

KERICHO COUNTY ASSEMBLY

THE HANSARD

Third Assembly

Second Session

Tuesday 8th February, 2023

(The House met at 2:30pm)

[The Speaker (Hon. Dr. Patrick Mutai) in the Chair]

PRAYER

The Speaker (Hon. Dr. Patrick Mutai): Welcome honorable members to this afternoon session

NOTICES OF MOTION

The Speaker (Hon. Dr. Patrick Mutai): The honorable Majority Leader, kindly, give notice of your motion

Hon. Philip Rono (Majority Leader, Member for Kamasian Ward): Thank you very much Mr. Speaker for this opportunity, I wish to give a notice of motion that the County Assembly adopts the report of nomination of members to different committees. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you. Next order!

**MOTION BY MAJORITY LEADER (HON. PHILIP RONO,
MEMBER FOR KAMASIAN WARD)**

The Speaker (Hon. Dr. Patrick Mutai): The honorable Majority Leader please proceed with your motion!

Hon. Philip Rono (Majority Leader, Member for Kamasian Ward): Thank you Mr. Speaker for giving me the opportunity once again. I wish to start from page 1 of the report.

1.1 Mandate of the Committee

Standing Order 167 of the Kericho County Assembly Standing Orders mandate the Committee on Selection to nominate members to serve in committees save for the membership of the County Assembly Business Committee and the Committee on Appointments.

The Committee placed members to various committees in October 2022 and tabled a Report that was adopted by the House on 25th October 2022.

3 However, there was a general feeling of dissatisfaction with the committees that members had been placed. Further, there were changes in House leadership on two occasions that led to changes in the composition of some of the committees.

4. Additionally, there emerged divisions in the House which was blamed on the composition and leadership in the committees as had been constituted.

5. Consequently, a meeting was organized by the Deputy President H.E. Rigathi Gachagua on Thursday 19th January 2023 to address the divisions in the House where new House leadership was agreed upon as Hon. Philip Rono, Hon. Haron Rotich, Hon. Fancy Korir and Hon. Bavina Serem as Majority Leader, Majority Whip, Deputy Majority Leader and Deputy Majority Whip respectively. Further, a call was made to the County Assembly to address any other concern that was deemed to have contributed to divisions among them composition and leadership of County Assembly committees (Chairpersons and Vice Chairpersons).

6. To address the concerns in membership and leadership of committees, the committee on Selection was mandated to reconstitute the membership of all the committees in a

communication by the Honorable Speaker delivered on Friday 20th January 2023 during a Special Sitting.

7. The Committee on Selection that was constituted on 5th October 2022 was maintained and its composition is as follows:-

- | | | |
|----|-------------------------|-------------|
| 1. | Hon. Philip Rono | Chairperson |
| 2. | Hon. Gilbert Ngetich | Member |
| 3. | Hon. Martin Cheruiyot | Member |
| 4. | Hon. Albert Kipkoech | Member |
| 5. | Hon. Richard Langat | Member |
| 6. | Hon. Hezron Kipngeno | Member |
| 7. | Hon. Peter Kemoi | Member |
| 8. | Hon. Beatrice Chepkemai | Member |
| 9. | Hon. Eric Bii | Member |

2.0 The Nomination Process

In the reconstitution of the Assembly Committees, the committee on Selection adopted the following criteria:

- a) Members' wishes
- b) Need to ensure regional balance
- c) Gender balance
- d) Perceived strength of committees

- e) Sectoral vs House Committees
- f) Leadership positions in the House and the County Assembly Service Board
- g) The last two adopted committee lists
- h) Members' profession

The Committee was also guided by the Constitution, Standing Orders and the County Government Act, 2012.

The Committee on Selection further noted that the current placement of members in committees was an extra-ordinary duty that called for extra ordinary measures since it was the third in a period of four months. The committee invoked the provisions of the Kericho County Assembly Standing Order 169 (1) and (2) which states as follows;

“(1) In nominating Members to serve in a select committee, the Selection Committee shall ensure that the membership of each committee reflects the relative majorities of the seats held by each of the Assembly parties in the Assembly.

(2) Despite paragraph (1), a member belonging to a party other than an Assembly party or independent member may be nominated to serve in select committee and the allocation of membership of select committees shall be as nearly as practicable proportional to the number of members belonging to such parties and independent members.”

Despite the above provisions, the Committee on Selection, in the spirit of togetherness and the need to bring lasting unity in the Assembly ensured that all the Hon. Members were placed to serve in the committees. The committee however, resolved to have the Majority Party members take the leadership of committees while considering regional balance and proportionate representation in the six sub counties.

