

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

ASSEMBLY DEBATES

(OFFICIAL REPORT)

DAILY HANSARD

Wednesday 21st September, 2022

PLENARY

BOMET COUNTY ASSEMBLY

OFFICIAL HANSARD REPORT

Wednesday 21st September, 2022

The Assembly met at the Mini-Chamber,

Main Assembly Buildings at 9.00 a.m.

[The Clerk (Mr. Isaac Kitur) in the Chair]

Third Assembly – First Sitting (Convened by notification vide Legal Notice No. 11019 of 2022)

(The Assembly met at 9.00 a.m. at the County Assembly Mini- Chamber Main Assembly Buildings, Bomet, on Wednesday, 21st September, 2022, it being the first sitting of the Assembly)

(The proceedings were opened with a prayer read by the Clerk of the Assembly [Mr. Kitur Isaac])

COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY

PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH OR AFFIRMATION OF OFFICE

The Clerk of the Assembly (Mr. Kitur Isaac): Hon. Members, before I formally convene the Sitting, I request that we all stand up to allow His Excellency the Governor to join us.

(His Excellency Governor Prof. Hillary Barchok enters the Chamber)

WELCOME HON. MEMBERS OF THE COUNTY ASSEMBLY

NOTIFICATION OF PLACE AND TIME OF FIRST SITTING OF THE COUNTY ASSEMBLY

The Clerk of the Assembly (Mr. Kitur Isaac): Hon. Members, I welcome all of you to the Third Assembly's First Session.

PAPERS LAID

FIRST SITTING OF THE COUNTY ASSISTING

GAZETTE NOTICE NO. 11019

This Sitting has been properly convened by His Excellency the Governor pursuant to section 7 (b) (i) of the County Governments Act vide Gazette Notice number 11019 dated 14th September, 2022.

(GAZETTE NOTICE CONVENING THE FIRST SITTING READ BY THE CLERK OF THE ASSEMBLY)

The Clerk of the Assembly (Mr. Kitur Isaac): Hon. Members, pursuant to the County Governments Act, 2011 and Standing Order 3 (2) (b) requires that the Clerk of the County Assembly lay the list of the persons elected as the Members of the County Assembly on the Table of the County Assembly and administer Oath/Affirmation of Office pursuant to the First Schedule in the County Governments Act, 2012

LIST OF GAZETTED MEMBERS OF THE COUNTY ASSEMBLY

GAZETTE NOTICE NO. 9952 - ELECTED MCAS

GAZETTE NOTICE NO. 10712 - NOMINATED MCAS

(List of the Members of the County Assembly Elect and the Members of the County Assembly nominated laid at the Table of the County Assembly)

ADMINISTRATION OF OATH

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members, you are allowed to use any official languages while taking oath.

We have also facilitated the Members enabled differently to take their oath pursuant to the provisions of the Standing Orders. We shall administer oath of allegiance commencing with the Members with the longest period of service. The second will be the Members living with persons with disabilities. Lastly, will be all other Members in alphabetical order.

Finally, the Members will be signing the code of conduct alongside the oath of allegiance. We have the EACC officers to witness the signing of Leadership and Integrity Code. The oath will be taken by my right stand and signed on the left where we have stationed one of our officers.

(The Oath of allegiance was administered to the following Members of County Assembly)

Lily Cherotich Lily	Nominated
Korir Philip Kiplangat	Kiprerer Ward
Kiprotich Wesley	Chepchabas Ward
Koech Stephen Changmorik Kipngetich	Longisa Ward
Charles Kipyegon Langat	Boito Ward
Langat Robert Kiprono	Mutarakwa Ward
Busienei Dennis Kiprotich	Chemagel Ward
Chelangat Caroline	Nominated
Chelangat Evelyn Mibei	Nominated
Chemutai Naomi	Nominated
Chepkemoi Anne	Silibwet Township Ward
Chepkirui Felody	Nominated
Catherine Chepngetich	Nominated
Chepngetich Monica Manyei	Nominated
Cheptoo Rosaline	Rongena/Manaret Ward
Cherono Caren	Nominated
Emily Chepkemoi Cheruiyot	Nominated
Cheruiyot Japhet Kipkirui	Embomos Ward
Kibet Nathan	Kapletundo Ward
Kipkirui Joshat	Singorwet Ward
Kirui Dancel Kipngeno	Ndaraweta Ward
Kirui Erick Kiprono	Kimulot Ward
Kirui Paul Kipyegon	Ndanai/Abosi Ward
Koskei Olivia	Nominated
Langat Benard Kipkorir	Kembu Ward
Mutai Peter Kipkirui	Sigor Ward

