

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Tuesday, 14th February, 2024

The Assembly met at the County Assembly Chambers at 2.30 pm

The Speaker, (Mr. Lenamarle Stephen), in Chair

PRAYER

MOTION

MCA Suguta Marmar Ward, (Hon. Leleruk James): Thank you Mr. Speaker. Pursuant to Standing Order number 47 I beg to move the following Motion that this House debates and approves the report of the Committee on Labor, Social Welfare, Justice and Legal Affairs on the Vetting of the County Public Service Board Selection Panel Nominees. I call Hon. Sera Lekirenyei to second the Motion.

Specially Elected MCA, (Hon. Lekirenyei Sera): Thank you Mr. Speaker Sir. I second the Motion.

The Speaker, (Mr. Lenamarle Stephen): I now propose the Motion that this House debates and approves the report of the Committee on Labor, Social Welfare, Justice and Legal Affairs on the Vetting of the County Public Service Board Selection Panel Nominees.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Section 58 (1), (2) and (3) of County Government Act 2012 Establishes the County Public Service Board. Whenever a vacancy arises in County Public Service Board Section 17 of the County Governments (General) Regulations, 2020 Stipulates the procedure for constitution of a Selection panel for the purpose of a suitable candidate for appointment of Secretary to the Samburu County Public Service Board.

In accordance with section 58A (1) of the County Government (Amendment) Act, 2020, that provides that there should arise a vacancy in the County Public Service Board, The Governor Shall nominate and, with the approval of the County Assembly, appoint members to a selection panel for the purpose of selecting suitable candidates for appointment as members of County Public Service Board.

The selection panel under subsection (1) shall consist of the following person-

- a) A Chairperson, not being a public officer;
- b) One person from the Private Sector;
- c) And Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;

- d) An Accountant who is a member of the Institute of Certified Public Accountants of Kenya; and
- e) One person from an association representing workers,

Following the nomination of the County Public Service Board Selection Panel by H.E the Governor in Accordance with Section 58A (1) of The County Governments (Amendment) Act, 2020, and Pursuant to Section 8(1)(a) of the County Governments Act, 2012, the following persons were nominated;

| No. | Name of Nominee | Position |
|-----|-----------------------------|--|
| 1 | Mrs. Faith Kasoni Lenkoyayo | Chairperson |
| 2 | Mr. Ahmed Lenkidi | Member-Advocate of High Court of Kenya |
| 3 | Mr. Benard Leleruk | Member-Accountant, Member of ICPAK |
| 4 | Mrs. Halima Guyo Galgidhele | Member-Representative of Workers |
| 5 | Mrs. Emmanuela Ekai | Member-Private Sector |

The nomination of the five persons was conveyed to the Speaker through a letter Ref: CGS/OOG/CPSB/SP/Vol.1/001/24 dated 9th January, 2024. The nominee's curriculum vitae and other testimonials were enclosed in the letters.

On 30th January, 2024 and in accordance with the Provision of Section 7 (1) of the Public Appointment (County Assemblies Approval) Act, 2017 the Speaker reported the receipt of the notification to the County Assembly the nomination of the County Public Service Board Selection panel nominees. In Accordance with Section 58A (1) of The County Governments (Amendment) Act, 2020, and Pursuant to Section 8 (1 a) of the County Governments Act, 2012 and Standing Order no. 200 (4 f) of County Assembly of Samburu Standing Orders, the names of the nominees were referred to the Committee on Labor, Social Welfare, Justice and Legal Affairs for vetting and reporting to the house within fourteen days.

Consequently, and in accordance to Section 7 (4) of Public Appointments (County Assembly Approval) Act, 2017, the Clerk of the County Assembly placed a public notice on **30th January 2024**, inviting the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability or otherwise of each nominee in accordance with the public Appointments

(County Assembly Approval) Act, 2017. The public notice indicated that the submissions were to be received by Monday 5th February 2024 at 5.00 pm.

By close of the submission period, the committee did not receive any memoranda touching on the suitability or otherwise of any nominee. The nominees appeared before the committee as scheduled on **Tuesday 6th February, 2024** for approval hearings in accordance with the provision of the Constitution, County Government Act, 2012, public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Samburu Standing orders on their suitability or otherwise for appointment to the Samburu County Service Board Selection panel to recruit the Secretary of the Board.

