COUNTY ASSEMBLY OF LAIKIPIA

OFFICIAL REPORT

Thursday, 10th July, 2013

House met at 2.30 a.m.

[The Speaker, Mr. Mariru is the chair]

PRAYERS

PAPERS

[Leader of the Majority]

Mr. Speaker Sir, I beg to table the 3rd Report of the Committee on Appointments of the vetting of the County Public Service Board member nominees.

(Tabling the Report)

NOTICES OF MOTION

[Leader of Majority Hon. Wachira]

Mr. Speaker Sir, I want to move a motion;

> **THAT**, this House adopts the Minutes of the County Assembly Board tabled on Wednesday 10th July 2013.

Speaker: Just to be clear, you are saying that this House adopts the 3rd Report of the Committee on Appointment.

MOTION

[Leader of Majority Hon. Wachira]

> ***THAT,*** *this House adopts the 3rd report of the Committee on Appointments on the vetting of Members of County Public Service Board tabled in the House on Wednesday 10th July, 2013.*

Speaker: Leader of Majority, you have tabled the report then given a notice and now you have moved the motion. You have an opportunity to talk about that report.

Leader of Majority: Mr. Speaker Sir, we did vetting on the names presented to this Assembly on the day before yesterday and the report was made on the same, written yesterday on the vetting of the following Members.

Speaker: Hon. Mwangi, Point of Order?

Hon. Mwangi: Thank you Mr. Speaker. The motion that the Leader of Majority is trying to move reads;

> ***THAT,*** *this House adopts the 3rd report of the Committee on Appointments on the vetting of Members of County Assembly Board tabled in the House on Wednesday 10th July, 2013.*

I happened to be a Member of this Committee and whatever we are dealing with is not County Assembly Board. Thank you, Mr. Speaker.

Speaker: That is very important Hon. Mwangi. That is quite a precise eye on that. May I give two minutes to the Committee Members so that they can consult and Clerk, you can also help to rectify that motion because it is already on the table.

(Consultation)

Leader of Majority: Mr. Speaker, Sir I beg to apologize because there was a typing error on the same, the motion reads:

> **THAT,** this House adopts the 3rd report of the Committee on Appointments on the vetting of Members of County Public Service Board tabled in the House on Wednesday 10th July, 2013.

Mr. Speaker Sir, the Members I was speaking about were vetted on Monday, a report on the same was written yesterday and I beg the Members to support the same as the Committee on Appointments did the job without favour or discrimination.

The Names are:

Mary Wairimu Mutonyi	-Ngobit
James Ndirangu Kung'u	-Igwamiti
Esther Nyaguthii Wanjau	-Umande
Naftali Githua Karangu	-Igwamiti
Adan Mohammed Guracha	-Nanyuki
Petro Oshumu Ole Santa West	-Mukogodo
Saaya Tema Karmushu East	-Mukogodo

The vetting was done according to the Public and County Public Service Board Acts and I now request Hon. Mwangi Maruga to second the same.

Hon. Mwangi: I stand to second.

Speaker: Members I wish to pose the question:

> ***THAT,*** *this House adopts the 3rd report of the Committee on Appointment on the vetting of Members of County Public Service Board tabled in the House on Wednesday 10th July, 2013.*

I think after some general deliberation by the Members; Majority Leader, you may want later to go to specific persons. I will like the Members eventually to make their decision be known by each person. For now the floor is open for Members.

Hon. Mukuria: Thank you for this opportunity. I stand here to oppose this motion today because I think Hon. Members seem not to be prepared for this motion. There is a tension in this House because these names seem to be new even to me. Although I was not there in the previous meeting, I beg the House to give us more time so that we can check and deliberate this motion. I think there is no regional balance and I beg to oppose it and we should be given more time to see how these particular people were vetted. Thank you Mr. Speaker, Sir.

Speaker: Hon. Kinyua.

Hon. Kinyua: Asante Bwana Spika, mimi langu ninaweza kusema nimekataa haya majina yote kwa sababu nikifanya utafiti kulingana na hizi viti, inaonekana ya kwamba yale maeneo ambayo yalitolewa wale watu, ni yale tu maeneo yametolewa watu tena. Na nikiangalia hizi majina naona ni kama kabila moja limechaguliwa ndilo limemulikwa kwa sababu ni wanne kwa wawili.

Speaker: Hon. Jacob, are you point of Order?

Hon. Jacob: Yes, Mr. Speaker Sir, I see all the tribes here. I do not see why the Hon. Member is saying all tribes are not presented here. There is a Turkana, a Kikuyu, a Borana and a Maasai. The issue is not about tribe Mr. Speaker, Sir. Thank you.

Hon. Kinyua: Bwana Spika, hii ni hoja kwa sababu nimeangalia na nikasema majina ni saba lakini manne ni kutoka

kabila moja na pia kuna maeneo mengine hayajapata mtu yeyote kama Thingithu.

Hon. Jacob: Sijui kwa nini mheshimiwa anasisitiza jambo moja. Hapa hatutaangalia maeneo, tunazungumzia Kaunti nzima. Nikiangalia katika eneo la Sosian, hakuna mtu wa Sosian ameajiriwa.

Speaker: Member for Marmanet.

Hon. Mukuria: Is it in Order for one Member to say that we do not represent the wards? Can he clarify that he is not here to represent the ward? Thank you.

Speaker: I think the point is clear, let's give Hon. Kinyua time to finish. Hon. Kinyua you can see how you are raising the issues. Please conclude your contribution.

Hon. Kinyua: Yangu ni kumalizia na kama nilivyosema inafaa iangaliwe makabila yaliyo Laikipia kulingana na uwakilishaji. Si vizuri watu wanne watoke katika kabila moja na wengine kabila zingine.

Speaker: Let's start from here. Hon. Wakahiu please.

Hon. Wakahiu: Thank you Mr. Speaker. As per the Hon. Member who was reading out the names, Hon. Mukuria was suggesting and I want to support his stand that most of us were not aware of what was happening and now we just got the report. On the issue of representation; that is, 7 positions cannot represent 15 wards but there were other wards represented when the Executive Members' Committees were being approved and so I will support the House to be given time so that we may also go through all these instead of trying to remove these names from the list or else we approve without our knowledge. I will support, Mr. Speaker, Sir that we be given time so that we consult. Thank you, Mr. Speaker.

Speaker: That point is noted and I think we will come back to that. Hon. Beth.

Hon. Beth: Thank you Mr. Speaker, Sir. I stand to oppose this motion because there was no gender representation. Out of the 7 positions, we need at least 3 women to be given positions although I would like to thank that Committee on Appointments. I would also like to urge the Committee and the Members that this is the chance to give Laikipians job opportunities because there are some foreign people who have come here to look for jobs, let them go and search for jobs from their Counties and not Laikipia because we have learned people. Thank you.

Speaker: Hon. Members, let me give some directions. Hon. Mukuria and Hon. Wakahiu have raised some issues about withdrawing this motion. On the level of the notice of motion, the sponsor or the proposer may have withdrawn, I did not actually put the question, but I did actually propose the motion. When you proposed the motion, that motion ceases being a property of who proposed. In this case, this motion ceases to be the motion of the Committee on Appointments and becomes the motion of the whole House and therefore this motion could not be withdrawn as easily as it could be if it was at Notice of Motion Level. I will like to read Standing Orders No. 55, that reads;

> *After the question has been proposed on a motion, the motion shall be deemed to be in possession of County Assembly and the motion shall not be withdrawn without the leave of County Assembly.*

What that means is that if this motion has to be withdrawn you have to decide on that. I will therefore, like to propose that question as proposed by Member for Marmanet that this motion be withdrawn

and then be reintroduced to this House another time. Six (6) months requirement cannot apply on this if this House resolves that this motion be withdrawn so that it is reintroduced back when the House Business Committee makes that decision. So I would like us to discuss about the withdrawal of this motion and I would like to propose:

> ***THAT**, this House adopts the 3rd report of the appointment of County Public Service Board Members tabled in the House on Wednesday 10th July, 2013.*

That motion be withdrawn. I will like the Members to contribute on that specific motion. Member for Nanyuki.

Hon. Kimondo: Thank you Mr. Speaker, Sir. I have heard the sentiments of the Members and I will urge the Members to let the motion continue. If you actually feel that there is a certain name that you feel you are not contented with, we can drop the name but let the motion continue. Thank you.

Speaker: Hon. Lebeneiyo.

