

COUNTY ASSEMBLY

HANSARD REPORT

Tuesday, 28<sup>th</sup> February 2023

The House met at 2.30PM

*[The Speaker,  
(Hon. (Mr.) Edin Wario) in the Chair]*

PRAYERS

COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Honourable Members, the first communication is from the High Court of Kenya, miscellaneous civil appeal No. E001/2023, Amos Wako Guyo-first appellant, Sadia Osman-second appellant versus the Speaker, Marsabit County Assembly-1<sup>st</sup> respondent, the Clerk, County Assembly of Marsabit-2<sup>nd</sup> respondent and Kenya Kwanza Coalition-1<sup>st</sup> interested party, Halkano Konso- 2<sup>nd</sup> interested party and Marsabit County Public Service Board-3<sup>rd</sup> interested party.

Order is hereby given that in the Court on 20<sup>th</sup> February, 2023 before Justice J .N Njagi, upon reading the application date 16<sup>th</sup> February 2023 brought under certificate of urgency before Honourable Justice J.N Njagi, the Judge and upon reading the supporting affidavit of Amos Wako Guyo sworn on 16<sup>th</sup> February 2023, annexure herein, it is hereby ordered that the application is certified as urgent.

That the application be served upon the respondent and the interested party, that the name of Halkano Konso is hereby expunged from the vetting Committee and that the respondents are hereby restrained from appropriating Public Funds to benefit, compensate or reward whatsoever claim the privileges of substantive office of minority leader of Marsabit County or any of the member of Kenya Kwanza Coalition purporting to be minority leader pending the hearing and determination of this application mentioned on 3<sup>rd</sup> March 2023, given under my hand and seal, Marsabit law Courts. Take note that any disobedience or non-

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observance order of the Court given on 20<sup>th</sup> February, 2023 served here will result in penalties or consequences too.

## SUBMISSION OF 2022/23 SUPPLEMENTARY 1 BUDGET ESTIMATES

Honourable Members, pursuant to provisions of section 135 of PFM Act, 2012, the County Executive member for finance and economic planning submitted supplementary I budget estimates for FY 2022/23 to the County Assembly for consideration on 15<sup>th</sup> February 2023.

Noting that the Supplementary I budget ought to be considered by the Budget and appropriation committee to facilitate full implementation, further noting that other budget related Business with strict statutory timelines including the CFSP is expected to be received on or before 28<sup>th</sup> February, 2023 by the County treasury in accordance with section 117 of the County Government Act, 2012 as read together with Standing order 21 (1) of Marsabit County Assembly.

Therefore, in accordance with the provisions of standing order 187 and 219, I hereby refer the Supplementary 1 budget estimates for the FY 2022/23 to the budget and appropriation committee.

## PAPER LAID

- (i) Annual report by the County Public Service Board as at 31<sup>st</sup> December 2022
- (ii) Quarterly report and financial statements by Hon Daud Tamasot
- (iii) Response on Health services in Marsabit County
- (iv) Report on submission of report on assumption of Governor's office
- (v) Response on collection and disposal of garbage in Moyale town
- (vi) Marsabit County health sector annual performance review report 2023-2021
- (vii) Marsabit County supplementary I budget estimates 2022/23
- (viii) Report of the auditor general:
- (ix) On financial statement of Marsabit County emergency fund for the year ended 30<sup>th</sup> June 2019
- (x) On Special audit on the pending bills of the Marsabit County Government 2017-2019/20.
- (xi) MCA's Car Loan and Mortgage scheme fund 30<sup>th</sup> June , 2020.
- (xii) Financial statements of the County executive for the year ended 30<sup>th</sup> June 2020.
- (xiii) Financial statement of the County Assembly of Marsabit for the year ended 30<sup>th</sup> June 2020.
- (xiv) County Government of Marsabit Car Loan fund for the year ended 30<sup>th</sup> June 2021.

- (xv) Special audit on COVID-19 vaccine rollout for the Marsabit County Government
- (xvi) Marsabit County Executive Education Fund for the year ended 30<sup>th</sup> June, 2021.

### MOTION AND BILLS

#### PROCEDURAL MOTION BY THE MAJORITY LEADER

**Hon. Bernard Leakono (Majority Leader):** Mr Speaker, pursuant to standing order 232, that this House resolves to exempt the Business appearing as order No. 8 from the provision of standing order 44 in order to allow the approval of County secretary and the CEO of the Marsabit County Public Service Board.

