

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

ASSEMBLY DEBATES

(OFFICIAL REPORT)

DAILY HANSARD

Wednesday 27th April, 2022

PLENARY

BOMET COUNTY ASSEMBLY

OFFICIAL HANSARD REPORT

Wednesday 27th April, 2022

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p.m

[Hon. Speaker (Hon. Nelson Mutai) in the Chair]

PRAYER

STATEMENTS

RESIGNATION OF COUNTY EMPLOYEES TO VIE FOR POLITICAL POSITIONS

Hon. Speaker (Hon. N. Mutai): Hon. Members, we have a response from the Committee on Labour and Public Service on a Statement sought by Hon. H. Kirui. Hon. Chair, please proceed.

Hon. C. Mutai: Hon. Speaker, sir, thank you. I am the Vice-Chairperson of the Committee and I am rising on behalf of the Chairperson. The Statement was sought by Hon. H. Kirui on 23rd March, 2022 on the employees of the County Government who resigned to vie for political posts.

Hon. Speaker, the Statement seeker sought to be given a list of all employees who have resigned to vie for elective positions and indicate the details including the date of resignation, department affected and to indicate measures and steps the County Government has taken to replace the said former employees. The following was the response by the County Secretary.

A list of employees who resigned to seek elective posts including the resignation dates, designation and departments of the said employees are hereby attached. The Committee noted that the response

given by the office of the County Secretary responded to all the issues raised. Lastly, the County Government appointed some offices on acting capacity awaiting substantive appointment.

Hon. Speaker, the said employees are Mrs. Juliana Yegon, who was the County Executive Committee (CEC) member for Education and Vocational Training Institutes. She resigned on 8th February, 2022. There is an attached list showing the name, designation, department and date of resignation. The second one is Kipchumba Towett who was the CEC for Agriculture and Livestock. He resigned on 8th February, 2022. Thirdly, is David C. Kikwai who was the Chief Officer for Public Works who resigned on 8th February, 2022

(Hon. J. Kelong rose on a point of order)

Hon. Speaker (Hon. N. Mutai): What is it Hon. J. Kelong?

Hon. J. Kelong: Hon. Speaker, what we have is a list of people who have resigned. Is the Committee in order not to append their signatures to prove that they went through the document?

Hon. Speaker, Sir, I doubt this document.

(Hon. L. Kirui rose on a point of order)

Hon. L. Kirui: Hon. Speaker, Sir, I am a Member of the Committee. The Committee worked as a team and the person responsible for a Committee is the Chairperson. So, once the Chair has signed, it is deemed that all the Committee Members or a majority of them approved. This is not the first time to have such a Report. It is a one-page report. Therefore, it is not expected to have an introduction with the list of Members and their respective signatures.

Hon. Speaker, the Chairperson, Committee on Labour and Public Service appended his signature and he is the Member responsible on our behalf of our Committee. Once, the Chairperson signed, it is authentic. I have seen a number of Reports that have been done the same way. I am ready to Table some of the Reports which were introduced the same way.

The reason why Members are so concerned on this, is because it is about employees who resigned to compete with us in the just concluded party primaries.

However, the format is the same. The issue should be whether the question was answered satisfactorily. I also request the Chair to protect the Vice Chairperson and allow her to conclude answering it.

Leader of Minority (Hon. A. Maritim): Hon. Speaker Hon L. Kirui knows the rules and procedures of this House. The Standing Orders are clear that when a response is given to a Committee, the Members sit and recommend their own the report.

I am a member of this Committee and we did not sit to look at the answer. This is a House of rules and procedures. It is my prayer that this Statement be answered well. This is a sensitive matter and it can end up in a court of law. It is my request that the report be taken back to the Committee so that it can inquire from the County Secretary.

Hon. R. Serbai: Mr. Speaker, I am shocked the way Hon. L. Kirui responded to this report. I request through the Chair to know who signed for the Chairperson of the Committee on Labour and Public Service because the signature appended is for. When a statement is sought, the Chairperson of the Committee has to sit and invite a concern officer to answer the Statement correctly.

There should be a list of members of that committee that have appended their signatures to show ownership of the report. The officers on the list did not resign on the same date. The report is shallow. This document should be thrown to dust and the Committee to come up with a comprehensive Statement. We are not here to receive documents through the back door. Hon. Maritim has just stated that the document is not good.

Hon. Speaker (Hon. N. Mutai): Hon. Members, before I give a ruling, I would like the Statement seeker to make his remarks.

Hon. H. Kirui: Mr. Speaker, I am the Statement seeker. I am discouraged the way the Committee is responding to such a serious matter casually. This is a weighty matter touching on the county importance and as the Leader of Minority said, this matter can end up in court.

Hon. Speaker, there is no ownership of the report. As a matter of fact, I am not seeing any Member of the committee in the report. Therefore, like that the way Hon. R. Serbai said, it is not admissible.

I am not satisfied and I will request the Chair to ask the Committee to go back and bring us a satisfactory report.

Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Cecilia.

Hon. C. Mutai: Hon. Speaker, I also rise to take the sentiments from hon. members positively. The raised concerns are valid and we are also taking them seriously as a Committee but I want to admit that this morning we were called for a meeting and as usual, our clerk was ready but some Members were not there and that is why most of them could not own the report.

However, to some extent, the point noted needs further clarification. I was also concerned and that is why as I was reading this, I said that the first response (a) should be the last one. We were also concerned that there were no attached letters showing that they really resigned but the County Secretary had promised to come up with those letters.

Hon. Speaker, allow us as a Committee to go back sit and re-look at the report and bring further information by attaching all the necessary information because it is a matter of county concern. We are aware of the implications and so, I seek more time. I took note of what Hon. R. Serbai and the Leader of Minority said, though the latter was absent this morning. I wish to say that we will come up with a comprehensive report. To the statement seeker, Hon. H. Kirui, we are sorry for this but we are also taking it as a challenge to the committee.

Thank you.

Hon. R. Serbai rose on a point of order

Hon. R. Serbai: Mr. Speaker, we are not supposed to joke in this House because we represent our people and discuss matters touching on them. According to the Standing Orders of this House, every Committee has seven Members where at least four Members must be present to meet the quorum.

Apparently, Hon. Vice Chair, Hon. C. Mutai talked of having a meeting without many Members. If they were three, it means they did not meet the quorum. Even if they were five, how are we able to know that the number of Members who attended the meeting met the quorum? Based on this particular document, there is no single Committee Member who signed. Therefore, the Committee should apologize to this House for bringing a wrong document. Lastly, they should be allowed to go back and bring the right document with right signatures.

Hon. J. Kelong: Mr. Speaker, it my ample request that this Committee should give us something comprehensive. The CEC member for Education and Vocational Training do not know who took over from her because the question was clear on the replacement.

Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Members, in order that we do not regurgitate the same issues, I direct that Committee do come up with a comprehensive response to the Statement sought by Hon. H. Kirui within seven days and answer all the questions in that statement.

Hon. A. Langat: I am a Member of that Committee and I think we should respond to specific questions and not which officer replaced who. Is it part of the statement?

Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Members, I think we are done. Let us have that report when we come back next. Next Order!

Hon. M. Chepkirui stood on a point of order

Hon. M. Chepkirui: Mr. Speaker, I am rising on a different point of order. The Standing Order 53 provides for a business of county importance.

Hon. Speaker, I would like to eulogize the demise of the third President of the Republic of Kenya. The third President was a hardworking man. He was patriotic and the best economist we have ever had. He shared equally the Kenya's resources.

When I was in my primary school, I remember he advised us while he was a Member of Parliament. We remember him for the free primary education. Some people who were herdsmen went back to school because of the free primary education.

Loud consultations

Hon. Speaker (Hon. N. Mutai): Order honourable Members, let us have one House! Let the honourable Member eulogize the late President.

Hon. M. Chepkirui: Hon. Speaker, thank you for your protection. We will remember him for the construction of the Thika Superhighway. We also remember him for the “*bure kabisa wewe*” slang which he mostly used.

Further, he was a protector. There was a time he announced to the public that he had only one wife. He was also a forgiver and for the life we have lived with him, we have learnt a lot. May his soul rest in peace. Thank you.

Hon. R. Serbai stood on a point of order

Hon. R. Serbai: Hon. Speaker, I have laughed because of some things. Which wife was protected by His Excellency Mwai Kibaki? Can the Member explain to us? Secondly, he is a national leader. Therefore, he is not of county importance. We can set a date and discuss him as a national leader and not a person of county importance.

Hon. L. Kirui stood on a point of order

Hon. L. Kirui: Hon. Speaker, it depends on one's interpretation. We are not discussing His Excellency Mwai Kibaki as a person but as the former President of the Republic of Kenya. Therefore, one cannot say, a President is not of county importance.

Hon. M. Chepkirui, was not discussing His Excellency Mwai Kibaki as a person from Othaya. She is discussing him as a former head of state. His leadership influenced our county.

A number of things were done by the late President Kibaki. His economic actions affected our region. A directive was issued that the condolence book must be in the Governor's Office. If he was not of any county importance, the Governor's Office would not have been involved. It should have been in the County Commissioner's Office. So, let us not wish away what the honourable Member had in mind.

Hon. Speaker (Hon. N. Mutai): Hon. Members, I thank you for those condolence comments on the demise of His Excellency the late President Mwai Kibaki. We will observe a minute of silence in honour of his demise and after, we adjourn.

*Hon. Members rose to observe a minute of silence in honour of the
passing on of His Excellency President Mwai Kibaki*

ADJOURNMENT

Hon. Speaker (Hon. N. Mutai): Hon. Members, there being no other business, this House stands adjourned to Tuesday, 31st April, 2022 at 9. 00 a.m.

The House rose at 3. 30 p.m.