Hon. Lebeneiyo: I would like to support what the Deputy Speaker has said and on the other hand ask the Hon. Member of Marmanet, because I could not understand why he said that we need more consultation on this motion since these names were actually advertised in newspapers. It also went to a point where the nominees went for an interview, names have been shortlisted, sent to the County Assembly Committee and we did the vetting. So I do not know what this consultation is all about. I ask Hon. Mukuria to tell us if that was not the way and the right procedure to get these names and what type of consultation does he want?

Speaker: Member for Marmanet.

Hon. Mukuria: In my conscience, I hate doing something which I will later regret. Do you want the House to drop the names of these people with our own conscience because I can read the mood of the House and I feel that instead of punishing people who could have been supported I disagree with this kind of a motion. It is better if the House could be given enough time instead of saying that I was not given ample time to understand. So I was requesting the House instead of dropping these people and the Committee has done its work, why don't you give us time to understand this instead of dropping these people? That's my request; let us go in an Orderly manner because I know it might punish some people. Thank you.

Speaker: Let us have Hon. Mwangi and then Majority Leader and Minority.

Hon. Mwangi: Thank you Mr. Speaker. I stand to oppose the deferring of this motion and before the vetting, there was an advertisement that was put in the National Newspaper and still there was an advertisement by County Assembly requesting anybody who had issues with Members that were about to be vetted to bring that petition to the Committee and there was none. We should be time conscious and continue with the business. For the motion, I think the Members fear one thing; that by adopting this motion they will have adopted the report. I will seek your indulgence your Speaker that we scrutinize each name at a time and see the way forward.

Speaker: Leader of Majority, you cannot speak twice, but because you are a Member of this Committee I will give you a chance.

Hon. Wachira: Thank you Mr. Speaker, mine is just to say that we continue with

this motion. Hon. Speaker Sir, as I support the sentiments of the Hon. Member who has just spoken, the names in this motion were read in this House and the same names were advertised in the newspapers. You gave the mandate to this Appointment Committee to go and vet the applicants. We would not have sat in this Committee all of us and that's why you gave us this mandate. The Committee is chaired by the Speaker, me as the Vice Chair plus other two Members.

If you have no confidence with what we are doing and if you have vested interests in these names, you could have done so because you had the time and everything else at your disposal and this is why the names were put in the newspapers to bring any information about the names to the Committee. If Members you did not submit or send your affidavit or send any body to come and say the same, sorry Members unless you have vested interests on other matters. Saying that we have not scrutinized these names, why did you appoint this Committee on Appointments? There are so many appointed Committees…

Speaker: Order Member! Majority Leader, there is a point of Order from the Member of Marmanet.

Hon. Mukuria: Thank you Mr. Speaker. I do not know why the Majority Leader is annoyed in the House; he should understand that we have come here to get the right people. Please Majority Leader, note that it is not a must that we pass what the Committee has said.

Hon. Wachira: Mr. Speaker Sir, we have not gone to that stage. That stage of passing the names; we have a different motion here.

Speaker: Hon. Kinyua, on a point of Order.

Hon. Kinyua: Leader of Majority hachangii jambo lakini anaonekana kama anataka kutufinyilia tukubali ile jambo analolitaka.

Hon. Wachira: Mr. Speaker everybody is at liberty to throw away the appointees. These are not at my own disposal.

Speaker: Hon. Member, I think what the Members are saying is that all the Members here have the right to say something, so let them not feel like you are pressurizing them.

Hon. Wachira: Am not pressurizing anybody Mr. Speaker Sir, am only contributing to those motions that someone says we adjourn until we scrutinize these appointees. We cannot all fit to that Committee. Thank you Mr. Speaker, Sir.

Speaker: I will give minority Leader and then Hon. Suge. We are talking about the withdrawal.

Hon. Lebeneiyo: Thank you Mr. Speaker. I would actually like to talk as a Member of this Committee. When we are vetting, we represent all the Members before we bring the names. I have heard the Members complaining that we did not look at the geographical balance, the tribes, the gender, youth and disability.

I would like the Members to know that when we were doing the vetting we considered both the gender and youth.

Speaker: Point of Order

Hon. Beth: Is it in Order for Minority leader to stand and support that they looked at gender representation of which we know that there are two women in that list.

Hon. Lebeneiyo: I do not understand why the Member for Tigithi Ward is complaining about the ladies. Has she forgotten that among those seven people

we need to talk about gender, youths and the disabled? Have you forgotten all those? You have to let all…

Speaker: Point of Order

Hon. Dann: Thank you Mr. Speaker Sir, is it in Order for Minority Leader to convince us that they were not biased while we know each of them in that Committee have people from their Wards. The Majority Leader has a person from Ngobit; Hon. Mwangi has a person from Umande, the Minority Leader has a person from Mukongodo West, while us who are not Members of that Committee , we don't have Members.

(Several Members stood in their places)

Speaker: Order Order Hon. Members! I know this issue is hot but we must always be reminded that we are in an Honourable House and we are in the glare of the public in all what we do.

Hon. Wachira: Point of Order Mr. Speaker.

Speaker: Order Member! I really must give you a chance to respond and I know there are so many points of Orders; I will be controlling them so that we progress. Majority Leader it must be a point of Order.

Hon. Wachira: Thank you Mr. Speaker Sir, I want to remind the Member who has spoken that we have vetted so many appointees in this Assembly and…

Speaker: What is your point of Order?

Hon. Wachira: My point of Order is that, he has mentioned that there is one member from my own ward. Can I remind the Hon. Member that we have vetted so many Members and appointed many in this House there before and none came from my ward and I did not complain.

Speaker: Okay Hon. Member, now you are making a contribution rather than giving a point of Order. That is noted Hon. Members that we all have done appointments before so there are no vested interest here, we are all equal as Hon. Members. Allow us Hon. Mwangi, must you really get to this point of Order but anyway please proceed.

Hon. Mwangi: Thank you Mr. Speaker is it in Order for the member for Olmoran to stand and say that a member from Umande has a person in that Board, while he knows very clearly the appointing authority is not Hon. Stephen Mwangi Maruga and I have…

Speaker: Okay, I think I have made a ruling on that, that the Hon. Member for Olmoran cannot link an individual member to an appointment because here we are a House, we are not on individual capacities so Hon. Mwangi don't worry. I have addressed that and I have told the Member for Olmoran not to come to that level.

Hon. Mwangi: Mr. Speaker, allow me to finish just three words.

Speaker: Which words?

Hon. Mwangi: That he should withdraw that statement.

Speaker: Hon. Members, let us not force him to withdraw that statement. I think he has gotten the point that he should not link a Hon. Member to an appointment because we are dealing with this as a House. I think he is condemned enough. Minority Leader, please proceed.

Hon. Lebeneiyo: Thank you Mr. Speaker, Sir but I will like to bring to the attention of the Members that we did not actually go in to tribalism or that kind of a thing, but we were looking for professionals to make our County go further. I would like the Members to know that we are now not

supposed to think at Ward level, we are here as County representatives to represent the whole County. So please open up your mind and think of Laikipia as a whole not as a ward. Thank you, Mr. Speaker.

Speaker: Hon. Suge, I had promised to give you a chance.

Hon. Suge: Thank you Mr. Speaker, I stand to oppose the Motion of today and propose that we should be given enough time to go through these names because according to my observation, constitutionally these names or the motion should not proceed today.

One of the reasons is the diversity which has not been considered in this report and also gender representation, Mr. Speaker. The constitution is very clear that two thirds of every Committeeshould be gender balanced.

Secondly, Mr. Speaker Sir, we have representatives of the people…

Speaker: Order Hon. Mwangi, it must really be a point of Order.

Hon. Mwangi: Thank you Mr. Speaker, is it in Order for the Hon. Member from Rumuruti to tell us to withdraw the motion as if when we withdraw we will be able to equalize that gender factor? Remember we received the names from the Executive and we cannot introduce other names apart from the ones that are in this report. So is in Order for a member to say we differ so that we can just insert other people? Thank you.

Speaker: I hope that is not what Hon. Member meant so that he can introduce new names.

Hon. Suge: Thank you Mr. Speaker, Sir. I do not see why Hon. Maruga is pressurizing the House that this Motion should be approved today. I am not the one who made up the constitution which is very clear and it should be followed.

Thirdly, Mr. Speaker Sir, we the representatives of the people…

Speaker: Is it a point of Order Let's hear from the Minority Leader.

Hon. Lebeneiyo: Thank you Mr. Speaker Sir, there is this thing the member says we have not looked at the gender…

Speaker: What is your point of Order?

Hon. Lebeneiyo: Gender representation.