**Hon. Speaker:** Secunder...

*(Secinded by Hon Danila Lenatiyama)*

*(Question on Motion proposed)*

**Hon. Bernard Leakono (Majority Leader):** Honourable Speaker, I just moved a procedural Motion. It's a Motion to exempt a Notice of Motion, so that we can embark on the Motion. So, I urge the members who are here to support, so that we can proceed to the Motion.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Bernard Leakono (Majority Leader):** Pursuant to Section 44 (2D) (b) of the County Government Act, 2012, H.E. Hon. Mohamud Mohamed Ali submitted name of nominee for appointment to the position of County Secretary of the County Government of Marsabit to Marsabit County Assembly for Approval. The submission was done by way of a letter dated 6<sup>th</sup> February, 2023 and received on 8<sup>th</sup> February, 2023 by the County Assembly.

On 14<sup>th</sup> February, 2023, pursuant to Standing Order 39 (1), the Speaker of the County Assembly conveyed the message from H.E. the Governor on the nomination to the Members of the Marsabit County Assembly.

After reading the message from H. E. the Governor, the Speaker of the County Assembly, pursuant to Section 7 (1) of the Public Appointments (County Assemblies Approval) Act, of 2017 and Standing Order 42 (1), committed the name to the

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Committee on Vetting and Appointments and forwarded the name of the nominee and his curriculum vitae to the committee on the same day to start the process of conducting Approval hearing. Further, the Speaker directed that the Committee deliberates on the nominee and table its report as per the required procedure.

As a result of this committal, the Committee held its first sitting on Wednesday 15<sup>th</sup> February, 2023 to start the process of approval hearing as per the established laws.

On 16<sup>th</sup> February, 2023, the Clerk of the County Assembly, pursuant to Section 7(4) of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, notified the nominee of the time and place for holding the Approval hearing.

The Committee, through the Clerk, also placed notifications in two print media of national circulation (Daily Nation and Standard) informing the general public of the intention of the County Assembly to conduct an Approval hearing, pursuant to Section 7(5) of the Public Appointments (County Assemblies Approval) Act, NO 5 of 2017, which allow public participation in Committee proceedings.

The Clerk of the County Assembly gave notification to the public to submit memoranda in the form of sworn affidavit to his office, on the suitability or otherwise of the nominee on or before 22<sup>nd</sup> February, 2023 by 1.00P.M.

The approval hearing was conducted on 23<sup>rd</sup>February, 2023 at the local Assembly Chamber, during which the nominee appeared and was vetted. In conducting the vetting exercise, the Committee made reference to the Constitution, the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, and the Standing Orders. During the exercise, the nominee made submissions on why he should be appointed to the position to which he was nominated.

The Committee, in compliance with the Constitutional and other legal requirements and established procedures for vetting, ensured its meeting was open to the public and covered by the media.

The Committee takes this opportunity to thank the Offices of the Speaker and the Clerk of the County Assembly for the logistical support accorded to it during the vetting Exercise. The Committee is also grateful to the media for their coverage of the committee proceedings, thus enhancing Accountability and Transparency of the vetting Exercise.

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On behalf of the Committee, and pursuant to Section 58A (8) of County Governments Act, 2012 and Section 9 (2) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017, it is my pleasant duty to table the Report of the Committee on Vetting and Appointments on the approval hearing for the nominee.

Thank you.

*(The Speaker interjects)*

**Hon. Speaker:** Honourable Members, for clarification, the report that the Majority Leader is reading - is from the green book. The blue book contains the report of the CEO for Public Service Board.

**Hon. Bernard Leakono (Majority Leader):** But, I mentioned that I am reading the County Secretary's report. The green book is for those who are color blind because some people cannot tell between the green and blue color.

*(The Speaker interjects)*

**Hon. Speaker:** Thank you. You may continue.

**Hon. Bernard Leakono (Majority Leader):** On behalf of the Committee and pursuant to Section 58A (8) of County Governments Act, 2012 and Section 9 (2) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017, it is my pleasant duty to table the Report of the Committee on Vetting and Appointments on the approval hearing for the nominee. Thank you.

The Committee on Vetting and Appointments is established under Marsabit County Standing Order No. 185(1). The committee draws its mandate from Standing Order 42 (2); (b) Section 44 (Appointment of County Secretary)

### **Membership of the Committee;**

You can read about the membership of the committee. They are eleven in number.

