

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

OFFICIAL HANRDSARD REPORT

THURSDAY, MAY 2ND 2013

The House met at 2.30 P.M

FIRST SESSION HOUSE PROCEEDINGS

[Hon. Temporary Speaker (Hon .Mosonik.) in the Chair]

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MEMBERS PRESENT

<u>Member</u>	<u>Designation</u>
1. Hon. John K. Langat	Speaker
2. Hon. Chepkemai Evaline	Chesoan Ward Rep
3. Hon. Chepkoech Leah	Mutarakwa Ward Rep
4. Hon. Chepkwony John Kiprono	Chebunyo Ward Rep
5. Hon. Kipkorir Ngeno Bernard	Kapletundo Ward Rep
6. Hon. Korir Sammy Chelule	Merigi Ward Rep
7. Hon. Kipngetich Samwel Bor	Chemaner Ward Rep
8. Hon. Kipsiele Kirui Sammy	Sigor Ward Rep
9. Hon. Kirui Josphat Kiplangat	Ndaraweta Ward Rep
10. Hon. Kirui Leonard	Siongiroi Ward Rep
11. Hon. Koech Stephen Changmorik Kipngetich	Longisa Ward Rep
12. Hon. Korir Joyce Chepkoech	Singorwet Ward Rep
13. Hon. Korir Julius Kiprono	Kembu Ward Rep
14. Hon. Korir Philip Kiplangat	Kipreres Ward Rep
15. Hon. Langat Reuben Kiprotich	Kongasis Ward Rep
16. Hon. Metet Robert Kipkurui	Silibwet Township Ward Rep

17.Hon. Molel John Cheruiyot	Rongena/Manaret WardRep
18. Hon. Mosonik William Cheruiyot	Mogogosiek Ward Rep
19. Hon. Ngeno Christopher Kibet	Chepchabas Ward Rep
20. Hon. Ngetich John Kipkirui	Kipsonoi Ward Rep
21.Hon. Rotich David	Chemagel Ward Rep
22. Hon. Serbai Robert Kiplangat	Embomos Ward Rep
23. Hon. Siele Philip	Ndanai/Abosi Ward Rep
24. Hon. Towett Cecilia Chemutai	Nyongores Ward Rep
25. Hon.Towett Samson Kipkirui	Kimulot Ward Rep
26. Hon. Bett Robert Kipngeno	Boito Ward Rep

Sergeant- at- arm: Honorable members, Mr. Speaker

Hon .Speaker: Let us pray .almighty God, who in your wisdom and goodness estimate has appointed the offices of leaders and parliament for the welfare of society and the just government of the people. We beseech to behold with your abundant favor as your servants whom you have been pleased to call to the performance of important trust in this republic.

Let your blessings descend upon us here assembled and grant that we treat and consider all matters that shall come under our deliberations in so just and faithful a manner as to promote your honor and glory to advance the peace, prosperity and welfare of our country and of whose interests you have committed to our charge. Amen.

Clerk of the Assembly: Order number one is administration of the oath.

Hon .Speaker: the next order.

Clerk of the Assembly: Order number two is communication from the chair.

Hon. Speaker: Hon members as you are aware that the budget estimates of the financial year 2013/2014 were tabled last week according to the standing order 206(5) I direct the Budget and the Appropriation committee to discuss and to make any review estimates, and make recommendations to this house. Taking into consideration the representation of the Sectorial committees, the views of the cabinet secretaries and the public. Thank you.

Clerk of the Assembly: order number three is messages.

Hon. Speaker: Next order.

Clerk of the Assembly: order number four is petitions

Hon. Speaker: Next order.

Clerk of the Assembly: Order number six is Notice of Motion.

Hon. Speaker: Next order.

Clerk of the Assembly: Order number eight is motion. Leader of Majority.

Hon. Julius Korir, (Leader of Majority): Okay thank you very much Mr. Speaker. I rise under motion number eight. THAT pursuant to the standing order 157 and 190 of the County Assembly standing orders. The County Assembly approves the following members nominated by the County Assembly Business Committee to be members of the committee indicated below. Senate Committees are:

COUNTY PUBLIC BUSINESS AND INVESTMENT COMMITTEE

Members.

