

KERICHO COUNTY ASSEMBLY

THE HANSARD

Third Assembly

Fourth Session

Wednesday 30th April, 2025

(The House met at 9.40 a.m.)

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

PRAYERS

The Speaker (Hon. (Dr.) Patrick Mutai): Good Morning Honourable Members and welcome to our morning sitting, today being Wednesday 30th April 2025.

(Loud consultations)

Order! Order Hon. Members. Please consult in low tones!

Clerk, Order of Business!

COMMUNICATION FROM THE CHAIR

VISITING PUPILS AND TEACHERS FROM TABET JUNIOR SCHOOL

The Speaker (Hon. (Dr.) Patrick Mutai): Honourable Members, I have two communications to make. Honourable Members, I would like to acknowledge the presence in the Public Gallery this morning of visiting students, teachers and staff from Tabet Junior School from Kapsaos Ward. In our usual tradition of welcoming and receiving visitors to the County Assembly, I extend a warm welcome to you all and on behalf of the Assembly wish you a fruitful visit. So you are welcome! This is from Kapsaos Ward where Hon. Paul Bii comes from. Those are your visitors. We also have a nominated MCA from Kapsaos Ward, that is, Hon. Monica Kikwai who will be joining us in a few minutes. Just to welcome you and tell you that you will be following us live. This is the County Assembly where the Honourable Members perform their roles as per the constitution and this is where they do their representation, oversight and legislation and therefore you are most welcome on behalf of this County Assembly. I am the Speaker Hon. Dr. Patrick Mutai. That is my first communication.

After the second communication, I will give a chance to two or three members to say a word so that we can proceed and conclude because we have other urgent matters to attend to immediately after this session.

SPEAKERS RULING

Honourable Members, my second communication is my ruling that was deferred yesterday. Just to remind you is that yesterday there was a Motion by the Hon. Chief Whip in regards to the matters County Public Service Board and there was a tie whereby we had 11 votes in support and 11 votes opposing the Motion. As you all know Honourable Members, those who vote are those present and voting, even though our Standing Orders allow other ways of voting but only through the permission of the Speaker but yesterday those who were present voted resulting to a tie of 11/11 votes.

Honourable Members, following the morning sitting of Tuesday, 29th April 2025, I hereby make the following ruling on the question of tie where there is a vote:

The County Assembly in its morning sitting of Tuesday, 29th April 2025 deliberated on a motion by Honourable Haroun Rotich where it sought the County Assembly's resolution for the Committee on Governance Labour and Social Welfare to investigate and report to the House within (14) fourteen days on:

- 1) Criteria used to shortlist the interviewees;
- 2) The Departmental requests to the Board for recruitment of staff;
- 3) The budget for recruitment of staff from the respective departments;
- 4) The number of staff who are yet to be confirmed from various departments; and
- 5) The budget used to confirm the 36 staff who were on contract as internally advertised recently.

The said Motion was debated upon to its conclusion. I thereafter collected the voices of the 'Ayes' and 'Nays'. Upon putting the question of the Motion and before I declared the results Honourable Hezron Ngetich Claimed for a division. The said claim was supported by other Five Honourable Members.

I thereafter directed the "Ayes to be seated on my right side and the "Nays" on the left side. Upon counting it was established there was a tie of Eleven (11) on each side. Our Standing Orders currently doesn't envisage such a scenario and hence I have had to rely on the provisions of the County Governments Act, 2012.

Section 20 of the County Governments Act provides that when a question is proposed for decision by a county assembly, I shall not have any right to vote and in the case of a tie the question is lost.

This therefore means the question on the motion by Hon Haroun Rotich as raised in the morning sitting of Tuesday 29th April 2025 is hereby lost, hence defeated. It is signed by myself and delivered this morning of 30th April 2025.

Clerk, Next Order!

Honourable Members, because we have visitors and noting the time constraints, I want to allow the Hon. Member for Kapsaos just two minutes because we are all proceeding to attend to another urgent matter as a House. Hon. Paul Bii!

Hon. Paul Bii (Member for Kapsaos Ward): Thank you very much Hon. Speaker for giving me this chance to welcome the students, teachers and staff from Tabet to this great Assembly. Feel most welcome. Honourable Speaker, these are students from my village and the highest percentage come from my village. This school is an immediate neighbour to where I come from and I am indeed happy to welcome them in this great Assembly. Even though today we do not have so much business, it is unfortunate because they came to learn. This Assembly is a replica of the National Parliament and so when we are here we deliberate on issues that affect our people back at home. Here we do representation, oversight and legislation. So by having you here, it is a great honour that they have started their journey of becoming great leaders in this country. So I want to wish you well as you go back to school and I am happy because when I look at your faces, they are shining which means that you obey your teachers in school. So feel welcome and I know later you will be taken round to familiarise yourself with the Assembly. This is your Assembly and I know most of you are looking forward to be leaders in future. As you all know, I am aging and I know one of you will be an MCA right here. So enjoy your day, I am happy to see you and maintain the discipline you've been having in your school.

Otherwise Mr. Speaker, I don't have much to add on top of that,; maybe you will give a chance to one or two more Honourable Members to welcome these great pupils of Tabet bearing in mind that these are the children who prayed for me when I was doing my campaigns. This is my immediate school and when I was coming back home in the evening there is no day that I did not pass near Tabet school and they used to cheer me up and pray for me and so I want to wish you well as you stay here. Thank you and God bless you.

The Speaker (Hon. (Dr.) Patrick Mutai): Thank you Hon. Paul Bii and then I give to Hon. Cheruiyot Bett, one minute each. I give you exactly one minute.

Hon. Hezron Ngetich (Member for Chilchila Ward): Thank you Speaker, I might even use only 40 seconds. Thank you Mr. Speaker for this opportunity so that I can join you in welcoming the pupils and teachers of Tabet from Kapsaos Ward. This is the replica of the National Parliament where we do oversight, representation and legislation. We make laws, pass budgets and represent you.

Mr. Speaker allow me to use this opportunity to wish you and the other Honourable Members who are facing courts today, we are standing with you in prayers and we know that God will make us triumph.

As I conclude allow me to thank you for a land-mark ruling on yesterday's Motion. Mr. Speaker, it was not about politics but continuity and not gagging other institutions because already the processes are continuing. So Mr. Speaker, we can gag other process that are continuing like that of Revenue Clerks but for the nurses...

The Speaker (Hon. (Dr.) Patrick Mutai): 40 seconds!

Hon. Hezron Ngetich (Member for Chilchila Ward): Otherwise thank you Mr. Speaker!

The Speaker (Hon. (Dr.) Patrick Mutai): Honourable Members, I already have a message that we are already late. Hon. Philip Mutai, I can see your hand but I have a message that we are supposed to be where we are supposed to be.

ADJOURNMENT

The Speaker (Hon. (Dr.) Patrick Mutai): Therefore our visitors thank you so much for being with us. Hon. Members, there being no other Order of Business, this House stands adjourned until this afternoon at 2.30 p.m. Asante.

[The House rose at 9.54 a.m.]