### ***Background information;***

### ***Legal Framework;***

Pursuant to Section 44 (2D), of County Governments Act, 2012, The Governor is mandated to nominate and forward the name of qualified individual for the appointment to the position of County Secretary for approval to County Assembly.

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Section 44 (2D) (b); upon interviewing the applicant (by selection panel) for the position of the County Secretary-

- a. *The selection panel shall submit to the governor the names of two applicants who qualify for appointment as county secretary; and*
- b. *The governor shall submit the name of one applicant to the county assembly for approval for appointment as county secretary by the governor.*

Pursuant to the above Section, the Governor of Marsabit County H.E. Mohamud Mohamed Ali nominated; **Mr. Hussein Tarry Sasura**- Nominee for Appointment to the position of County Secretary.

The Committee on Vetting and Appointments has been assigned the role of conducting the vetting of the aforesaid nominee.

The following Articles of the Constitutional statutes/provisions were paramount to the Committee as it Execute this mandate: I think you can read that;

- i. Public Appointments (County Assemblies Approval) Act No. 5 of 2017;
- ii. The Public Service Act (No. 10 of 2017) on recommendation for appointment of public officers;
- iii. Constitution of Kenya 2010;
- iv. Article 10 of the Constitution on the national values and principles of governance;
- v. Chapter 6 of the Constitution on leadership and integrity;
- vi. Article 77 of the Constitution on restriction of activities of State Officers...

I think this goes up to number eight.

*Public Appointments (County Assemblies Approval) Act No. 5 of 2017;*

Section 8 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017 provides for issues which the County Assemblies are supposed to consider in relation to any nomination. These issues include:

- i. *The procedure used to arrive at the nominee including the criteria for the short listing of the nominees;*
- ii. *Any constitutional or statutory requirements relating to the office in question; and*
- iii. *The suitability of the nominee for the appointment proposed having regard to whether the nominee's credentials, abilities, experience and qualities meet the needs of the body to which nomination is being made.*

**The Public Service Act (No.10 of 2017)**

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Section 47 (2) of the Public Service Act (No. 10 of 2017) provides qualifications that one must have so as to be eligible for appointment as a public service. These are; You can read up to number 10.

### **Article 10(2) of the Constitution on national values and principles of governance**

Article 10(2) of the Constitution provides for the national values and principles of governance which include; you can also read that in page 8.

#### *Chapter 6 of the Constitution (Leadership and Integrity)*

There are important provisions in Chapter 6 of the Constitution worth pointing out. Article 73 (1) of the Constitution provides that the Authority assigned to a State officer; A and B, you can read that.

Article 73 (2) of the Constitution provides that the guiding principles of leadership and integrity include; A up to E, you can read that in the report.

Article 77 of the Constitution (Restriction on activities of State officers)  
Article 77 of the Constitution provides that; No. 1, 2, 3 (A) and (B).

#### *Article 78 of the Constitution on citizenship and leadership*

Article 78 of the Constitution states that; you can read number 1 and 2.

#### *Article 232 of the Constitution on Values and Principles of Public Service*

Article 232 (1) of the Constitution provides for the values and principles of public service which include; No. A up to I.

#### *Qualifications for Appointment as County Secretary*

Section 44(2) of the County Governments Act, 2012 provides for the qualification for appointment as a county secretary. They are; A, B, C, D and E. You can read that.

#### *Message from H.E. the Governor*

Pursuant to Section 44 (2D) (b), of the County Governments Act, 2012, H.E. Hon. Mohamud Mohamed Ali submitted the name of a nominee for appointment to the position of County Secretary for the County Government of Marsabit to the Marsabit County Assembly for Approval. The submission was done via a letter received on 8<sup>th</sup> February, 2023 by the Assembly, (***See Annexure 2: The Letter from H.E. the Governor***).

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Below is the name of a nominee;

1.	<b>Mr. Hussein Tarry Sasura</b>	Nominee for Appointment to the position of County Secretary
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*Speaker's Communication and Committal to committee.*

On 14<sup>th</sup> February, 2023, pursuant to Standing Order 39 (1), the Speaker of the County Assembly conveyed the message from H.E. the Governor over the nomination to the Members of the Marsabit County Assembly.