Peter Langat: I, Peter Kipkorir Langat Moset, do swear in the name of the almighty God that I shall always truly and diligently serve the people and the republic of Kenya in the office of Member of County Assembly of Bomet. That I shall diligently discharge my duties and perform my functions in the said to the best of my judgment. THAT I shall at all times respect, uphold, preserve protect and defend the constitution of the republic of Kenya, THAT I shall do right to all manner of persons in accordance to the constitution of Kenya and laws and conventions of parliament THAT I shall do justice to all, so help me God.

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Member, I order that you repeat the oath using official names.

Peter Langat: I, Peter Kipkorir Langat Moset, do swear in the name of the almighty God that I shall always truly and diligently serve the people and the republic of Kenya in the office of Member of County Assembly of Bomet. That I shall diligently discharge my duties and perform my functions in the said to the best of my judgment. THAT I shall at all times respect, uphold, preserve protect and defend the constitution of the republic of Kenya, THAT I shall do right to all manner of persons in accordance to the constitution of Kenya and laws and conventions of parliament THAT I shall do justice to all, so help me God.

Mutai Vincent K.	Nominated
Ngeno Dennis Kiplangat	Kongasis Ward
Kibet Ngetich V.	Siongiroi Ward
Peter Rono	Kipsonoi Ward
Rop Victor	Nominated

B. Rotich: I, Rotich Kimutai Benard do swear in the name of the almighty God that I shall always truly and diligently serve the people and the republic of Kenya in the office of Member of County Assembly of Bomet. That I shall diligently discharge my duties and perform my functions in the said to the best of my judgment. THAT I shall at all times respect, uphold, preserve protect and defend the constitution of the republic of Kenya, THAT I shall do right to all manner of persons in accordance to the constitution of Kenya and laws and conventions of parliament THAT I shall do justice to all, so help me God. AKA Cheplanget.

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Member, I order that you repeat the oath using official names.

Hon. W. Kiprotich: Point of order Mr. Clerk

The Clerk of the County Assembly (Mr. Isaac Kitur): What is your point of order?

Hon. W. Kiprotich: Mr. Clerk, Hon. Rotich had finished taking the oath and I plead with you not let him repeat. He had already finished taking his oath.

The Clerk of the County Assembly (Mr. Isaac Kitur): Order!. Hon. Members, this is solemn ceremony and I urge you to take the oath in the names appearing in the Kenya Gazette. I know you have other names outside there but for the purpose of this ceremony, use the official names that appears in the IEBC gazette notice.

B. Rotich: I, Rotich Kimutai Benard do swear in the name of the almighty God that I shall always truly and diligently serve the people and the republic of Kenya in the office of Member of County Assembly of Bomet. That I shall diligently discharge my duties and perform my functions in the said to the best of my judgment. THAT I shall at all times respect, uphold, preserve protect and defend the constitution of the republic of Kenya, THAT I shall do right to all manner of persons in accordance to the constitution of Kenya and laws and conventions of parliament THAT I shall do justice to all, so help me God.

applause

Rotich Ernest Kipkemoi	Mogogosiek Ward
Rotich Leonard Kipkoech	Chesoen Ward
Ruttoh Richard Cheruiyot	Chemamer Ward
Samoei Joseah Kipkoech	Nyongores Ward
Sang Evaline	Nominated

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members, that marks the end of the size of the swearing in. I wish to congratulate all of you for having successfully undergo this exercise and as per the Constitution, we can now assume the duties and responsibilities of the County Assembly of Bomet.

Hon. Members before I proceed, I wish to recognize some of our quests. All of us who come here are our quests but I want to recognize specific quests who are sited in the Speakers' gallery. We do have Dr. Ahmed Omar the County Commissioner of Bomet, first Senator of Bomet Prof. Wilfred Lessan, Hon. Sammy Chelule and Hon. Benard Ngeno who were members of the first Assembly, Hon. Marcella Chepkirui former Nominated Member of the second Assembly, Mrs. Edha Byegon former Member of the Bomet County Assembly Service Board, Eng. Esfada Ngeno Chairperson of Bomet County Public Service Board and Joel Sigei Member of the County Assembly Service Board of Bomet.

