

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

#### *Official Report*

#### **THIRD ASSEMBLY – THIRD SESSION**

**Wednesday 21<sup>st</sup> August, 2024**

**House met in the Main Chamber at 2:30 p.m.**

**(The Speaker (Hon. Elisha Jack Oraro) in the Chair)**

#### **PRAYERS**

**The Speaker** (Hon. Oraro): Clerk, can you take us through the order of the day?

**The Speaker** (Hon. Oraro): Next order!!

#### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oraro): Honourable Members, I invite you to this session and I have got one communication to make. We had anticipated a meeting between the County Assembly and the County Executive on the 23rd of August 2024. The venue proposed was to be Homa Bay. However, this has been postponed due to the ongoing processing of the Supplementary Budget at the National level. One of the main agenda was to discuss the Supplementary Budget. So we shall be communicating the next date in due course and it is highly likely to be after we have the County Allocation of Revenue Act (CARA Act) the County and Local Revenue Act at the CRA report.

So please be informed that that meeting has been postponed. It gives us time for the other House Committees to run as planned earlier. Thank you.

**The Speaker** (Hon. Oraro): Next order!!

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**MOTION**

REPORT OF THE SELEWCT COMMITTEE ON APPOINTMENTS ON THE SUITABILITY OF MR. FREDRICK MARIWA FOR APPOINTMENT TO THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR WATER, ENVIRONMENT, NATURAL RESOURCES AND CLIMATE CHANGE

BY

HON. KEN OOKO, MCA, AHERO

(LEADER OF MAJORITY)

**The Speaker** (Hon. Oraro): Leader of Majority please approaches the Chair.

*(The Speaker consulting with the Leader of Majority)*

**The Speaker** (Hon. Oraro): Honourable Members, the Leader of Majority will move the motion on behalf of the Select Committee on Appointments. Leader of Majority, please proceed.

**Leader of Majority** (Hon. Ooko, MCA, Ahero): Thank you very much, Honourable Speaker. On behalf of the Select Committee on Appointments, I rise to move a motion on Vetting for the suitability of Mr. Frederick Mariwa for the appointment to the position of County Executive Committee Member of Water, Environment, Natural Resources and Climate Change. I will give the moving notes because the report was posted in our official page in a good time.

Mr. Speaker and Honourable Members, pursuant to the Provisions of Section 87 of the County Government Act 2012, read together with Section 6 of the Public Appointments (County Assemblies) Approvals Act 2017, His Excellency, the Governor submitted to the County Assembly the nomination of Mr. Frederick Ochieng Mariwa, nominee for the position of the County Executive Committee Member for Water, Environment, Natural Resources and Climate Change for vetting and approval by the County Assembly. The nomination of Mr. Frederick Mariwa was conveyed to the Speaker of the County Assembly through letter reference CGK/CS/ADM/20/Volume 6/159 dated 19 July 2024.

Mr. Speaker and Honourable Members, the nominee's CV and testimonials were enclosed in the letter. In the next one, Consequently, on 06 August 2024, pursuant to Section 6 of the Public Appointments (County Assemblies) Approvals Act, the Leader of the Majority Party, Hon. Kennedy Ooko tabled, the name of the nominee on the Floor of this Honourable House for approval, and was procedurally committed to the Committee on Appointments by the Honourable Speaker in accordance with Section 6, Part 7 of the Public Appointments (County Assemblies) Approvals Act, 2017, and Standing Order No. 187 for vetting and reporting to the House within 21 days.

Mr. Speaker and Honourable Members, pursuant to Section 7, Part 4 of the Public Appointments (County Assemblies) Approvals Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on 07 August 2024 notifying the nominee of the time and place of the approval hearing and invited the public to submit memoranda by way of written statements on oath on the suitability or otherwise of the nominee in accordance with the Public Appointments County Assemblies Approvals Act, 2017. Annex two.

Mr. Speaker and Honourable Members, the advertisement indicated that the submissions were to be received on or before 13<sup>th</sup> August 2024 at 4 p.m. By close of the submission deadline, the Committee had not received any memoranda in regards to the suitability of the nominee for appointment. Further, in fulfillment of the provisions of Section 87 of the County Government Act, 2012, read together with Section 7, Part 5 of the Public Appointments (County Assemblies) Approvals Act, 2017, and Standing Order No. 187, the Clerk of the County Assembly also notified the public through the print media that the Committee would conduct the approval hearing on Wednesday, 14 August 2024 at 9 a.m. at the County Assembly Chambers.

Mr. Speaker and Honourable Members, the nominee appeared before the Select Committee on Appointments as scheduled on Wednesday, 14 August 2024 at 09:00 a.m. for an approval hearing on his suitability or otherwise for appointment to the position of County Executive Committee Member for Water, Environment, Natural Resources, and Climate Change as per the requirements of the Constitution, the Public Appointments (County Assemblies) Approval Act, 2017, and the County Assembly Standing Orders.

Therefore, pursuant to Section 8 of the Public Appointments (County Assemblies) Approval Act, 2017, read together with Section 35 of the County Government Act, 2012, the Committee observed that Mr. Frederick Ochieng Mariwa met integrity threshold in accordance with Section 35 (c) of the County Government Act, 2012, but did not demonstrate knowledge of topical, administrative, and technical issues touching on the portfolio to which he had been nominated and did not have the requisite abilities and professional experience as per the requirements of Section 35 (d) of the County Government Act, 2012, to be approved for appointment as a County Executive Committee Member for Water, Environment, Natural Resources, and Climate Change.

Mr. Speaker and Honourable Members, the Committee therefore recommends that this House does not approve Mr. Frederick Mariwa for appointment as the County Executive Committee Member for Water, Environment, Natural Resources, and Climate Change.

Honourable Speaker, may I take this opportunity to thank all the Members of the Committee for their input and valuable contributions and time during the approval hearings and deliberations during the writing of the report. The Committee also takes this opportunity to thank the Office of the Speaker and of the Clerk of the County Assembly for their technical support accorded to it during the exercise.

On behalf of the Committee on Appointments and pursuant, Section 87 of the County Government Act, 2012, Section 9 (2) of the Public Appointments (County Assemblies) Approval Act 2017 read together and Standing Order No. 187 of the Kisumu County Assembly Standing Orders, it is now my duty and privilege to present to this House the report of the Committee on Appointment the suitability of Mr. Frederick Ochieng Mariwa, nominee for appointment to the position of CEC Member for Water, Environment, Climate Change, and Natural Resources for consideration. May I ask Member for Manyatta “B” to second.

**The Deputy Speaker** (Hon. Okombo, MCA, Manyatta “B”): Thank you, Mr. Speaker. I want to support or second the motion which is requesting this Honourable House to reject the nomination of one Frederick Ochieng Mariwa to the position of County Executive Committee Member for Water, Environment, Climate Change, and Natural Resources. Mr. Speaker, I am a member of the Select committee on Appointment and I took part in the vetting and the reporting.