Benard Kipkorir Ngeno – Chairperson

Hon. Christopher Ngeno

Hon. Stephen Koech

Hon. Samwel Bor

Hon. Philip Korir

Hon. Evaline Chepkemai

COUNTY BUDGET AND APPROPRIATION COMMITTEE

The following are members:

Hon. Christopher Ngeno that is the Chair.

Hon. Samwel Bor

Hon. Stephen Koech Changmorik

Hon. Josphat Kirui

Hon. Cecilia Towett

Hon. Philip Korir and

Hon. Benard Ngeno

Those are members of the county budget and appropriation committee.

Number (C) Mr. Speaker Sir; these are County Assembly Procedure and Rules Committee. The following are members.

Hon. Reuben Langat

Hon. William Mosonik

Hon. Leonard Kirui

Hon. Leah Kirui

Hon. Joyce Korir

These are the members of the County Assembly Procedure and Rules

Now we go Mr. Speaker **to sectorial Committees**. Number one or (a) Mr. Speaker that is **Committee on Agriculture and Environmental and Natural Resources**.

Hon. Samson Towett

Hon. Cecilia Towett

Hon. Hosbon Philip Siele

Hon. Sammy Chelule

Hon. Robert Metet

Hon. Molel John

Those are members on Committee on Agriculture and Environmental and Natural Resources.

Number (B) Mr. Speaker is Health Services. The following are the members.

Hon. Kirui Leonard

Hon. William Mosonik

Hon. Samwel Bor

Hon. John Ngetich

Hon. Leah Kirui

Those are members Mr. Speaker on Sectorial Committee of Health Services Committee. I now go to (C) that is **Transport and Public Works**. The following are the members:

Hon. Sammy Chelule

Hon. John Ngetich

Hon. Samson Towett

Hon. Reuben Langat

Hon. Josphat Kirui

Hon. Sammy Kirui

Those are members of Transport and Public Works.

We now go to (D) that is **Planning Trade, Tourism and Cooperatives**, members:

Hon. Metet Robert

Hon. John Molel

No its Hon. Robert BetKipngeno sorry Mr. Speaker

Hon. Reuben Langat

Hon. Stephen Changmorik

Hon. Leah Kirui and also the other name is Chepkoech so its Leah Chepkoech Kirui

Those are the members of trade, tourism and trade Mr. Speaker (E) **Early childhood and Education and Vocational Training**

Hon. Cecilia Towet

Hon .Christopher Ngeno

Hon.Molel John

Hon. Stephen Koech Changmorik....I think there was an omission of some names Mr. Speaker on number 4 the complete name Mr. speaker is honorable Stephen Koech Changmorik

Hon.Leah Kirui of which there is also addition of the name Chepkoech

Hon. Philip siege,

We go to (F) Mr. Speaker this are now member of **justice and legal affairs**

Mr. Speaker we have

Hon Robert Bett

Hon. Evaline Chepkemoi

Hon.Philph Koir

Hon. Reuben Langat and

Hon. Philip Seile

To conclude my remarks Mr. Speaker I wish to request this honorable house, to pass this motion to allow smooth running of county assembly business. Mr. Speaker we know that we have issues that before it is deliberated before the house; it has to go several committees given that we have several issues of budget.

Mr. Speaker and we approved, we tabled the proposals from the executives three or last sitting, now it the subject the house to make deliberations on the tabled budget so for us to make full deliberations. We need to approve this members, to allow them go through the budget, so I request members Mr. speaker to pass this list subject to amendment again Mr. speaker, given that we still have members honorable members who are yet to join this honorable house in some few days or short time we have Mr. speaker that we have members of nominated members, so we know that we are going to emend the standing orders of this County Assembly Mr. speaker, to allow those members to join this relevant and most important committees Mr. speaker. With few remarks Mr. Speaker I wish to move. Thank you.

Hon. Speaker: Yes *Mheshimiwa*.

Hon. Rotich David: Mr. speaker sir thank you very much, I do also appreciate what the leader of majority has tabled its only that he needs to assured to be some amendments on group C (A) B County Assembly procedures and rules members can we go there, before we go far it's better to amend immediately this things because am seeing as we approach several time about regional balance ,Mr. speaker I think we should amend that immediately before we go too far because most of the members who are in that committee come from almost two regions only while other regions have been left out, thank you.