After reading the message from H. E. the Governor, the Speaker of the County Assembly, pursuant to Standing Order 42 (1), committed the name to the Committee on Vetting and Appointments and forwarded the name of the nominee and his curriculum vitae to the committee on the same day to start the process of conducting Approval hearing. Further, the Speaker directed that the Committee deliberates on the nominee and table its report as per the required procedure. (*Annexure 3: Copy of the Communication Letter from the Speaker*).

*Notification to the Public and Relevant Institutions*

On 16<sup>th</sup> February, 2023, the Clerk of the County Assembly, pursuant to Section 7(4) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017, notified the nominee of the time and place for holding the Approval hearing.

The Committee, through the Clerk, also placed notifications in two print media of national circulation (*Daily Nation and Standard*) and a letter to the local FM radios informing the general public of the intention of the County Assembly to conduct an approval hearing, pursuant to Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, No 5 of 2017, which allow public participation in Committee proceedings.

The Clerk of the County Assembly gave notification to the public to submit memoranda in the form of sworn affidavit to his office, on the suitability or otherwise of the nominee on or before 22<sup>nd</sup> February, 2023 by 1.00 P.M (*Annexure 4: Copy of the Newspaper Advert and letter to the local FM radios*).

The Clerk of the County Assembly wrote to EACC vide letter dated 16<sup>th</sup> February, 2023 and was received on 17<sup>th</sup> February, 2023 forwarding the name of the nominee to inquire on any reports held (concluded investigations or otherwise) against the nominee that

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would have a bearing on the approval of the nominee (See Annexure 5: A copy of the letter to the EACC by the Clerk).

The Clerk did not receive any response on the same.

#### *Clearance Requirement*

The nominee was required to present to the Committee the following key documents in order for the Committee to gauge his compliance with the requirements of Chapter 6 of the Constitution; No. 1 to 9 as listed. The Nominee complied and presented the copies of an above documents to the office of the Clerk as required.

#### *Committee Proceedings*

The Committee held its first sitting on Wednesday 15<sup>th</sup> February, 2023 and had two (2) more meetings to prepare for vetting and approval. The Committee also held One (1) approval hearing sitting on 23<sup>th</sup> February 2023. In total, the Committee held four (4) Sittings (*See Annexure 6: The Minutes of the Committee Sittings*).

#### *Collection and Submissions of Questionnaires*

Following the newspaper notice, the nominee was required to collect, fill and submit the vetting questionnaire along with other relevant documents from 16<sup>th</sup> February 2023 to 22<sup>nd</sup> February, 2023 by 5.00 P.M (**See Annexure 7: Copy of the Questionnaire**).

*(Hon. Ogom interjects)*

**Hon. Christopher Matahdere Ogom:** Point of order Mr. Speaker!

**Hon. Speaker:** What is it Hon. Ogom?

**Hon. Christopher Matahdere Ogom:** Thank you, Mr. Speaker. I would like to request the Honourable Member, the Leader of Majority not read the whole story, but just summarize since we all have the report. Such kind of reports should also be availed to the members in advance to avoid a situation where we are reading the reports that we have not yet internalized. Thank you.

**Hon. Speaker:** Thank you Hon. Ogom.  
Honourable Tura!

**Hon. Tura Ruru Elema:** .....*{inaudible}*

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*(The Speaker interjects)*

**Hon. Speaker:** Order Hon. Tura!

**Hon. Bernard Leakono (Majority Leader):** Mr. Speaker, it is very unfortunate that a high ranking member of this Committee can say to excuse me. This is a report that we made....

*(The Speaker interjects)*

**Hon. Speaker:** You can continue!

**Hon. Bernard Leakono (Majority Leader):** I am the one who is reading and I am not tired. Why are they tired while listening? Anyway, I will still go on as per the member's request. But let them know that I am not tired. I thank those who are sympathizing with me. This is positive.

*(Several Members stood from their places)*

Mr. Speaker, protect me. I am reading a report....

*(The Speaker interjects)*

**Hon. Speaker:** Order Hon. Ogom!

**Hon. Bernard Leakono (Majority Leader):** Now let me look at the committee findings: During the preparatory meeting held on 15<sup>th</sup> February 2023, the committee noted that the information presented by the Appointing Authority was not sufficient to inform the committee on the requirement of the provisions of section 8 of the Public appointments (County Assemblies Approval) Act no. 5 of 2017.