Pursuant to section 58A(1), (2), (3) of the County Governments Act, 2020 and section 8(1)(a), the committee observed that the following nominees met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the positions they have been nominated for; and had requisite abilities, academic qualification and professional experience to be approved for appointments;-

- 1) **Ms Faith Kasoni Lenyakopiro**, nominee **Chairperson**, Samburu County Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Service Board.
- 2) **Mrs. Emannuela Ekai**, **member** nominee representing the **Private Sector**, Samburu County Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Service Board.
- 3) **Mr. Ahmed Lenkidi**, **member** nominee as an **Advocate of the High Court of Kenya**, Samburu County Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Service Board.
- 4) **Mr. Leleruk Bernard**, **member** nominee as an **Accountant** representative of the Institute of Certified Public Accountants of Kenya (ICPAK), Samburu County Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Service Board.
- 5) **Ms. Halima Guyo Galgitele**, **member** nominee representing the **Workers**, Samburu County Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Service Board.

Having conducted the approval hearings for the nominees in accordance with the constitution, County government Act, 2012, Public Appointments (County Assemblies Approval) Act, 2017 and County Assembly of Samburu standing order No. 200 (4 f), the committee recommends that, this assembly;-

1. **Approves the nomination of Faith Kasoni Lenkoyayo, for appointment as Chairperson**, Samburu County Public Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Public Service Board by H.E the Governor;
2. **Approves the nomination of Emmanuela Ekai for appointment as, member** representing the **Private Sector**, Samburu County Public Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Public Service Board by H.E the Governor;
3. **Approves the nomination of Ahmed Lenkidi for appointment as member** representing **Advocates of the High Court of Kenya**, Samburu County Public Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Public Service Board by H.E the Governor;
4. **Approves the nomination of Benard Leleruk for appointment as a member (Accountant)** representative of the Institute of Certified Accountants of Kenya (ICPAK), Samburu County Public Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Public Service Board by H.E the Governor;
5. **Approves the nomination of Halima Guyo Galgidhele as a member** representing the **Workers**, Samburu County Public Service Board Selection Panel in recruiting the Secretary (CEO) to the Samburu County Public Service Board by H.E the Governor.

May I take this opportunity to thank all members of the committee for their input and valuable contribution and time during approval hearings and report writing. The committee also takes this opportunity to thank the office of the speaker and office of the clerk of the county assembly of Samburu for the technical support accorded to the committee during this exercise.

On behalf of the committee on Labor, Social Welfare, Justice and Legal Affairs and pursuant to the provision of section 9 (2) of the Public Appointments (County Assemblies Approval) Act, 2017; and provision of standing order No. 200 (4 f), it is my pleasant duty to present to the house the report of the Committee on Labor, Social Welfare, Justice and Legal Affairs of the approval

hearings of the nominees for appointment to the position of Samburu County Service Board Selection Panel in recruiting the Secretary (CEO) of the Samburu County Public Service Board.

Mr. Speaker because the report has been submitted to members of county assembly of Samburu see the recommendations, I just want to go through the committee recommendations so that I give the members to give their contributions.

COMMITTEE RECOMMENDATIONS

Having conducted approval hearings for the nominees Pursuant to Article 179(2)(b) of the constitution of Kenya, section 7 of the Public Appointments (County Assemblies Approval) Act, 2017 and County Assembly of Samburu Standing Orders No. 193(4), the committee recommends that the assembly:-

1. **Approves** the nomination of **Faith Kasoni Lenkoyayo** for appointment as **the Chairperson**, Samburu County Public Service Board Selection Panel to recruit the Secretary (CEO) of the Samburu County Public Service Board.
2. **Approves** the nomination of **Emmanuela Ekai** for appointment as **a member** representing the **Private Sector** in the Samburu County Public Service Board Selection Panel to recruit the Secretary (CEO) of the Samburu County Public Service Board.
3. **Approves** the nomination of **Ahmed Lenkidi** for appointment as **a member** representing the **High Court of Kenya** as an **Advocate** in the Samburu County Public Service Board Selection Panel to recruit the Secretary (CEO) of the Samburu County Public Service Board.
4. **Approves** the nomination of **Benard Leleruk** for appointment as **a member** representing the **Institute of Certified Accountants of Kenya (ICPAK)** as an **Accountant** in the Samburu County Public Service Board Selection Panel to recruit the Secretary (CEO) of the Samburu County Public Service Board.
5. **Approves** the nomination of **Halima Guyo Galgidhele** for appointment as **a member** representing **Workers** in the Samburu County Public Service Board Selection Panel to recruit the Secretary (CEO) of the Samburu County Public Service Board.

Thank you, Mr. Speaker.

Nominated MCA, (Hon. Osman Dube): Asante sana Mheshimiwa Spika, mimi napinga na siungi mkono, kwa sababu moja na vile nasimama hapa katika hii kamati inajiita justice, ni haki sioni haki kwa sababu katika katiba ya Kenya imetaja mambo mengi, katika katiba ya 2010 imetaja haki ya watu walemavu, (54) imetaja vizuri haijaangalia haki kama kamati ya labor haijafanya haki na lazima ifuate sharia ya Kenya. Mimi kwa maoni yangu irudishwe na watu warudi kujisajili walemavu, vijana, na watu wengi hata wale wachache. Ninaomba hii ripoti irudishwe asante.