The committee, in consultation with the Majority Party further considered the need to have every member actively participating in committees by allocating them responsibilities as Chairpersons, Vice chairpersons and members of the Speaker's Panel.

12. Considering the fallout that characterizes any competitive election and the need to seal out the perceived differences, the committee in consultation with the house leadership and the Majority Party resolved not to subject the Honorable members to a further election save for Committee on Budget and Appropriations that is composed of all elected members, as this could bring further divisions in case of a loss in committee elections.

3.0 Committee Observations

The Committee observed the following:

1. That all Honorable Members have been placed to have responsibilities in committees as Chairpersons, Vice Chairpersons or members of the Speaker's Panel.
2. That as much as was practicable, the committee on Selection ensured regional and gender balance in the placement of members to committees.
3. That change in House Leadership led to changes in membership of certain committees whose membership is determined by the House Leadership such as Committee on Selection and Appointments.
4. That the Standing Orders peg the number of sectoral committees assigned to a member to a maximum of three.

4.0 Committee Recommendations

In view of the Committee's considerations and observations, and pursuant to County Assembly's Standing Order 167, the Committee nominates the following members to serve in the following different Committees as members and committees' leadership:

1. AGRICULTURE, LIVESTOCK AND FISHERIES

1. Hon. Siele Julius Chairperson
2. Hon. Chepkemai Beatrice Vice Chairperson
3. Hon. Erick Bett
4. Hon. Bett Cheruiyot
5. Hon. Ruto Anthony
6. Hon. Terer Francis
7. Hon. Kipngeno Kirui
8. Hon. Langat Richard
9. Hon. Rogony Kiprotich

2. HEALTH SERVICES

1. Hon. Bii Erick Chairperson
2. Hon. Rotich Moses Vice Chairperson
3. Hon. Kipkoech Albert
4. Hon. Maritim David
5. Hon. Matkeir Isaack

6. Hon. Tonui Ednah
7. Hon. Mutai Dominic
8. Hon. Ngetich Gilbert
9. Hon. Rono Philip

3. YOUTH CULTURE AND SOCIAL SERVICES

1. Hon. Anthony Ruto Chairperson
2. Hon. Kipngeno Kirui Vice Chairperson
3. Hon. Kemoi Peter
4. Hon. Koskei Vincent
5. Hon. Opile Noella
6. Hon. Philip Mutai
7. Hon. Evaline Chebwogen
8. Hon. Chepngeno Gabriella
9. Hon. Edna Tonui

4. PUBLIC WORKS ROADS AND TRANSPORT

1. Hon. Ngetich Gilbert Chairperson
2. Hon. Paul Bii Vice Chairperson
3. Hon. Rotich Haron
4. Hon. Kipkoech Albert

5. Hon. Chirchir Paul
6. Hon. Ngetich Hezron
7. Hon. Rotich Moses
8. Hon. Siele Julius
9. Hon. Chebwogen Evaline

5. JUSTICE AND LEGAL AFFAIRS

1. Hon. Koskei Simon Chairperson
2. Hon. Birir Amos Vice Chairperson
3. Hon. Bett Erick
4. Hon. Korir Fancy
5. Hon. Bii Paul
6. Hon. Kirui Vincent
7. Hon. Rotich Moses
8. Hon. Ngetich Hezron
9. Hon. Dr. Naaman Rop

6. LANDS, HOUSING AND PHYSICAL PLANNING

1. Hon. Ngetich Hezron Chairperson
2. Hon. Mutai Dominic Vice Chairperson

3. Hon. Korir Vincent
4. Hon. Rotich Haron
5. Hon. Serem Bavina
6. Hon. Bii Erick
7. Hon. Cheruiyot Martin
8. Hon. Kipngeno Kirui
9. Hon. Kirui Vincent

7. EDUCATION AND CHILD WELFARE

1. Hon. Bett Cheruiyot Chairperson
2. Hon. Korir Mathew Vice Chairperson
3. Hon. Bosuben Hillary
4. Hon. Koskei Simon
5. Hon. Mutai Philip
6. Hon. Dr. Rop Naaman
7. Hon. Keino Dorah
8. Hon. Langat Irine
9. Hon. Bett Gladys

8. GOVERNANCE LABOUR AND SOCIAL WELFARE

1. Hon. Terer Francis Chairperson
2. Hon. Chepngeno Gabriella Vice Chairperson
3. Hon. Mercy Gikonyo
4. Hon. Irine Langat
5. Hon. Bii Paul
6. Hon. Koskei Simon
7. Hon. Opile Noella
8. Hon. Chepkemai Beatrice
9. Hon. Langat Winny