Speaker: I think we have addressed that severally. Your position now is known in this House around that matter, so Hon. Suge now finish.

Hon. Suge: Mr. Speaker Sir, I wanted to say the regional balance is not considered. I don't see the reason as to why there are two people from one Ward Mr. Speaker, Sir whereas there are some few wards which are not considered even for the Executive and even this period they have not been considered.

Speaker: Point of Order Hon. Jacob.

Hon. Jacob: Asante Bw. Spika. Ninaona vile Mhsw. amesema kuna watu wawili kutoka Igwamiti. Hatujasoma ripoti ili tuelewe ni nani ameangushwa na ni nani hakuangushwa. Kwa hivyo wale wako hapo ningewaomba mpitie hiyo ripoti kuliko kuangusha huu mswada. Asante.

Speaker: I want those two Members who have stood to contribute; whether the motion should be withdrawn; I want to put up the question so that we can proceed. Hon. for Igwamiti and then Hon. for Olmoran.

Hon. Kabaci: Thank you Mr. Speaker. I beg to propose that this House adopts the report of the Committee and I disagree with my colleagues that we withdraw the

motion just because of some reasons. Mr. Speaker, these posts were on competence basis and as some of my colleagues have said, the names were listed on the newspaper after being proposed by H. E.

After listing there came the shortlisting from very qualified people, Mr. Speaker and I think they did their job and after that it went to the Committee, a very Hon.oured one, that one of appointments which we have constituted in this House. Therefore I would like the Hon. Members to respect all those bodies where those names have passed and should be respected highly.

Mr. Speaker, there is the Hon. Member from Tigithi who is claiming that we must balance the genders in all the posts. The constitution is clear but I would like to be guided by this House. For instance, the way those posts had been advertised and whether the ladies failed to apply or those who applied were incompetent to qualify? What can that Committee do Mr. Speaker? I would like to be guided Mr. Speaker, Thank you.

Speaker: Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker, I stand here to support the motion for withdrawal. Mr. Speaker to avoid more controversy the Constitution is very clear that we should have two thirds gender balance and two people out of seven is not two thirds. Therefore Mr. Speaker, we are breaching the Constitution and therefore I support that we withdraw the motion.

Speaker: Hon. Members, I have to put the question now. The motion that is on the floor now is that;

> ***THAT,*** *this House adopts the 3rd report of the Committee on Appointments on the vetting of Members of County Public Service Board tabled in the House on Wednesday 10th July, 2013.*

The Member for Marmanet has proposed that this motion should be withdrawn from this House and be reintroduced at a later date, of course as it will be dictated by the House Business Committee. The motion we have been deliberating now is whether this should be withdrawn or not. I would like to put the question;

> ***That****, this Motion that I have just read be withdrawn.*
>
> ***(Motion Negatived)***

In that case Hon. Members, just top guide the next step. I think it will be important for the Majority Leader to go to specific nominees or appointees. Hon. Members, if it is okay I propose that the Majority Leader reads every section of each nominee and then we will have a discussion and then I will put the question. Majority Leader, would you want to start with the first one?

Hon. Wachira: Mr. Speaker Sir, this is the Committee's mandate.

Speaker: I think you can read from page 5, that is Mary Wairimu Mutonyi as the first nominee. You just read that section, the recommendation and then you give a chance to the Members to deliberate.

Hon. Wachira: Mr. Speaker, I now present to the Members the names as per the interviews.

Mary Wairimu Mutonyi appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson: -

a) That despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received.

b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

In her submission she stated that;

- She would ensure that all Human Resource issues will be handled professionally and that she would endeavor to ensure that the Human Resource composition within the County will respect diversity in terms of gender and ethnic balancing.
- She would establish sound criteria through a consultative process when establishing and abolishing offices.
- She would initiate a process of change of mind set among the staff of the County in Order to inculcate core values such as stewardship and entrepreneurship.

The Committee having considered her Curriculum Vitae and her oral submissions during her vetting exercise /interview had the following observations:-

- She was born in 1962 in Nyandarua and is a resident of Ngobit.
- She holds a Bachelor of Commerce (Insurance option) University of Nairobi and MBA in Entrepreneurship from KEMU.
- She is currently pursuing a PhD from the Kenyatta University.
- She has worked with Postal Corporation among others.
- She was very articulate on the interview questions, confident and good communication skills.
- She was conversant with her expected mandate/ roles.

The Committee found the nominee suitable for appointment as the Chairperson of the County Public Service Board.

Thank you, Mr. Speaker.

Speaker: Before I put the question, I would like to put to the floor that the Committee found the nominee suitable for appointment as the Chairperson of the County Public Service Board.

I would like to open it to Members to discuss before I put the question.

Hon. from Igwamiti.

Hon. Kabaci: Thank you Mr. Speaker, I would like to support Madam Mary Mutonyi to be confirmed as Chairlady of the Board and as I can see from the Committee on Appointments they approved that she is competent and she will play a great role in that board. So I support her to be the chair person. Thank you.

Hon. Jacob: Mimi naunga mkono Bi. Mary kwa sababu Kamati imeangalia vile amesoma na mahali amefanya kazi. Asante.

Speaker: I want to give more time to this matter. I don't want to hurry. Members, I would like to put the question;

> ***THAT**, Mary Wairimu Mutonyi be appointed as the chairperson of the County Public Service Board.*

(The Speaker is not clear the side that won)

Hon. Members, this is interesting. I think the Standing Order No. 68 comes to effect and it is important for the Members to always refer to the Standing Orders. If any instance the Speaker is not clear which side that actually won, the Speaker shall direct a roll call to be taken if a member claims a division and

a) The Speaker considers there is a reasonable doubt as to the outcome of the vote in question or on a question other than a question of procedure five or more Members rise in their place to support the member claiming the roll call division.
b) 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 on any question.

In that case I want to put the question again in light of that understanding;

> ***THAT**, Mary Wairimu Mutonyi be appointed as the chairperson of the County Public Service Board.*

(Motion Negatived)

Majority Leader you may go to the second one.

Hon. Wachira: The second one was;

James Ndirangu Kung'u appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson:-

a) That despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.
b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

In his submission he stated amongst others that;

- He would endeavor to advice the Board on all matters pertaining to Human Resource within the County.
- He would effectively implement the Board's decision.
- He would initiate through the Board a Human resource audit to establish the capacity gaps of the staff within the County in Order to inform subsequent remedial action.

The Committee having considered his Curriculum Vitae and heard his oral submissions during the vetting exercise /interview had the following observations:-

- Comes from Nyahururu in Igwamiti Ward.
- Completed his CPS in 2007 and works as a consultant in Nyahururu town.
- Did not appear to understand the mandate of the Secretary's in the County Public Service Board. Further, he could not clearly show the link between the County Public Service Board and the County Assembly.
- He did not convince the Committee that he was a team player judging from his oral submission.

The Committee found the nominee NOT suitable to be appointed as the Secretary for the County Public Service Board.

Speaker: I would like to propose the question that James Ndirangu Kung'u is not suitable to be appointed as the Secretary for the County Public Service Board. Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker. From the findings of the vetting Committee, it is very clear that the applicant did not appear to understand the mandate of the docket he had applied for and he never convinced the Committee to be a team player and therefore Mr. Speaker, I support that he is not suitable for the position. If we want to see a Model County, we should look for competent people to employ, Mr. Speaker. Thank you.

Speaker: Yes, Member for Nanyuki.

Hon. Kimondo: I want to commend the Committee that did that good Job. I happened to be in that Committee as an observer and actually the way I saw the Committee doing the job was good. I saw that this person was not competent and as I read your report you also found the same and I agree fully with the Committee. Thank you.

Speaker: Member for Igwamiti.

Hon. Kabaci: Thank you Mr. Speaker, I also take this chance to thank the Committee but am sorry I was not in that room on that day and I think the Committee did not see him unsuitable in that position just because I had two Members from Igwamiti Mr. Speaker. Otherwise the rumours…

Speaker: Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker, through the chair we should not rely on rumours in this House, Mr. Speaker.

Speaker: Member for Igwamiti, you are just being reminded to avoid relying on rumours but you may proceed.

Hon. Kabaci: Mr. Speaker, thank you Hon. Member but Mr. Speaker I would kindly ask this House to let that person to be given another chance when the list comes for him to be vetted again Mr. Speaker. Otherwise, as everyone knows in any examination room there comes a time when somebody is shaken or you are just scared by the questions Mr. Speaker. So I request this House to give another chance to that person when you will be vetting once again. Thank you.

Speaker: Member for Salama.