Mr. Speaker, just as Majority Leader has said, Mr. Frederick Mariwa may have had academic qualifications, a degree, but his line of professionalism, Mr. Speaker, this does not correlate with the department or the sector to which the nominee is seeking nomination to. I am not so sure about his credentials as well, because looking at Mr. Frederick Ochieng Mariwa's ID, his date of birth is written as 19th April 1980. Again, you look at his academic and professional qualifications; Mr. Frederick Ochieng Mariwa undertook a Certificate in Public Relations at the University of Nairobi between 1988 to 1989, barely eight years after he was born.

Mr. Speaker, Mr. Mariwa, then after sitting his Certificate in Public Relations in 1988-89, then comes to sit for his KCSE Certificate in the year 2000, so many years after acquiring a certificate at the University of Nairobi. Mr. Speaker, I know some would argue that a County Executive Committee Member does not need so much technical expertise, but County Executive Committee Members need to. Mr. Speaker, after looking at the Governor's Manifesto and the County Integrated Development Plan, come up with policies that influence service delivery in that particular department, but what Mr. Frederick Mariwa has from the way he responded to our questions during the vetting process, the nominee does not or did not exhibit qualities that would enable him to execute his roles well.

Mr. Speaker, some would say that the nominee would learn on the job, we do not have time; we only have about three years to go. So, we do not have the luxury of time for learners, and we do not have time we don't want to go through the same mistakes that we may have gone during the first vetting period where we see the Governor now coming to send some County Executive Committee Members home because they are not performing in the relevant department that they were nominated to. So, Mr. Speaker, I really want to second the motion and ask the Honourable Members that we allow this nominee go back so that the Governor can have an opportunity of bringing back somebody who is competent enough.

Mr. Speaker, this docket of Water, Environment, Natural Resources and Climate Change is the in thing as we know today. All donors, all development partners are now focused on climate change. We do not want somebody who is going to learn on the job.

Mr. Speaker, this is a very sensitive department and we know that he'll need to represent the county in very many forums that would need somebody who understands the docket well. So, Mr. Speaker, the nominee did not convince this House Committee that he has the qualifications and the expertise to drive this docket to the level and the height that is desired.

Mr. Speaker, I second and I ask the Honourable House to support this motion in rejecting the nomination of Frederick Ochieng Mariwa.

**The Speaker** (Hon. Oraro): Honourable Members, now that the motion Adoption of a Report of Appointment Committee on the suitability of Mr. Frederick Mariwa for Appointment to the position of County Executive Committee Member for Water, Environment, Natural Resources and Climate Change have been moved by the Leader of the Majority, seconded by the Deputy Speaker Nereah Okombo, as per our Standing Order, I want to propose a question.

Honourable Members, I propose that the Motion of Adoption of a Report of the Select committee on Appointments on the suitability of Mr. Frederick Mariwa for Appointment to the position of County Executive Committee Member for Water, Environment, Natural Resources and Climate Change is open for debate.

**The Speaker** (Hon. Oraro): Yes, Hon Adeg.

**Hon. Adeg. (MCA, Kajulu Ward):** Thank you Speaker. Going by the mood of the House, may I call the mover to reply.

*(Loud consultations)*

**The Speaker** (Hon. Oraro): Hon. Adeg, I want to rule you out of order because the mood is totally different from what you are proposing. But I noticed that Hon. Boitone Ratib was in his feet

**Hon. Boitone** (MCA, Nyalenda "A"): Thank you Mr. Speaker. I want to thank you for this opportunity. I also want to thank the Select Committee on Appointments for the due diligence that they have done on this matter.

Mr. Speaker, the reasons as to why I have stood to contribute to this motion is that, Mr. Speaker, many a times, this Honourable House has been seen as a rubber stamp and we want to prove to the public that we do due diligence in terms of vetting the nominees that His Excellency, the Governor, Professor Peter Nyongó has been bringing to this House. This shows that this House, is not a rubber stamp and it is quite evident that the credential of the said person who was nominated is questionable and is not adding up. Mr. Speaker, for that matter, the nominee is unfit

to occupy the position of County Executive Committee Member for Water, Natural Resources and Climate Change.

Mr. Speaker, we realize that, this department had a problem and that is the reason why the predecessor was shown the door. That calls for person of intelligence and integrity that could see this department give service delivery to the people of Kisumu County. So, Mr. Speaker, I also want to implore Members of Kisumu County Assembly to support the recommendations of the Select Committee on Appointments in not approving the nominee that Honourable Governor had presented to the House. Mr. Speaker, I support. Thank you.

**The Speaker** (Hon. Oraro): Hon. Sammy Onyango of Railways Ward.

**Hon. Onyango** (MCA, Railways): Thank you Mr. Speaker. I am surprised because this is the first time in this House that, I am witnessing a nominee being rejected in this Assembly.

*(Loud consultations)*

**Hon. Onyango** (MCA, Railways): My question is, are we rejecting a person because we want to prove a point or because the nominee is not qualified because from the report of the House Committee, the qualification was not mentioned. The only thing that was mentioned was that the nominee did not demonstrate the knowledge of topical, administrative, technical issues touching the portfolio. But I've heard what Hon. Okombo talking about the education. In this report, there is nothing like that. Maybe she was not part of the House Committee deliberations during the report writing process or the Member is reading from a different script...

*(Loud consultations)*

*(Hon. Okombo rises on a Point of Order)*

**The Deputy Speaker** (Hon. Okombo, MCA, Manyatta "B"): A point of order Mr. Speaker.

**The Speaker** (Hon. Oraro): What is the point of order, Honourable Nereah Okombo?

**The Deputy Speaker** (Hon. Okombo, MCA, Manyatta "B"): Mr. Speaker, I want to inform Hon. Sammy Onyango, that the report what I'm reading is a report which I took part in writing and before we did the report, Mr. Speaker, I took part in the vetting process. Mr. Speaker, what I was talking about is the academic qualifications. Honourable Members, I want you to turn to your reports in your tablets. Look at the academic qualifications. I believe that should have been captured in page 14 of the report.

Mr. Speaker, we start with PhD ongoing in Monitoring and Evaluation, University of Nairobi, 2019 on. Then, Mr. Speaker, we come to Masters of Arts in Project Management, 2018, Bachelors of Project Planning, 2015, Certificate in Public Relations, University of Nairobi, 1988 to 1989.

Mr. Speaker, if you check the ID, Mr. Frederick is born on the 19th of April, 1980. So when he was barely 9 years old, Mr. Speaker....