The committee therefore requested to be furnished with more information regarding the nomination of the nominee. The committee instructed the Clerk to write to the nominating Authority requesting for the recruitment report of the selection panel which conducted the interview and forwarded the suitable candidate to the Appointing Authority of the nomination.

The Clerk wrote to the Appointing Authority vide a letter ref no. MCA/CAC/GEN/VOL 1/006 dated 16<sup>th</sup> Feb 2023 and received at the Governor's office on 17<sup>th</sup> February, 2023, requesting for the said report. In response, the Governor declined to produce the recruitment report vide a letter Ref. No. MCG/OOG/CEO/MCPSB/2023/02 dated 17<sup>th</sup> Feb, 2023, received at the clerk's office on 20<sup>th</sup> February, 2023. The response had an annexure of partial information regarding the recruitment. The attachments are;

1. Newspaper Advertisement

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2. Shortlisted candidates
3. Gazette notice on gazettelement of selection panel

To seek for further information on the above matter, the committee, pursuant to the provisions of Section 12 of public Appointments (County Assemblies Approval) Act, No 5 of 2017, invited the Chairperson of the selection panel. The Chairperson appeared before the committee on 25<sup>th</sup> February 2023 at 3.00 pm to clarify the concerns of the committee regarding the recruitment process of the County Secretary.

Chairperson reported that the whole process of the recruitment of the County Secretary was done in accordance with all the relevant laws and to be specific the provisions of section 44 and 58A of the County Governments Act No. 17 of 2012. He gave a brief highlight on the whole process as follows;

1. He convened the meeting of the Selection Panel as soon as the Appointment and gazettelement was done.
2. Pursuant to section 58A (5) of the County Government Act, 2012, the panel advertised for the position to invite for application from persons who qualify.
3. Long listing of the applicants was done.
4. Short listing was done from the long list based on merit.
5. The panel advertised for the interview of the shortlisted candidates.
6. After conducting the Interview, the panel proposed two names of the successful applicants to the Appointing Authority. Namely.

Hussein Tarry Sasura \*\*\*\*293  
Ibrahim Adan Sora \*\*\*\*877

After the presentation by the Chair, the committee requested him to produce the list of all those who applied for the position of the County Secretary. The Chair later availed the long list of the applicants. (See Annexure 11: Long list of the Applicants).

After all that and looking at the procedure, pursuant to Section 44 of the County Governments Act, 2012, Section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 195 (5) (g), the Committee recommends: -THAT, Marsabit County Assembly approves the nomination of **Mr. Hussein Tarry Sasura**-Nominee for Appointment to the position of County Secretary

Mr. Speaker: That is the report. Now that I have gone through the report, I request the County Assembly of Marsabit to support the Committee recommendation. Thank you.

*{Applause}*

**Hon. Speaker:** Thank you Honourable Member, the Majority Leader.

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*(Question proposed)*

**Hon. Christopher Matahdere Ogom:** Thank you, Mr. Speaker, I am a little bit getting confused, because in the Committee findings, the Committee indicated that they were unable to have substantive report because they had limited information. Due to lack of information, they received a refusal from the Executive, so they were unable to get detailed information: How then did they come up with the Committee findings? Thank you.

**Hon. Bernard Leakono (Majority Leader):** Thank you, Mr. Speaker. The Committee is mandated to get information from anyone they deem fit and they are not restricted to one source. The report of the Nominee is with the Selection Panel, after further inquiry the Appointing Authority itself had no report; it is with the Selection Panel.

The offices of the Speaker and Clerk in their wisdom requested the Appointing Authority. The Chairperson of the Panel had only given a two-page report after they conducted an interview and these are the two names! The Panel had all the report and in our wisdom we summoned its Chair, all what is needed is in page 14. Thank you.

**Hon. Danila Lenatiyama:** Thank you, Mr. Speaker. This goes to the Committee, in page 14, I see, the ID No. Of Hussein Taari Sasura and Ibrahim Adan Sora, but I don't know if it is incomplete or because you wanted to undo it, it starts with \*\*\*293, if someone else comes and claim to be the County Secretary what will you do? Thank you.