Hon. Members, we are going to proceed to the next session which I know quite a number of you have been waiting for which is the election of the Speakers, Hon. Members H.E the Governor pursuant to section 7B Article 178(1) of the Constitution of Kenya 2010 provides that each county assembly shall have a Speaker elected by the County assembly from among persons who are not members of the County assembly.

Section 21(1) of the Elections Act 2011 provides that the Speaker of a County assembly shall be elected by each county assembly in accordance with the Standing Orders of the county assembly, from among persons who are qualified to be elected as members of a county assembly but are not such members.

Standing Order 4(1) of the County Assembly standing orders provides that A Speaker shall be elected when the County Assembly first meets after a General Election and before the County Assembly proceeds with the dispatch of any other business, except the administration of the Oath or Affirmation of Office to Members present.

The position of the Speaker of Bomet County Assembly fell vacant following the resignation of Hon. David Shadrack Rotich. Pursuant to Article 178(1) of the Constitution of Kenya 2010, the Clerk of the County assembly through the print media of 5th August invited interested persons who qualify to be elected for the position of the Speaker of the County Assembly to download nomination forms from the County Assembly's website.

Standing Order 4(2) provides that if the office of Speaker falls vacant at any time before the expiry of the term of County Assembly, the Deputy Speaker shall preside over the transaction of business until after the election of a new speaker.

Standing Order 4(3) further provides that the Deputy Speaker shall preside over the election under paragraph (2).

Standing Order 5(2) provides that the names of candidates for election to the office of Speaker shall be entered upon nomination papers obtained from the Clerk and handed back to the Clerk, at least forty-eight hours before the time appointed at which the County Assembly is to meet to elect a Speaker.

Nomination papers were to be downloaded from the County Assembly's website and hand-delivered together with the curriculum vitae of the candidate and relevant supporting documents to the Office of the Clerk of the County Assembly not later than 9.00 a.m. on Wednesday 12th August 2020.

Standing Order 5(1) provides that the nomination papers of a candidate shall be accompanied by the names and signatures of at least two Members who support the candidate.

The nomination papers shall be accompanied by a clearance letter from IEBC indicating that the candidate is qualified to be elected as a Member of County Assembly under Article 193 of the Constitution.

Standing order 5(4) provides that the Clerk shall maintain a register in which shall be shown the date and time when each candidate's nomination papers were received and shall ascertain that every such candidate for election to the office of Speaker is qualified to be elected as such under Article 193 of the Constitution.

Standing Order 5(5) provides that immediately upon the close of the nomination period provided the Clerk shall-

- a. Publicize and make available to all Members, a list showing all qualified candidates; and
- b. Make available to all Members, copies of the curriculum vitae of the qualified candidates.
- c. The Clerk shall, at least two hours before the meeting of the County Assembly, prepare ballot papers upon which shall be shown the names of all candidates validly nominated.

Standing Order 6 provides that the election of the Speaker shall be by secret ballot.

The Clerk shall, at the commencement of each ballot, cause the ballot box, empty and unlocked, to be displayed to the County Assembly and shall, in the presence of the County Assembly, lock the box, which shall thereafter be kept in the full view of the County Assembly until the conclusion of the ballot.

The Clerk shall issue not more than one ballot paper to each Member who comes to the Table to obtain it and each Member who wishes to vote shall proceed to a booth or designated area provided by the Clerk for that purpose and located next to and within reasonable distance of the ballot box and shall, while there, mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote, fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box.

A Member who, before the conclusion of a ballot has marked a paper in error may, by returning it to the Clerk, obtain another in its place and the Clerk shall immediately cancel and destroy the paper so returned. Standing order 6(5) provides that the Clerk shall make such arrangements as may be necessary to enable any Member with disability to vote.

Standing order 6(6) provides that when it appears to the Clerk that all Members who are present and who wish to vote have placed their ballot papers in the ballot box, the Clerk shall unlock the box, examine the ballot papers and, having rejected those unmarked or spoilt, report the result of the ballot; and no Member

who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box.