*(Hon. Samuel Onyango interjects with a Point of Order)*

**Hon. Onyango** (MCA, Railways): Point of Order Hon. Speaker.

**The Speaker** (Hon. Oraro): Order!! Hon. Sammy Onyango. You will get time.

**The Deputy Speaker** (Hon. Okombo, MCA, Manyatta “B”): Mr. Speaker, the proposed nominee was sitting for his certificate at the University of Nairobi at the age of 8. Mr. Speaker, we also said as a House Committee and the Majority Leader read everything, maybe Hon. Sammy Onyango has just picked a section. We are saying that the proposed nominee has a degree, yes, but irrelevant to the docket which he seeks to head. Mr. Speaker, as I've said, barely 2 years to the end of our term, we don't have the luxury of time to allow people to learn. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): The message has reached. Hon. Onyango.

**Hon. Onyango** (MCA, Railways): Thank you, Mr. Speaker. Hon. Deputy Speaker is living in a different county. I don't think the Member living in Kisumu County. This is because if you look at the recommendation, education is not part of it. That's why I am asking, are we rejecting the proposed nominee just because we want to prove a point that maybe we are doing oversight, which we have never done. Are we rejecting the person because he is not qualified? From my point of view, we are rejecting the proposed nominee because for example Mr. Speaker, in this County there are some people that were approved and after being passed that is when they started pursuing their degrees. So, you when talk about the education qualifications we know that we have always approved nominees, unless the appointing authority, who is the Governor...

**The Speaker** (Hon. Oraro): Order!! Hon. Sammy...

**Hon. Onyango** (MCA, Railways): Mr. Speaker, please advise this House Committee that maybe the doesn't like the person. Otherwise, Mr. Speaker, I support the nominee fully.

**The Speaker** (Hon. Oraro): Hon. Sammy, before you proceed...

*(Hon. Rakwach interjects with a Point of Order)*

**Hon. Rakwach** (MCA, Kolwa East): A point of Order.

**The Speaker** (Hon. Oraro): Just a minute Hon. Reuben. Hon. Sammy are you insinuating that this House has passed some members for the post of County Executive Committee and then they went back to pursue their degree. Would you mind quoting a name because I have been sitting

here and I am the Chairperson of the Select Committee on Appointment? Hon. Sammy could you please substantiate those allegations.

**Hon. Onyango** (MCA, Railways): Mr. Speaker, we are not new in this County I am saying what I know and the Members know.

*(Hon. Adegga rises on a Point of Order)*

**Hon. Adegga** (MCA, Kajulu): A point of order Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Sammy you know that, that is a very serious allegation that you are putting on this House, that the House approves some members for County Executive Committee position then they go back to take their education. That is a matter that is putting the House into a questionable repute and gives it a negative image that you have to substantiate or you withdraw and apologize.

**Hon. Onyango** (MCA, Railways): Mr. Speaker, even if I withdraw it is there.

**The Speaker** (Hon. Oraro): Hon. Sammy, I gave you a very simple instruction that you substantiate or you withdraw and apologize.

**Hon. Onyango** (MCA, Railways): Mr. Speaker to make others happy I withdraw but it is there.

**The Speaker** (Hon. Oraro): Hon. Sammy that's a very serious matter. What is it Hon. Adegga, you have been standing for long.

**Hon. Adegga** (MCA, Kajulu): Mr. Speaker, Hon. Sammy is my best friend and if you check Sammy's ID, he comes from Siaya. When you check the ID of this proposed nominee, he comes from Siaya. Hon. Sammy is trying to fix that the proposed nominee is not qualified, thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon Lumumba Owade.

**The Deputy Leader of Majority** (Hon. Lumumba, MCA, South-East Nyakach): Thank you, Mr. Speaker, I rise to support the rejection of this proposed nominee.

Mr. Speaker, I would want to bring this House into speed that the nomination process started long time ago but this Honourable House is the last line of the nomination and approval process. It does not mean that if this House rejects the nomination of a particular person, it is proving that other people did not do their due diligence but it is part of the process.

Mr. Speaker, for example, what has been read by my senior, that the gentleman was born in 1980 and got his certificate or whatever the University at the age of eight. That is other people's side but we cannot blame them because it is for that reason that we are here to approve or disapprove but more importantly, the office of the County Executive Committee Member is a very important office that requires someone with integrity, and honesty. However, if you have someone who presents fraudulent document outrightly and you want to entrust him with this office Mr. Speaker, we will be doing a lot of disservice to our County. Education is just part of many other things that are being looked into. Mr. Speaker, the propose nominee could have presented his papers but on the side of integrity, he has failed, Mr. Speaker and many others. For one to be considered to be a fraud that a white lie without going to another I decided that at eight years yet I get graduated as a nursery then that one would have made sense but at the age of eight, the proposed nominee has attained whatever the University of Nairobi, I don't know who took him to Nairobi University. Mr. Speaker, Kenyans or Kisumu County does not lack the kind of people that require to be County Executive Committee Members and that cannot force us to give someone an office which he is not capable holding..

*(Hon. Olima rises on a Point of Order)*

**Hon. Olima** (MCA, South-West Nyakach): A point of order Mr. Speaker.

**The Speaker** (Hon. Oraro): What is your Point of Order Hon. Olima?

**Hon. Olima** (MCA, South-West Nyakach): *(On a Point of Order)* Mr. Speaker on a Point of Order is on the Statement of Facts. The Deputy Speaker and my junior Hon. Lumumba Owade is misleading this House. Mr. Speaker it is a very serious offence and I want to allude this to sabotage by the clerk that we are being told by those who sat and vetted the alleged Mr. Frederick that the proposed nominee got his Certificate in Project Planning from Nairobi University in 1988. It's wrong, the documents certified by the Commission of Oaths are here, and what is written on the social media is wrong. I don't know which House Committee the Deputy Speaker and the Honorable Lumumba Owade went to. The certified documents are here and the proposed nominee's first information in 1995 he was at primary school, in 2000 he was at Nyagoko Secondary School, University of Nairobi Diploma in 2007, University of Nairobi certificate 2011, University of Nairobi, Bachelors of Project Management 2015, University of Nairobi, Master's in Project Planning 2018, University of Nairobi PhD Monitoring and Evaluation 2019 continuing.

Mr. Speaker, so, when did this proposed nominee get that thing in eight years? We are a House of records and we need facts don't just communicate things on social media and that is why Mr. Speaker I want to say that if the Clerks are going to sabotage these House Committees with the wrong information, then we are going nowhere. I believe the Deputy Speaker is a Member of

this House Committee, Hon. Lumumba Owade is equally a Member of this House Committee and the certificate copies are here and they went through all these things. So, to come here give us wrong information which goes to the Hansard and before the press, that this person got a degree in eight years, which is a big lie from what the guy brought as certified documents. That is the point of Order that I want to give Mr. Speaker.

