Even if it is the Governor or the CECM's, they should respect this House but Mr. Speaker, you cannot be respected if you are not respecting yourself.

I am hearing this as rumours but I can see danger. Without taking more time, I take this opportunity to call upon Hon. George who is seated in that area and is very keen on this report. He has been very useful and he is very useful to this committee. He is energetic if you look at him. You can notice by looking at him that he is able and he can do marvellous things. I call him to second this motion. Thank you, Hon. Speaker.

Hon. George Karuiru: Thank you, Mr. Speaker and the Hon. Chairperson Finance for giving me this opportunity to second this motion on the adoption of the Chairperson of Laikipia County Development Authority. Mr. Speaker, indeed I am a Member of the Finance Committee and as privileged as we are as committee Members, we burnt our midnight oil through the energy of our able Chairperson, Hon. Ndiritu.

Mr. Speaker, we listened to the aforementioned Chairperson nominee of the Laikipia County Development Authority. Mr. Speaker, I must say that this report was supposed to be tabled before today's date but there were some things that brought about postponement. Mr. Speaker, this was done formally which we accepted and indeed vetted him. Mr. Speaker, despite what the Assembly are supposed to do, we need trust, eloquence and somebody who is vibrant to employ.

Mr. Speaker, budget allocation from the National Government is not sufficient to cover development and other work that the County is supposed to do. The demands that we have from the ground are many and without the LCDA, we might not be able to do much. Mr. Speaker, we have pending bills and if we look through the approved budget, it is evident that we might not do a lot of development especially in Water which has one million.

What the intended Chair gave us as his dream is outsourcing money to do dams and boreholes. In terms of development, the proposed Chairperson convinced the committee that out of the many questions we asked, he eloquently answered them like he was informed. Mr. Speaker, I am happy I was in the second Assembly and I was actually in the Finance Committee which we never had a lot of development but through you Mr. Speaker, the quarterly reports

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that we were supposed to be informed about after vetting a person through this Assembly, are going to show us the production of any person we vet in this Honourable House.

Mr. Speaker, if we get someone who is not competent because there is the actual talking and communication and also the actualisation, I believe the Chair to be, Dr. Mugambi is equal to the task. He will help the Governor who found it wise to give us his name from so many names. I knew Mugambi from other organisations like the Red Cross and the welfare organisations. Despite the little they have been doing, I know he is a convincing person who can get the NGOs and bring them into this House.

Finally, I would like to thank your office and that of the Clerk for the just ended recess. As you have heard the Chair say that out of the experience he had, I can hear he has added a lot of English from sports and Devolution Conference which we were able to mingle with other counties. We exchanged many things and I appreciate him because I saw that he knows how to talk to the ladies.

Mr. Speaker, I would like to congratulate the sportsmen and women in this House. I did not know some can do what I saw them do. I did not know that Hon. Kihika can play darts and I was astonished that we have good sportsmen and women. I did not think that Hon. Kanyutu and Hon. Mugweru and other Members would be in sports the whole time. Mr. Speaker, I found that we have a good cheering squad led by Hon. Catherine Umija who were singing good songs to cheer us.

Mr. Speaker, we can go for two or three months and get back to sporting activities. There is a saying that goes all work and no play makes Jack a dull boy. When the Chair will be urging the Members to support, we will talk. I appreciate that the Majority Leader is back. We missed him and we tried to trace where he was. On behalf of the whole House, I would like to welcome him back. Mr. Speaker, I hope this House will be reinforced and we are going to deliberate, debate, amend, query and do our oversight as you have given us time to be outside. Mr. Speaker, I second and I thank you.

(Question proposed)

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I stand to support the report from the Finance Committee on the approval of Dr. Allan Mugambi as the Chairperson of the Laikipia County Development Authority. However, I am shocked when the Chair heard a rumour that whatever we are doing here is in futility. He needs to clarify further because if we are approving somebody who has already been given an appointment letter, it means that we have no Assembly, we have no House and are not there to make the law. So, I would wish that he clarifies his speculation properly because that is a very big concern.