Hon .Speaker: Yes Mheshimiwa (Leader of Majority)

Hon .Korir (Leader of majority): Thank you Mr. Speaker I rise to say that Mr. Speaker this minuets or this list that has been brought in this honorable house Mr. speaker cannot be amended here right now given that the standing orders are very clear Mr. Speaker.

We have to pass the list then we go to the business committee will rectify and bring a motion of amendments, Mr. Speaker. So I doubt and I don't think we are going to amend this list as it is given that the names of these members have been tabled. What is going to happen, Mr. Speaker as far as the honourable member is concerned is to allow the committee on the chief whip to rectify the minutes and amend the list, then bring back as a motion Mr. Speaker. Thank you.

Hon. Speaker: The Chief Whip.

Hon. Serbai (Chief Whip): Mr. Speaker. Thank you for actually giving me this time Mr. Speaker. While I also Mr. Speaker support the majority leader of Mr. Speaker that we are supposed to pass this evening .Mr. Speaker, I just want mention some few things Mr. Speaker whereby we have not actually discussed Mr. Speaker and there is no what we call numeric Mr. Speaker because we have not actually adopted Mr. Speaker.

This house is actually required to adopt this same list Mr. Speaker, so is subject to amendments. So Mr. Speaker I also want to plea that the members of this house are actually to amend especially number (c) to actually give a regional balance Mr. Speaker. I would rather request that whoever is not satisfied Mr. Speaker to rise because I can only see all the areas are well represented Mr. Speaker. It is only that...

Hon. Towett: Point of Order Mr. Speaker.

Hon. Speaker: what is your point of order Hon. Towett?

Hon. Towett: thank you Mr. Speaker for giving me this chance. I am on a point of order number six whereby and I want to quote it from the standing orders. It says the question on any motion shall not be proposed unless...

Hon.Serbai: Point of order Mr. Speaker

Hon. Speaker: What is your point of order?

Hon. Serbai: Thank you Mr. Speaker. I do stand on a point of order Mr. Speaker whereby a member is not allowed to read.

Hon. Speaker: Mheshimiwa Towett continue.

Hon. Towett: I think I was on a point of order Mr. Speaker before I was interrupted...

Hon. Speaker: what is your point of order?

Hon. Towett: I wanted to correct what was taking place here and I was referring to a standing order. I am not reading any other material and the standing orders are the purpose of this house.

(Hon members applause)

Thank you Mr. Speaker I propose that I am seconding the list with a lot of amendments and Mr. Speaker sir mark my words, with a lot of amendments. Thank you.

Hon. Speaker: Ok members standing order number one fifty six stroke one. In nominating members to serve on a select committee the selection committees shall ensure that the membership of each committee reflects the relative majority, of the sits and held by each of the county Assembly parties in the county Assembly

2. Despite paragraph 1 a member belonging to a party other than a county Assembly party or its independent member may be nominate to serve its select committee and the allegation of membership of select committee shall be as nearly as practicable promotional with the number of member belonging to same party and independent member

3. Except on selection for reasons County Assembly may otherwise resolve on the recommendation of committee for selection on reason to be stated, no member shall be appointed to server in more than three committee.

Approval of nomination

The County Assembly Business Committee shall, within seven days upon nomination of members to server in any committee of the County Assembly preset the list to the County Assembly for approval.

Whenever a motion for approval of a list under paragraph (1) is moved in the County Assembly, no objection against the proposed membership, of a member in a select committee shall be permitted an ad objection s, if any, shall be formulated against the proposed membership as a whole

A member shall not be of a committee of the County Assembly, unless the nomination of such member into the committee is approved by the County Assembly

Hon Kirui: Ok. Thank you Mr. Speaker sir. Thank you for granting me the opportunity. I wanted to say that we request Hon. Members that we adopt the list and amend it ,Mr. Speaker sir because this is an honourable house whereby we believe that when we say we are going to amend ,Mr. Speaker the honourable members in the house shall go by the word of amendments Mr. Speaker sir. Thank you very much.

Hon. Speaker: Hon. Metet.

Hon. Metet: thank you Mr. speaker sir first I want to see the list which has been tabled before us today is so , for everybody and I believe all members are represented who appears in all the committees and I believe they are said it is subjected to corrections and I sup[port the list the way it is. Thank you very much.

Hon. Speaker: yes Mheshimiwa Chepkwony.