**The Speaker** (Hon. Oraro): Yes, Hon. Lumumba Owade please proceed.

**The Deputy Leader of Majority** (Hon. Lumumba, MCA, South-East Nyakach): Mr. Speaker, I bring to the attention of my Senior Member to page 15 of the report but, whenever an interview or an advertisement is done or made one is required to provide certain information as per required. If you juggle around with your documents that also form part of this qualification it is not up to this House Committee to rearrange or make them clear we deal with what is on the paper what is on the table and those are the information that this House Committee received. Mr. Speaker, based on that we made a recommendation that this proposed nominee is not fit but not only that there are other factors I said Mr. Speaker, that form part of awarding the marks. When we started, we agreed that the pass mark will be 60%, it is not only that that Members of this House Committee denied the gentleman the marks but that is part of many marks that were denied due to incapability of the candidate. I therefore support the rejection of the proposed nominee to occupy the position of County Executive Committee Member for Water, Environment, Natural Resources and Climate Change, thank you Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Zachary Okoyo.

**Hon. Okoyo** (MCA, Central Kisumu): Thank you, Mr. Speaker; I arise to support the rejection of the proposed nominee for the position of County Executive Committee Member for Water, Environment, Natural Resources and Climate Change. I am also a member of the Select Committee on Appointments and I remember very well when the Leader of Majority moved a motion to adjourn the House for the purpose of vetting the County Executive Committee Member for Water, Environment, Natural Resources and Climate Change. I remember very well you requested all the Members to come and witness and be part of the process of vetting. Mr. Speaker I also recognize some Members who became and were friends of this House Committee on Appointment during the process.

Mr. Speaker, the proposed County Executive Committee Member nominee was the first person to appear before us for vetting, and I want to inform this Honourable House that the proposed nominee could not prove his worth and even if we could compare what we had before us as his education vis-a-vis how he expressed himself before this House Committee, Mr. Speaker, the proposed nominee did not meet the threshold. So, Mr. Speaker, I stand here to support that this proposed nominee did not and it's true did not please the House Committee Members for his to

be approved to the position of County Executive Committee Member for Water, Environment, Natural Resources and Climate Change. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Kelvin Oraro.

**Hon. Oraro** (MCA, Kolwa Central): Thank you Mr. Speaker, I rise here to say that I'm surprised and a little bit disappointed by the report from the Select Committee on Appointment and the judgments that this House Committee gave on the suitability of the proposed nominee to the position of County Executive Committee Member for Water, Environment, Natural Resources and Climate Change. I am trying to imagine that for one to be County Executive Committee Member, for example Mr. Murkomen who was taken to Ministry of Sports, Mr. Speaker, when you talk of a County Executive Committee Member, we are looking at three major areas that are so important. I am looking at the vetting process that you are supposed to do as the Select Committee on Appointments. Mr. Speaker, to my knowledge, the person who gave the nominee an opportunity to serve is His Excellency the Governor and in the vetting process you have all the power to look at other things and one of them is on Leadership and Integrity. But, when it comes to the ability of the proposed nominee to read, comprehend, and understand what can take place in the cabinet, then I feel the nominee can satisfy and be allowed to occupy that position.

Mr. Speaker, I want to quote or to use the latest example. I saw something like a Memo talking about reshuffling of Chief Officers, which is so serious. Some of these people the Select Committee on Appointment, gave the position of Chief Officer for Finance and Economic Planning by virtue that they have the prerequisite knowledge on finance for instance. But, today in the government or the administration of Professor Nyang' Nyongó, you will find that Chief Officer can be interchanged without knowing or considering whether he/she is having the idea or does he/she have the knowledge in this particular department. So, in this scenario, where the Assembly decides on their own and say that it's not fit, I believe that the Assembly's Appointment Committee never did their work well, and again it is my opinion that maybe something you people were looking for never satisfied the threshold of this house Committee during the vetting process.

For that reason, giving an okay, this proposed nominee is three percent. The average you said was 60 percent, and you are saying that 57 percent, it was almost close to 60 percent. If somebody surpasses 50 percent in any world, that person is average and can work in any place given the opportunity. I therefore do not support that the motion to reject the proposed nominee. I totally disagree with it, and it is my feeling that this House Committee should give the Governor the direction and give him the person who can serve him well in that place, thank you Mr. Speaker.

**The Speaker** (Hon. Oraro): Honorable Bill.

**Hon. Bill** (MCA, Kobura Ward): Thank you Mr. Speaker for giving me this opportunity. I also want to take my time to thank the Select Committee on Appointments for bringing a report to this Assembly.

Mr. Speaker, however, from the report and looking at the seconder's message, I realize that it seems like we are reading from two different reports. That is because, the one that we have here, if you look at the qualifications, they are different from what the Deputy Speaker read, and I believe that if this is the true report, the proposed nominee qualifies to be a County Executive Committee Member. I mean, if you look at all what the proposed nominee has done and areas he has led, we have around four areas where he has been a Project Manager. I then really wonder if somebody who has been trusted with all these institutions comes to be vetted in this Assembly and then we want to say that the person does not qualify to serve as a County Executive Committee Member in this Honorable County.

Mr. Speaker, the proposed nominee has served in bigger institutions, and I would love this House Committee to at least inform this House more on why they feel that the proposed nominee does not qualify. This is because the reason they gave us one of the 1988 issue. If you read from the records that we have, the nominee was in that institution...

*(Hon. Oginga and Hon. Okombo are consulting is loudly)*

**The Speaker** (Hon. Oraro): Order!! Honorable Members! Hon. Emily and Hon. Nereah, please consult in low tones.

**Hon. Bill** (MCA, Kobura Ward): Mr. Speaker, for the proposed nominee, if you look, the one that the Deputy Speaker mentioned to be 1988, but from the records we have it is 2011. So, unless there is another reason that we do not know; I believe this House Committee should now give us a better explanation as to why they have rejected this proposed nominee. I rise to oppose the report, and I believe I am doing that for the best interest of Kisumu County, thank you.

**The Speaker** (Hon. Oraro): Honorable Bennie Pete. I have noticed you Hon. Ngeta.

**Hon. Oiko** (MCA, Kabonyo/Kanyagwal): Thank you Mr. Speaker, for people to be nominated and reach this Assembly, the office of the Governor should have done the due diligence. It is upon their duty to prove to the Governor that due diligence was done at his end and therefore, what we have observed by vetting of the proposed nominee, gives us the picture that the nominee is worth the position he is nominated for.

Mr. Speaker, however, the picture being given in this record is that this nominee does not merit to head the Department of Water Environment, Natural Resources and Climate Change which is a technical department. We also know others who have been vetted in this House and the departments they head now and their qualifications, Mr. Speaker.