**Hon. Tura Ruru:** Thank you, Mr. Speaker, I think for the ID the last three digits are enough.... for any individual.

*(Applause)*

I would like to thank the Committee for the good work they have done. I also had the same concern raised by the MCA Kargi, but when information was requested, the Chair of the Panel came in handy and offered the solution. But what I wanted to know was they were asking for more information, when all documents were presented as per the requirement of the Constitution. I think what was lacking were the marks awarded to the nominees by the Panel.

*(Applause)*

And in the line I was out for more information on this report, especially on how they awarded marks to these people, so that we understand, if what the Panel has done concurs with that of the Committee. I think those are the areas that did not come out well and in future, if they ask for this, then they should present marks awarded to those they vet. I think the nominee is qualified, a very senior citizen of this County,

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Assistant Minister for that matter and I think he fits the position and I support. Thank you.

*(Applause)*

**Hon. Danila Lenatiyama:** Hon. Speaker, I think the MCA North Horr is contradicting himself, he is asking for awarding of marks to the nominees by the Committee and at the same time claims that the nominee fits the position, I don't understand!

*(Hon. Tura rose on a point of information)*

**Hon. Did Omar Apicha:** Thank you, Mr. Speaker, first of all I want to thank the Members of the Committee for Vetting and Appointment. They, including myself have done a great work. I would like to put across some few points. The nominee who was nominated to the position of the County Secretary was vetted by the Committee, the whole procedure was done in accordance with law and the said person passed through an interview and the name was submitted to the nominating Authority and we as the Committee vetted the nominee and established that he is competent and suitable as we finally brought report to the House.

*(Applause)*

Now the matter is before the House and we beg the Hon. Members to adopt the report and to approve the former legislator to become the County Secretary of Marsabit County. Thank you.

**Hon. Sadia Osman Araru:** Thank you, Hon. Speaker. I would like to congratulate the Vetting Committee for vetting my former head teacher. I believe he was not only my teacher, but now my Speaker. I suppose he feels proud that his students are discussing him at the County Assembly. He is a suitable person, a legislator, and resident of this County. I believe he qualifies for this position and I support the nomination of Mr. Hussein. Thank you.

**Hon. Jacob Elisha:** Thank you, Mr. Speaker. I would also like to take this opportunity to thank the Vetting Committee for approving Mr. Hussein Taari who happens to be my teacher too. He is a champion of education and peace ambassador in Marsabit as he is the first person to introduce day school in Marsabit in addition to building eight secondary schools which among them included Karare Mixed Secondary School, Sasura Girls, Dakabaricha as the Centre of Excellence. He however not only built schools, but health centers as well.

*(Hon. Kiya rose on a point of order)*

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Thank you, Hon. Speaker, we are only telling you what he has done so that leaders of Marsabit county follow his example! Thank you and I support the motion.

*(Question proposed)*

*(Question put and agreed to)*

*(Applause)*

## MOTION

REPORT OF THE APPROVAL HEARING FOR THE NOMINEE FOR THE APPOINTMENT TO THE POSITION  
OF COUNTY SECRETARY AND CEO-COUNTY PUBLIC SERVICE BOARD

**Hon. Bernard Leakono (Majority Leader):** Thank you, Mr. Speaker, I am tabling a report on the approval hearing for the nominee for the appointment to the position of County Secretary and the CEO of the County Public Service Board.

*(Hon. Bernard Leakono read the report)*

*(Secondment by Hon. Rare)*

*(Question proposed)*

**Hon. Halkano Sora Rare:** Thank you, Mr. Speaker, let me first thank the Vetting and Appointment Committees chaired by you for approving this nominee. I beg the House to adopt the report brought by the Committees. Thanks

**Hon. Christopher Matahdere Ogom:** Thank you, Mr. Speaker, I think I was lucky that my contribution earlier on is similar to this debate. I think this is the House guided by a process. Main point is the processes to which we adopt these Nominees.

Well from this report it is a little bit of confusing members, where those nominated and vetted by the committees have satisfied to some degree but again in this public Appointment County Assembly Act state Section 6 Sub-Section 5, for purposes of this act the nominees shall be duly given a day in which they comply fully with sub-section 4 meaning we should have adopted as a House the communication from the Executives upon its fulfilling all the requirement.

It's illegal in itself to discuss the document that had information which is approved from. I wish attached inhere communication from the Clerk to the Executives, what was the intention or the purposes of the information? If you like at how public servants are nominated to which we arrive in selecting that nominee that is what we are supposed to vet in this House! It is the process to be followed not individuals, we are supposed to be guided by processes laid out in the law!

