



REPUBLIC OF KENYA

BOMET COUNTY ASSEMBLY

THIRD COUNTY ASSEMBLY

ASSEMBLY DEBATES

Vol. 1 NO. 8

DAILY HANSARD

OFFICIAL HANSARD REPORT

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p m

Third County Assembly- First Session

Tuesday, 18th October, 2022

*(The Assembly met at 2:30 p m in the
County Assembly Mini Chamber at County Assembly Buildings)*

[Hon. Speaker (Hon. C. Korir) in the Chair]

PRAYER

PETITIONS

PETITION ON THE WATER LEGAL FRAMEWORK

Hon. Speaker (Hon. C. Korir): Hon. Members, I have received a public petition to this Assembly. The first petition is:

“ THAT water is a devolved function under Part 2 of the Forth Scheduled to the Constitution of Kenya;

THAT clean water is part of the basic necessity for Human Health and the majority residents of Bomet County are living without clean water which is a constitutional right as per the Constitution of Kenya;

THAT the water catchment areas are at risk with the invention of planting exotic trees which are not friendly to the sources of water;

THAT the citizens of Bomet County are demanding to know if there is a law for the same; THAT if the law governing the same is not in place we urge the County Assembly to enact the same with immediate effect. THEREFORE, your humble

petitioners pray that the County Assembly of Bomet through sectoral committee on water and environment address this issue.

The petitioners are:

Chepngeno Siele,	P.O Box 67, Ndanai,	ID 28606572
Richard K. Towett	P.O Box 48, Longisa,	ID 3829231
Edna Chelangat Mibei,	P.O Box 272, Bomet,	ID 2417830
Zephaniah Kirui	P.O Box 74, Kimulot,	ID 25419153
Simon K. Mitei	P.O Box 67, Ndanai,	ID 12928781

I therefore direct that the Committee on Petitions deal with this Petition and report within 60 days.

PETITION BY THE WARD OFFICE STAFF

The second petition is from the former ward office staff. The petition reads;

“ We the ward office staff and ward representatives of the Second Assembly of Bomet 2017 – 2022 wish to draw to your attention that there was non-payment of gratuity to ward staff who served in the MCA offices in the entire 25 wards in the Second Assembly.

THAT they have made efforts to follow up the matter with relevant offices for instant HR office, County Assembly Clerk and Finance office through calls and visits, but got no satisfactory response.

THAT we confirm that the issue in respect of petition made therein is not pending before any court of law or a constitutional or legal body/entity.

THEREFORE, they are praying that the County Assembly expeditiously and amicably resolve the matter of gratuity of ward staff who diligently and dutifully discharged their service in the said offices. They are requesting for the same treatment like previous employees who were paid service gratuity in the previous regime.

The petitioners are:

Kibet Bosuben	P.O Box 32, Ndanai	22438250
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Jedida Chepwogen Sang	P.O Box 52, Ndanai	23654212
Kiplangat Yegon	P.O Box 15, Ndanai	27981944
Simion Kiplangat Rono	P.O Box 201, Ndanai	21578574
Rono Cheruiyot Eric	P.O Box 125, Litein	30105679
Leonard Kipkirui Korir	P.O Box 67, Mogogosiek	30564108
Josphat Kiptoo Langat	P.O Box 32, Ndanai	10542718
Yegon Kiprotich	P.O Box 56, Sotik	21698485
Lenard Rono	P.O Box 56, Sotik	25471148
Joyce Chebet	P.O Box 56, Sotik	29382129
Sharon Chepkoech	P.O Box 56, Sotik	30252531

I therefore direct that the Committee on Petitions deal with this petition and report within 60 days.

NOTICE OF MOTION

CALENDAR (REGULAR SESSIONS) FOR THE FIRST SESSION OF THE THIRD ASSEMBLY
(SEPTEMBER – DECEMBER 2022)

Hon. P. Kirui (Leader of Majority): Hon. Speaker, Sir, I beg to give notice of the following Motion;

THAT pursuant to Standing Order 28, the County Assembly approves its calendar (regular sessions) for the First Session of the Third Assembly (September – December 2022) laid on the table of the County Assembly on Tuesday, 18th October 2022.

(Hon. P. Kirui tabled the Notice of Motion)

(Loud consultation)

Hon. Speaker (Hon. C. Korir): Maintain silence, Hon. Members.

Hon. P. Kirui (Leader of Majority): Hon. Speaker, I beg to lay the following Papers on the table of the County Assembly.