Mr. Speaker, the matter at hand is that this proposed nominee does not worth heading the department, and his qualifications is bringing problem. Mr. Speaker, if you look at page 15 of the House Committee report, when you come up, Certificate in Public Relations from The University of Nairobi, 1988-1989. That is from the record prepared by the Appointment Committee. When we look at the same document, the County Government of Kisumu, County Assembly of Kisumu; criteria for vetting or approval of nominees, pursuant to section (8) of the Public Appointments, County Assemblies Approval Act, the questionnaire. If people can get it look at it, then you go to page 2, you will find University of Nairobi, Diploma in Public Relations, 2007. That is a report brought by the Select Committee on Appointment to this House. In addition to that, the proposed nominee is being slaughtered here, that he got his Diploma at the age of 8, and the record you have presented here does not show it.

Mr. Speaker, it is this House Committee that seems to have mixed up the record. So, the argument being advanced by other Honourable Members to reject this report is caused by the House Committee. Therefore, check on the due diligence you can do, so that we do not get embarrassed with this report. Because it will be a bad embarrassment to the Office of the Governor, that what is it that they saw that we are not seeing? What is it that we are seeing that they did not see? Mr. Speaker, the problem lies at the House Committee level. This proposed nominee may have no knowledge on water, but he is a qualified man, because I am able to see that he is a PhD holder. He is struggling to finish his PhD, so, he is qualified by any level. From the way we are treating his qualifications, is that his qualifications should not merit him to be in that department. I beg to submit to that. See what to do to save this situation.

**The Speaker** (Hon. Oraro): Honorable Maurice Ngeta.

**Hon. Ngeta** (MCA, Awasi/Onjiko): Thank you, Mr. Speaker. With your wisdom, knowledge and prerogative, I kindly request you to give direction on such matter. Mr. Speaker, whenever there is a loggerhead and mixed reaction on such kind of a report, Mr. Speaker, kindly advise this House so that we can be guided properly. Thank you.

**The Speaker** (Hon. Oraro): Honorable Maurice Ngeta, the House is debating and it is my belief that you are given time to debate. I have not seen anything that requires my advice as the Chair.

**The Speaker** (Hon. Oraro): Honorable Seth Ganga, the floor is yours.

**Chief Whip** (Hon. Kanga, MCA, Market Milimani): Thank you, Mr. Speaker. Mr. Speaker, I rise to add my voice onto this report which has been read by the Leader of Majority on behalf of the Chairperson of the Select Committee on Appointments.

Mr. Speaker, I am a member of this House Committee and when the proposed nominee was being vetted, I was seated right where the Honorable Ruben Okoth Rakwach the MCA for Kolwa East is seated. Mr. Speaker, this House Committee had the privilege of allowing Members who are not necessarily members of the Select Committee on Appointments but are members of this

House Committee. The Honorable Benson Adegajulu, Honorable Billy, Honorable Ratib Boitone and Honorable Seth Okumu were all there.

Mr. Speaker, I do not dispute the academic credentials of Mr. Frederick Ochieng' Mariwa. But, Mr. Speaker, the academic credentials of one Mr. Frederick Ochieng' Mariwa totally contradicts the person because the person was seated right here. In addition to that, I had the privilege of taking him through the questions of the Budget Making Cycle which everybody who is interested in County Governance should be able to understand. Mr. Speaker, if you look at the CV of Mr. Frederick Ochieng' Mariwa who has got a Bachelor's Degree in Project Planning and Management, Second-Class Owners, Upper Division. He has managed several projects going by his testimonials where he has worked; monitored projects, made budgets, analyzed them, and created accurate budgets according to his CV. But, when we took the proposed nominee over the issues to do with simple Budget Making Cycles in the County Government, starting with the County Integrated Development Plan (CIDP), which the proposed nominee did not understand at all. The proposed nominee does not know even that there is something called the CIDP. Annual Development Plan (ADP) was sounding to him, like something from heaven. The County Fiscal Strategy Paper (CSFP), which is a very important component in Budget Making Process, the proposed nominee could not understand all these. And I pitied him. I pitied him so much. The Speaker took us through and I had the latitude of interviewing the proposed nominee for so long, even though the Speaker, the Chairperson then, had to intervene.

Mr. Speaker, the proposed nominee could not explain simple basic things in Budget Making Process. How do we entrust such a gentleman with issues to do with the land, which are very emotive? You know, for you to be a County Executive Committee Member, you have to develop a Budget of your department first before you present it to the Cabinet. When you do not understand basic principles in Budget Making Process, how are you going to be a County Executive Committee Member? For example, the Governor decides to relieve the County Executive Committee Member of Finance of his duties and appoints such a nominee to act as a Minister of Finance. Will the proposed nominee be able to perform that duty?

Mr. Speaker, that is a question for you, gentlemen, because we have found ourselves in a situation where we have interviewed nominees here and give them benefit of doubt when they are given time to perform. They might even embarrass the County Government in conferences where they will be able to represent the County Government of Kisumu. Will they be able to be up to the task to represent the County Government of Kisumu in such important functions?

Mr. Speaker, the issue of Land, Environment, and Climate Change and Water is not just an issue. Mr. Speaker, you recall that just the other day, we relieved Dr. Hongo. Dr. Hongo was the Minister of Lands. Dr. Hongo, was a Starehe National School alumni, PhD, Doctor of Divinity, and replacing him with somebody who does not even understand the basics in County Governance. Mr. Speaker, with those few remarks, I am in concurrence with the contributions

and the resolutions of this House Committee that will give the Governor a chance to appoint a competent person in such a docket. With those few remarks, Mr. Speaker, I rest my case. Thank you very much.

**The Speaker** (Hon. Oraro): Let me give Hon. Mildred.

**Hon. Ajumbo** (MCA, Central Seme): Thank you, Mr. Speaker, for giving me a chance. Mr. Speaker, having listened to the presentation of the Select Committee on Appointments on the vetting process they did, I am looking at the scores and it is 52/100. And the average score here, they have written 58/100. And in their recommendation, Mr. Speaker, they have said that having conducted the approval hearing of Mr. Frederick Mariwa, pursuant to the provisions of Section 4 and Section 8 of the Public Appointments read together with the Kisumu County Assembly Standing Orders. Then they finally said does not approve.

Mr. Speaker, I want to, in concurrence with this House Committee, I support the work they did. They went through the Papers. We are saying from their recommendations, yes, the person is qualified, the proposed nominee has gone to school, has a Degree, a Master's Degree, and now he is pursuing his PhD.

Mr. Speaker, I just wished that this House Committee could have added some recommendations, having heard from Hon. Seth what the Member is describing now. I have loved his recommendations that he is giving now, that while they were vetting the nominee, the nominee does not even understand what CIDP is and that is very serious. Mr. Speaker, some of these things are common knowledge you can get from the internet and I guess that the proposed nominee was coming for vetting, should have gone through and even done some research and known what exactly is expected of him when being vetted to this position.