Standing Order 6(7) provides that a ballot paper is spoilt, if in the Clerk's opinion, it does not identify the candidate purported to be selected by the member voting.

Standing Order 7(1) provides that a person shall not be elected as Speaker, unless supported in a ballot by the votes of two-thirds of all Members.

Standing order 7(2) provides that if no candidate is supported by the votes of two-thirds of all Members, the candidate or candidates who received the highest number of votes in the ballot referred to in paragraph (1) and the candidate or candidates who in that ballot received the next highest number of votes shall alone stand for election in a further ballot and the candidate who receives the highest number of votes in the further ballot shall be elected Speaker.

Standing Order 8 provides that a candidate may, by written notice to the Clerk, withdraw his or her name before a ballot is started, and in the event of such withdrawal, the Clerk shall cross-out the name of that candidate off any ballot papers issued for that or any subsequent ballot.

Standing Order 9 provides that if, in the further ballot referred to in paragraph 16 above (*Election threshold*), more than one candidate receives the highest number of votes, the ballot shall again be taken, and if there is an equality of the highest number of votes a further ballot shall be taken until one candidate obtains more votes than the other or others.

Standing Order 10 provides that immediately the results are declared, all the ballot papers used in the election of a Speaker shall be packed and sealed in the presence of the County Assembly and kept in the custody of the Clerk for a period of six months.

Standing Order 11 provides that despite the provisions above, if there is only one candidate who has been duly nominated for election as Speaker at the expiry of the nomination period, that candidate shall be declared forthwith to have been elected Speaker without any ballot or vote being required.

Standing Order 12 provides that immediately following the election of the Speaker, the Clerk shall administer the Oath or Affirmation of Office to the Speaker in the presence of the assembled County Assembly. Thank you. Hon. Members that is the procedure for election for the speaker and shortly we

are going to proceed, and I am going to request the Clerks-at-the-Table to place the ballot box on the dispatch table. Firstly, the ballot box shall be opened and shown to the Assembly.

Hon. members before I proceed I also do acknowledge the presence of a Member of Public Service Board Samwel Cheruiyot.

Hon. Members in view of the requirements of the Constitution that requires that the threshold that the candidate must obtain not less than the two-thirds of the vote of all the Members of the County Assembly, we are going to ring the forum bell to ensure that all the Members who are eligible to vote are present. So I am going to order the Sargent at- arms to ring the bell for two minutes. Hon. Chang'morik

Hon. S. Chang'morik: Thank you Mr. Clerk. I don't know if it was important that we know the names of the candidates. Maybe some of us don't know the names and I was asking if you can read the names.

The Clerk of the County Assembly:(Mr. Isaac Kitur): thank you Hon Member, thank you for that observation. I omitted the names, I should have indicated the names of candidates who have been duly nominated and they complied with the Constitution of Kenya, County Governments Act and the Standing Orders.

Hon. Members when we place the advert for this particular elections several citizens picked the nomination forms.

Hon. Members the 15 applicants picked the forms, 13 return the forms and out of the 13, 10 qualified, for the three who did not qualify they have been notified on reasons to why they did not meet the threshold nomination of the election of the Speaker of the County Assembly of Bomet. Those applicants who qualified who were duly nominated by two Members of the County Assembly and meet the requirements by the law are

1. Bett Leonard Sigei
2. Kirui Weldon Cheruiyot.
3. Cosmas Kipngetich Korir.
4. Langat Benard Kiprono.

5. Mutai Nelson Kipkirui.

6. Mutai Stephen Kipkoech.

7. Ngeny Leonard

8. Rono Gilbert Kiplangat

9. Samoei Kiprotich Bii

10. Sang Dennis Kipkoech

There are ten candidates and they are appearing in the ballot paper as per what I have read that is in accordance to alphabetical order of their surnames. Thank you.

Hon. Members if there is no further intervention I will proceed. We are going to call the names in accordance with the order as per the Oath you have taken. You don't have to go to the bar, you can pick the ballot paper from the Clerks-at-the-Table and then you are supposed to cast your vote or mark the ballot paper at the booth provided and subsequently drop your ballot paper in the ballot box that is placed at the dispatch box. We shall proceed and I am going to instruct the Deputy Clerk to call out the names of the Members in accordance with the precedence provided.

