

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

ASSEMBLY DEBATES

(OFFICIAL REPORT)

DAILY HANSARD

Wednesday 9th March, 2022

PLENARY

BOMET COUNTY ASSEMBLY

OFFICIAL HANSARD REPORT

Wednesday 9th March, 2022

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p.m

[Hon. Speaker (Hon. Nelson Mutai) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION OF STUDENTS AND TEACHERS

FROM KAPSIMBIRI SECONDARY SCHOOL

Hon. Speaker (Hon. N. Mutai): Hon. Members, I am informed that with us are students and teachers from Kapsimbiri Secondary School. You are advised to listen to the business of the House. You are not allowed to cause any disturbance.

Thank you.

(Applause)

BILLS

Second Reading

THE BOMET COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2022 (BILLS NO. 1)

Hon. Speaker (Hon. N. Mutai): Hon. Kirui.

Hon. H. Kirui: Hon. Speaker, I rise to move that the Bomet County Supplementary Appropriation Bill, 2022 (Bill No. 1) be read for the Second Time.

On behalf of the Committee on Budget and Appropriation and pursuant to the Standing Order 190, to present the Committee's Report on the Bomet County Supplementary Appropriation Bill, 2022 (Bill No. 1)

Mr. Speaker Sir, the Committee on Budget and Appropriation as currently constituted comprises of the following Honorable members:

- | | | |
|---------------------------|---|------------------|
| 1. Hon. Haron Kirui | – | Chairperson |
| 2. Hon. Clarah Cherotich | – | Vice Chairperson |
| 3. Hon. Weldon Kirui | | |
| 4. Hon. Andrew Maritim | | |
| 5. Hon. Josphat Kirui | | |
| 6. Hon. Davis Kipkirui | | |
| 7. Hon. Leonard Kirui | | |
| 8. Hon. Robert Serbai | | |
| 9. Hon. Joseah Chepkwony | | |
| 10. Hon. Robert Langat | | |
| 11. Hon. Chesangi Alice | | |
| 12. Hon. Kiprotich Wesley | | |
| 13. Hon. Robert Rono | | |

Hon. Speaker, the Standing Order no. 190 establishes the Budget and Appropriation Committee with specific mandate to:

- Investigate, inquire into and report on all matters related to coordination, control and monitoring of the County Budget.
- Discuss and review the estimates and make recommendations to the County Assembly.

- c) Examine the County Fiscal Strategy Paper presented to the County Assembly;
- d) Examine Bills related to the County budget, including Appropriations Bills; and
- e) Evaluate tax estimates, economic and budgetary policies and programs with direct budget outlays.

The Committee reviewed the Bomet County Supplementary Appropriation Bill, 2022 to establish its conformity to the approved supplementary budget estimates for the FY 2021/2022 and came up with the following findings. The Committee established that the Bill (annexure 1) conform to the approved supplementary budget estimates for the FY 2021/2022 in line with the provisions of the law. Therefore, the Committee made the following recommendations;

- i. Based on the above findings, the Committee on Budget and Appropriation vide its resolution made on 9th March, 2022 recommended that this House passes the Bomet County Supplementary Appropriation Bill, 2022 without amendments.

Hon. Speaker, we have enough copies of the Bill and I know every Member has a copy. The visitors have also been supplied with the copies of the Bill.

The Committee went through the Bill and established that it conforms with the approved Supplementary Budget estimates for the FY 2021/2022. Therefore, I am recommending to the House that we approve the Bill without any amendment in order to allow the Executive to access funds. There are a lot of activities that needs to be operationalized. There are also pending projects, unpaid bills and there are students in secondary schools that need bursaries. Due to the Covid-19 pandemic, the terms were changed and the first term in the school calendar year will start on May 2022. Therefore, we need to pay students' school fees.

I urge Members to pass the Bill so that we allow the Executive to draw money for the intended purposes and to facilitate the operations of the county to continue. I request Hon. W. Kiprotich to second the Motion.

Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Kiprotich.

Hon. W. Kiprotich: Hon. Speaker, first I welcome the visiting delegation; the visitors in the public gallery. They are free to visit this Assembly every time. This is a way of encouraging students to pursue their dreams of being future leaders. I wish them successes in their lives even when they are in their academic ladder.

Hon. Speaker, what the Chairperson of the Committee on Budget and Appropriations said is true. Since this County Assembly might break for a short recess today, it is evident that this document is required like yesterday. The Assembly is burning the midnight oil so that the Bomet residents are not deprived of their rights that they must enjoy.