Mr. Speaker, this House out there, we are being labeled names, that it is a House where people clap, it is a House of praise and worship, that every single nominee that is brought to this House, we do not even question, we do not even look at their educational background. Mr. Speaker, it is high time this House rise to the occasion that we are here to do serious work of oversight that we were elected to do. Mr. Speaker, I want to support that we cannot allow such a nominee to go through. Then in the next one month, someone else will go to court and it will embarrass this House. I want to concur with my other Members in this House Committee. I stand to support. We have been called names and it is high time that we begin a new walk and we become serious with our work. I rise to support. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Let me give Hon. James Omollo.

**Hon. Omollo** (MCA, West Nyakach): Thank you, Mr. Speaker. I rise to support this Committee report. Mr. Speaker, the only problem we have in this House, the Select Committee on Appointments, if you look at the membership who are contributing in this report, they seem to have more than what is in the report. And that is the gap. Mr. Speaker, this is because some of us who did not sit in that House Committee are now left to read only the report.

Mr. Speaker, reading that report with the recommendation, they do not match. Mr. Speaker that is where we are. But having listened to some of the contributions from Members of this House Committee, Hon. Boitone, Hon. Seth, Hon. Nereah and Hon. Okoyo, I am convinced that this proposed nominee who was here, who was vetted by this House Committee, do not meet the stipulated threshold.

Mr. Speaker, even a Standard 8 pupil knows the Budget Making Cycle, both at the National and the County happens, July 1<sup>st</sup> to 30<sup>th</sup> June. Anyone who has done his Master's Program in this Country knows that very well. The CIDP is a very core budgeting document.

Mr. Speaker, the proposed nominee as the County Executive Committee Member is a person who will be sitting to make policies at that level in the County Government. So that alone tells you the seriousness of this nominee when he came to this House to be vetted. The proposed nominee was not prepared, did not know what he is going into. And you will find out that this is a person who never even voted. Because if you do not know some of these basic principles, seemingly you are not even in charge of what leadership in this Country is, both from MCA up to National.

So I really want to support the recommendations of this House Committee that this House does not approve this proposed nominee. Then we allow the Governor to bring another nominee so that we can do a fresh vetting. Mr. Speaker, this docket of water...

*(Hon. Sammy Onyango rises on a Point of Order)*

**Hon. Onyango** (MCA, Railways): Point of Order Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Onyango, what is your Point of Order?

**Hon. Onyango** (MCA, Railways): Mr. Speaker, are we withdrawing the report of the Select Committee and now we are relying on the contribution of the Members? This is because the contributor on the floor has stated that now going through the report, it is faulty. But now going through the contribution from the Members of this House Committee, he is now convinced. So are we withdrawing the report of this House Committee, now we are concentrating on the Members' contribution? Thank you.

**The Speaker** (Hon. Oraro): Order!! Hon. James Omollo.

*(Hon. Omollo speaks off the record)*

**The Speaker** (Hon. Oraro): Order!! Hon. James Omollo. Hon. Okumu please allow me to guide Hon. Samuel. Hon. Samuel, I want to bring to your attention that the matter you have raised that is not a Point of Order. But anyway, we are not withdrawing any report. You have been inducted. There is a procedure of withdrawing a Committee report. The reason why a report is brought to the House is for the Members of that House Committee to contribute and equally Members who are not Members of that House Committee to contribute. By the end of the day what comes from this House is the Hansard Report. The Hansard Report is what will go out.

**The Speaker** (Hon. Oraro): So Hon. Chief Whip I saw you rise on your feet.

**The Chief Whip** (Hon. Kanga, MCA, Market/Milimani): Thank you, Mr. Speaker. If you look at the report presented by this House Committee I want to bring a Point of Information to Hon. Samuel, my friend on bullet 57, Mr. Speaker, this summarizes it all. That, the proposed nominee did not demonstrate knowledge of topical, administrative, and technical issues. The technical issues are the issues I am talking about, the Budget Making Cycle. Similarly, the proposed nominee did not understand the basics of the Budget making Cycle. So, those are where the issues we are talking about are domiciled under. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Samuel, I hope you are properly informed.

**The Speaker** (Hon. Oraro): Hon. James Omollo, you should be wind up?

**Hon. Omollo** (MCA, West Nyakach): Mr. Speaker, I was just winding up. Mr. Speaker, this is a very serious docket. And these are 10 Members who really helps the Governor and the Deputy Governor in formulation of policies for this County. So we cannot take any Tom, Dick, and Harry. As a House, we have to vet them and we have to be very sure that we are nominating or approving a nominee who is competent enough to lead that docket. I beg, I rest my case. Thank you.

**The Speaker** (Hon. Oraro): Hon. Rakwach, then Hon. Millicent Omuya, then Hon. K'omudho.

**Hon. Rakwach** (MCA, Kolwa East): Thank you, Hon. Speaker. I also rise to support the Report by the Select Committee on Appointments. Hon. Speaker, we are here to adhere to the Constitution and whatever we do in this House should reflect what is anchored in the Constitution of Kenya. Hon. Speaker, we will not work here under fear that people outside this Parliament or outside this Assembly are talking negatively about whatever we do here. We are

here to do the right thing, whether it is being criticized. The bottom line is that, it has to be the right thing and that is all. Hon. Speaker, we should not get into the state of *dumdum sign injuria*. That one is a Latin statement, which only Law students understand.

Hon. Speaker, I am not supporting this motion because one of the Honourable Members stated that there was a problem with the proposed nominee credentials. Which was purported to have been issued in 1988 when the nominee was eight years old? This is because I have checked through and I have not got it. There is no certificate in the report or in the booklet or in the annexations that shows that this proposed nominee sat for or rather got a Degree in 1988. Mr. Speaker, being that I am from a Sub County whereby people respect the fact, I would expand that one. But I have got my reasons for supporting this report. Hon. Speaker, I want to refer this House to section 35 of the County Governments Act, 2012. The qualification of a County Executive Committee Member, Honorable Speaker. One, the proposed County Executive Committee Member should be a Kenyan citizen. Is one, honorable Frederick, a Kenyan citizen? Yes.

Two, a holder of at least first degree from a recognized university in Kenya. Does the nominee have his first degree from a university recognized in Kenya? Yes, Honorable Speaker, from the University of Nairobi.

Third, must satisfy the requirements of Chapter Six of the Constitution and the report inform us well that the proposed nominee satisfies that one.

Then fourth, the proposed nominee has knowledge, experience and a distinguished career of not less than five years in the field relevant to the portfolio of the department to which the person is being appointed, Honorable Speaker. That is where I have a problem with this proposed nominee. Now, I would not support this because this is a water department. The proposed nominee did not demonstrate knowledge, experience and even career of not less than five years as it is stipulated in the Constitution of Kenya.