1. Names for nomination of appointment to the Bomet Climate Change Steering Committee
2. Nominees for recruitment of selection panel for the County Secretary

Hon. Speaker (Hon. C. Korir): Hon. Member, before you table, we had gone ahead on the Order of Business. Can you seek leave from the Hon. Members?

Hon. P. Kirui (Leader of Majority): Hon. Members, I seek leave to table:

1. Names for nomination of appointment to the Bomet Climate Change Steering Committee
2. Nominees for recruitment of selection panel for the County Secretary

Hon. Speaker (Hon. C. Korir): Kindly table the document.

(Hon. B. Langat rose on a point of order)

Hon. B. Langat (Kembu Ward, MCA): Hon. Speaker, Sir, just a point of clarification. I think the Leader of Majority gave us what he has not understood because what I know is that we are done with the selection committee.

Hon. Speaker (Hon. C. Korir): Is it selection committee? Clerk-at-the-Table, kindly confirm.

Hon. B. Langat (Kembu Ward, MCA): Yes, Hon. Speaker. Or my ears are not leading me well.

(Hon. S. Changmorik rose on a point of information)

Hon. S. Changmorik (Longisa ward, UDA): Hon. Speaker, thank you. That committee is for the County Secretary. Members are given to the Assembly for approval so that they can sit and forward the name of the County Secretary. That is a different one from the one we had.

Hon. Speaker (Hon. C. Korir): Thank you. I hope you have been informed, Hon. Member from Kembu.

SUBMISSION FOR THE NOMINEES FOR THE RECRUITMENT AND
SELECTION PANEL FOR THE COUNTY SECRETARY

Hon. Members, as per what has been tabled on the submission for the nominees for the recruitment and selection panel for the County Secretary;

“ The above subject matter refers;

I hereby forward the nominees for appointment to the selection panel constituted to carry out the exercise of short-listing and interviewing of the applicants for the position of the County Secretary for your approval and necessary action.

Names given are:

Langat John M. K	ID 11239855
Sigei Cornelius Kiplangat	ID 8073844
Alice Chepkemai Kirui	ID 1743764
CPA Reuben Chirchir	ID 13008706
Sally Chebwogen Kirui	ID 0950744

I therefore direct that the Committee on Appointments to meet and bring the report within seven days.

NOMINEES FOR THE COUNTY CLIMATE CHANGE STEERING COMMITTEE

The other submission for the nominees for the County Climate Change Steering Committee;

“ Pursuant to Section 8 of Bomet County Climate Change Act (No. 4 of 2021), I have given the names of nominees for appointment to the Bomet Climate Change Steering Committee for approval.

The names are given in a memo attached therein.

I therefore direct that the Committee on Water, Energy and Natural Resources to take up this submission and report back within seven days. Hon. Speaker, pursuant to the Standing Order 28 the County Assembly, this Assembly approves the calendar regular session for the first session of the third assembly Sept 22nd 2022 laid on the table of the county assembly on Tuesday 18th Dec 2022. Hon Speaker this is the time table we require for good coordination of the Assembly business. I urge the members to debate and approve it. I therefore ask Hon. Kiprotich to second.

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon Speaker, I wish to second the motion moved by the leader of majority concerning the approval of the county assembly Calendar. The Calendar has been brought before us for the first session, part one which began on 21st September

2022 and it runs till 10th of October 2022. Then the first session began on 11th October 2022 to 19th October, 2022.

Hon. C. Langat Rose on a point of order.

Hon. C. Langat (Boito Ward, UDA): Hon. Speaker is Hon Kiprotich in order to second the Motion and is not a member of Assembly business committee.

Hon B. Langat rose on a point of order.

Hon. B. Langat (Kembu Ward, UDA): Hon Speaker I think hon. Kiprotich is not properly dressed.

Hon. Speaker (Hon. C. Korir): thank you honorable Langat

Hon. P. Korir (Chemaner Ward, UDA): Hon. Speaker I Think Hon Kiprotich is in order to second because the standing orders does not have a part where no member can second any motion.

Hon. Speaker (Hon. C. Korir): Honorable Members considering that this motion moved by the Leader of majority then the members of Assembly business committee should be the one to second the motion. Hon Langat I Think the member is properly dressed. The orders states that any member should be dressed decently. Hon Kiprotich ensure that next time come with a tie.

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon Speaker obliged, let me put on the tie now.

Hon. Speaker (Hon. C. Korir): I therefore request the motion move r to pick another seconder.

Hon. P. Kirui (Leader of Majority): Hon. Speaker I therefore request Hon Ann to Second.

Hon. A. Chepkemoi (Silibwet Township, Independent) : Hon. Speaker I Second the Motion.