We have heard that there are many pending bills and as we commence the second reading of this Bill, I urge these honourable Members that we pass so that the Bill can move to the next stage as required by law. I beg to second.

Question that the Bill be read a Second Time proposed

Hon. Speaker (Hon. N. Mutai): Hon. Rono.

Hon. R. Rono: Hon. Speaker, I also join my colleagues in welcoming the visiting delegation of visitors from Kapsimbiri Secondary School. I support the Motion for the Second Reading of the Bill. The residents of Bomet are waiting for their services to be delivered. The approval of the Bill will enable our Executive to deliver services to the residents.

Although we have a lot of reservations concerning the same, the County Assembly members are on the receiving end because the members of the public are asking about development projects in our Wards. We shall approve the Supplementary Budget but we must see the Executive carrying out what we have approved.

Hon. Speaker, we have a budget of about Kshs. 8 billion and there a lot of issues that are of concern to our people ranging from among others roads and water. As we speak right now, there is no water yet we are here discussing a budget of close to Kshs. 8 million. We need to pressure the Executive that the people need to see developments. The same people should see that the MCAs are carrying out legislation, representation and oversight roles.

Our students are doing national examinations right now. In the budget, there is a vote on bursaries for those in partial and full scholarships. The passage of the budget will enable the students joining from one to proceed in their studies.

Hon. J. Turgut rose on a point of order

Hon. Speaker (Hon. N. Mutai): Hon. Turgut.

Hon. J. Turgut: Hon. Speaker, may I know from the Hon. Member speaking whether he talked of Kshs. 8 million or Kshs. 8 billion.

Hon. Speaker (Hon. N. Mutai): What is it Hon. Rono.

Hon. R. Rono: Hon. Speaker, I thank the honourable Member for correcting me. I am referring to Kshs. 8 billion.

We need to understand that we are representatives, and we need to put on toes the Executive to do what we have approved for them here. I urge the Members here that once we approve this budget, we follow up on the implementation of the budget. I support the Second Reading.

Hon. Speaker (Hon. N. Mutai): Hon. Kelong.

Hon. R. Kelong: Hon. Speaker, thank you for the opportunity. Time is not with us and we are approaching the end of the financial year and if we delay we might not complete the project of this financial year. Mr. Speaker we have many pending projects like ECD centers. We also need bursary for our children because this year we have two academic years in one year. We are paying bursary in the same year. We have from ones who are joining in May and they need school fees. I urge my colleagues that we approve the Second Reading.

Hon. L. Kirui: Thank you honourable Speaker I want to join my colleagues agreeing with the motion that we allow this Bill be read for the second time. We have new votes like governor's tournament that has been slotted in. Soon our youth will have a tournament which will be of use because most students are at home. We also have special programs which are slotted in this Supplementary Budget. I believe the Executive will ensure that stalled projects are competed and implemented. I am worried that the County Executive is using this Supplementary Budget negatively because they are blaming the County Assembly saying we are waiting them to complete

the Supplementary Budget. For example, there are students in various colleges and universities and there were some money which were meant for loans. I brought a statement to this Assembly asking why the loans had been dispatched. I request this Assembly to approve so that the blame will not be on our side.

Honourable Speaker I believe by approving the Supplementary Budget we will be able to deal with the contractors who have not completed their projects. Most roads in my Ward have not been completed; reason being the contractors have not been paid for the projects they did in the last financial year. I support. The Bill.

Hon. Speaker (Hon. N. Mutai): Hon. Davis.

Hon. D. Kipkirui (Majority Whip): Thank you Mr. Speaker, I want to request your chair that we allow this motion to be taken to the committee of the whole because a lot of business to be transacted. Kindly read the mood of the house and allow us to move to the next step.

Hon. Speaker (Hon. N. Mutai): Honourable members from what Hon. Davis has said I'll move to put the question.

Question put and agreed to

Second Reading

The Bomet County Supplementary Appropriation Bill 2022, a Bill for an Act of the County Assembly of Bomet to authorize the issue of a sum of money out of County Revenue Fund and its applications towards the service of a financial year ending 30th June 2022 and to appropriate those sums for certain public services and connected services.

Committee of the Whole County Assembly

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Honourable members I welcome you to the committee of the whole County Assembly before us is a deliberation of the Bomet County Supplementary Appropriation Bill 2022. Rules are a bit relaxed but you are supposed to have quorum. Let us proceed.

Clause

Clause 2 be part of the Bill

(Question proposed)

There was no comment.