So, if we would approve such a person, if we approved such a citizen of Kenya to head that docket, then problem occurs, we'll have ourselves to blame for not following what is stipulated in law and the Constitution of Kenya. Honorable Speaker and whatever we do in this House must be in tandem with the Constitution of Kenya. It must not be in contravention with the letter and spirit of the Constitution of Kenya.

The person must be 18 years of age to qualify for such position. He's over 18, so for that the proposed nominee qualifies. But for the one that I've just read, this proposed does not qualify and if he misses one, then he misses the position. Mr. Speaker, that is the case we are prosecuting

now. So for my case, I support the report 100% that we don't approve one Frederick Mariwa. Thank you, Honorable Speaker.

**The Speaker** (Hon. Oraro): Hon. Omuya, North Seme Ward.

**Hon. Omuya** (MCA, North Seme): Thank you, Mr. Speaker. I'm also rising to support what the committee recommended for the nominee by name Frederick Mariwa. First, from the report, it is indicated that one will qualify if that person attains a percentage of 60% and when we look at the report, this proposed nominee did not attain that. In totality, he has failed.

Mr. Speaker, if I go down to the report, in fact, I was looking at sources of income for this proposed nominee; we have his salary. The man has been earning a salary of 6,700 shillings which is not even an equivalent of the salaries paid to our enforcement officers. It's written 6,700 shillings. The same person has been earning Consultancy Fee of Kshs 2.5 million. Again, this proposed nominee has a Rental Income of Kshs 3.6 million. Then when we go to farming at Kshs 1.8 million and then business at Kshs 9 million. When you look at these figures, they are really contradicting and I believe that this person just sat down somewhere and forged these figures. This is because I cannot see anywhere I can relate a salary of Kshs 6,700 shillings with these other big amounts.

Mr. Speaker, I want to say that this House Committee did their best. They went through the proposed nominee credentials, the documents and all the statements that this nominee presented and it is very right that this House must reject this proposed nominee. His nomination is going to be disapproved because he's not fit to hold that office. Thank you.

**The Speaker** (Hon. Oraro): Hon. K'Omudho.

**Hon. K'Omudho** (MCA, Muhoroni Koru): Many, many thanks, Honorable Speaker, together with the Honourable Members. I rise this afternoon, to support the report by the Select Committee on Appointments. Indeed, I will not refer to so many things; I want to do it in a summary form. Mr. Speaker, basing my foundation on the argument from the very, very capable Members of the Select committee on Appointments, I want to believe that a House Committee has a purpose and they have done their purpose.

Mr. Speaker, for this House Committee to reject the report of an individual, this therefore means that they have got a merit for the basis of rejecting the individual. And again, it doesn't go that since the members who have been forwarded in the past have always gone through, we should always part each and every baggage passing through the House. Therefore, it is my opinion that on that point, this House Committee did their good work we should actually get to listen.

My basis is formed by the argument of the Majority Whip who actually has left his seat. I believe that the Leader of Majority brought up a lot of insights into the whole matter that not everything shall be actually tabled or specified in the paper and hence the meaning of the debate inside this House so that we can exhaustively listen to the reasoning of the very, very Members of that House Committee. The Chief Whip, Honorable Seth Kanga, explained it in detail that the person was not able even able to explain himself. Honestly speaking, let us not mistake the Governor for taking each and every bit. Possibly, the Governor also wanted to learn also from the Assembly what they would have to do. Hence, the many reasons or the good reasons for the vetting activity. I support, I support.

Mr. Speaker, finally, a number of people come here into this House with their personal issues. I believe that it is high time that we positively look at issues brought on this House and especially on an individual basis. If you have got a personal vendetta and you want to spread it across, we are not going to follow it blindly. It is my belief that this proposed nominee has been rejected. Let us give His Excellency the good time to do their work properly and bring us the right person. Many, many thanks, everyone.

**The Speaker** (Hon. Oraro): Yes Honorable Ochele, I've noticed you Hon. Dede you'll come after Honorable Moses Ochele has contributed.

**Hon. Ochele** (MCA, East Kano Wawidhi): Thank you, Mr. Speaker. Mr. Speaker, I rise to support the report from the Select Committee on Appointments. Mr. Speaker, we are here to do three key things and what we are doing now is one of them which is oversight. Mr. Speaker, when you are doing oversight, we should bury our emotions and focus on the bigger picture of the County.

Mr. Speaker, I've seen a number of papers arranged in the CV of this proposed nominee. Mr. Speaker, papers are papers, and papers at times cannot translate to what you have in your gray matter. Mr. Speaker, there are several people who have very nice papers, Mr. Speaker, but to interpret what is indicated in the paper sometimes become a challenge and nowadays, we know how some papers are obtained. So, Mr. Speaker, the Department of Water, which had had a number of issues, it is a technical department, has several issues, Mr. Speaker. Therefore, in my own thinking, I would have wished that we get somebody who is qualified, competent, and understands all matters to do with the County Government and Devolution.

Mr. Speaker, I believe that the report has some typos, and these typos, in a way, you should get a way of expunging them. And down here, Mr. Speaker, this proposed nominee was asked about his net worth. Mr. Speaker, from the net worth alone, you can tell the kind of experience this gentleman has acquired over the years. He has indicated so many workplaces whose dates he

can't remember, or maybe the House Committee didn't indicate. But what I'm seeing here, he has not indicated any date or year when he worked in these organizations.

Mr. Speaker, the highest level this proposed nominee achieved, he was earning a salary of Kshs 6,700 shillings. This is what I'm seeing here. Mr. Speaker, a job worth Kshs 6,700 shillings...

*(Hon. Oiko Pete rises on a Point of Order)*

**Hon. Oiko** (MCA, Kabonyo/Kanyagwal): A Point of Order, Mr. Speaker.

**The Speaker** (Hon. Oraro): Yes, Hon. Pete.

**Hon. Oiko**(MCA, Kabonyo/Kanyagwal): Mr. Speaker, that Kshs 6,700 shilling, in other pages, is Kshs 6,700,000. So it is likely that proofreading was not done.

**The Speaker** (Hon. Oraro): You are guided, Hon. Moses. It could be a typo like we're putting it, it could be Kshs 6,700,000.

**Hon. Ochele** (MCA, East Kano Wawidhi): Mr. Speaker, the page at which I am is different from the page Hon. Oiko is making reference to. Here, the source of income received during the calendar year preceding the nomination. If it is typo, then this House Committee must see a way of rectifying it.

Mr. Speaker, at times, we give the Governor very hard time in realigning the government when some incompetence's are witnessed in the County Executive. Just recently, the Department of Water lost a County Executive Committee Member because of incompetency and corruption. And now, Mr. Speaker, to replace her with another incompetent individual, Mr. Speaker, then that means that our cycle, the remaining years, the department will still be suffering. And we have reached a stage, Mr. Speaker, where we expect a number of projects to be undertaken by this department. We want the department to be on the move. We want to see programs being rolled out and projects being undertaken to completion.