Mr. Speaker, Dr. Mugambi is someone that I know. He is from my area and has worked with St. Martin on voluntary basis, and has really worked to assist our people. He is really passionate on the development of our area. Having previously worked voluntarily without any pay, and now being engaged by our government, he will be highly beneficial. I remember even when we were doing the campaigns, Mr. Mugambi was non-partisan as the committee has stated. I remember that within our area he had a forum whereby he called all the aspirants, mostly those who were contesting this position to be in this Assembly, and he wanted members of the public to know which kind of person they are electing to the Assembly. I admired his non-partisanship and he really encouraged me.

Now, being given a chance to approve him, he is one of the right people who should work for our county. I support, and let us hope that if someone has done whatever the Chair

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has stated, that is something that the Assembly needs to sit, deliberate and focus on the way forward, because some issues should not be taken lightly as we may assume. So, I wholeheartedly support the person and I am sure that even other Members who have been able to interact with him will join hands and approve Dr. Mugambi because even if he has been misled, it is not his fault. However, we must know the truth, thank you.

Hon. Joseph Gitahi: Thank you, Hon. Speaker for this opportunity. Let me first say that I am delighted to get back on the floor. Hon. Karuiru has rightly put it that work without play makes Jack a dull boy. I am happy for the whole week that we were able to witness the games, and we are back vibrant enough to push the agenda of the Assembly. I am also happy to see Hon. Kihika. These are things we will talk of with her behind the tent. I am delighted.

Having said that, I also want to state that the Chair has raised issues to do with rumours. The only course I have in this world is communication, and I am afraid that there are rumours and we have not heard them. We will, however, be open to understand these things, and like Hon. Kanyutu from Marmanet has said, these things should not be allowed to derail the main agenda that we are getting into.

Hon. Speaker, I rise in support of Dr Allan Mugambi upon his appointment into the Laikipia County Development Authority (LCDA). I must admit and confess that I might be biased in my communication but let me say this; I happened to know Dr. Allan Mugambi sometime back. We were working together on a program on microfinances with Caritas, an organization housed by St. Martin. We had been contracted to prepare the communications that he was supposed to present in Pretoria, South Africa, for the funding of the same project. I must say that H.E. the Governor must have looked at his presentation then in Pretoria for him to be given the opportunity he has been given to serve in this County.

Just like Hon. George has stated, we are running on a budget that might not help us do so much. It is at such times that we must look for people with the skill of resource mobilization to not only bring resources but to take the name of Laikipia County and the projects that we are doing to development partners in the country and outside the country. It is on that note that I say that the person stands qualified.

I am also happy for the capacity that Dr Allan Mugambi has. We have heard from the presentation of the Chairperson, Hon. Stephen Ndiritu, that besides getting into JKUAT and holding a Masters Degree there, and also going to Heritage International Schools, the person has a PhD in Rural Entrepreneurship. These are the things that we are seeking so that we can develop the areas we come from. I urge the nominee, if all goes well and these Members approve his name, the rumours notwithstanding, that he brings his wealth of experience and skill in the areas that are needed.

In the last week, I have listened and internalized the philosophy of the party that elected us into this Assembly. Having listened clearly to H.E. The President, he is focused on Agricultural Entrepreneurship. That is why I urge this House that we approve this nominee so that we are able to start from the bottom and head up. We start from agriculture and in the production, value chains that come after so that we can achieve the development that we promised our people and what we promised ourselves when we were being sworn in just beside here.

As I end, I want to say that I am also impressed by the value system depicted by the nominee that we are about to approve. You see, it is very important that at this time and age we have people of integrity. The value system is becoming very important in our working. Having interacted with the nominee, he has been a staunch member of the Catholic faction that

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has been advising not only myself but also the youth in the area he comes from. It is upon these submissions that I urge this House to approve the appointment of Dr. Allan Mugambi and accord him the help that he needs even upon assumption of office. Thank you, Hon. Speaker and Members.

Hon. Anthony Theuri: Thank you so much, Mr. Speaker. I start by thanking you because of the recess that we had. We all went for games and most of us won. I pray that next time we get more time for preparation. Who knows? Most of us are talented in different areas, and as I have heard; maybe I was not on that side where Hon. Umija was. I understand that she is a good soloist. I would really like to be with her on the same team next time.