Question put and agreed to

Clause 3 be part of the Bill

(Question proposed)

There was no comment

Question put and agreed to

Schedule

Schedule under R101, R102, R103, R104, R105, R106, R107, R108, R109, R110 be part of the Bill

Question proposed

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Haron do you have any reservation?

Hon. H. Kirui: Honorable chair I rise to support that R101 up to R110 be part of the Bill because the Bill conforms to the Supplementary Budget so there are no changes.

Question put and agreed to

Schedule D101, D102, D103, D104, D105, D106, D107, D108, D109, D110 be part of the Bill

Hon. Deputy Speaker (Hon. W. Kiprotich): Hon. Members I propose that Schedule D101, D102, D103, D104, D105, D106, D107, D108, D109, D110 be part of the Bill. Chair can you explain.

Hon. H. Kirui: Thank you Hon. Speaker, you will note that from D101 to D110, these are development money in various votes for various departments and there are no changes. I support that D101 to D 110 be part of the Bill.

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Ambrose Koech.

Hon. A. Koech: Hon. Chair much as I support what the chair Budget and Appropriation Committee has said, I propose that D106 where it touches on Agriculture and Cooperatives Development; the two are distinct departments with different CECs and COs and I they should be separated. I support.

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Ambrose can you explain well so that hon Chair Budget and Appropriation can explain.

Hon. A. Koech: Let me read vote D106. The amount required for the financial year ending 30th June, 2022 for capital expenditure in the department of Agriculture, Livestock and Fisheries including Crop Enterprise Development, Food Security Initiatives, Hub Development and Value addition, County Enterprise Development Fund, Animal Husbandry, Fish farming, disease and vector control, dips, slaughter facilities and establishment of ATC. On the second part which is almost for the cooperative, they said the amount to part for the financial year ending 30th June 2022 for capital expenditure in the cooperative department and enterprise including crop enterprise development fund, that is the repetition, food security initiative, hub development and value addition, county enterprise development fund, animal husbandry, fish farming, disease and vector control, dips, slaughter facilities. These ones are going to be clear push for embezzlement of funds in this county. I am not saying that there is embezzlement but there is a glue that something can happen because this money should be separated so that different departments run their own businesses because they have a CEC and a CO who are independent. That is what I am saying.

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Thank you Hon. Ambrose for that insight. There are two distinct departments there, Cooperatives and Agriculture, Livestock and Fisheries respectively. You are now mentioning the repetition of Crop Enterprise, but you see, Hon. Ambrose, Cooperative department can be dealing with crops, agriculture is also dealing with crops. So, there is only agriculture on the department of agriculture, and then there is a crop that is now being done through Cooperatives. For example, in Chepchas, we have agriculture as tea, and then we have a cooperative that is dealing with agriculture falling under the cooperative society. Hon. Kirui.

(Hon. H. Kirui rose on a right of reply)

Hon. H. Kirui: Thank you Hon. Chair, I think you replied correctly and may be to add on that, Hon. Ambrose, you know that in the first one you are talking about department of agriculture and crop enterprise development and in the other one it is talking about Cooperative going to the two departments. I want to ask Hon. Ambrose that his concerns are equally valid. When cooperative was separated from agriculture, I was having a wild thought but I wish to hear from the Chair Agriculture Committee.

Hon. A. Koech rose on a point of information

Hon. A. Koech: Thank you Hon chair, I wish to inform chair of Budget and Appropriation Committee, Hon H. Kirui that in the department of Agriculture, we have a County Executive Committee member called Hon. Terer and a Chief Officer called Alexander Chirchir. In the department of cooperative, we have a CEC called Rose Langat from Kimulot and a CO Jackson Langat. Those are two distinct departments which are running their own budgets. Thank you very much.

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): What is information Hon. Kelong and whom do you like to inform?

Hon. J. Kelong: I would like to inform Hon. Ambrose...

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Kelong does not want to be informed, kindly take your seat.

Question put agreed to

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Members I now propose that schedules R 111, P 111 proposed to be part of the Bill. Hon. Chair can you explain R 111, P111.

Hon. H. Kirui: Hon. Chair, R 111 is the recurrent expenditure in the County Assembly and P111 is the capital expenditure in the County Assembly. I support it. Thank you.

Question pout and agreed to

Long Title

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Members I propose that the Long Title be the title of the Bill.

There was no contribution.

Question put and agreed to

Clause 1

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Members I propose that Clause 1 proposed to be part of the Bill.

There was no contribution.

Question put and agreed to

Hon. D. Speaker (Hon. W. Kiprotich, Chair Committee of the Whole County Assembly): Hon. Members, that marks the culmination of the Bill at the Committee of the Whole County Assembly. Hon. H. Kirui.