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Mr. Speaker I start from the beginning that I support the report, it is the excellent report I have ever seen, because of inclusivity following the law of Kenya and the regulation... of the House, Mr. Speaker seeing so, I see the gender being represented here, I have seen the minority being represented here, I have seen the balance in religion being represented here.

Mr. Speaker, in the bracket of others, there are youths, there is people with disability there are women, there are minority but selecting among that bracket, it is okay Mr. Speaker not a must that we select people with disability, it is in that bracket Mr. Speaker, that is how I understand the law, the regulation, that bracket of the youth, women, marginalized and disability, one of them has been appointed Mr. Speaker.

Mr. Speaker, if every division, section, people with disability will be less represented, I hope that the president would have been somebody without disability and its deputy should be a person with disability but because of the bracket of that, a woman...

Specially Elected MCA, (Hon. Osman Dube): Point of order Mr. Speaker! Mheshimiwa Spika, Mheshimiwa Lorunyei anasema mambo ya walemavu, Mheshimiwa Spika, sisi tumesoma na mambo kwa sheria watu watano wakiandikwa, lazima mlemavu mmoja. Ni haki yetu ya walemavu tupate kwa Samburu County haki yetu. Lazima tutetee walemavu kwa sababu mimi niko hapa Mheshimiwa Spika. Hakuna sababu ingine mimi niliingia hii Nyumba, ni haki ya walemavu. Mheshimiwa Spika naomba hii ripoti irudishwe, iwekwe haki ya walemavu. Asanti sana.

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Thank you Mr. Speaker, you would have given the Standing Order say that; he quotes this particular law which says that, it shall or it must appoint a person with disability. What I know is the bracket Mr. Speaker.

Mr. Speaker, that is why I say it is the best because it represents the majority, minority, others and regional balance unlike the previous one, so Mr. Speaker, I say that I support the report. Thank you.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Point of order Hon. Speaker!

The Speaker, (Mr. Lenamarle Stephen): Hon. Silapia now you can just give your point of order.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Hon. Speaker, I stand on a point of order for Hon. Lorunyei to clarify on the regional balances because when I look at this report I saw the five names of the selection panel that are going to select the CEO or the secretary of the Samburu Public Service Board but when you look at the names, all of them are from Samburu Central and also the North and the Wamba East sub-county, there is no anybody here. So, Hon. Speaker, let the Hon. Member clarify the issue of the regional balance because I am not seeing it. Thank you, Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Silapia let the chairman clarify and not Hon. Lorunyei. Hon. Leleruk.

MCA Suguta Ward, (Hon. Leleruk James): Thank you Mr. Speaker, I must congratulate every Member that is trying to raise an issue, because I think this is the first report that we are bringing and to be it is a balanced one and it should not bring a lot of division because the Members that have been selected to come to the Hon. House are Members of Samburu County. So, if we decide to say that this region is not... and all these Members are Members of Samburu County, I do not know what regional balance do you need, unless there are other parameters that are being used so that we can judge that this is not the correct procedure to be followed.

Again Mr. Speaker, we are following the law, we have followed the law and the people, women and men that are being selected here all of them, I would like the Members to argue on the basis of they are not from that sector because the Governor have tried to balance the people of

Samburu County, how we live in Samburu County but the issue of one sub-county not being represented, I know we are representing Samburu County.

As an MCA of this House or as any Member of the County Assembly, we are representing Samburu County, so I do not see the reason why we are bringing the issue of regional balance. Thank you, Mr. Speaker.

MCA Wamba East Ward, (Hon. Lelenkeju Jackson): Thank you Hon. Speaker, I stand to second the motion or to support the motion, though I have few reservations here and there. Looking at the list and what Hon. Lorunyei said, that it is a bit balanced because of religion and gender and to my Hon. colleague Dube, I agree that requirement is there but, on the bracket, sometimes when we come to professional qualifications, not anyone wishes to be disabled, that is an act that happens and nobody will be happy about being disabled but at the same time, when we look at professionalism sometimes maybe or the interested people that applied for these jobs.

Sometimes maybe a disabled person failed to apply or even qualify for the position based on the qualifications requirements that are there. On another note, yes, the chair said that the Governor tried to be fair and balance the Samburu people and truly, all the Members here are from Samburu County but as a Member of Samburu East, we are being left in several considerations say for example, County Assembly of Samburu Service Board no one comes from Samburu East among the six Members and again here, it is another serious list and no one is appearing.

We want to send a signal to the concerned parties, that next time you do consider regional balance because that is the only way we can service our people adequately and equitably by making sure that every region though Samburu's or residence of Samburu next time we consider them. Otherwise, Mr. Speaker sir, I support the motion.