Hon. Wakahiu: Thank you Mr. Speaker. I want to recommend the findings of the Committee on Appointments on the issue of this member, James Ndirangu Kung'u. If we consider our wards we will end up employing people in this County who are dropouts and according to the recommendations and the findings of the Committee, it is important to see the CV of this applicant, he is not qualified for this job. I support the Committee that this person is not suitable for the position. Thank you.

Speaker: Let us have Hon. Suge then I will put the question.

Hon. Suge: Thank you Mr. Speaker Sir, first I would like to thank the Committee that did the vetting and also this process of the interview. According to the report of this Committee, they found that Mr. James Ndirangu did not understand his mandate and that's why the Committee recommended that he is not suitable to serve in this office, Mr. Speaker, Sir.

Secondly Mr. Speaker Sir, I would like to urge my colleague here Hon. Kabaci that once a person has failed in an interview, there is no second chance so if he is supporting Mr. Kung'u to come back for an interview there is no room for that once a person has failed, he has failed unless Mheshimiwa wants to mislead this House. Thank you.

Speaker: I would like to put the question,

> ***That,*** *James Ndirangu Kung'u is NOT suitable to be appointed as a member of County Public Service Board.*

(Motion agreed)

Hon. Wachira: Mr. Speaker, Sir the next appointee was;

Ms. Esther Nyaguthii Wanjau appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson:

a) That despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received.

b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

She stated to the Committee among others things that she;

- Would enhance performance management as a key management strategy in Order to enhance delivery of service.
- Would ensure objectivity in discharging her duties.
- Would bring a wealth of experience from the Civil Service.

The Committee having considered her curriculum vitae and her oral submissions during the vetting exercise /interview had the following observations:-

- She comes from Umande Ward and holds a Bachelor of Commerce Human Resource option and a master's degree in Human Resource Management from Catholic University of Eastern Africa.
- Has worked as a Secretary in the civil service among others.
- Was clear and precise in her presentation.
- She is ambitious in life.

The Committee found the nominee suitable for appointment as a member of the County Public Service Board.

Speaker: I would like to propose the question;

> ***THAT,*** *Esther Nyaguthii Wanjau be appointed as a member of the County Public Service Board.*

(Motion Negatived)

Hon. Wachira: The next Nominee was;

Naftali Githua Karangu appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson:-

a) That despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.

b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

He stated to the Committee among others that:-

- Would endeavor as a member of the board to avoid conflict of interest that may arise between various offices charged with responsibilities of Human Resource oversight.
- Would advocate adherence to the law in discharging his mandate to ensure that no discrimination and other vices that would adversely affect the morale and performance of staff within the County.
- Would recommend to the Board to undertake audit of the offices to determine those to be created and or abolished.

The Committee having considered his curriculum vitae and his oral submissions during his vetting exercise /interview had the following observations:

- He comes from Igwamiti Ward and has immense wealth of knowledge having worked in the civil service and the education sector for several years.
- Is currently the dean of students at Kagumo Teachers College.
- Was well conversant with his mandate and was able to link his role with that of County Assembly.
- Was articulate and conversant with the new constitution and had a sense of belonging to Laikipia County.

The Committee found the nominee suitable for appointment as a member of the County Public Service Board.

Speaker: Thank you Hon. Member, I would like to put the question,

> ***THAT,*** *Naftali Githua be appointed as a member of County Public Service Board.*

Yes, Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker. Following the trend that we have followed from the start, I see that we are being given the qualifications of each applicant but with Naftali Githua Karangu I don't see his qualifications here Mr. Speaker and therefore I challenge the Committee for not writing down the qualifications of the applicant and therefore I think we are not here to give the chances and I will not support the applicant because am not sure about his qualifications. Thank you.

Speaker: Minority Leader.

Hon. Lebeneiyo: Thank you Mr. Speaker Sir, I will like to support the applicant because I am a Member of the County Assembly Appointing Committee and I was among the Members who were in the vetting Board. I would like to tell the Members that we saw his certificates. Hon. Members talking in the real sense, I think we need to take our professionals back home. This member here, Naftali, if you can allow our Hansard People to play our interview with him, I don't know him personally, but I think this is somebody who is important in this County. As we asked questions and his vision for Laikipia it is somebody that I cannot...

Speaker: Yes, Hon. Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker, is it in Order for Hon. Member to tell us about the qualifications of Naftali Githua Karangu verbally? We want a written document Mr. Speaker.

Speaker: I think the Hon. Member, the Leader of Minority is at liberty to add more and so he is totally in Order.

Hon. Lebeneiyo: Thank you Mr. Speaker, I will actually urge the Member for Olmoran that we've got the photocopies of his qualifications of his certificates and anytime if you want, they are there. Thank you.

Speaker: The floor is open before I put the question. Member for Igwamiti.

Hon. Kabaci: Thank you Mr. Speaker, I am of the opinion that Mr. Naftali Karangu be confirmed to that post. From the books Mr. Speaker, I have read that the Committee on Appointment saw him well conversant and was able to link his role with that of County Assembly and since the Committeesaw his qualifications it is good that we support that one for it not to look like a trend for today's business that we are removing all the names of those people. We might end up not getting other people who are not competent and I kindly request the Members to cool down, the mood seems not to be very good Mr. Speaker and I kindly request the Members not to through all the names of those people who have been vetted otherwise they might see as if zero work was done by that Committee Mr. Speaker.

Speaker: Member for Salama.

Hon. Wakahiu: Thank you Mr. Speaker, if somebody is not qualified is not qualified. We don't have the details of qualifications in this sheet. Others those we have gone through, their qualifications are indicated but for this person there are no qualifications so I also stand to oppose.

Speaker: Yes, minority Leader

Hon. Lebeneiyo: Thank you Mr. Speaker, I think the House is at liberty to decide who or otherwise to vote for, for these nominees but I will like to ask the member for Salama, can somebody be a dean of students at Kagumo Teachers College and be unqualified?

Speaker: Hon. Member for Salama it is not an exchange but just give your contribution.

Hon. Wakahiu: I personally, maybe I may not understand the qualifications of a dean but according to what I have said, for the other applicants their qualifications are clearly indicated but for this person we don't have his qualification and that is why am opposing to his appointment because if we argue depending on our areas I will end up bringing somebody from my family because he comes from my place to make sure he/ she is being employed in the County. So when we go for professionalism let us do as it ought to be done. Thank you, Mr. Speaker.

Speaker: Leader for Minority we cannot give you so many times, is there another member? Yes, Majority Leader.

Hon. Wachira: Thank you Mr. Speaker, I am standing here to propose the member. Mr. Speaker, Sir I do not know whether it was a typing error or anything. Members, we saw the papers of this applicant. This member could have not passed all this stages from the very beginning; advertisement, vetting by the first Board, vetting by the Committee, what we did on Monday until this juncture is to come and bring the name here without the supporting documents.

Members, I confirm to this House the documents of this applicant were available when we were doing this. It is only perhaps through the typing error, am requesting Hon. Speaker, can we defer this question together with others who have been dropped so that we bring the name of this applicant plus the name of Mary Mutonyi.

Speaker: There is a point of Order, let us hear the Member for Olmoran.

Hon. Dann: Mr. Speaker, to avoid such errors in future we shall not tolerate that Committee to apologize and tell us whether it was a typing error, I stand firm that we cannot tolerate such errors.

Speaker: Okay, this Honourable House is not just driven to vote Yes or No but you Members are here to always look at the big picture for the betterment of the County. If you reject that is the best interest in view of this House in this County, if you accept the nomination it is the best interest. This House never goes wrong when they have made a resolution but I would like to give the Leader of Majority the benefit of doubts. I would like to let you know that when a vote has been taken you cannot revisit that question unless there is a leave of this House.

So where we have voted that is sealed unless this House takes leave and says it will reopen that, outside that the Speaker is bound, I cannot rule around that, but if this House says let us reopen it, it can but on the question of Naftali Githua Karangu I will like to give Hon. Members the benefit of doubt on what they said. We defer that one and they table the certificates. That notwithstanding, the Members are at liberty to vote the way they want. So Hon. Member you have a few minutes to table those certificates so that the Members can be satisfied in terms of qualifications.

On that Hon. Members, when the certificates are tabled you are at liberty to vote the way you want and the way this House votes is final for the best interest of the County so this House never votes wrongly, if it votes Yes that's the best if it votes No that's the best. Majority Leader with the staff you can table the certificates and the Hon. Members will revisit that but in the meantime let us get to the next person.