9. FINANCE AND ECONOMIC PLANNING

1. Hon. Bosuben Hillary Chairperson
2. Hon. Opile Noella Vice Chairperson
3. Hon. Bett Erick
4. Hon. Chirchir Paul
5. Hon. Birir Amos
6. Hon. Mibey Anita
7. Hon. Kiprotich Rogony
8. Hon. Chepngeno Jesca
9. Hon. Chelangat Monica

10. WATER, ENERGY AND SANITATION

1. Hon. Kemoi Peter Chairperson
2. Hon. Lily Sirma Vice Chairperson
3. Hon. Korir Vincent
4. Hon. Cheruiyot Martin
5. Hon. Korir Mathew
6. Hon. Mibey Anita
7. Hon. Dr. Rop Naaman
8. Hon. Korir Fancy
9. Hon. Anthony Ruto

11. ENVIRONMENT, ENERGY, FORESTRY AND NATURAL RESOURCES

1. Hon. Langat Richard Chairperson
2. Hon. Gikonyo Mercy Vice Chairperson
3. Hon. Gabriella Chepngeno
4. Hon. Maritim David
5. Hon. Anita Mibey
6. Hon. Koskei Vincent

7. Hon. Matkeir Isaac
8. Hon. Keino Dorah
9. Hon. Langat Irine

12. TRADE AND INDUSTRIALIZATION

1. Hon. Cheruiyot Martin Chairperson
2. Hon. Chepngeno Jessica Vice Chairperson
3. Hon. Terer Francis
4. Hon. Kemoi Peter
5. Hon. Langat Richard
6. Hon. Kiprotich Rogony
7. Hon. Koskei Vincent
8. Hon. Langat Winny
9. Hon. Sirma Lilly

13. COOPERATIVE MANAGEMENT, TOURISM AND WILDLIFE

1. Hon. Mutai Philip Chairperson
1. Hon. Bett Gladys Vice Chairperson
2. Hon. Rono Philip
3. Hon. Korir Fancy
4. Hon. Serem Bavina

5. Hon. Birir Amos
6. Hon. Gikonyo Mercy
7. Hon. Tonui Ednah
8. Hon. Chelangat Monica

14. RESEARCH, INFORMATION TECHNOLOGY AND E- GOVERNMENT

1. Hon. Kirui Vincent Chairperson
2. Hon. Winny Langat Vice Chairperson
3. Hon. Serem Bavina
4. Hon. Korir Mathew
5. Hon. Bett Gladys
6. Hon. Jessica Chepngeno
7. Hon. Sirma Lilly
8. Hon. Mutai Dominic
9. Hon. Korir Vincent

15. BUDGET AND APPROPRIATIONS

1. Hon. Albert Kipkoech
2. Hon. Anita Cherono Mibey

3. Hon. Vincent Kipkirui Korir
4. Hon. Richard Cheruiyot
5. Hon. Kiprotich Rogony
6. Hon. David Kipkorir Maritim
7. Hon. Simon Koskei
8. Hon. Philip Rono
9. Hon. Hezron Kipngeno
10. Hon. Moses Cheruiyot
11. Hon. Anthony Ruto
12. Hon. Paul Kibiegon Chirchir
13. Hon. Cheruiyot Bett
14. Hon. Martin Kiplangat
15. Hon. Eric Kipkirui Bett
16. Hon. Philip Kipngenh Mutai
17. Hon Paul Kiptoo Bii
18. Hon. Gilbert Kiprob Ngetich
19. Hon Kipngeno Kirui
20. Hon. Francis Kiplangat Terer
21. Hon. Vincent Kipngeno Kirui

22. Hon. Hillary Kibet Bosuben
23. Hon Amos Kimutai Birir
24. Hon Dominic Kipkirui Mutai
25. Hon. Julius Kipkorir Siele
26. Hon. Haron Kipkemoi Rotich
27. Hon. Mathew Kipkirui Korir
28. Hon Peter Kibet Kemoi
29. Hon. Erick Kiprop Bii
30. Hon. Naaman Kipsigei Rop

16. COMMITTEE ON IMPLEMENTATION

1. Hon. Naaman Rop Chairperson
2. Hon. Isaack Matkeir Vice Chairperson
3. Hon. Cheruiyot Bett
4. Hon. Anthony Ruto
5. Hon. Gilbert Ngetich
6. Hon. Philip Rono
7. Hon. Beatrice Chepkemoi
8. Hon. Evalyne Chebwogen
9. Hon. Haroun Rotich