I now put the question that this House debates and approves the Report of the committee on labor, social welfare, justice and legal affairs on the vetting of the County public service Board selection panel nominee.

(Question proposed, put and passed)

MCA Wamba East Ward, (Hon. Lelengeju Jackson): Hon. Speaker, I beg to move the following motions, THAT pursuant to standing orders 151, the Assembly approves following Members nominated to serve in a House business committee in addition to the Speaker of the County Assembly with pursuant with standing order 1 (a) shall be the chairperson the committee, the deputy Speaker who shall be the vice-chairperson, the majority leader and the minority leader, the proposed Members are;

1. Hon. Sarah Lerkirenyei
2. Hon. Lemantaan Kelvin
3. Hon. Jane Nakinyi

Hon. Speaker, I beg Hon. Kagiri to support.

Specially Elected Member, (Hon. Stephen Kagiri): Thank you Hon. Speaker, I stand to support.

The Speaker, (Mr. Lenamarle Stephen): I proposed the motion THAT pursuant to standing order 151, the Assembly approves the following Members to serve in the House business committee in addition to the Speaker of the Assembly who pursuant to standing order 151 (a) shall be the chairperson of the committee, the deputy Speaker who shall be the vice-chairperson, the majority leader and the minority leader.

1. Hon. Sarah Lekirenyei
2. Hon. Lemantaan Kelvin
3. Hon. Jane Nakinyi.

The Speaker, (Mr. Lenamarle Stephen): Hon. Deputy Speaker

MCA Wamba East Ward, (Hon. Lelengeju Jackson): Thank you Hon. Speaker, just for the purposes of clarifications, this motion does not bring new members, this Members used to be there but have expiry dates. So we can only renew them through a motion and that is why we have them in form of the motion because the law requires that in our standing orders, upon expiry of the Members time mention, we follow the criteria laid down in the standing order and that is why they are not Members, it is not a new committee, they use to be to serve in the same committee but we have to renew them so that we concur with laws that govern this House. Thank you Mr. Speaker Sir.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lorunyei

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Mr. Speaker although I support, because according to the standing order it is okay the term has expired, we have to renew. I do not know the freshness they have now so that they can work to make sure that the agenda of this House is in place and in time and with Members so that we do not just, I reserve that one. I just say that may be this time let us make 2024 a year whereby the committee now is very vibrant I support them Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Dube

Specially Elected Member, (Hon. Osman Dube): Asante sana Mheshimiwa Spika. Ninaungwa mkono hii kamati. Ninaunga mkoo na ninaonya. Hii kamati wamelegea kwa kazi na Nyumba yetu ya Assembly, hii kikingi ni yao. Hawa wakilala sisi wote tutalala kwa hii nyumba kwa sababu biashara yote, hawa ndo wanashikilia. Ninaomba kwanzia 2024 hadi 2027, hii nyumba isimame na hawa n asana sana tangu 2013 hadi sai mimi niliona makossa nikiwa hii kamati. Hii kamati iamke, hajui ikilala usiku iko kazi juu yao, kwa hivyo mimi naunga mkono na wafanye kazi.

Specially Elected Member, (Hon. Lenamatiyo Silapia): Thank you Hon. Speaker, I stand to support, I saw Hon. Nakinyi laughing at me that I will stand and oppose but I stand to support the Report of the Hon. Members who will sit in the committee on the House business committee but I have some observation for the last session that the committee was totally asleep. Why? I think this committee has never sat down and make order paper before yesterday. So I want just to urge the Hon. Members who sit in that committee at least to be a bit active so that our sessions will be more active and also I know we have a lot of matters on our oversight issues on our legislation side. We have so many matters, I know we have even some statements for the last session that have not yet answered or responded by the department since up to date. And also when in look at this Report, I think it should in our website before 24hours, before tabling to this House but even the House committee, I think some of them even do not know whether exists or I do not know. So we need the Hon. Members who sat in this committee to be a bit serious for the betterment also for the improvement of the progress of this House. I sit and support. Thank you.

The Speaker, (Mr. Lenamarle Stephen): I now put the question that pursuant to standing orders 151, the Assembly approves the following Members nominated to serve in the House business committee; in addition to the Speaker of the Assembly who pursuant to standing order 151 (a) shall be the chairperson of the committee, the deputy Speaker who shall be the vice-chairperson, the majority leader and the minority leader.

1. Hon. Sarah Lekirenyei
2. Hon. Lemantaan Kelvin
3. Hon. Jane Nakinyi.

(Question proposed, put and passed)

ADJOURMENT

Hon. Members, the time being 21 minutes past 3 o'clock and there being no other business, this Assembly now adjourns until Thursday 15th February, 2024 at 2:30 pm.