Hon. Wachira: Thank you Mr. Speaker, Sir. Let us go to the next applicant;

Adan Mohammed Guracha appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson:-

a) That despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.

b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

He stated among others that;

- As a member he would strongly be guided by the laws in Order to ensure objectivity while executing his mandates.
- Would work within the Board to ensure merits and ethnic balance are some of the aspects to guide him in the recruitment process.
- Would endeavor to ensure that the board related well with other

institutions of the County such as the County Assembly.

The Committee having considered his curriculum vitae and his oral submissions during his vetting exercise /interview had the following observations:

- Hails from Nanyuki Ward and holds a Bachelor of Commerce from the University of Nairobi.
- Has good communication skills.
- Has a strong sense of belonging in Laikipia County.
- Was articulate and precise on interview questions.
- Was able to relate his role as a Board member and that of the County Assembly.

The Committee found the nominee suitable for appointment as a member of the County Public Service Board.

Speaker: Hon. Jacob, you cannot talk before I have proposed a question. Don't be in a hurry.

> ***THAT,*** *Adan Mohamed Guracha be appointed as a member of the County Public Service Board.*

Hon. Jacob: I propose this member because he comes from the marginalized group in this County. Thank you, Mr. Speaker.

Speaker: Tuanze na Mheshimiwa wa Nanyuki tafadhali.

Hon. Kimondo: Asante Bw. Spika. Nawauliza kwa heshima ndugu zangu waheshimiwa tusaidie huyu kijana. Mimi nilikuwa katika hiyo kamati na nilivyomuona ni kwamba ni kijana ambaye anajua, ambaye amejilea kulingana na vile alikuwa akiuliza maswali na ni kijana ambaye anaweza kusaidia Kaunti kwa mambo mengi. Kwa hivyo naomba tumpendekeze Bw. Adan Guracha. Asante Bw. Spika.

Speaker: Mheshimiwa Ole Kaparo.

Hon. Kaparo: Asante sana Bw. Spika. Yangu ni kushukuru ile kamati ilifanya ile kazi. Bw. Adan ni mtu ambaye ninajua kutoka nikiwa mtoto na ni mtu ambaye nimeona kazi yake. Langu ni kuomba wabunge wengine waunge mkono Bw. Adan kwa sababu ni mtu wa bidii na ni mtu ambaye anaweza kusaidia Kaunti ya Laikipia kwa ile kazi yeye atafanya. Asanteni.

Speaker: Hon. Suge.

Hon. Suge: Thank you Mr. Speaker, Sir. I also stand to support for the approval of Mr. Adan Guracha. One he is a Laikipia by birth, he is from Nanyuki town. He is known and he has an experience. I have seen he is a degree holder of Bachelor of Commerce from University of Nairobi. So I stand to support Mr. Adan Guracha as he is the only Nominee from the minority side and the Constitution is very clear that in any appointment the minority should be considered. Thank you.

Speaker: Hon. Lebeneiyo.

Hon. Lebeneiyo: Thank you Mr. Speaker, Sir. On behalf of the Appointing Committee I would like to thank the Members at least for contributing to this one because at the end of the day, we may look as if we are not competent in vetting. Thank you Hon. Members.

Speaker: Hon. Kinyua.

Hon. Kinyua: Asante sana Bw. Spika. Yangu ni kumuunga mkono huyu kijana kwa kuwa ni wa hapa Laikipia na tabia zake zinajulikana vizuri na zaidi ametoka kwa jamii iliyo ndogo na katika viti

vingine ambazo tumeweza kupitisha hapa hatujawahi kupata hata mmoja kutoka kwa hii jamii. Kwa hivyo ni vizuri aweze kupata na naunga mkono.

Speaker: Hon. Mwangi, then I will put the question.

Hon. Mwangi: Asante sana Bw. Spika. Mimi ningependa kuwashukuru wabunge wa bunge hili kwa kukubali matokeo kumhusu Adan Guracha. Kuna msemo wa Kiswahili husema, 'Mcheza kwao hutuzwa' na tusipotuza Bw. Adan Guracha tutamtuza nani katika jamii hii? Ukiangalia katika wafanyi kazi wote wale wako kwa bunge hili huwezi kupata hata mmoja kutoka kwa jamii hiyo. Ingekuwa vyema tungekuwa na yeye katika kamati hii ili atusaidie kufanya kazi na kuendeleza mbele Laikipia yetu.

Jambo lingine ningependa kueleza bunge hili ni kwamba mimi nilihusika katika kuwafanyia uchunguzi na kwa hakika kila mtu katika bunge hili angefurahi sana kufanya kazi na mwenzake ambaye ana heshima na maneno yake si yakuleta vurugu. Kwa hivyo naomba bunge hili limpitishe Bw. Adan Mohamed Guracha. Asante Bw. Spika.

Speaker: I will like to put the question;

> ***THAT****, Adan Mohamed Guracha be appointed as a member of the County Public Service Board.*

(Motion agreed)

Hon. Wachira: The next person is;

Petro Oshumu Ole Santa appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson:-

a) That despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.

b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

He stated to the Committee , among other things that;

- Would be guided by the public interests in recommending creation or abolishing offices.
- He would robustly uphold core values of the County as his guiding principles in the board.
- Would strongly advocate for performance management as a key management strategy, and
- That he would advocate for capacity building where gaps are identified.

The Committee having considered his curriculum vitae and his oral submissions during his vetting exercise /interview had the following observations:

- Has a good and relevant career background as a Clergy and has served in various parishes.
- Hails from Mukogodo West and holds a Bachelor Degree in Divinity from the University of St. Pauls.
- He is partially blind and can only see with one eye thus in a better position to articulate needs of persons living with disabilities within Laikipia County.
- Was very articulate on interview questions and was able to link his mandate as a Board member with that of a County Assembly.

- Being a Clergy he will help to give spiritual guidance to other board Members.

The Committee found the nominee suitable for appointment as a Member of the County Public Service Board.

Speaker: Hon. Members I would like to propose the question;

> ***THAT****, Petro Oshumu Ole Santa be appointed as a member of County Public Service Board.*

Yes, Member for Salama.

Hon. Wakahiu: Thank you Mr. Speaker, I rise to support the approval of Petro Oshumu having seen that he is partially blind and as we have discussed the other persons, this man according to the findings of the Committee is in a better position to articulate the needs of people who live with disability, so I support his appointment. Thank you.

Speaker: Let us start with Hon. Jacob.

Hon. Jacob: Asante Bw. Spika. Naunga mkono Peter Ole Santa. Namwelewa vizuri, najua mahali ametoka na ninajua vile anavyoweza saidia Kaunti hili kwa sababu ya maisha yale amekuwa akikaa huko. Yeye ni mtu ambaye tunajua akifika hapa hakuwa mtu anajiweza, ni mtu ambaye ni kiwete, kwa hivyo namuunga mkono. Asante.

Hon. Kimondo: Thank you Mr. Speaker, I rise to support Mr. Oshumu Ole Santa. He comes from the minority and one of the disabled that we have and actually I am glad that I was in the Vetting Committee as an observer and he is qualified. I urge my fellow colleagues; please can we support this one. He was the returning officer in Laikipia East and he did a good job. Thank you.

Speaker: Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker, I feel so good when reading this CV of Mr. Petro Oshumu Ole Santa, especially the part that says he is a Clergy and he will help to give spiritual guidance to other Board Members. Therefore, Mr. Speaker we need to be guided spiritually and Hon. Members support the appointment of Petro Oshumu Ole Santa. Thank you.

Speaker: With that level of spiritual guidance as Hon. Member is saying, I would like to put the question;

> ***THAT,*** *Petro Oshumu Ole Santa be appointed as a member of the County Public Service Board.*

(Motion agreed)

Hon. Wachira: The next nominee Mr. Speaker Sir, is;

Saaya Tema Karmushu appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson:

a) That after inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.

b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

He stated to the Committee , among other things that;

- He would utilise his experience, skills and dynamic energy to address the challenges to be encountered relating to Human Resource in Laikipia County.

- Would use his wide experience in serving the community to bring harmony within the staff of the County thus enhance their productivity in service delivery.

The Committee having considered his Curriculum Vitae and his oral submissions during his vetting exercise /interview had the following observations:

- He is a holder of Bachelor Degree in human resource from Kenya College of Accountancy University and has an advanced Diploma in Business management.
- Has a wealth of experience in community work.
- Hails from Mukogodo East.
- Was very articulate and conversant with the interview questions.
- Was able to link his expected mandate at the County Public Service Board with that of the County Assembly.
- As a young person he manifested a lot of commitment to serve his County and had ability to perform.
- Has widely travelled and is generally knowledgeable.
- As a young person (aged 30) he will represent the interests of the youth in the Board.