The Deputy Clerk of the County Assembly of Bomet proceed to call out the names of Members voting.

Hon. P. Rono: In the standing order and instructions that you have given out you said that the ballot box should be sealed and I see it's still open.

The Clerk of the County Assembly:(Isaac Kitur): We will confirm that indeed the ballot box is sealed and I am going to request the Sargent- at- Arms to ensure that it is properly sealed. And I am going to request two Members to witness the sealing Hon. P. Rono and Hon D. Ngeno to witness the sealing. Thank you can have your seats.

Voting for Speaker in progress.

Hon. W. Kiprotich: Mr. Clerk. While the voting goes on I am thinking the best practice that in the event a member, although I don't foresee it, in the event that a member realizes that he or she has spoilt the ballot paper what would he or she do?

The Clerk of the County Assembly (Mr. Isaac Kitur): Thank you, I just read the procedure in the event a member spoils a vote; and I don't encourage that, we are going to issue another one and the one that is spoilt we are going to cancel and destroy it.

Power blackout

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon Members we are sorry for the blackout and I am going to suspend the voting until the lights are on. So we are going to suspend as we are getting the stand by generator to be put on.

(Lights are back)

Voting resumes

The Clerk of the County Assembly (Mr. Isaac Kitur): Thank you very much we can now proceed. Hon Members we are now done with our exercise and now we are going to proceed to the next step that is counting of the votes. And I am going to request two agents Hon. Kirui has volunteered and I am going to recognize Hon R. Langat so they can come and witness the counting. First of all, I am going to request the Clerks-at-the-Table to open the ballot box. We are going to count the number of ballots first to confirm they are indeed 38 before we proceed to count.

Hon Members, I should have reminded you during the voting process the reasons why we have the bar. You are not allowed to go out or come in after the bell has rang and bar closed. So those Hon. Members who had actually left, I am going to order the bar to be removed and allowed to come back but thereafter whenever the voting is in process there is no movement.

(Counting of total votes cast)

Thirty-eight votes result at tally.

The Clerk of the County Assembly (Mr. Isaac Kitur): Thank you. Now, we shall proceed to separate the ballot papers for various candidates before we start recounting.

(Calling out the names of the candidates by the Clerks-at-the-Table as per the ballot papers retrieved)

(Ballots cast sorted out)

(Votes counting starts)

(Break down of votes cast)

1. Mr. Mutai Nelson Kipkorir- 3 votes.
2. Mr. Mutai Stephen Kipkoech- 4 votes.
3. Mr. Kirui Weldon Cheruiyot- 12 votes.
4. Mr. Korir Cosmas Kipngetich- 19 votes.

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members order! Members of the public are required to observe Standing Orders. They are not supposed to applaud or cheer. We are going to maintain an order until we are done with this exercise. Hon. Members, as per the Standing Orders, no candidate was able attain two-third of all the Members of the County Assembly. Pursuant to Standing Orders, we shall proceed for a second election between the candidates who has the highest number of votes and the candidate with second highest number of votes. So, the second ballot is going to be between Kirui Weldon and Korir Cosmas. We shall in a short while begin the process. I am going to task the Clerks-at-the-Table to return the ballots that have been cast in the box and seal the box. It will then be taken to the Office of the Clerk to be kept for a period of six months.

Hon. Members, the next ballot will adopt a different procedure as I explained earlier. We are going to vote by what is known as *Simple Majority*; meaning that the Member or the candidate that attains the highest number of votes will be declared as the winner. The total number of Members in the County Assembly is thirty-eight. So for one to be declared the winner, one must have not less than twenty votes.

In case of a tie, as provided in the Standing Orders, we shall vote until we get the winner.

The ballots are being done because there are now two candidates. For that purpose, I am going to order that the bar be opened and the Members are free to take health break.

(Hon. Members walk out of the Chambers for health break)

(After 11 minutes, the bell rings)

(Second round of voting between Korir Cosmas Kipngetich and Weldon Kirui to begin shortly)

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members, order! We are going to resume. I am going to call the Serjeant-at Arms to ring the bell for two minutes.