As I was listening to Hon. Kagondu presenting Dr. Allan Mugambi, I was confused. Was he giving us a notice? Was he lecturing? Or what did he want with us? I am even amused. Am I going to accept or reject? He has told us that he approved someone during the last regime who said that he is not going to accept a salary. My problem is not the salary because I understand that by the time they were through, he had already gone to the bank to get the salary. I am interested because we are investing a lot in Dr. Mugambi for LCDA, does it pay back?

I would really like to know and get the feedback from the last regime on how much we used and how much we got from outside. It is the high time that we got value for our money. How do we spend millions of shillings in this parastatal? Not only in Laikipia but this has been the habit in Kenya; we are using a lot of money in parastatals starting with KPLC, the water companies and even more of the taxpayers' money and at the end of the day we get negative and do not get the value for our money. I would really urge the Members of this House, if whatever Hon. Kagondu is saying is true, that we got nothing, it is the highest time we removed them and that money be taken to a different department where it is going to be productive.

On the same, I am ashamed to be in this House. If whatever he is saying, and he is the one moving the motion today; that the said candidate is already working and has the letters, then we are all thieves and robbers. We are robbing Kenyans and Laikipians and do not even know what we are doing here. What is the business of us being rubberstamps here? As he said, we are all elected. Some of us were not lucky to be here after our first attempt. We stayed for five years after which we were elected here. I am even ashamed that this is going to the HANSARD because whatever was done in the public domain, we need to sit down, especially you, me and the whole House and decide the way forward.

So, on this I will abstain. Not because I hate Hon. Mugambi, I have nothing against him. In fact, the presentation from Hon. Joseph here was eloquent. He is a good man, but I am ashamed that the little money that the President of Kenya, Dr. Ruto and the KRA are getting from my salary and my people is going to be misused. It is the highest time that we called the Assembly to order, not only the LCDA but anything else, all the bodies that are in this House or in Laikipia. It is the highest time that we did the query and see whether we are getting anything from them. If not so, let us abolish them and work like before, because it is a shame. We need to call ourselves to order.

Hon. Kagondu, for today I have a feeling that you are going to be lucky. Your candidate, I call him your candidate because it is about the Finance committee, is going to sail through. Next time, let us take time and know what we are doing because we are entitled. When I am sitting here, I am representing over a thousand people. Not just those who elected us but even the ones being born today, we are making decisions on their behalf. Then we come here as if we are joking, that someone has the papers in their pocket and we are only doing the formalities. If that is the case, I would also like that in 2027 we do the formalities and I sit here, or probably

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there if I run for MP or President or Governor, if it is a formality. We are doing it like a very casual thing, as if nothing is happening.

Mr. Speaker, it is the high time that we lived up to the expectations of the people who brought us here. Thank you very much, and I congratulate everyone who won. For those of us who did not win, we still have our day and we are going to bring gold and pride to Laikipia. God bless Laikipia. God bless the County Assembly of Laikipia. Thank you very much.

Speaker: Thank you, Hon. Anthony Theuri. Allow me to cross over the floor and invite Hon. Lempaira.

Hon. Nicholas Lempaira: Thank you, Mr. Speaker for the opportunity. I want to confirm that I was in the swearing in of the CO's and CECM's on that date. With a few Members of the House, we were present even when the swearing in was done and I also saw the same Allan, he was there, and you were also there, Mr. Speaker. the only thing I cannot confirm a hundred percent is whether or not he was given an appointment letter.

Mr. Speaker, I also want to ask for clarification or your guidance; is it right for us in this House to approve someone who we have doubts on whether he has already been given documents in advance before the due process is done? Is it right for us to go through? Can we hold on until investigation is finished as the Chairperson has said, or how does it go, so that I can also give my remarks on the same. Thank you.

Speaker: Hon. Lempaira, you have asked a question whether it is in order to proceed with the proceedings of the House where doubt arises, right?

Hon. Nicholas Lempaira: Yes.

Speaker: So far, personally as the Speaker, I have not heard of any rumour neither do I have any evidence, neither has anyone informed me in advance. Hon. Stephen Ndiritu has also confirmed on the floor that he has heard a rumour but without any evidence. In law we cannot determine a matter that is just rumourmongering without any evidence whatsoever. So, it is prudent that we deal with matters that are factual and not pegged on hearsay. Thank you.