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**Hon. Tura Ruru Elema:** Thank you, Mr. Speaker, my concern here is what the Hon. Member is raising as was raised by the Vetting Committee! I don't know whether it is prior to the question, the information that they really wanted. What is it that the Hon. Member is looking for; what does he think is lacking; what information he wants to get, because all the documents are very clear in this report! *(Inaudible)* he better convince us that they don't qualify rather than asking what the Committee asked, since they have already said the report is okay! Thank you.

**Hon. Josephine Leado:** Thank you, let us be a little alert on this because Majority Leader has clearly said, most of this information that was given to the Governor is with us. The rest of the information not with the Governor was with the Selection Panel and we got them. The Member needs to be more alert on this matter, Thank you.

**Hon. John Boru Huka:** Thank you, Mr. Speaker, first I would like to commend The Vetting Committees for the commendable work they have done. They have actually showed us professionalism, requested for the information they wanted and they were given as per the report and now they are requesting the House to adopt the report and myself may I join them and request to adopt the report as they are because I was there when they were vetted and actually they fit the position they were nominated to! Thank you.

**Hon. Amos Wako:** Thank you Mr. Speaker, let me congratulate The Vetting Committees for conducting what they are supposed to do in a manner that is required and also for unanimously approving the Nominees I therefore, ask honorably to approve the two Nominees, so that the government can easily take off and make service delivery to its people. Thank you

**Hon. James Haile Korie:** Thank you Mr. Speaker, Hon. Ogom I think he is very right to ask any question concerning the Vetting Committees about the report! Yes, Hon. Ogom we followed all the due process and we even call the board chair we call them and interview verbally and we found that that what he said there he has given us verbally not in a written form so we are very ok with it. Just come down and accept the report. Thank you.

*(Laughter)*

*(Hon. Tura stood from his place)*

*(Laughter)*

**Hon. Sadia Osman Araru:** Mr. Speaker, I think we are not discussing about my head teacher we are on CEO and we are discussing somebody different! So I don't know whether he was sleeping by that time he could have raised the point of order, but now we are on another point!

**Hon. Tura Ruru Elema:** I think possibly it was my colleague who was sleeping I don't know Ganale appointed as the CEO and previously people quoted that he was their head teacher and that is how I came about talking on this. Though, I don't know him from the report given I have no reason as to why I should doubt that! He is qualified, competent and with his education I can see he deserves the position and that is why I am trying to say let us endorse the report so that our good citizen will be CEO of the County Public Service Board of Marsabit! Thank you

**Hon. Siba Michal Haila:** Thank you Hon. Speaker, first and foremost I would like to commend The Vetting Committees for doing a commendable job! It was not easy I was following through the link they have asked a good question. I have heard from my colleague describing former legislator Hon. Sasura but not heard any Member describing or telling us more about Ganale, but I would like to agree with all the Members to support the two Nominees who have been vetted by The Vetting Committees and I support fully, thank you.

**Hon. Ebise Waqo:** Thank you Mr. Speaker, since I see no one knows enough about Mr. Ganale, I think I can speak about him. We have been in The Vetting Committees we pose our questions and he answered them very well. He is up to the task and I believe he will deliver, so I would like to ask all the Hon. Members let us adopt the report and approve it, thank you.

**Hon. Speaker:** I think Hon. Members, on point of correction to Hon. Sadia and Hon. Tura, by virtue of being a teacher he was not only a teacher to the Speaker. Over 30-40 years he was a teacher maybe the entire Marsabit County can confess that! So, I think for the panel Hon. Ogom, the panel which vetted The Public Service Board Secretary Ganale and County Secretary came through this House, I don't think we can doubt the ability of this panel or their capacity because we are the one who vetted the panel first and then the Governor appointed them. Now Hon. Majority Leader respond to your motion.

**Hon. Bernard Leakono (Majority Leader):** Thank you, Mr. Speaker I want to thank the Hon. Members for supporting the two reports and approve The County Secretary and CEO to The Public Service Board. I think we read all the vetting procedures and give a comprehensive report. I am very happy being the Chair to that Committee, the report that I gave and all supported.

*(Question proposed)*

*(Question put and agreed to)*

Thank you Hon. Members having no any other Business the House is adjourned until tomorrow 9.30am.

*(The Assembly rose at 3:50PM)*