

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

ASSEMBLY DEBATES

(OFFICIAL REPORT)

DAILY HANSARD

Wednesday 1st December, 2021

PLENARY

BOMET COUNTY ASSEMBLY

OFFICIAL HANSARD REPORT

Wednesday 1st, December, 2021

The Assembly met at the Chamber,

Main Assembly Buildings at 9:00 a.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

Hon. Speaker (Hon. N. Mutai): Hon. Members, I hereby recommend all of you for the year's deliberations. Today might be our last day in the House this year because we shall be breaking for a long recess.

Therefore, I take this opportunity to wish you fruitful campaigns, merry Christmas, and a happy 2022. I know it will be full of activities because of the campaigns. This afternoon, we shall have a Supplementary Budget and I wish that we finalize it today.

Thank you.

STATEMENTS

STATUS OF THE CONSTRUCTION OF MOLEN TO BELGUT ROAD.

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

Hon. Z. Kilel: Hon. Speaker, we shall be breaking for a recess for the next two months. I sought a Statement from the Chairperson on the Committee on Roads and Infrastructure on the construction of the road from Molen to Belgut in Merigi Ward. However, I have not received the feedback.

Secondly, I sought a Statement on the status of our dry taps. My people are still waiting for the answers.

Hon. Speaker (Hon. N. Mutai): The Chairperson on the Committee on Roads and Infrastructure can respond. Hon. Langat.

Hon. A. Langat: Hon. Speaker, the Chair made a ruling sometimes back that the supply of the Statement answers is not necessarily made before the House but can be at the Committee Sittings. We are still working on the response so that we can have an accurate answer. We also intend to invite the Chief Officer in order to get a good response.

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

Hon. Z. Kilel: Hon. Speaker, the Statement should be answered in the House.

Hon. Speaker (Hon. N. Mutai): Kindly specify your question. Is it one road or how many?

Hon. Z. Kilel: Hon. Speaker, it is one but we need to know about other roads in other Wards.

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

Hon. D. Kipkirui: Hon. Speaker, I rise on a point of order. Is Hon. Z. Kilel asking a question on behalf of all the Members of the House?

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

Hon. W. Kiprotich: Hon. Speaker, the Chairperson should only have stated when the answer is due.

Hon. Speaker (Hon. N. Mutai): Kindly be specific on when the answer is ready. Can you provide the answer before the close of business today?

Hon. A. Langat: Hon. Speaker, it is possible.

Hon. Speaker (Hon. N. Mutai): How about at 2. 30 p. m chair?

Hon. A. Langat: Hon. Speaker, in order to avoid other supplementary questions, it is important that we invite the County Executive Committee Member and the Chief Officer so that all Members with the questions can get immediate answers.

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

Hon. Z. Kilel: Hon. Speaker, I also sought a Statement about the suspended installation of pipes in my Ward. The Chair can direct the Chairperson responsible to respond.

Hon. Speaker (Hon. N. Mutai): How many dry taps are you talking about?

Hon. Z. Kilel: Hon. Speaker, pipes covering about seven Kilometers.

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

Hon. L. Ngeny: Hon. Speaker, I am the de facto Chairperson.

The Speaker (Hon. N. Mutai): Is it possible for you to provide the answer before the close of business today?

Hon. L. Ngeny: Hon. Speaker, it should be possible because we wrote to the CEC responsible.

The Speaker (Hon. N. Mutai): Please follow up. There was a Statement sought by Hon. M. Chepkirui on the 21st September, 2021 from the Chairperson on the Committee on Labour and Public Service concerning the County Internship Program. Hon. Langat.