(The bell rings for two minutes)

(Hon. Members walk in to the Chambers)

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members, order. I am advised that all the Members are now present. Therefore, we shall proceed.

(Empty ballot box placed at the dispatch box by the Clerks-at-the-Table)

I am now going to instruct the Deputy Clerk to call out names of Members in accordance with the precedence list.

First of all, we are going to seal the ballot box and I am requesting for two Members to witness.

(The ballot box is sealed)

The Clerk of the County Assembly (Mr. Isaac Kitur): Thank you. I am now going to instruct the Deputy Clerk to call out names of Members in accordance with the precedence list.

(Names of Members called out to cast their votes)

Hon. Mr. Clerk: Hon. Members, in accordance to the standing orders place to me that all the members who were present and wish to vote have voted therefore we are going to proceed to the next level which is to open the ballot box and sort out the ballot papers. So I am going to instruct the Clerks-at-the-Table to proceed to open the ballot box in the presence of two agents. I am going to request hon. member from Mogogosiek and Kongasis Wards to witness the unsealing of the ballot box.

The Clerks-at-the-Table are going to sort out the ballot papers as per the candidate's name and by announcing it to the house. So proceed.

(The ballot papers are sorted out)

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members, I am informed that all the members who are present have voted and we are now going to proceed the count the ballots. I am going to ask the Serjeant-at-arms to request the members of the public who are outside to maintain order for us to proceed otherwise we may be forced stop streaming for them.

(The counting of votes resumes)

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members these are the results of the election of the Speaker in the second round.

1. Kirui Weldon Cheruiyot – 6 votes.
2. Korir Cosmas Kipngetich – 32 votes.

In accordance to section 21 of the Elections Act and Standing Order 7 and Article 172 of the constitution, I do declare Korir Cosmas Kipngetich as the duly elected Speaker of Bomet County Assembly. I now order the Serjeant-at-arms to go and search for the said Korir Cosmas Kipngetich and present him to the Assembly.

(The Serjeant-at-arms presented the Speaker elect, hon. Korir Cosmas Kipngetich to the House)

ADMINISTRATION OF OATH TO THE SPEAKER

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon members, the Speaker will go to the bar and escorted by hon. Philip Korir and hon. Kiprotich Wesley.

(The Speaker goes to the bar and escorted by hon. Korir and hon. Kiprotich)

The Clerk of the County Assembly (Mr. Isaac Kitur): Hon. Members, the Speaker is being handed over the instruments of power in these Assembly by the outgoing Speaker and those instruments are Standing Orders of the Constitution of Kenya, Committee Procedures and Manual, the Strategic Plan, Governance Manual and the county assembly service manual.

(The House rose as the Speaker elect is being escorted in from the bar)

Serjeant-at-arms: Following your instructions Mr. Clerk, I now present to you Hon. Korir Cosmas Kipngetich as the Speaker of the County Assembly of Bomet. I have positively identified him as the right person.

(The Speaker elect took the oath of office)

The Speaker went back to the bar and he is escorted by Hon. Wesley Kiprotich and Hon. Philip Korir to the dispatch box.

(The Speaker take the Chair)

The Clerk presented the Speaker with instruments of governance of the County Assembly; the Constitution of Kenya, 2010, the Standing Orders, Governance Manual and Committee Procedures and Manual.

Hon. Speaker (C. Korir): We may now sit.

(Applause)

Order honourable Members, the Governor Prof. Honourable Hillary Barchok, Honourable Members of the County Assembly, the Clerk of the County Assembly, distinguished guests, ladies and gentlemen.

I wish to express my heartfelt gratitude to the honourable members here present for the high honour you have bestowed upon me by electing me as your Speaker.

I am deeply humbled by the immense confidence and trust that you have bestowed upon me.

I therefore accept in humility and submit that I shall perform with utmost ability the constitutional responsibility and duties of the office of the Speaker of the County Assembly for the next five years with due diligence and decorum.

I wish to commend all my worthy opponents who expressed the interest in his seat, I wish them well as they continue to serve this county and country in different capacities.

I also wish to thank my immediate predecessor honourable Nelson Mutai, who was also a candidate for this seat, for having steered this Assembly for the last three years.

Honourable members, I wish to congratulate you for emerging victors in the just concluded general elections after very bruising campaigns.