Hon. Chepkwony: thank you very much Mr. Speaker sir. I stand to support to support the motion Mr. Speaker sir and although we had earlier on stated that there are reserved persons so as to be replaced because we know the motion is we are passing it subject to an amendment which is automatic once the nominated members are with us. So we reserved that vacancy say t if a person is appearing more than three times we shall make one to be a reserved for the members to join us Mr. Speaker. Otherwise I support the motion. Thank you.

Hon. Speaker: Mheshimiwa Serbai.

Hon. Serbai: Thank you Mr. Speaker. I want to stand Mr. Speaker and support the list Mr. Speaker but without amendments Mr. Speaker. Since we are very much aware that there are other members who are to join us Mr. Speaker, and the remaining vacancies Mr. Speaker will be filled by those who are coming Mr. Speaker. Hon. Speaker I support the list but without amendments Mr. Speaker. Thank you.

Hon. Speaker: Hon. Kemboi.

Hon Kemboi: I support the list with amendment later. The law states that the standing order there is an error. I think there is a typing error in Hon. Leah. Leah is not in the committee of planning, but it was typed to be in committee of planning. That is why they are seeing Leah appearing nearly four times but Leah she says she is not in the Committee of planning. So I support the list....(interruption for a point of order).

Hon.Serbai: Point of order Mr. Speaker.

Hon. Speaker: what is your point of order Hon. Serbai.

Hon. Serbai: Mr. Speaker, I think we are here to support the list Mr. Speaker and if a member Mr. Speaker I just want to request if a member who was notin the floor will be in order to advocate on another member who is actually in this house Mr. Speaker instead of that particular member Mr. speaker coming to defend herself Mr. speaker. (Applause from the members)

Hon. Speaker: Hon Bett

Hon. Bett: Thanks you Mr. Speaker for allowing me this time. Mr. Speaker I want to say that we [pass the list with amendments unless Mr. speaker, we have a provision whereby we overlook article 157(2) then if that is the case we should first amend the standing orders before we amend the list. Thank you.

Hon. Speaker: Yes Hon.

Hon. Metet: Thank you Mr. speaker for allowing me this chance to contribute on the list of various members of various committee, first of all I stand to support the amendment that the majority leader said speaker for the sectorial section there is some of the members who appears more than three times ,Mr. . Speaker so as seen in other sectors like Leah is appearing many times more so in sectorial side, than the other side Mr. speaker so I beseech or urge the honorable members that we pass the list as it then if there will be any amendment .Mr. speaker, late on otherwise I wish to support the list as it is, and as for the standing orders also there is no way we can put question on members issue one particular committee objective that we are supporting or objecting On the whole list; Thank you Mr. speaker

Hon Serbai: Point of order Mr. Speaker

Hon .speaker: Your point of order

Hon. Serbai: Mr. Speaker Thank you once again Mr. Speaker. We just one to say Mr. Speaker as I said this list we adopt without amendment Mr. Speaker, is because and I just want to clarify this, we have some other members who are yet to join us, and if you just go to public and county committee it only needs one person so as to get the maximum number of committees as it is Mr. Speaker, and then we and then just go to county budget Mr. speaker

we have seven Mr. speaker of which we have non in that particular committee Mr. speaker we go to assembly and procedural Mr. speaker we only need two members Mr. speaker and if we go to agriculture Mr. speaker they are already working on the maximum Mr. speaker we need two members Mr. speaker within the committee Mr. speaker, we just go to transport we only need one, planning one ,childhood one and then justice two and we are voting more than ten members Mr. speaker.

How are we going to amended this yet we have some committees members who are supposed to tabled it in this house Mr. speaker and add at least two two two Mr. speaker to make twenty Mr. speaker and we have less than twenty offices Mr. speaker thank you.

Hon speaker: Leah

Hon Leah: Thank you Mr. speaker for allowing me this chance I stand to defend myself that I am here I called the leader of majority to go correct my names as Leah c chepkoech but this time I can see there is a typing error again that I am appearing four times in sectorial committees so I stand to defend myself that you correct. Thank you.

Hon. Speaker: Hon Chepkwony

Hon. Chepkwony: Thank you Mr. Speaker am standing to defend my stand and my other stand for the passing of the motion subject to amendment as why is because there is a member who is appearing four times when the Standing Orders is stating clearly that no member should appear more than three times Mr. Speaker sir, we are having Honorable Reuben Langat who is appearing four times Mr. Speaker and I know since the Standing Order cannot allow Mr. Speaker so I was after saying that stating that we are on subject to amendment so as to correct that one then we allow other members to vet them Mr. Speaker members Mr. Speaker. Thank you very much.