After deliberations, the Committee found the nominee suitable for appointment as a Member of the County Public Service Board.

Speaker: Members I would like to propose the question;

> ***THAT**, Saaya Tema Karmushu be appointed as a member of County Public Service Board.*

Speaker: Hon. Mukuria.

Hon. Mukuria: Thank you Mr. Speaker, Sir. I am here to oppose this motion because it seems that the only people who are supporting this motion are the only people who were in that Committee. As I said from the beginning I request to know exactly who these people are. Thank you, Mr. Speaker.

Speaker: Mheshimiwa Jacob.

Hon. Jacob: Asante Bw. Spika. Mimi ningempendekeza Saaya Tema. Huyu ni kijana mdogo sana ambaye ni wanalika. Hakuna kijana hata mmoja ameteuliwa na hii kamati. Ningeomba waheshimiwa waangalie vijana kwa sababu tukiwaweka nje hawatapata nafasi ya kujisaidia katika Kaunti hii. Nawaomba muangalie vijana kwa sababu huyu tu ndiye kijana aliyetuma maombi yake katika kitengo hiki. Asante.

Speaker: Yes.

Hon. Lebeneiyo: Thank you Mr. Speaker, I would like to support the nomination of Saaya Tema Karmushu and I also like the Members to know that as we were doing vetting to these people despite the qualifications and other things that Saaya Tema Karmushu has done a lot for his Community, we also look at Saaya as from the Minority side and also a youth representative. Thank you, Mr. Speaker.

Speaker: Member for Salama.

Hon. Wakahiu: Thank you Mr. Speaker, I stand here also to oppose the appointment of Saaya Tema Karmushu. As we are dealing with the appointment, it is not important to deal with the issue of

minority and all that. Let us go by the way of professionalism. We have approved the names of two people from the minority and special interests, so we also need to look at the majority. Mr. Speaker, I oppose the appointment of Saaya Tema Karmushu. Thank you.

Speaker: Hon. Thomi.

Hon. Thomi: Thank you Mr. Speaker for this chance. I also stand here to oppose and say that Saaya Tema Karmushu should join the wagon of the 'Nays'. That means I do not support Saaya Tema Karmushu to join Public Service Board. Thank you, Mr. Speaker.

Speaker: Member for Umande.

Hon. Mwangi: Thank you Mr. Speaker. I want to differ with those who are opposing Mr. Saaya Tema Karmushu. He belongs to the youth family and I belong there. It won't be fair if I don't support him given that he is a young fellow. Again, I happened to be in this Committee that happened to vet one Saaya Tema Karmushu and he had knowledge of the mandate of his docket. So I would like to urge the House, even if it takes mercy, let us support Saaya Tema Karmushu simply because he is a youth and if we don't give youths these opportunities we will always be crying that there is no youth. Thank you, Mr. Speaker.

Speaker: Hon. Wakahiu is it a point of Order?

Hon. Wakahiu: No.

Speaker: Because we are learning let me give you a chance.

Hon. Wakahiu: As Hon. Members, it is very important to understand that there are many youths who are educated not only one. There so many youths who are in the field and others still looking for jobs. Once we are speaking about the interest of the youths we don't say that once I oppose the name, we won't require youths to be approved later. At the same time we disapproved the names of women, even the list that we have, does not have women representation in it so let us not argue Mr. Speaker Sir, on the basis of who the person is because there are some other youths who can be also approved. Thank you, Mr. Speaker.

Speaker: Yes, Mr. Kinyua.

Hon. Kinyua: Asante Bw. Spika mimi yangu ni kumuunga mkono huyu kijana kwa sababu katika Kaunti yetu ikiwezekana vijana wawekwe kazini kama inavyotakikana, kuhitimu kwake, masomo yake na bidii yake inamkubalia kuwa katika kazi hii kwa hivyo naunga mkono ya kwamba apewe hii kazi afanyie Laikipia kazi.

Speaker: Yes, Hon. Beth.

Hon. Beth: I stand to propose Mr. Saaya Tema Karmushu to be appointed in this County Public Service Board. He is a youth and I was in the room where the Committee on Appointments was interviewing him and he is 29 years old and so as a youth am there to support Mr. Saaya Tema Karmushu. Thank you Mr. Speaker, Sir.

Speaker: I would like to put the question that.

> ***THAT**, Saaya Tema Karmushu be appointed as a member of County Public Service Board.*

(Motion agreed)

Hon. Wachira: The next member is Mr. Naftali Githua Karangu, I hope Members have gone through his papers.

Naftali Githua Karangu appeared before the Committee on Monday 8th July, 2013 and was informed by the Chairperson:-

a) That despite inviting memoranda from the public, on his suitability or otherwise for appointment to public office, none was received.

b) That the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Public Appointments (Parliamentary Approval) Act 2011.

He stated to the Committee among others that:-

- Would endeavour as a member of the board to avoid conflict of interest that may arise between various offices charged with responsibilities of Human Resource oversight.
- Would advocate adherence to the law in discharging his mandate to ensure that no discrimination and other vices that would adversely affect the morale and performance of staff within the County.
- Would recommend to the Board to undertake audit of the offices to determine those to be created and or abolished.

The Committee having considered his curriculum vitae and his oral submissions during his vetting exercise /interview had the following observations:

- He comes from Igwamiti Ward and has immense wealth of knowledge having worked in the civil service and the education sector for several years.
- Is currently the dean of student at Kagumo Teachers College.
- Was well conversant with his mandates and was able to link his role with that of County Assembly.
- Was articulate and conversant with the new constitution and had a sense of belonging to Laikipia County.

The Committee found the nominee suitable for appointment as a member of the County Public Service Board.

(Several Members stood in their places)

Speaker: Just wait, hold your horses. Hon. Member, there was a question of certificates; I think it will be important to read them through for the Members to see them.

Hon. Wachira: Hon. Speaker, the certificates were circulated to the Members to peruse and I think every member has perused these certificates which were certified by us when we vetted him.

Speaker: Thank you, that is good. I would like to propose the question;

> ***THAT,*** *Naftali Githua Karangu be appointed as a Member for County Public Service Board.*

Hon. Dann: Thank you Mr. Speaker, I had brought the issue of certificates and I have observed them very well. The nominee, Mr. Naftali Githua Karangu is very qualified and I stand here to support his appointment and I ask Hon. Members to support this nominee because his education background is up to the level that is required to make Laikipia a Model County. Therefore, Mr. Speaker I stand to support the nominee. Thank you.

Speaker: Let's hear Hon. Suge.

Hon. Suge: Thank you Mr. Speaker, Sir. I also stand to support the appointment of this nominee having qualified and having several experiences, having been a teacher in this County in several schools, he is also an educated person with a degree from Egerton University, post graduate Diploma in Guidance and Counselling and also a holder of Bachelor of Business Administration. Mr. Speaker, Sir I support his approval. Thank you.

Speaker: Hon. Wakahiu you seem to have toned down on your deSire to speak, anyway am not provoking you, let the Member for Githiga speak.

Hon. Thomi: Mr. Speaker, I also stand to support the appointment of Naftali Githua Karangu. Mr. Speaker, it was very sad to talk of certificates of Mr. Karangu where it is clearly saying here that he is a dean of students at Kagumo Teachers College. That alone proves Mr. Karangu to be so learned so Mr. Speaker I stand to support the appointment of Mr. Naftali Githua Karangu in the County Public Service Board.

Speaker: Hon. Wakahiu, you have the time now. Order Mheshimiwa Jacob! There is already a member on the floor.

Hon.Wakahiu: Having received the documents of the qualification of Naftali Githua Karangu, I stand to support his approval and urge Members to support him since he is qualified. It is only what the Leader of Majority has said that there was an error.

Speaker: Mheshimiwa Jacob it is your turn now.

Hon. Jacob: Asante bwana Spika. Mimi naunga mkono Karangu kwa sababu ni kijana tunayejua kutoka Igwamiti. Asante.

Speaker: Mheshimiwa Kinyua.

Hon. Kinyua: Thank you Mr. Speaker, Sir; I support this man but my neck is aside.

(Laughter)

Speaker: Is that good English? What is that?

Hon. Kinyua: I support him but with a side neck but next time I ask Majority Leader to take care not to repeat these mistakes again. Thank you.

Speaker: That was interesting Hon. Kinyua.

(Laughter)

Okay, Member for Marmanet.