Your elections to the high office of the Member of the County Assembly for your various wards is a demonstration of faith and confidence that the citizens of Bomet have in you.

Today, following your swearing in, the journey to serve and meet the immense expectations and the needs of Bomet people has just began.

I note that four honourable members who served in the Second Assembly were re-elected, they bring with them great experience that will enrich this House.

I also wish to note the diversity in the abilities and skills of the members of this third Assembly.

I particularly wish to congratulate honourable Lily Cherotich, who despite her physical disabilities has defied all the odds to make it to this House, her presence here is a clear demonstration that indeed with dreams and determination, everything is possible.

It is also a testament to our brothers and sisters who are differently abled that your welfare will be taken care of in this Assembly.

I am also aware of the various professionals that joined this House as members of the County Assembly right from soldiers, distinguished business people, teachers, farmers, to name just a few. Your experience will help enrich this Assembly.

Honourable members, 13 years ago, in August 2010, Kenyans voted in a new constitution that gave birth to a devolved system of government. The intentions and aspirations of the citizens was to bring the service closer to the people and enable them participate more actively in governance through directly and through their ward representatives.

This dream was actualized in March 2013 when the 47 County Governments and County Assemblies were established.

Courtesy of devolution, the county has made great strides in economic development and citizen participation in governance. Roads, hospitals and schools have been built, jobs have been created, to name just but a few.

Despite being a new idea, devolution continues provide solutions to the many problems that Kenyans grappled with since independence.

Honourable members, as a renowned poet W. Yeats once put it 'In dreams begin responsibilities,' we all have a dream for a prosperous Bomet and now it is time to settle down and work.

The constitution has placed a huge responsibility of oversight, representation and legislation on this House. With our unity and determination, I am confident that we will deliver these duties diligently.

We are lucky that we are not starting from scratch and therefore we will learn and improve from the successes and challenges of the previous Assemblies.

Honourable members, Bomet residents expect from us nothing short of servant leadership, let us aspire to be a responsive and forthright Assembly in undertaking our oversight and legislative responsibility.

As your Speaker, I pledge that my leadership will be participatory and consultative. I will work with all the members from across the political divide, and will ensure that your welfare is well taken care of.

I would also like to note the immense contribution that the County Assembly staff contribute towards the success of this House, and I pledge that my office will do everything possible to ensure that you continue to deliver these services diligently. As I end, I would like to thank the hon. members for considering regional balance in the just concluded election of the speaker of this house. God bless Bomet, God bless Kenya. Thank you very much.

ELECTION OF THE DEPUTY SPEAKER

Thank you once again, we are proceeding to the election of the deputy speaker, there is a vacancy in the office of the deputy speaker. Standing Order 13 (1) provides as soon as practicable after the election of a Speaker following a General Election, a Deputy Speaker shall be elected from amongst the Members of the County Assembly.

Standing Order 13 (1) The procedure for electing a Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker.

Pursuant to the Standing Orders, the Clerk of the County Assembly on 14th September, 2022 invited interested persons who qualify to be elected for the position of the Deputy Speaker of the County Assembly to download nomination forms from the County Assembly's website.

Nomination papers together with the relevant supporting documents to the Office of the Clerk of the County Assembly not later than 9.00 a.m. on Monday 19th September 2022.

Immediately upon the close of the nomination period provided the Clerk-

- a. Publicized and make available to all Members, a list showing all qualified candidates; and
- b. Made available to all Members, copies of the curriculum vitae of the qualified candidates.

- c. The Clerk, at least two hours before the meeting of the County Assembly, prepared ballot papers upon which shall be shown the names of all candidates validly nominated.

The election of the Deputy Speaker shall be by secret ballot. The Clerk shall, at the commencement of each ballot, cause the ballot box, empty and unlocked, to be displayed to the County Assembly and shall, in the presence of the County Assembly, lock the box, which shall thereafter be kept in the full view of the County Assembly until the conclusion of the ballot.

Not more than one ballot paper shall be issued to each Member who comes to the Table to obtain it and each Member who wishes to vote shall proceed to a booth or designated area provided by the Clerk for that purpose and located next to and within reasonable distance of the ballot box and shall, while there, mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote, fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box.