Mr. Speaker, it is high time that this House stands up, advises the Governor, and we give him time to come up with an appropriate nominee. I know the list of the Governor is full. He has so many people and even tomorrow, he can send a nominee to this House. Therefore, Mr. Speaker, he is not the first one to have been rejected by this House, as alluded to by Honorable Samuel Onyango. We've done a number of oversights on very many cases, Mr. Speaker, and this is not exceptional. Therefore, I rise to support the rejection.

**The Speaker** (Hon. Oraro): Honorable Samuel. No, sorry, Honorable Samuel Dedede.

**Hon. Dede** (MCA, Kisumu North): Mr. Speaker, I rise to support the rejection of this proposed nominee for the position of County Executive Committee Member for Water, Environment, Natural Resources and Climate Change.

Mr. Speaker, as has been stated by the previous contributors on the floor, that the proposed nominee didn't demonstrate the knowledge of topical and administrative technical issues touching the portfolio. Mr. Speaker, we have discovered that the department has been plagued by numerous challenges, despite the fact that the former County Executive Committee Member performed admirably in the department. However, when we compare the proposed nominee to the previous County Executive Committee Member, the latter outperformed even the current one. So, Mr. Speaker, I join my colleagues in rejecting the Governor's proposed nominee, and because the department requires more technical activities on the ground, we, I, will request that we do away with this proposed nominee to the position of County Executive Committee Member, so that the list of Governors, which contains at least a series, because before bringing one to the panellist for vetting, there is a series, that one may be his first choice.

Mr. Speaker, in the event that the conditions are not met, I believe there is another series that can bring another person for vetting. With that comment, Mr. Speaker, I join my colleagues in rejecting this propose nominee so that we can have a better County Executive Committee Member to assist us with our daily duties within the department. Otherwise, thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Yes, Honourable Emily.

**Hon. Oginga** (Nominated MCA): Mr. Speaker, going by the mood of the house, may I call the mover to reply?

**The Speaker** (Hon. Oraro): Thank you, since I have not seen any other Member going against the mood. Honourable Leader of the Majority, it is your time to reply.

**The Leader of Majority** (Hon. Ooko, MCA, Ahero): Thank you so much, Honourable Speaker. I'd want to thank the Honourable Members for their efforts, both those who support and those who opposed the motion. Your contributions are welcomed. First, I agree with the Honourable Dede that we had a person in that docket, and if we are changing that person, we should have someone better than the previous one.

Honourable Speaker, I completely agree with the Honourable Rakwach. Many members focused on their academic qualifications. That is simply one of several requirements for being nominated as a County Executive Committee Member.

Mr. Speaker, to me, the most significant aspect is the last section, which discusses the person's skill, expertise, and experience in running that docket. Honourable Speaker, I also agree. I understand that the County Executive Committee Member's job is to formulate policies, but based on the interview in which I participated, I can confirm to the Honourable Members, and I agree with the sentiments of the Chief Whip that in terms of academic papers and CVs, Mr. Frederick Ochieng Mariwa has the best CV, which is very colourful but contradicts the person. When given the opportunity to present, I believe we were surprised. We couldn't believe it when we read through the CV and saw the individual present.

Mr. Speaker, I agree with other Honourable Members that Mr. Frederick Ochieng Mariwa lacked basic knowledge of a county administration and how it operates. Then, how do you expect such a person to represent the Governor in other capacities, including policymaking in that department? Even our Chief Officers have been replaced, and we now have people in their departments who are not technically proficient. And if you have the same person who is unable to exhibit knowledge on topical or administrative levels of county government, the person did not know.

Mr. Speaker, if you read that CV, you'll realize that this is a person who recently returned from abroad. If you look at that CV, I received people's contributions, but I can affirm that so many Members were simply contributing based on the contributions of other Members, as if they didn't have time to read the report. So, I want to confirm that the Select Committee on Appointment did an excellent job.

Mr. Speaker, I also want to remind Honourable Kelvin Oraro that I believe the Member has stepped out. But I'd want to point out that the 60% was pass mark set by this House Committee prior to commencing its interview. So it wasn't a question of bias.

Mr. Speaker, the Select Committee on Appointments consists of nine members and all nine Members agreed that the person does not qualify to be a County Executive Committee Member for Water, the Environment, Natural Resources and Climate Change. Consequently, I believe that we are giving the Governor an opportunity to bring us a qualified individual to manage that department.

Mr. Speaker, I agree with the Honourable Moses Ochele that our role is to provide oversight. When such proposed nominees are offered to this House, we conduct due diligence and that day, I'd like to draw the members' attention to the fact that we didn't just interview one person, but I don't want to pre-empt. Several folks performed in different appointments during that interview. But after the interview, we just declare this person qualifies. But when Mr. Frederick Mariwa left the room after the interview, I believe the entire House Committee concluded that this proposed did not qualify. So, I don't believe that we should spend time dwelling on this matter. Let us offer the Governor the option to bring in a fresh individual. But I'd like to ask the Members.

Honourable Speaker, several of the Members present did not read this report. But I believe they have other commitments, therefore they must justify. Honourable Speaker, I respectfully request that this House adopt the report of the Select Committee on Appointment in its entirety as is. Honourable Speaker, I respond. Thank you very much.

**The Speaker** (Hon. Oraro): Thank you Leader of Majority. Honourable Members, now that the Motion for Adoption of a Report of the Select Committee on Appointments on the Suitability of Mr. Frederick Mariwa for the Appointment to the position of County Executive Committee Member for Water, Environment, Natural Resources, and Climate Change has been presented by the Leader of Majority, seconded, and debated. As per our Standing Orders, it is time that I put a question on the adoption of the same. When you say “Aye”, it means you are agreeing with the recommendations of the report and therefore the nominee is rejected. If you say “Nay”, it means you are disagreeing with the report. And the contrary is true. I think that is clear.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable Members, the Motion Adoption of a Report of the Select committee on Appointments on the Suitability of Mr. Frederick Mariwa for the appointment to the position of County Executive Committee Member for Water, Environment, and Natural Resources, and Climate Change has been adopted today. Honourable Members, this implies that the proposed nominee has been rejected today is Wednesday, the 21<sup>st</sup> of August, 2024, at 16:00 hours. I therefore direct that the Hansard report be prepared for onward submission to the Governor for action.

**The Speaker** (Hon. Oraro): Next order!!

## ADJOURNMENT

**The Speaker** (Hon. Oraro): Honourable Members, there being no other business in the order paper, the House stands adjourned until Thursday, the 22<sup>nd</sup> of August, 2024, at 02.30 p.m.

*(House rose at 04.02 p.m.)*

*Addendum*

**Hansard Team**

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