(Question Proposed)

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon. Speaker I rise to Support the motion and urge members to approve. I also want to inform Hon Langat that I am now well dressed.

Hon. C. Langat (Boito Ward, UDA): Hon. Speaker I rise to contribute to the motion. We need to approve the Calendar so that it guides the Assembly. It is a tool of the county assembly. I urge the Members that we approve.

Hon. B. Langat (Kembu Ward, UDA): Hon. Speaker I support the motion and I inform the Assembly business committee that now that we have the calendar they should come up with business. I also want to comment you on the Function in Kericho that you were recognized.

Hon. S. Changmorik (Longisa Ward, UDA): Hon Speaker I rise to support the motion. A calendar is an important document in the Assembly. I thank the leader of majority for the document. After approval it is going to be published and put in public domain. We also request for our office at the wards to be in use.

Hon. C. Cherono (Nominated, UDA): Hon Speaker before I support the Motion I would like to give my maiden Speech. I thank the almighty God, and the ruling party UDA for nominating me to represent Gender. I Thank His Excellency Hon. William Samoei Ruto for putting his trust in me. I will work hard. I also thank the Governor His Excellency Hon. Barchok Hillary for giving out my name for nomination. Congratulation Hon. Speaker on your election as the Speaker. I also congratulate my area MCA Hon Nathan Kibet. I support the motion.

Hon. P. Ronoh (Kipsonoi Ward, UDA): Mheshimiwa Spika, nimesimama kuunga mkono hoja ambayo iko mbele yetu. Basi na hii ratiba hatutakua na mwelekeo katika utenda kazi wa county assembly. Yote tisa Mheshimiwa spika naomba usomo mwelekeo wa kaunti assembly na uweze kependekeza ndo tuupitishe haraka. Naona hii imeiva.

Hon. O. Koskei (Nominated MCA): Mr. Speaker let me give my maiden speech before I support the motion. Let me start by thanking God for this far. I thank the party Leader UDA His Excellency Hon Dr. William Samoei Ruto for giving me a chance to serve the people of Bomet. I also want to congratulate you on your election as the Speaker. I thank my family and clergy for their prayers. I appreciate the people of Bomet for voting in President William Samoei and other leaders. Hon Speaker I Support the Motion.

(Hon. P. Korir rose on a point of order)

Hon. P. Korir (Merigi Ward, UDA): Mheshimiwa Spika, ahsante sana kwa fursa huu. Naunga mkona hoja ya siku ya leo. Kando na hiyo, leo asubuhi tulipata msiba kubwa baadaya ya ndovu kutuvamia hko kwetu Kipreres na kuuwa mtu mmoja na kujeruhi wengine ikiwemo ng'ombe. Tunafaa tutengeneze sheria ya kulinda watu wetu. Wakati ambabo watu wamejeruhiwa hivyo wanafaa wapate fidia.

Asante sana.

Hon. Speaker (Hon. C. Korir): Hon. P. Korir you can bring petition to this County on that.

Hon. V. Mutai (Nominated MCA): Hon. Speaker, I also rise in support of the Motion of the day concerning the calendar of events in this Assembly. I wish to thank the committee on HBRC for coming up with this schedule because it will allow us to run the business of the Assembly smoothly.

I support the motion.

Thank you.

Hon. N. Kibet (Kapletundo Ward, UDA): Mr. Speaker, thank you. I am rising to support this Motion. I have looked at the calendar and I support because in anything we do, planning is key.

Thank you. I support.

(Hon. A. Mutai rose on a point of order)

Hon. A. Mutai (Silibwet Township Ward, Independent): Mr. Speaker, thank you for giving me this chance I am seconding the Motion because this is directive to our purpose here...

Hon. Speaker (Hon. C. Korir): Hon. Member, I think you had contributed.

Hon. A. Mutai (Silibwet Township Ward, Independent): I wish to make my maiden speech Mr. Speaker.

Hon. Speaker (Hon. C. Korir): You seconded because you were supposed to do so. I will give another chance but not on this Motion.

Hon. E. Rotich (Mogogosiek Ward, UDA): Hon. Speaker, thank you for giving me this opportunity to contribute on this Motion. I wish to support that we approve the calendar because this is very important to all of us in ensuring that we are able to plan ourselves well for business of this Assembly.

I wish to thank the committee for coming up with this proper calendar. This calendar will ensure that it communicates to the members of the public that we represent on when this Assembly is transacting their business.

Thank you. I support.

Hon. L. Rotich (Chesoan Ward, UDA): Mr. Speaker, I rise to support the Motion before us. I thank the Committee on HBRC for coming up with a program which we will be following so that our work here can be deliberated on very well. This is also an opportunity for the Members to retreat to their various committees and transact the businesses on what they are supposed to do.