Hon. J. Langat: Hon. Speaker, the Chairperson on the Committee on Labour and Public Service

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

Hon. C. Mutai: Hon. Speaker, the committee on Labour and Public Service was asked on 22nd Sept 2021 to furnish the County Assembly with the following information concerning the County Internship program. In the statement, the chair person was asked to;

1. Indicate the number of interns engaged by the County Government in in the financial 2021/22 respectively
2. Considering the County Assembly approved budget of Ksh. 9 million in the financial year 2020/21 and 18 million in the FY 2021/22 and explain why the interns have not been paid
3. To indicate when the interns will be paid by the County Government

Hon. Speaker the executive member for youth, gender, culture through a letter reference number county government of Bomet youth culture and social services no. vol. 1 dated 5th Oct 2021 responded as follows:

1. The number of interns recruited was 240 however 233 reported and were posted to various departments. They were contracted for 6months starting from April 2021 to September2021
2. The total number of interns enrolled in the financial year 2020/21 are 233, in financial year 22021/22 are the same.

They were contracted for 6months that overlapped in the 2financial years. That the approved budget for the financial 2020/21 was Ksh. 18 million which Ksh. 9 million was spent and 9million was observed in the supplementary budget. 2021/22 budget approved 9 million which will be utilized to pay and release the interns.

Hon. Speaker the third question answered as follows, that the department prepared and approved all the necessary documentation from June to September and forwarded them to the county treasury for payment.

The fourth question as answered that all interns will have received their stipends as by 12th October 2021. The committee after perusing through the responses noted that they we were not satisfactory therefore resolved to write to the County Executive Committee Member requesting additional information on why the interns were not yet paid. The County Executive Committee Member for Youth Culture and Social Services and Sports referenced that letter dated 23rd Oct 2021 responded as follows

1. That the department prepared and approved all the necessary payment documents before 15th of every month and the same forwarded to the County Treasury for payment. The committee was not satisfied and they reserve to invite both the County Executive Committee Member for Culture Sports and Youth and the CEC finance and ICT Economic Planning by the letter reference Bomet County Assembly LPS 13 /20 1 of 71.

The CECM for Youth Culture and Sports appeared before the committee on 30th Nov 2021 at 11.30 am and respond as follows:

- The number of interns recruited was 240, however, 233 reported and were posted to various departments. They were contracted for 6 months starting from April 2021 to

September 2021. They were contracted for 6 months that overlapped in the 2 financial years 2020/21 and 2021/22.

- The budget as she said was Ksh. 18 million which Ksh. 9 million was also observed in the Supplementary Budget. This meant that she gave us the same information which was in the previous letter.^[1]_[SEP]
- The third respond is that in the financial year 2020/21 stipend for interns no. 73 with account.^[1]_[SEP]
- KCB totaling Ksh. 806,000 and interns were 81 with the equity bank account totaling Ksh. 910,000 were not remitted by the County treasury and training induction expenses amounting to Ksh. 1.2 million. These figures cumulatively are not in the 2021/22 budget allocation of Ksh. 9 million. Therefore, the interns' budget line is on a deficit of approximately Ksh. 3 million. The interns were given another extension of 6 months and the department requested they be included in the Economic Stimulus Program to mean they will not be serving as Interns.
- To ensure that the Interns are paid the department of public service board and administration have a budget for meeting the pending payments.

Honourable Speaker our resolution as a committee were.

- The committee requested the department to submit all the written communication between them and the department of finance.
- The committee requested to be availed with a list of all the interns and their status for the last pay before 6th Dec 2021. Some Interns have been paid and some have not.^[1]_[SEP]

Hon. Speaker, the committee's recommendation is that the department should make a follow up with the department of Labour and Public Service and Administration to ensure that the Interns are paid.

Hon. Speaker (Hon. N. Mutai): The statement seeker, are you satisfied with the reply?

Hon. M. Chepkirui: Mr. Speaker, I am satisfied with the report. I was in attendance of this committee's meeting. There was a deficit of Ksh. 3 million and they have promised to submit a written communication between the department and department of finance to prove that those interns will be paid. I am proud because the interns will be given an extension of another 6 months and the department requested that they be included in the Economic Stimulus Program. That was a plus to the committee.

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

Hon. W. Kiprotich: Mr. Speaker, they say that beauty lies in the eyes of the beholder. Because hon. Marcella was the seeker of the statement and is 100% satisfied of the answer that has been given, I wonder why the department would change from being interns and taking them to a stimulus program. Mr. Speaker, in this House we approved both budgets. Can the chair hon. Cecilia tell us what informed the change and who was consulted?