Hon. Mukuria: Thank you Mr. Speaker, as I was saying this motion of today, if you are basing on facts like the way you have done on the floor, he has the papers, that is why I was saying if we were given time, most of those who have gone out maybe they could have gone in. That's why saying am here am to support this guy. Thank you very much.

Speaker: Hon. Mwangi then Minority Leader.

Hon. Mwangi: Thank you, I must admit that I am happy to see that I happened to sit in a Committee and now the Members are willing to support our decision as a Committee. Infact when we talk about one Githua, I admired his character and at some time a member of the Vetting Committee asked him, why didn't you apply for the post of a secretary? He said very clearly that he did not have qualifications for that. I was convinced that he had the qualifications of that entire post and here comes as a member. I don't have a reason to dispute the report that I

have participated in drafting. So I support Mr. Githua. Thank you.

Speaker: Minority Leader.

Hon. Lebeneiyo: Thank you Mr. Speaker, Sir and also the Members because I also support Karangu for his nomination and also on the other hand to thank Hon. Kinyua for saying Yes, in our report. Finally a question to the Hon. Member of Marmanet, you said at last that this is the only Hon. Member whom you had facts. I want him to clarify, what does he mean when he said facts? What facts didn't the other have? Please tell what are these facts we didn't see? Thank you, Mr. Speaker.

Speaker: Hon. Members, I don't want you to start engaging the Members directly. They are at liberty to say what they said. But anyway let me give one or two before I put the question. Yes, member for Igwamiti.

Hon. Kabaci: Thank you Mr. Speaker, I want to take this opportunity to thank all the Hon. Members for they have seen that the man is very much qualified for the appointment and it is true it was only a small error from the Committee and on their behalf I apologise for that. I am happy that they have seen the man is equal to the task and I also propose that he should be confirmed to the Board. Thank you.

Speaker: Member I would like to put the question;

> ***THAT,*** *Naftali Githua Karangu be appointed as a Member for County Public Service Board.*

(Motion agreed)

Hon. Wachira: Mr. Speaker Sir, I want to thank the Members for a job well done and ask your permission to go again and reconsider their decision on the nominee, Mary Wairimu Mutonyi and Esther Nyaguthii Wanjau.

Mary Wairimu Mutonyi happens to come from my area of jurisdiction and I am asking the Speaker to guide us on this matter.

Speaker: Order what are you asking the House to do?

Hon. Wachira: I am asking the Members to reconsider their decision for throwing away this member, Mary Wairimu Mutonyi who comes from my Ward Ngobit.

Speaker: Order member! Don't contribute to that issue because the decision of the Assembly is to reject. Don't contribute further on that; allow me to look at the Standing Orders.

(Consultations)

I am waiting for you Hon. Mwangi before I stand. Okay, thank you Hon. Members. In law they say the law is developed but what makes the law living is when new circumstances come and supplication has to be done. It is not always a pleasant situation. Like now I had to refer to a number of statutes here to see the question that the Majority Leader has proposed. Now I have looked at our Standing Orders around the motion that is Part 7 and more specifically on the Standing Order No. 46 (1)

> *No motion may be moved which is the same substance as any question which has been dissolved either in the affirmative or in the negative during the proceedings 6 months in the same session.*
>
> Section (2) of that Standing Order, it says,
>
> ***THAT****, despite paragraph (1) (which I have just read) a motion*

to reside the decision of such question, maybe moved with the permission of the Speaker. (You can't move the motion of the same substance until 6 months) but such motion may be moved with a permission of the Speaker.

Hon. Members, it is not practice of course to pass a motion and recede it but also this House has liberty to reconsider its decision based on Standing Order No. 46(2) with the permission of the Speaker.

Now the Majority Leader issue was that this afternoon rejected the name of Mary Wairimu Mutonyi as the Chairperson of County Public Service Board as well as Esther Nyaguthii Wanjau. Those were the two names that Majority Leader did refer back today. This House made that decision but the Majority Leader asked me to consider that and see whether we can rescind now. That decision is not entirely mine.

My decision as the Speaker is to allow this House to discuss that Motion to rescind that motion of rejection of Mary Wairimu Mutonyi and Esther Nyaguthii Wanjau plus not to confirm, but to go back to what the report says, if we were to rescind. The report recommends that Mary Wairimu Mutonyi be recommended here as a Chair and Esther Nyaguthii as a member, that is where we will stand. It is the decision of the Majority to either move the motion then again for this House to adopt Mary Wairimu Mutonyi and Esther Nyaguthii. I hope that is clear.

The decision the Majority Leader had asked is not for us to confirm Mary Wairimu Mutonyi as a Chairperson. It is not for Esther Nyaguthii to be a member for County Public Service Board, all he is asking is for us to undo the decision of reject. So I will like Hon. Members, because it is not me to decide but you to decide, as a Speaker I will allow this Motion;

> ***THAT,*** *this House rescinds the rejection of Mary Wairimu Mutonyi as the Chairperson of County Public Service Board*.

Therefore Hon. Members in light of that, I would like to propose the motion and other that proposing the motion, I will make it open so that Members can discuss and engage.

> ***THAT****, this House rescinds the decision to reject of Mary Wairimu Mutonyi as the Chairperson of County Public Service Board.*

Yes, Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker, to reconsider our decision that we had made earlier will show this House as a shaky House, one that can be compromised because what shall we see that we had not seen when we were discussing this matter? Therefore, Mr. Speaker if they rescinds this decision, I am not part of that because I had made my decision, unless otherwise. Thank you.

Speaker: Hon. Kinyua.

Hon. Kinyua: Asanti Bw. Spika. Yangu ni kurudisha huu mjadala hapa tena kwa sababu vile kiongozi wa wengi anasema, mimi ninaona ya kwamba tumsikize kwa sababu ametoka kwake Ngobit. Watu ni wengi wamehitimu katika hii kiti kwa hivyo sioni sababu ya kuMr.udisha kwa sababu ametoka kwake, mimi nasema hapana.

Speaker: Hon. Wakahiu.

Hon. Wakahiu: Thank you Mr. Speaker. We Hon. Members I just tend to think that we are exhausted, there are maybe other decision were made having not made the

right decision. I will further request if am in Order, we fail to discuss the Motion today and we decide next time because having read the mood of Hon. Members I will suggest, maybe. Thank you, Mr. Speaker, Sir.

Speaker: Yes, Hon. Beth.

Hon. Beth: Thank you Mr. Speaker, Sir. Looking at this issue, this motion for Mary Mutonyi is not for certificates like this one for Githua. So we have to stand firm. What we said should be that way. For me I oppose. Thank you Mr. Speaker, Sir.

Speaker: Member for Githiga.

Hon. Thomi: Yes, Mr. Speaker I want to say something. Mr. Speaker when you did put the question, there are people who said 'Yes' and others 'Nay'. I also feel that, this one can once again be considered, not through the names but have them to be discussed once more because if you put the question now they will all agree. So I support we discuss this one again rather than removing it from the hearing. Thank you, Mr. Speaker.

Speaker: Member for Nanyuki.

Hon. Kimondo: Thank you Mr. Speaker, Sir. I want to urge the Members that it is good we.. I don't read the mood of the House when the Speaker is on the Chair but I request you, can we rescind the decision? We won't discuss anything Mr. Speaker if you allow me; I think we are allowed by the Standing Orders. Let us rescind the decision and then we will discuss it next time as Hon. Wakahiu is saying. I can read the mood of the House if you allow me Mr. Speaker; can we just do that so that we can give it another time? I know you are exhausted, thank you.

Speaker: Member for Marmanet.

Hon. Mukuria: Thank you Mr. Speaker. At the beginning I said some decisions we make out of feelings and I had requested the House not to make decisions through emotions. Today it was just an emotional day because it is as if our minds were not together. I am supporting Deputy Speaker that yes, we can redo and then we rethink for another session because reporters were here and gone and they might say we have done that. We better do it another session that's my request as Deputy Speaker had said. Thank you.

Speaker: Mheshimiwa Mwangi.

Hon. Mwangi: Thank you Mr. Speaker. As a matter of fact, I would like the whole of this report to be adopted by the Assembly, but again two or three of them are rejected. I would like your indulgence Mr. Speaker whether it is possible to revisit the matter today and deliberate today and pass or reject today, simply because there is time.

Since the time this House was served with the list of nominees, the time is expiring and the law states that any appointee from the appointment authority shall not stay more than 14 days and now if we revisit and not deliberate on it today, Mr. Speaker we will be caught up by time. So Mr. Speaker I seek your indulgence.