A person shall not be elected as Deputy Speaker, unless supported in a ballot by the votes of two-thirds of all Members.

If no candidate is supported by the votes of two-thirds of all Members, the candidate or candidates who received the highest number of votes in the ballot and the candidate or candidates who in that ballot received the next highest number of votes shall alone stand for election in a further ballot and the candidate who receives the highest number of votes in the further ballot shall be elected Speaker.

A candidate may, by written notice to the Clerk, withdraw his or her name before a ballot is started, and in the event of such withdrawal, the Clerk shall cross-out the name of that candidate off any ballot papers issued for that or any subsequent ballot.

If, in the further ballot referred above, more than one candidate receives the highest number of votes, the ballot shall again be taken, and if there is an equality of the highest number of votes a further ballot shall be take until one candidate obtains more votes than the other or others.

Immediately the results are declared, all the ballot papers used in the election of a Deputy Speaker shall be packed and sealed in the presence of the County Assembly and kept in the custody of the Clerk for a period of six months.

If there is only one candidate who has been duly nominated for election as Deputy Speaker at the expiry of the nomination period, that candidate shall be declared forthwith to have been elected Deputy Speaker without any ballot or vote being required.

Immediately following the election of the Deputy Speaker, the Speaker shall administer the Oath or Affirmation of Office to the Deputy Speaker in the presence of the assembled County Assembly.

I have a list of the members who showed interest in the Deputy Speaker's position were:

1. Hon. Rono Peter
2. Hon. Rotich Beonard Kimutai
3. Hon. Rotich Leonard Kipkoech
4. Hon. Kirui Dansel Kipngeno
5. Hon. Koech Stephen Changmorik Kipngetich

VOTING FOR THE DEPUTY SPEAKER COMMENCES

Hon. Speaker (Hon. C. Korir): Hon. Members, I hope that all the Members who were voting have finished the exercise. We can now proceed to the next part. Let's proceed to the next part of unsealing the ballot boxes. Let us have two agents to oversee vote counting.

(The Clerks-at-the-Table unlocked the ballot boxes and proceeded to count the votes)

(Vote counting in progress)

RESULTS

NAME	VOTES
Hon. Kirui Dansel Kipngeno	4
Hon. Stephen Koech Changmorik Kipngetich	6
Hon. Rono Peter	7
Hon. Rotich Benard Kimutai	2

Hon. Rotich Leonard Kipkoech

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Hon. Speaker (Hon. C. Korir): Hon. Members, as you are all aware, no Member garnered the required two-third of the votes therefore we will have a second round of voting between the candidate who came first and the one who came second. We will have a break to allow the Clerks-at-the-Table to organize for the ballot papers.

Hon. Members, I direct that the ballot box be sealed. I now direct that the proceedings be suspended for fifteen minutes and instruct the Serjeant-at-arms to cover the Mace.

(Hon. P. Rono rose on a point of order)

Hon. Speaker (Hon. C. Korir): What is your point of order Hon. Rono.

Hon. P. Rono: I, Hon. Peter Rono, being the candidate who emerged second, wish to formally withdraw my candidature in the second round of voting.

(Applause)

Hon. Speaker (Hon. C. Korir): Order, Hon. Members. Following the withdrawal by Hon. Peter Rono from the second round of voting, I now declare Hon. Rotich Leonard Kipkoech as the Deputy Speaker of the County Assembly of Bomet. Congratulations, Hon. Member.

(Applause)

Hon. Rotich Leonard Kipkoech, proceed to the bar. Let us have two Members to escort him so that takes his Oath.

(Hon. L. Rotich was escorted to the Chair by Hon. J. Kirui and Hon. E. Kipkemoi)

THE SPEAKER ADMINISTERED THE OATH TO HON. L. ROTICH

(Applause)

(Hon. L. Rotich proceeded to sign the Oath of Office)

Hon. Speaker (Hon. C. Korir): Hon. Members, having concluded the exercise of today, I announce that we will be proceeding for induction next week at a venue to be communicated to you later.

ADJOURNMENT

Hon. Speaker (Hon. C. Korir): Pursuant to Standing Order 14 (1), this County Assembly is adjourned to 11th October, 2022 at 9:30 a.m. On that date, H. E the Governor will officially open the House.

The House rose at 12:50 p.m