Hon. H. Kirui: Hon Chair, I beg to move that the committee do report to the Assembly its consideration of the Bomet County Supplementary Appropriation Bill 2022, Assembly Bill no.1 of 2022 in its approval thereof without amendments.

Question put and agreed to.

House resumes

Hon. Speaker (Hon. N. Mutai): Chairperson

Hon. D. Speaker (Hon. W. Kiprotich): Thank you Hon. Speaker, I beg to report that the Committee of the Whole County Assembly has considered the Bomet County Supplementary Appropriation Bill 2022, Assembly Bill no.1 of 2022 and its approval thereof without amendments. Mr. Speaker, I move.

Hon. Speaker (Hon. N. Mutai): Hon. Kirui.

Hon. H. Kirui: Thank you Hon speaker, I beg to move that the House do agree with the committee on the said report.

Hon. Speaker (Hon. N. Mutai): I propose that the House do agree with the committee on the said report. Hon. Ngeny.

Hon. L. Ngeny: Thank you Hon. Speaker, I wish to also support that the Committee of the Whole House has agreed that the report of the committee of Budget and Appropriation be approved without amendments. I support. Thank you.

Question put and agreed to

The Bomet County Supplementary Appropriation Bill 2022, Bills no.1 of 2022. Third Reading

Hon. Speaker (Hon. N. Mutai): Hon. Haron.

Hon. H. Kirui: Thank you Hon. Speaker, I beg to move that the Bomet County Supplementary Appropriation Bill 2022, Assembly Bill no. 1 of 2022 be now read a third time.

Hon. Speaker, you will note that after this bill has gone through the 1st and 2nd reading, it is a high time that this bill be read for the third time so that we allow the next processes and procedures as we said that we allow the County Executive to draw money from the county treasury for the intended purposes that we have given them here. I wish to request Hon. Ngeny to second, thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Ngeny.

Hon. L. Ngeny: Thank you Hon. Ngeny, I am rising to second the motion that the Bomet County Supplementary Appropriation Bill 2022 be read for the third time. Having gone through the procedures and all the required steps, it is now time that this bill be read for the third time so that it can be enacted and enable the County Executive to implement whatever is in the budget. I am urging Hon members to support the bill be read for the third time for the procedures that are next. Thank you. I second.

Question proposed.

Hon. Speaker (Hon. N. Mutai): Hon. Zadock.

Hon. Z. Kilel: Thank you Hon. Speaker, before I proceed I wish to welcome the students from my Ward, Kapsimbiri Sec School. I wish to support the Bill be read for the third time because for it to be called the bill, it should pass through the Third Reading stage. We have stayed for long without the ongoing projects progressing. We need to do it very fast because time is moving. Those projects that are still pending should be done very fast because if we continue staying like this, then those projects will not get completed in time Thank. I support.

Hon. Speaker (Hon. N. Mutai): Hon. Koech.

Hon. A. Koech: Thank you Hon. Speaker, I thank the Hon. members for passing this Appropriations Bill, but I still insist that we really watch on these people who are supposed to be executing the same because we have a lot of stalled projects. In the department of Education, we have ECDs which were constructed in 2013-2017 that have not been completed to date.

I support and let's make sure as an oversight body we work well and ensure that this money is appropriated well on the stated projects and completion of stalled projects and even roads. Thank you, hon. Speaker.

Hon. Speaker (Hon. N. Mutai): Hon. Rono.

Hon. R. Rono: Thank you Hon. Speaker after the bill has gone through the 1st, 2nd reading, Committee Stage and now at the Third Reading, we now allow the executive to spend the money but we want to put on notice the Executive side to implement very fast whatever we have approve in this House. We are in campaign period and our people of Bomet are asking us what we have done in this current financial year. We are in the 3rd quarter of financial year and the Executive have not implemented any project in this financial year yet we are approving the Supplementary Budget. We are going to tell our people that we have approved it so that our people can know that we have played our part. We are putting the Executive on notice that though we have passed this Supplementary Budget, we need them to complete the stalled projects approved for this financial year. We need to see them taking off, otherwise I support.

Hon. Speaker (Hon. N. Mutai): Hon. Langat.

Hon. A. Langat: Thank you Hon. Speaker, I also rise to support the Bill read for the third time. The executive can now run the programmes which had been left behind because of this process.

This bill will allow the Executive to address the gaps that exists especially the bill on medical, roads and other key sectors Mr. Speaker. I support.

Hon. Speaker (Hon. N. Mutai): Hon. Marcella.