Hon. Jacob: Asante Bw. Spika. Langu ni kusema ya kwamba ile kitu tuliweza kupitisha wakati ule ulikuwa, hakuna kitu tunaweza kurudia tena na kama ni kurudiwa wacha ifanywe siku nyingine lakini leo tunasema kurudia kitu kama hii inamaanisha hakuna kitu tunafanya katika nyumba hii. Kazi ni mingi ajaribu wakati huo mwingine, Asante.

Speaker: Mheshimiwa Suge

Hon. Suge: Mr. Speaker, Sir I wanted to say that there is no hurry in these names

and if there are few Members that have felt we need to revisit the matter today, I concur with other Members that we defer the matter today and we revisit the other time. Thank you.

Hon. Kimondo: Asante Bw. Spika, kama vile nilikuwa nimewaomba, nawauliza waheshimiwa, naona ni kama tuko na uchovu, napendekeza tuwahirishe hadi Alhamisi.

Speaker: Hon. Mwangi what is the problem? Member for Nanyuki you can continue, sorry.

Hon. Kimondo: I was requesting that we adjourn, Mr. Speaker Sir.

Speaker: Let us hear one more Member around that. That's noted. Mheshimiwa Kinyua.

Hon. Kinyua: Asante Bw. Spika, yangu ni kuongeza kwa yale niliyosema. Kwa sababu Kiongozi wa wengi bungeni anatuhimiza turundishe huyu mtu kwa sababu ni wa kwao, na sasa nimekuwa na tashwishi zaidi, kwa sababu ni yeye 'alimhoji' inawezekana awe hakuhitimu kwa sababu yeye ni wa kwao ama alimtetea apitishwe na ndio sababu hilo jina limekuja hapa. Nimekuwa na tashwishi na ningeomba hili jambo tuSirudie.

Speaker: Who is on a point of Order?

Hon. Wachira: I am on a point of Order Mr. Speaker. I want to inform the member who has just spoken and may I remind him that these names that have been read here are from Igwamiti, East Mukogondo, Umande and Ngobit. Can I tell the Members now that this lady although she comes from Ngobit, I knew her one week before the interview when the names were brought in this House.

I know where she is married, her father-in-law stays in Ngobit, and they have a House in Nyeri. If that is why Members are going zigzag way I can tell the Members that we have interviewed so many people here and even our Speaker here, he came from Nairobi, our member of …

Speaker: Order! Only bring a point at home.

Hon. Wachira: Mr. Speaker, can I finish?

Speaker: When another person is on a point of Order.

Hon. Wachira: Sorry for mentioning the word Speaker.

Speaker: Hon. Member, it is going beyond a point of Order now.

Hon. Wachira: Yes, am only bringing my point at home Mr. Speaker, Sir.

Speaker: Order! He is on a point of Order.

Hon. Wachira: Can you please protect me from this Hon. Member.

Speaker: A member is on the floor, can just finish your point of Order.

Hon. Wachira: We have vetted so many people here Mr. Speaker, our member for Education was teaching in Nairobi, our member for Finance was working in Nairobi, any other member, administration member was working somewhere else, why are you so particular on this member who lives in Nyeri and she has a farm in Ngobit and is married in Ngobit? So what, on this single appointee and you have not been so particular on others?

Members I am begging you don't be so particular on this member. When recommendations were done and bad recommendations were asked, none was received, why are you bringing issues which are irrelevant to our discussion?

Speaker: Okay, Member I would like us to be guided as we do our discussion around this matter. I know it is quite emotive, and this is good as to why we are an Assembly. Member for Olmoran and Jacob, when am speaking you really have to be sited. I know you want to speak and I am going to give each one of you a chance. Member for Olmoran, can you start.

Hon. Dann: Thank you Mr. Speaker, am starting to be worried why this name Mary Wairimu is eliciting such heat in this House and I have started doubting whether some Members are having some vested interests in this lady Mary Wairimu Mutonyi because we have failed several people since we entered in this House three months ago and I have never seen somebody who have generated such heat and therefore Mr. Speaker I beg that we stand with our decision so that we are not seen as a House that is being compromised or without a stand. I beg the decision to stand as it is. Thank you, Mr. Speaker.

Speaker: Allow me Hon. Members, you we cannot be on the same matter all through. Allow me to guide the House as follows; there are two motions now, one motion by the Majority Leader to rescind the motion made around Mary Mutonyi and Esther Wanjau. There is another motion by Deputy Speaker to adjourn the debate of this House. Well, we have not dispensed with the motion from the Majority Leader.

Now the latest, I would like to dispense that motion from the Deputy Speaker to adjourn. The implication of adjournment is that the motion that is on the floor would be picked up in the next sitting, that's what the implication is. I would like the Hon. Members to be clear that if we adjourn and then we resume based on the Business Committee location, this business, the two businesses about Mary Mutonyi and Esther Wanjau will be the first to be discussed as per the allocation of House Business Committee.

Now the motion by the Deputy Speaker that this House be adjourned, I will like to read to you Standing Order No. 49, on Motion that maybe moved without notice;

The motion of the adjournment of the County Assembly or of a debate. That Motion can be moved without a notice.

So Hon. Member for Nanyuki is rightly in Order to have moved that Motion. Member for Nanyuki, did you say who is seconding that Motion?

Hon. Kimondo: Hon. Kabaci.

Hon. Kabaci: Thank you Mr. Speaker. I beg to support that motion that this House adjourns and from the look, the Hon. Members are exhausted from those motions and we should be given time. I beg to second.

Speaker: Hon. Members I would like to propose the question;

> **THAT**, this House adjourns these sittings.

Yes, Hon. Mwangi.

Hon. Mwangi: Thank you Mr. Speaker. As much as we would like to adjourn the House, there is this issue of time. When we are adjourning we should be time conscious since the day the names were read here in the Assembly. If we go further than this Friday, the names will be assumed adopted by the County Assembly. The names were read here on 28th last month and if we go beyond this Friday we will be overtaken by time and as we go to adjourn we should try to revisit the matter as soon as possible even if it is tomorrow or the day before this Friday. Thank you, Mr. Speaker.

Speaker: Hon. Kinyua and then Hon. Wakahiu.

Hon. Kinyua: Asante Bw. Spika mimi langu ni kuomba badala ya kuweka huu mjadala kisha turejelee tena afadhali tukubaliane mara moja tuokoe wakati. Wacha tukija tena tuje tuzungumzie jina lingine ama tupitishe hili lakini si mambo ya kuweka. Na tukija wakati huo mwingine tuweze kutupa, wakati utakua umeenda sana na tutakuwa tumepoteza wakati mwingi sana. Mimi ningeomba tusikae kama tunayumbayumba. Bwana Spika ningeomba tuweze kukata kauli dakika hii. Ikiwa ni kukataa tukatae kabisa na ikiwa ni kukubali tukubali.

Hon. Wakahiu: I am on a point of Order. He is speaking of extending the time because of personal interest. I think we were in a motion of adjournment and he is talking about the interest of somebody so I would rather support the adjournment because we are exhausted. We have the first one and the second one and I am tired. Thank you. Mr. Speaker.

Speaker: Yes, Mheshimiwa Jacob.

Hon. Jacob: Bw. Spika sioni kitu tunaweza kurudia kutoka dakika ile hadi saa hii. Kama nyumba hii iliamua kwamba hawa watu tumewaweka nje, wacha tupatiwe wakati, na kama ni kurudisha wacha turudishe watu wengine ambao tutaangalia na kama ni kurudisha wacha iwe siku nyingine lakini saa hii wacha tuendelee na kazi nyingine kwa sababu hatuwezi kushida kwa bunge hili juu ya mtu mmoja ambaye bunge ilisema ya kwamba wameweka nje.

Speaker: I would like to dispense with that motion and then we come to rescind. The motion from the Deputy Speaker seconded by Hon. Member from Igwamiti is;

> **THAT**, this House adjourns the debate.

Mheshimiwa Jacob where did you want to go, you really have to get clear about the rules.

(Motion agreed)

The Majority Leader it is your turn.

MOTION

Hon. Wachira: The Motion reads;

> ***THAT,*** *this House adjourns its work until tomorrow, Thursday 9.00 a.m.*

Speaker: So the essence of it is that, ordinarily as per the Standing Orders is that we meet at 2.00 pm so on the proposal instead of meeting at 2.30 pm we meet in the morning at 9.00am.

I will like to put the question;

> ***THAT,*** *this House meets tomorrow on 11th Thursday, 2013 at 9.00 a.m.*

(Motion agreed)

ADJOURNMENT

House rose at 4.50 p.m.