Hon. Nicholas Lempaira: Thank you, Mr. Speaker. The second question is; if we approve and get to know that he was given an appointment letter earlier, can we revoke the approval? And how sure are we that we can do the due process because, yes, we do not have the evidence as you said. However, once we approve a person that even the Chairperson of the committee that he reports to does not have a hundred percent surety or confidence in him or the due process. That means that we are setting a precedence for next time. We want your guidance in a serious way because we need to be careful. If the rumours are no there, we just need to be sure of what we are doing because we cannot agree to be rubberstamping things that have already been done.

Speaker: As we proceed, Hon. Members, I think perhaps we need to request the Hon. Member who presented the rumour that he has heard whether there are any tangible reasons why the rumour should be believed or trusted. Secondly, you have asked me whether we have a stake once we have approved this name. The fact that we have the ability to approve means that we have the ability to disapprove. So, this House holds two sides of the sword, but I would like to request Hon. Ndiritu to clarify the matter; whether it is something tangible that can be relied on or not. I would like Hon. Ndiritu to shed just a little bit more light on his matter. Give him the floor, please. Let him just respond.

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Hon. Stephen Ndiritu: Asante, Bwana Spika. Nafikiri nilisema vizuri ya kwamba ni uvumi nilisikia na nikasema siwezi sema kama ni ukweli ama uongo kwa sababu mimi sikuhudhuria. Wale walihudhuria, wewe ukiwemo, ndio wanaweza kusema kweli waliona. Kama tutampitisha huyu mtu nawe ulikuwa hapo na alipewa bali hukuona, basi tunatilia shaka mambo mengine. Tunachanganyikiwa kwa sababu kama kitu kilifanyika hapo basi kitatuletea shida. Pili, tukimpitisha Dkt Allan Mugambi hapa hakuna vile tunaweza kurudi nyuma tena na kuukataa huo mswada. Nimesema kwenye mapendekezo; hii ni ripoti yangu. Ni dhahiri sana na nitarudia kusoma kwenye ukurasa wa 12. Ndiyo, kuna huo uvumi bali nasema. Nitasoma;

'Pursuant to Section 9(2) the County Assemblies Act, 2017, the committee recommends that this House approves the nominee'

That is our recommendation Mr. Speaker. We are not saying that Dr. Mugambi is not fit. He is fit and qualified but we are questioning the process because appointment is a process but not an event. Thank you.

Speaker: Hon. Lempaira did you finish?

Hon. Nicholas Lempaira: There was an invitation letter that was sent to you inviting us for the event and I don't know whether you have it in soft copy. If you do, kindly read to us whether the Chairperson nominee for LCDA was mentioned anywhere. I also want to be on record that having heard what the Chairperson for the Finance Committee said, I wish to say that I oppose the nomination of Allan Mugambi. Whether I have got one vote, let it be on record.

Speaker: Thank you, Hon. Lempaira. Sentiments respected.

Hon. Paul Leshuel: Thank you, Mr. Speaker. I am privileged to be in that committee that vetted Mr. Mugambi. He is a candidate who is suitable for this position as a fact. We may punish somebody on behalf of another and so this person fits this position but the problem lies on the process. We do not want to mislead this House because by approving this name that will be the end.

Mr. Speaker, 90% of rumours are true. The reason why we have devolution with two arms of the government is a clear indication that we cannot have one government with one structure. This is what we call checks and balance. I can see some indications that some of the systems of this government are not working and I want to go into record. If at all systems are not working and the whole Assembly very energetic and youthful, who went to school and are seated here are watching things working unprofessionally, then we must be punished for that.

Mr. Speaker, the priority of this county according to the budget is the Health Department but as we speak here, that department is the most problematic department and I can speak without any doubt. One ambulance that we had in Doldol has been brought to Nanyuki reason being that the Nanyuki one is not working with a big allocation of money.

So, the role of the Assembly is oversight, representation and approvals of adoptions of the relevant names and plans. If we fail on those ones, then we have got no business in this House at all. For now, it is only rumours and we cannot deal with rumours. What is the role of the Assembly? We have got very strong people who do research…

Speaker: What is it Hon. Anthony?