Hon. Speaker: Philip

Hon. Philip: Okay Mr. Speaker Thank you for this particular moment that I have, I wish to thank the leader of Majority for giving us this list to house and would like to say the list the members should look this list because I see that has nearly met the required that are needed the only thing that I seeing that is bringing confusion is the issue of appearing more than three times if we can report to Standing Orders 156sec 3 it clearly states that it is only sectorial committee as and not other committees am seeing the other member who has just sit I mean Hon. member Leah she is saying she is appearing three times in sartorial committee but I can see it also because there are several committee of business committee and Agricultural and Natural resources; Transport and public works; Planning Trade, Tourism and Cooperatives; Early Childhood and vocational Training, Justices and Legal Affairs and the other two are County Budget and Appropriations Committee; County Assembly Procedure and Rules and County Government, Investment Accounts Committee. I do not think there are several committees but they are selected committees .Thank you Mr. Speaker

Hon Speaker: Ok Hon Mr. BetOrder

Hon Bet: Thank you Mr. Speaker.

Hon Speaker: Order order members

Hon Bet: As much as I support the member who has just sit Mr. speaker on decision act on as per spectral and county committee am standing here Mr. speaker sir to say, not necessarily the regional balance and observation Mr. speaker such a person doesn't have a mandate to represents many committees more than others Mr. speaker others

Hon. Speaker: the leader of majority do you have anything to reply.

Hon.korir (leader of majority): Thank you Mr. speaker I wish to correct some recommendation requesting some members that we recommendation am trying to make will be to interest of the whole house, the honorable house Mr. speaker given that Mr. speaker we some tangible issues ahead of us that most of the committee member there is a committee a separate committee said committee no.. Yah Mr. Speaker I can say several committees speaker, especially the committee County budget and appropriations committee Mr. Speaker. My request Mr. speaker is that we pass this motion then we come on the next sitting and amend because there the Chief whip will sit down with the members of the house business committee and rectify all the amenities that is appearing Mr. speaker the list.

(Members applause)

Then on Tuesday we do a motion to amend the list and amenities within the list Mr. speaker, so my request members Mr. speaker is that we pass the motion subject to amendments then we bring another motion on Tuesday, then as rectified as to clean up the mess Mr. speaker. The reason I request the members to pass the list Mr. Speaker is the importance of the County Budget and Appropriation Committee Mr. Of which appearance as far as amenities the list seems to in order Mr. Speaker, but other list we go sit down and rectify, there is another issue Mr. Speaker members raised that we are expecting members of nominating members in this honorable house you find Mr. Speaker you can go to Senate committee(c) that is County Assembly procedure and Rules Committee.

This honorable house has the mandate and powers from the constitution using the standing orders to rectify and amend first to amend standing order, standing order in this house Mr. Speaker, that we allow members from the Senate committee even to be increased from other committees Mr. speaker

(APPLAUSE)

So wish Mr. speaker that we first amend standing orders in this honorable house so as to allow us amend the list we have just tabled Mr. speaker, and I request Mr. speaker before I sit, that we pass the motion and then subject to amendment and bring the motion in the next sitting that will allow us amend the list Mr. speaker Mr. speaker thank you.

Hon Speaker: Honorable members we are now keeping this matter to rest and I now put the question will as many opinion say Aye

Honorable members: Aye

Honorable speaker: will as many as contrary opinion Nei

Honorable members: Nei

Honorable Speaker: the Ayes have it. Order members Order members. Having no other business the house is adjourned to 2:30 pm on Tuesday next week.

The house rose at 2:10pm

The Hon Speaker's procession walks out

Members walk out

SELECTED COMMITTEE BY PAGE:-

SENATE COMMITTEE

County public business and investment committee pg-5

County budget and approval committee pg-5

SECTORIAL COMMITTEE

Natural Resources Pg-6

Transport and public works Pg-7

Planning trade tourism and co-operative Pg-8

Early childhood and education and vocational training Pg-8

Justice and legal affairs Pg-8

Definition

Order paper:-A list of the subjects to be discussed by parliament on a particular day.

Constitution:-The system of laws and basic principles that a state, a country or an organization is governed by.