Currently as we sit, we have not had the inaugural committee meeting. We request that during the Recess that is immediately after 19th of October, 2022, we move to our various committees and do the inaugural meeting. We have realized that even the decision committee is having a lot of work before then and that is an opportunity that we will try to fit the deadline of sixty days.

The pertinent issue raised in the petition requires the attention of the Assembly. I stand to support the calendar.

Thank you.

(Hon. Leader of Majority rose on a right of reply)

Hon. P. Kirui (Leader of Majority): Hon. Speaker, thank you. I want to thank the Members for the deliberation that has taken place. I am impressed because the document being tabled today is very important in the coordination of the programs of this Assembly.

I therefore, thank them and beg for final approval so that the document can begin to operate.

Thank you.

(Question put and agreed to)

MOTION

THE GOVERNOR'S ADDRESS

Hon. Speaker (Hon. C. Korir): Hon. Members, this is a resumption of Motion number nine of which the following Members had contributed.

1. Hon. S. Changmorik
2. Hon. R. Cheptoo
3. Hon. R. Ruttoh
4. Hon. P. Ronoh.

I do not know if we have others who contributed before?

(Hon. E. Kirui rose on a point of order)

Hon. Speaker (Hon. C. Korir): Hon. Member, you did not contribute before?

Hon. E. Kirui: Hon. Speaker, you missed out on some names that contributed to governor's speech.

Hon. Speaker (Hon. C. Korir): Actually, as per the Standing Orders, you are not supposed to contribute twice on a motion. Thank you. Let the debate continue.

(Hon. V. Rop rose on a point of order)

Hon. V. Rop (Nominated MCA, UDA): Mr. Speaker, thank you. I would like to contribute on the governor's speech. I wish to congratulate the Governor for giving us a good speech. It was timely, not boring, and gave us a wide breadth on the devolved functions. The Governor touched mainly on health, education, roads, urban development and housing.

I would like to start on health matters. This is the fundamental part...

(Change of Chair)

Hon. Speaker (Hon. C. Korir) left the Chair

Deputy Speaker (Hon. L. Rotich) took the Chair

Hon. V. Rop (Nominated MCA, UDA): Hon. Deputy Speaker, as I was saying, this is a fundamental docket that warrants full and detailed attention, and as the saying goes, "Health is wealth".

I would like to say that our Committee on Health and Sanitation under the stewardship of honourable S. Changmorik and his deputy who have some background knowledge on health, will also help us steer the agenda and the much awaited health sector that has derailed and is also a questionable matter in our county. We have faith in the Committee, and there is much expectation from the Members of the Public. Much is bestowed upon you as the Committee on Health to salvage the situation that is currently eating up our minds. His Excellency the Governor is passionate and more than willing on matters health. Let us put the Executive on their toes so that we can achieve the main goal on health department.

The annual expenditure for medical supplies to health facilities was One hundred and sixty million shillings in the year 2014, and One hundred and sixty-seven million in 2021. This shows an increase of seven million shillings in more than seven years despite the increase in population and number of facilities and services offered by our facilities.

Hon. Deputy Speaker, the cost of the supplies has also increased. This forces the facilities to run short of medical supplies. This is further worsening by the continued lack of the ordered commodities at KEMSA, whereas the control of the current annual allocation to health facilities stands at around Kshs. 160 million. The shortages seen vis-avis the supplies, denotes that annual allocation should be around seven hundred sixty million shillings...

(Hon. C. Langat rose on a point of order)

Hon. C. Langat (Boito Ward, UDA): Hon. Speaker, I do not know whether the Member is contributing, or giving personal statement.

Hon. V. Rop (Nominated MCA, UDA): Mr. Speaker, kindly protect me. I do not serve in the Health Department but I came along these facts that are in public domain and found it best to ooze this wisdom because honourable S. Changmorik is here and picking the points that will steer his committee ahead. I am just trying to highlight a few things on the governor's speech which he omitted, and I am almost done. Hon. Member from Boito, just be patient with me a little bit.

As I was saying, it is based on the *UGAVI Afya* that gave all these...

(Hon. P. Mutai rose on a point of order)

Hon. P. Mutai (Leader of Majority): Mr. Speaker, is it in order for the honourable V. Rop to address honourable C. Langat? I think he should address you the Chair.

Deputy Speaker (Hon. L. Rotich): That is clear honourable Members. When you are raising the point of order, you address to the Chair.