Hon. Anthony Theuri: I am standing on a point of clarification and my apologies to Hon. Paul Leshuel. I just received a call from outside that it is true that Dr. Mugambi was present that day but he was just supporting others who were being sworn in but did not receive

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any letter. Those are just rumours and everything being done here is correct. He was just there to offer moral support to other leaders but did not receive any letter.

Hon. Paul Leshuel: Thank you, Hon. Deputy Speaker for the clarity. Mr. Speaker, that is fair. I want to tell this House that we must do very serious research because we have got very skilled people in this House. Before we discuss anything here or if rumours happen to go around, let us have people who are very quick to understand what is happening. It would be very unfair and we cannot use the privilege we have given this House to discuss other people who are not here. The law clearly states that we can only discuss a person who is seated here so that he /she can be able to respond. If that is not the case, then that proposal must be approved by the HBC so that it would be an official discussion.

That is why I am saying that we need to understand the role, the procedure and the way forward on issues so that we do not come here and say that we need to approve Mugambi's name and again revoke it. That would not be possible. I support Mr. Mugambi because he is the suitable person for this position.

Speaker: Thank you, Hon. Leshuel. I can see that many Members are ready to speak but I would like to refer all of us to Standing Order No. 88(1) and I am going to read;

(1) *'A Member shall be responsible for the accuracy of any facts which the Member alleges to be true and may be required to substantiate any such facts instantly.'*

(2) *If a Member has sufficient reason to convince the Speaker that the Member is unable to substantiate the allegations instantly, the Speaker shall require that such Member substantiates the allegations not later than the next sitting day, failure to which the Member shall be deemed to be disorderly within the meaning of Standing Order 108 (Grave Disorder) unless the Member withdraws the allegations and gives suitable apology, if the Speaker so requires.*

Hon. Stephen, I would like you to further clarify if you have got evidence of such rumour so that we do not remain in a quagmire discussing the same thing repeatedly.

Hon. Stephen Ndiritu: Asante, Bwana Spika. Mimi ndiye mwenye Mswada na nimesema ya kwamba ninataka tumpitishe Daktari Mugambi. Nimesema ya kwamba nimesikia fununu lakini sijasema ya kwamba imefanyika na kwa hivyo, hapo kuna tofauti ya kusema imefanyika na fununu za kusikika. Kwa hivyo sina uhakika. La pili ningetaka kusema katika hili Bunge ya kwamba nimefanya utafiti wangu na nimeingia katika kila kona na kutumia ujuzi wangu wa kutembea kwa miguu na pia kwenda juu ya hewa na kujua ya kwamba Daktari Allan Mugambi alikuwa katika mpangilio ya wale ambao walikuwa wapate barua na wapate kuapishwa.

Lakini alipoenda kuchukua barua kwa sababu alikuwa ameinuka, hakupewa barua lakini alipewa tu karatasi ili ionekane kama ni barua ili asipate aibu. Kwa hivyo, nataka kusisitisha ya kwamba Daktari Mugambi alipewa kijikaratasi lakini hakupewa barua. Asante. Kwa hivyo nimeomba msamaha na nimeondoa hayo maneno.

Speaker: Thank you. Withdrawn. I don't think there is much to talk again.

Hon. Simon Kanyutu: Mr. Speaker, I wish to give a warning. There is an Hon. Member who stated something, I don't know whether he was there but you Mr. Speaker were there. Anything can happen but later along the way, the repercussions might be tough and by the end of the day you might start regretting that you were not properly informed. I am not

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aware of whatever is being said but if it ends up to be true, the repercussions may touch some of us who are in this Assembly. Thank you.

Hon. Parleto Lekopien: Thank you, Mr. Speaker. I stand in support of the motion. It is so sad that as a House of law and order, we bring rumours that we are not sure of. I would want to categorically tell the Hon. Member who has just said that he heard, that is not true. Since you do not have tangible evidence in this House, we do not approve that because it is hearsay and I would urge all the Members to agree and support the motion so that we can move forward and ensure that Mugambi is approved and delivers to the people of Laikipia. On that note, thank you, Hon. Member for apologizing and withdrawing the statement. In this Moment I would ask every Member here to please support Mugambi and make sure that the Laikipia people are proud of us and the services of Dr. Mugambi.