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

Hon. A. Koech: Hon. Speaker the report told us that 240 interns were recruited and 233 turned up which means there was a deficit of 7 who were to be replaced almost immediately because we had a budget of 240 interns. The committee is telling us we have a deficit of Ksh. 3 million for the same which is not in line with the budgetary allocation.

Hon. Speaker (Nelson Mutai): Very brilliant observation hon. Ambrose. Hon. Cecilia are you in a position to answer the questions?

Hon. C. Mutai: Hon. Speaker thank you for the observation. It was also our concern as the committee as to why they could not replace the 7 interns. The department said it was a process hence we advise them it was not communicated officially but they said they will rectify the issue. The CECM said that the training ate into their budget and hence deficit of the Ksh.3 million. She also told us that the 9 million was observed in the Supplementary Budget at the same time they are assuring us that the department of Labour and Public Service and administration will be able to pay because the Ksh. 3 million is within the Ksh. 9 million.

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

Hon. A. Koech: Hon. Chair, number 3 they said during the year 2020/21 stipends for interns, no. 73 with account in KCB totaling Ksh. 806,000 and interns. They said that the training expenses was supposed to be Ksh. 1.2 million. If this House is not going to be very active in the oversight role, the Executive will play around with figures and get money in an area that looks like there is a loop hole. For example, there could be no loop hole in the stipends paid to the interns because it is on monthly and it is not the amount, but the loop hole here is in the training expenses and that is where these people have targeted and say that the Ksh. 3 million deficit is from the expenses on training yet the expenses for the training were calculated. The

department sat and said that the training for the interns would amount to around Ksh. 1.2 million. So the difference should not be up to Ksh.3 million, it should be may be Ksh. 1.2 million plus two hundred thousand. So, this issue of getting a loophole and poking hands into it should also be investigated. We should be able to investigate and see what entails the training programs that consumed Ksh. 1.2 million and another Ksh. 3 million. Thank you.

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

Hon. Z. Kilel: Thank you Hon speaker, it is so downgrading and someone is telling us that training was supposed to be Ksh. 1.2 million and another Ksh. 3 million making it Ksh. 4.2 million. So, are we heading somewhere or we are just allowing those people to misuse the money belong to the county because the training was three days if I am not wrong.

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

Hon. C. Mutai: Thank you Hon. Speaker, I just wanted to correct the Hon. Member to read part three of the answers that indicates that during the financial year 2020/2021, stipends for interns totaling 73 in number, with accounts in the KCB totaling to Ksh. 806,000 that was payment for the interns, and 81 of the interns with Equity bank account totaling to Ksh. 910,000 were not remitted by the County Treasury and training and induction expenses amounting to Ksh. 1.2 million. I hope there is nothing outside this Ksh. 1.2 million. Does this mean that Ksh. 1.2 million was for training or induction costs? These figures commutatively consumed the 2020/21 budgetary allocation of Ksh. 9 million.

Hon. Speaker, we also had a concern of committee because we had written a letter to the County Executive Member of Finance and the training planning who did not turn up. They need to answer as to why there was delay in payment or the reason as to why some money were not paid yet the department said that they prepared all the payment vouchers and requests to the treasury. We wanted to understand other in-depth as the reason they had to justify whatever the department is saying. So, Hon. Speaker, there is still a gap that we need to have a discussion and I think it is a way forward but my correction to the Hon. Member that there is nothing like Ksh. 1.2 plus Ksh. 3. Ksh. 1.2 million was meant for training and induction and was somehow justified looking at the number of 233 interns, plus the trainers and the facilities. Thank you Hon. Speaker.

Hon. Speaker (Hon. N. Mutai): Thank you Hon. Cecilia for the information. Hon Clara?

Hon. C. Cherotich: Thank you Mr. Speaker. I am still surprised and also wondering about the same thing which Hon. Deputy Speaker has already talked about, that the interns were given another extension of 6 months and the department requested that they be included in the economic stimulus program, yet our youths back at home have been told to apply for the same vacancies and they are really waiting for it and we are now surprised with this document. It seems those youths at home will not secure chances because it has stated clearly that the interns who are already given their time will also be included in this one. So as leaders, we don't know what we shall tell our youths because we were the ones encouraging them to apply for the same vacancies so that they can be considered in this County Mr. Speaker. Thank you.