17. POWERS AND PRIVILEGES

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|----|------------------------|------------------|
| 1. | Hon. Dr. Patrick Mutai | Chairperson |
| 2. | Hon. Evelyne Chebwogen | Vice Chairperson |
| 3. | Hon. Eric Bett | |
| 4. | Hon. Hon. Fancy Korir | |
| 5. | Hon. Bavina Serem | |
| 6. | Hon. Paul Chirchir | |
| 7. | Hon. Philip Rono | |
| 8. | Hon. Anita Mibey | |
| 9. | Hon. Haron Rotich | |

18. PUBLIC ACCOUNTS AND INVESTMENT COMMITTEE

- | | | |
|----|-----------------------|------------------|
| 1. | Hon. Vincent Korir | Chairperson |
| 2. | Hon. Monica Chelangat | Vice Chairperson |
| 3. | Hon. Albert Kipkoech | |
| 4. | Hon Eric Bii | |
| 5. | Hon. Paul Chirchir | |
| 6. | Hon. Hillary Bosuben | |

7. Hon. Gabriella Chepngeno
8. Hon. Julius Siele
9. Hon. Keino Dorah

19. DELEGATED COUNTY LEGISLATION COMMITTEE.

1. Hon. David Maritim Chairperson
2. Hon. Ednah Tonui Vice Chairperson
3. Hon. Fancy Korir
4. Hon. Bavina Serem
5. Hon. Vincent Koskei
6. Hon. Opile Noella
7. Hon. Isaack Matkier
8. Hon. Kiprotich Rogony
9. Hon. Mercy Gikonyo

20. PROCEDURES AND RULES COMMITTEE.

1. Hon. Dr. Patrick Mutai Chairperson
2. Hon. Vincent Koskei Vice Chairperson
3. Hon. Dorah Keino
4. Hon. Ednah Tonui
5. Hon. Paul Chirchir

6. Hon. Winny Langat
7. Hon. Anita Mibey
8. Hon. Evalyne Chepwogen
9. Hon. Gladys Bett

21. HOUSE BUSINESS COMMITTEE

1. Hon. Dr. Patrick Mutai Chairperson
2. Hon. Irene Langat Vice Chairperson
3. Hon. Philip Rono
4. Hon. Moses Rotich
5. Hon. Winny Langat
6. Hon. Kipngeno Kirui
7. Hon. Dorah Keino
8. Hon. Cheruiyot Bett
9. Hon. Gladys Bett

22. COMMITTEE ON SELECTION

1. Hon. Philip Rono Chairperson
2. Hon. Gilbert Ngetich
3. Hon. Martin Cheruiyot

4. Hon. Albert Kipkoech
5. Hon. Richard Langat
6. Hon. Hezron Kipngeno
7. Hon. Peter Kemoi
8. Hon. Beatrice Chepkemoi
9. Hon. Eric Bii

23. COMMITTEE ON APPOINTMENTS

1. Hon. Dr. Patrick C. Mutai Chairperson
2. Hon. Philip Rono
3. Hon. Cheruiyot Bett
4. Hon. Paul Chirchir
5. Hon. Rogony Kiprotich
6. Hon. Anthony Rutto
7. Hon. David Maritim
8. Hon. Anita Mibey
9. Hon. Dominic Mutai

24. SPEAKERS PANEL

1. Hon. Dr. Patrick Mutai Chairperson

2. Hon. Eric Bett
3. Hon. Paul Chirchir
4. Hon. Anita Mibey
5. Hon. Vincent Koskey
6. Hon. Dorah Keino

The Committee further recommends that an election for the Chairperson of the Committee on Budget and Appropriation be held immediately after the adoption of this report by the House with the first runners up automatically assuming the position of the committee's Vice Chairperson.

5.0 Acknowledgement

The Committee wishes to thank the Offices of the Speaker and the Clerk of the Assembly for the necessary support extended to it in the execution of its mandate.

Mr. Speaker Sir, it is my pleasant duty, pursuant to Standing Order 170, to present the Report on the Nomination of Members to Different Committees by the Committee on Selection for consideration by the House. Before I welcome Hon. Erick Bii to second, I am very sure that no one has been left out without any responsibility allowance and I therefore call upon the Hon. Erick Bii to second this motion. Thank you.

The Speaker (Hon. Dr. Patrick Mutai): Thank you the honorable Leader of Majority, before he seconds, your final comment was on responsibility allowance but I know that the membership of these committees, the chairperson and the vice chairperson should be able to deliver on his or her mandate effectively because that is what the people expect from us. I hope that is clear because some time we do charity work and we may even decide not to be remunerated at some point in time. What I am trying to put across is that as an Assembly we expect members to take their work seriously. Honorable Erick Bii please second.

(Honorable Erick Bii bows in secondment)

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much.