Hon. V. Rop (Nominated MCA): Mr. Speaker, I stand guided.

Hon. Deputy Speaker (Hon. L. Rotich): Continue honourable Member.

Hon. V. Rop (Nominated MCA): Mr. Speaker, I think to avert all these crises, we should have the CEC member and the CO in charge of Health and Sanitation operating from our County

Referral Hospital which has always been in a mess. By so doing, this will help us to deal with the problems at the source, and to be handled by the relevant authority there, and then.

As I conclude, I would urge the Governor to spend the revenue from the hospital at source. According to some information, we always get close to Kshs. 31 million thirty at our Referral Hospital and if they are allowed to be spent at the source, the issue of lack of drugs and the basic commodities, pharmaceuticals and non-pharmaceuticals Mr. speaker would also be bought there and then without waiting for the KEMSA that has always been on the delay on the supply of all these commodities.

On matters Education, under the able leadership of committee on health, I will also like to ask the committee to put the executive on its doors on the fair distribution of bursaries and other allocations to our comrades. The Governor also denoted on the same day on the issue of milk being given to ECDs pupils.

Hon. Deputy Speaker, as I wind up, I am also passionate about the Lands, Housing and Urban Development docket. Where we are seated is the headquarters but Bomet does not look like one. I would like to humbly ask the Governor to ask the department of Roads and Infrastructure to improve so as to give a good picture of a county headquarters.

(Hon Eric Kirui rose on a point of order)

Hon. E. Kirui (Kimulot Ward, UDA): Thank you hon. speaker, I think hon. Victor is diverting from addressing the real issue and that we are debating the speech by the governor. If the member has any other issue to bring on board, he should seek leave to bring it on a future date. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): As you are winding up hon. member, can you confine yourself to the speech of the Governor.

Hon. V. Rop (Nominated MCA, UDA): Thank you Mr. Speaker, he talked about urban development and he also alighted about the grant by World Bank. I urge him to utilize it prudently. I have read the mood of the Assembly and I think my speech is boring, I will defer it to another day. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): You are out of order hon. member, you cannot read the Assembly and conclude that your speech is boring. We were keenly following your speech. I only urge the members that we converge yourself to the Governors speech.

Hon. P. Korir (Kiprerer Ward, UDA): Thank your hon. speaker, I want to congratulate the Governor for his speech. Concerning the revenue, we need to protect the tea highland because we need a lot of revenue. We have a lot of revenue for example from, James Finlay, Unilever and Sotik and all these estates may give us a lot of revenue. We only lack policies. We need to help our Governor through policies to protect our yea highlands. Lastly, there is a project going on in our areas for instance their donor World Bank funding water from Nyongores forest. This project needs to be supported, it covers almost 90% of Kiprerer ward where I represent and from it, residents will benefit. In Konoin through Red Cross, there is a project ongoing and parts of Kimulot, Boito. The county government was supporting and I urge the hon. Governor to consider this ongoing project. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Thank you hon member, you can still come up with the same issue formally to the Assembly.

Hon. E. Kirui: Mr. speaker, I want to laud the speech given by his excellency governor, we thank him for being forth right on his achievement record over the past years that he served as the Governor for Bomet and I like the fact he started his speech by laying the fact that he is serving his final term and this paints a good picture of him being observant of the laws of this country.

I also like the fact that the Governor is keen on projects and more importantly his focus on completion of projects that he started especially in water sector and I am really looking forward to the completion of those projects he mentioned. Key on his note, was on the issue on automation of the billing system of water in Bomet County that was important for us to know that with the technology being laid up on this country, we need to be focus and hope the executive will be focus in digitalization in various areas in this county.

However, I have an issue with the governor's speech on him not mentioning the fact that revenue automation in this county has taken off and we have gone cashless. Finally, there is an issue on Gender Based Violence that was raised by the Governor and I want to loud him for being keen in GBV issues in this county. The issue also on human resource, I want to loud the governor, this is a big headache especially on establishing performance of a staff and project management committee for various project.

Thank you. We look forward to working with him.

Hon. B. Langat (Kembu Ward, UDA): Hon. Speaker, thank you. I just want to sum up what our Governor mentioned in his speech about health, education infrastructure, youths and sports, I think he mention everything and its only about actualization. We will take the task to executive to implement whatever the Governor said during his speech and be actualized.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Members, it seems that no other Member wants to contribute but it is well and good because this is the second sitting deliberating on the Governor's speech.

ADJOURNMENT

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Members, there being no other business, this Assembly stands adjourned to Wednesday, 19th October, 2022 9:00 a m.

The Assembly rose at 4. 30 p.m.