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

Hon. M. Chepkirui: Thank you very much Mr. Speaker, I would like to inform Hon. from Kimulot Ward that the interns got extension of 6 months in order to gain more experience. The issue of economic stimulus program is under the department of Administration. So, when the department reported in number four that the interns were given extension of 6 months and the department requested that they be included, whereby this economic stimulus program and the they had been budgeted for. There is committee resolution Mr. Speaker and I would like to inform Hon. Zadock that the requested that department submits all the written information for the finance.

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

Hon. W. Kiprotich: Thank you Hon. Speaker. I wonder, when did the hunter become the hunted? In this case, Hon. Marcella is the statement seeker and the duty of this House at hand is to exercise oversight. Now, she is siding with the oppressor. What is she trying to portray? In fact, the House is trying to assist her get the facts of what she asked but she is now siding with the Executive.

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

Hon. C. Mutai: Thank you Hon. Speaker. I am happy with the concerns of the members as to why these interns will now be transferred into Economic Stimulus Program. We sought to know from the Hon. Member County Executive for Youths, Sports, Culture and Social Services as to why they were moving these interns and incorporating them in Economic

Stimulus Program. The reason given is that the Youths were half baked and needed more experiences and expertise. That is why they were saying that they be moved to the same department or even reshuffle within the department but to gain more skills.

Hon. Speaker, the other reason is that the Covid-19 interfered with the program and most of the times Youths were at home. So, that might be a justification. She also promised that she will follow up with the department of Administration to ensure that we have more Youths coming through the Economic Stimulus and the interns be retained so that they can have more experiences within the department. We were somehow satisfied because we thought that if given another 6 months to be 12 months, may be these youths will have experiences and we need to give them letters but at least, sometimes they are required to produce at least 3years experience. So how the Executive member was saying is that they felt that the Youths did not have adequate time to participate in gaining their skills. I don't know but somehow, it was justified. Hon. Speaker, the only thing is that may be through the department of Administration, we can further follow up so that we have more youths being engaged through the Economic Stimulus Program After all, this is a very small number. I think we can still have more youths coming in within the budget and even through the Supplementary Budget. I don't know if that can happen but I think we can sit as committees in various departments and see way forward as long as budget will allow. Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Kiprotich, I am not sure whether I understand your question that the interns in Economic Stimulus Program are supposed to be separate from the current ones. Also, Hon Cecilia has not answered that question because I am sure it was about competitive process for these 500 Economic Stimulus Program interns.

Hon. W. Kiprotich: Thank you Hon. Speaker. In fact just like Hon. Clara had put it, the Economic Stimulus Program was given out as an advertisement for the youths of this County to apply. While at the same time, the total number of interns are supposed to be taken back in that particular portfolio.

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

Hon. L. Ngeny: Mr. Speaker, I am a member of Labour and Public Service Committee but I am not standing to support the intention of the department to transfer the 233 interns into the Economic Stimulus Program. When you say that the Economic Stimulus Program was looking for 500 youths to get some employment and here we want to take away 233, that

means, out of those who applied; and I know they applied in thousands, will only be taking up 267. That means the rest of those who applied in thousands will just be wasting their time and energy looking for something that is already taken by other people. That idea came as an after-thought. After the 6 months had elapsed, that is what the department thought was necessary for these people to have a one year program.

So Mr. Speaker, it is still possible for the department to ask for more money and get these people to do another 6 months so that it can be one full year that is not continuous. I urge you Mr. Speaker to give us a directive as a committee to intervene again, go to the department and ask them to change their mind and give these positions of 500 stimulus program to those youths outside. We should go and stop these people from doing this.

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

Hon. W. Kiprotich: Mr. Speaker, Sir, I wish to inform the House that Hon. Ngeny who just spoke is the same member of Labour and Public Service Committee where Hon. Cecilia is asking the question.