(Question proposed)

The Speaker (Hon. Dr. Patrick Mutai): Honorable members, before I open the floor, let me refer you to Standing Order number 170(2) which reads; whenever a motion for approval of a list under paragraph (1) is moved in the Assembly, no objection against the proposed membership of a member in a select committee shall be permitted and objections, if any, shall be formulated against the proposed membership as a whole. Please be guided accordingly. I now open the floor for members to make their contribution. The Hon. Paul Chirchir!

Hon. Paul Chirchir (Member for Kapsoit Ward): Thank you very much Mr. Speaker for giving me an opportunity to make my contribution on the report nominating members to different committees. I rise to support the motion by the honorable Majority Leader. Looking at the composition of each committee, the gender rule is very clear and the Standing Order number 170 is also very clear. Now we have to start working because the strength of the Assembly is in the committees, this Assembly will be as strong as the committees. Our roles as the Members of County Assembly are very clear, oversight, representation and legislation and we can only do oversight through the committees.

The committee on Finance and Economic Planning should seriously take up their responsibility because the revenue targets have not been met for the last five years. I wish to congratulate our chairperson the Hon. Hillary Bosuben and tell him that the task before him is enormous and he has our support as the committee members. This is February and we have two more months to the close of the financial year, we have this year's budget to implement between now and June. We have not been able to see any development being rolled out because of the issues of Chief Officers and now that the Chief Officers have been given rights they do not have the luxury of time and as committees it's high time that we move with speed. Roads, water projects and ECDE (Early Childhood Development Education) have not been rolled out because of the issues that

have been addressed. Now we will be able to raise statements through the committees. We hope to see members raising statements from next week in terms of work in various wards. Lastly I wish to congratulate the Committee on Selection led by our able Majority Leader and say thank you to them for doing a very good job and now to the 47 Members of this County Assembly. Let us put our differences behind us and work as a team. When we succeed we succeed as an Assembly. Let us move with speed and make sure that things are rolled out. Thank you very much.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much the honorable Paul Chirchir, the floor is still open for members to contribute. I hope silence means concurrence and I can see that everyone is smiling. I must congratulate the Majority Leader; I think you did a very good work because I have not heard anyone complain. I want to commend you on what you did especially considering gender balance, regional balance, I think that is the way to go. Having no more contributions I want to request the Majority Leader to reply.

Hon. Philip Rono (Majority Leader, Member for Kamasian Ward): Thank you very much Mr. Speaker, mine is just to thank the House for having trust in what we did. My only request to your office is that you arrange an induction for these members on various committees for the members to get some experience on their respective committees. The only challenge that I had is that people were thinking that some committees like the Delegated County Legislation is a dormant committee but I want to assure them that we have several legislations that have been passed in the County Executive and the County Assembly that have not been implemented because of previous dormant chairpersons of that committee. I therefore request that the Hon. David Maritim reintroduces the same bills and policies for consideration by the House that were just drafted by the County Executive but were not passed. I also want to warn the chairpersons who will not take their work seriously that our office will take serious actions on them; you will be whipped if the committee members raise concerns over your performance.

Finally I want to once again thank the honorable members for having confidence in this report. Thank you and God bless you all.

The Speaker (Hon. Dr. Patrick Mutai): Thank you very much Majority Leader Hon. Philip Rono. I hope you will not whip The Speaker because he is also a chairperson of a number of committees but I can assure you that I will work hard to ensure that the committees that I chair work effectively and efficiently.

(Question put and agreed to)

The Speaker (Hon. Dr. Patrick Mutai): Honorable members now that the report has been approved by the House, I got three communications to make.

As requested by the Majority Leader on the aspect of training, I direct the office of the Clerk together with the leadership led by the Majority Leader to immediately arrange for training for members to build capacity on the various committees. Members should understand their roles and carry out those roles pro-actively.

Secondly, on matters that had already been committed to various committees in our past sittings. I recommit them to the new committee and give them new timelines of 14 days from today so that they can be able to dispense off those matters. I ask the committee chairpersons to liaise with the Office of the Clerk to find out the pending agendas in the committees so that you may dispense it within two weeks

Thirdly, the report that has been adopted has a proposal that the election of the chairperson Budget and Appropriation Committee be done immediately after this. I direct the Office of the Clerk that the election be done on Tuesday the 14th February 2023 at 10a.m and that whoever will be the runners up will be the vice chairperson. I hope the Majority Leader has noted that so that you communicate to the other members.

(Adjournment)

The Speaker (Hon. Dr. Patrick Mutai): There being no other business this House stands adjourned until 14th February 2023 at 9:30am. Thank you.

(The House rose at 3:10pm)