Speaker: Thank you, Hon. Members. You are speaking thrice to the motion and I will allow you one more time.

Hon. Nichloas Lempaira: Thank you, for giving me an opportunity. We must seek some clarifications and it is bad that the committee had the opportunity to prove all the rumours they have heard there and that is why there is the process of approval. Coming here to tell us here that it is hearsay, that raises a big question. I want it to be on record that we have got no issue with Mugambi but with the process. If he had been given the letter because he cannot be given a plain paper in the name of he will be given another one later, it is true that the Chairman is confirming to the House that letters were given because if it was a dummy check, it is already a check.

If we were to approve Mugambi, I think we will have to approve him with doubts of the process and Mr. Speaker this will be on your desk and not us. You have got an opportunity to make a decision and advise us whether to clear the rumours and approve or approve with the rumours. We will be setting a precedence that tomorrow anyone can be given a letter out there and the we come here and rubber stamp. That is why I said that it is because of the process and therefore I still stand to oppose the appointment of Allan Mugambi. Thank you.

Speaker: Thank you, Hon. Members. I now take this opportunity to invite the mover of the motion to reply.

Hon. Stephen Ndirtu: Asante, Bwana Spika. Kwanza ningetaka kuwashukuru Wajumbe wote ambao tumeweza kuchangia huu mswada wa kupitisha Daktari Mugambi, ambaye nilisema ya kwamba ni mweupe kama pamba. Nikasema na pia Wajumbe wengine wakasema ya kwamba Daktari Allan Mugambi ni mtu ambaye atayefanya kazi na ashawahi kufanya kazi na pia anajulikana.

Bwana Spika, kusema ya kwamba mtu aliingizwa kwa mpangilio na akaitwa, hata tukienda kwa mpangilio, aliitwa kwa hiyo orodha ya kula kiapo lakini hakupata barua. Hiyo ndiyo nimesema ya kwamba nimedhibitisha ya kwamba alikuwa kwa mpangilio, aliitwa na kuinuka lakini alipooenda pale alipewa karatasi bure kwa sababu hajapitishwa. Kwa hivyo, ni vizuri pia nasi tuwe makini na nilikuwa nimesema hivyo mbeleni kwa sababu kama wale ambao walikuwa hapo hawangeelekeza aliyestahili ya kwamba hafai kufanya vile, basi ingefanyika na hayo hayangekuwa makosa yetu au ya Allan.

Nilisema ya kwamba uteuzi ni utaratibu bali sio hafla na kama makosa ingetokea, ni lazima tuwe makini. Bwana Spika, ulikuwa mahali pale na pia Wajumbe wengine walikuwa pale na waliona. Kama wanaweza kumbuka na wasidanganye Bunge, watasema ya Kamba waliona akisimama lakini hawajui kilichoendelea. Mimi ninajua na kwa sababu yule hakuwa

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mtu wa kuapishwa bali ni kupewa tu barua ya kuweka kwa mfuko, hapo ndio pengine ingetokea.

Bwana Spika, mimi naomba hili Bunge tuwe makini na tuwe tukiangalia mambo kama hayo inapofanyika. Nitaomba mwenzangu, Mheshimiwa Lempaira ambaye ni kiongozi shupavu na nimkubushe na uniruhusu nipeane msemo kwa kingereza ya kwamba *it is only a fool who does not change his/her mind.* Kwa hivyo, ningeomba Mheshimiwa Lempaira na kwa sababu yeye sio mjinga bali ni mjanja na yuko na ujuzi na hekima, awachane na hayo na aje kwa hii laini ili tupitishe huyu kwa roho safi.

Mheshimiwa Lempaira na pengine wale ambao wangekuwa na mawazo tofauti kidogo, nawaomba mturuhusu tumpitishe Daktari Allan Mugambi kwa nafasi ya Mweneyekiti wa Laikipia County Development Authority. Asante.

(Question put and agreed to)

ADJOURNMENT

Speaker: Thie sittings of this House now stands adjourned until tomorrow Wednesday, 30th August, 2023 at 9.00 a.m.

The House rose at 3.50 p.m.

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