Hon. C. Marcella: Thank you Mr. Speaker for giving me a chance to contribute on this Supplementary Appropriation Bill no. 1 of 22. First it will assist the executive arm to draw the funds to be used in the implementation of various programs.

There are also tournaments which I would like to encourage our youths to participate in during this long holiday. In this Supplementary budget, the contract for interns shall be renewed for another 6 months.

The interns shall also be engaged for another 6 months. The enforcement officers who currently lack decent uniform shall be considered and facilitated well. I support to be read for the 3rd time.

Question put and agreed to

Hon. Speaker (Hon. N. Mutai): Hon. Davis.

Hon. K. Davis: Thank you Mr. Speaker, I rise to move the Procedural Motion that pursuant to Standing Order 28 sub-section 3 this County Assembly adjourn from today Wednesday 9th March 2022 to Tuesday 22nd March 2022 in accordance to the County Assembly calendar regular section of 2022.

Mr. Speaker we did approve the House calendar for this remaining period on 15th of last month and our people need to interact with these hon. members after a long period we have been in this House.

We are also aware that we have our children who are currently at home and most of us are parents and we need to interact with our families and also our voters in our various wards bearing in mind that nominations is approaching and we have to run up and down. I wish to request this House that we approve because it is this honourable House which approved the calendar for this short period remaining. I beg to move. I wish to request the hon. Kelong, MCA for Kembu Ward to second.

Hon. Speaker (Hon. N. Mutai): Hon. Kelong.

Hon. J. Kelong: Thank you Mr. Speaker for this opportunity. We are now approaching nomination and we need time to meet our people during this session. This recess will allow us to move around and even listen to our ground what it says and we have a lot to do within this time. I support that we go for this recess. I support.

Question proposed

Hon. Speaker (Hon. N. Mutai): Hon. Kilel.

Hon. Z. Kilel.: Thank you hon. Speaker the recess is very important to us knowing that in everything we do there should be a break. This time hon. Speaker I just want to accept the recess before us. We have been moving up and down doing some work to our electorates but now they need to know what we have done and what we are planning to do for them. We need to be there so that we can tell them what we have done and what we are going to do in the next round.

Hon. Members have been very busy with Ward activities, and it is also a high time that they interact with their families during this long holiday. I urge hon. Members to support this motion. We need to go listen and talk with our electorates on the ground. Thank you, hon. Speaker.

Hon. Speaker (Hon. N. Mutai): Hon. Deputy Speaker.

Hon. W. Kiprotich: Hon. Speaker, you know while in this House we need to be very careful about the words that we are uttering. Sometimes some are derogatory while some are going to inflict fear, some are inflicting pain among the people who listen. Mr. Speaker because we have teachers and pupils in the House, a teacher will never tell his class to write a composition about your mother or a father. There are those children who have lost their mother or father. So telling them to write a composition is inflicting pain. I want Hon. Zadock to withdraw a statement that members want to stay with their fathers and mothers, I don't have one hon. Speaker.

Hon. Speaker (Hon. N. Mutai): Hon. Zadock.

Hon. Z. Kilel: Thank you hon. Speaker, I didn't know even I myself don't have a father. So for those who still have their parents let them go and talk with them. I withdraw. Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Clara.

Hon. C. Cherotich: Thank you Mr. Speaker for this opportunity. I stand to support the motion that this county stand adjourned from today because, being a typical Kalenjin mother, this is the long season whereby our boys are undergoing the right of passage and I am among the one taking care of these children, I need this recess. I therefore support the motion. Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Kirui.

Hon. H. Kirui: Thank you hon. Speaker I wish to support the motion moved by Majority Whip on the adjournment from today. This is a very short recess and there are a lot of business to be transacted in this House. In my committee on Budget and Appropriation we just received the County Fiscal Strategy Paper which we had public participation and we are inviting all the sectoral committees. As much as we are going on a short recess, we would be dealing with some businesses touching on our people because government cannot stop its operations. I support.

Hon. Speaker (Hon. N. Mutai): Hon. Ambrose.

Hon. A. Koech: Thank you. I also stand to support the Procedural Motion on recess. I want to thank the members for the enthusiasm that they have shown when they want to go for the recess and the fact that outside there are lots of challenges. I would request your good office that you stand behind our backs as we go through this time ahead of us. Thank you.

Hon. Speaker (Hon. N. Mutai): I will hon. Koech, definitely.

Adjournment

Hon. Members and visitors this, there being no other business to be transacted, this House stand adjourned to 22nd March, 2022 at 9:00 am.

The House rose at 3:40 p.m