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

Hon. A. Koech: Thank you Hon. Speaker. The reason why we are really concerned with absorbing these 233 into Economic Stimulus Program is that this program has a component that was set that required 100 undergraduates, 100 diploma holders and 300 certificate holders. So, these 233 who are in internship are more than the 200 and they are only mainly degree holders.

Hon. Speaker (Hon. N. Mutai): Hon. Majority Leader?

Hon. J. Kirui: Hon. Speaker, I am the official spokesman of the Government in the House. As the leader of government business in this House, I have read the Statement that the department is requesting that they be included in the Economic Stimulus Program. It has not been mentioned that they have been included in the Economic Stimulus Program.

The department is messing up and as the Leader of Government Business; I want to state the government's position on this matter that those who are on internship cannot be part of the Economic Stimulus Program. Hon. Speaker, we had consultations and it was agreed that those who are on internship will not join the Economic Stimulus Program. The request of the

department is therefore null and void. I request that you make that ruling, Hon. Speaker, so that this House cannot be a House of confusion but a House of order.

Hon. Speaker, Sir, thank you.

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

Hon. J. Kelong: Hon. Speaker, Sir, thank you. I am also the Chair, Committee on Youth and Sports, the department to which these interns are under. Hon. Speaker, Sir, we had given them money for the interns for the first six months. They had requested that they be given another Ksh. 9 million for the whole year. I do not see any relationship between the Economic Stimulus Program and these interns. It wasn't there. This is a request and this request should not be granted. Let the interns finish the remaining six months and then we have other interns coming in. Hon. Speaker, Sir, thank you.

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

Hon. Z. Kilel: Hon. Speaker, Sir, thank you. To me, we need both of them. We need both the interns and the Economic Stimulus Program. We need to add an extra budget for the stimulus program. Hon. Speaker, Sir, thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Members, thank you. I make the ruling that in the spirit of fairness and that of giving everyone a chance and equal opportunity in the development of this County, the reserved positions for 500 interns should only be for those who will apply. That request based on the issue of Covid-19, is whimsical. It cannot pass the test. Hon. Ngeny.

Hon. L. Ngeny: Hon. Speaker, Sir, there is a statement that was sought by Hon. Z. Kilel that I had promised to bring it to the House in the afternoon. I have consulted with the technical team of the Assembly and they have written to the CECM concerned. Normally when we write to the CECM, we give them a maximum of 14 days to respond. The 14 days have not lapsed and I am afraid, we might not be able to bring it in to the House as I had earlier on promised.

Hon. Speaker (Hon. N. Mutai): Hon. Majority Leader.

Hon. J. Kirui: Hon. Speaker, Sir, I wanted to inform the House that whimsical is a peculiar

notion that is queer and strange. Hon. Speaker, Sir, thank you.

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

Hon. A. Koech: Hon. Speaker, Sir, thank you. We almost exhausted everything yesterday. The only thing that I would like to add is to urge the Hon. Members that this Motion was nothing to do with me as an individual. It was nothing to do with any wrongs that I had done before. I am a human being and this is not something just touching on me or the Ward that I represent but something that touches on the whole County.

This Assembly being an oversight body should be able to look for the value for money that has been allocated to the water company. If residents do not get the water yet they are getting the bills which are exorbitant, that is an insult to them.

The Water and Natural Resources Committee should be able to up their game. Much as I am the Chair of a Committee, the water committee should assure this House that they are up to the task and they are supposed to provide the required information to this House. People are supposed to get water wherever they are. Hon. Speaker, Sir, I urge this Members to support the Motion.

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

Hon. W. Kiprotich: Hon. Speaker, Sir, thank you. I am not rising to contribute to the Motion. I am up on a point of order to put some things straight. My teacher, Hon. A. Koech, stood up, I guess on a right of reply, to this Motion that was discussed well yesterday. I respect my teacher and I am here because of him. I do not know the reason why he is using the word 'was' and not 'is'. What has happened overnight?

He has also said that the water committee should up their game; which is right. It looks like the Motion mover has given up.

(Question put and negated to)

ADJOURNMENT

Hon. Speaker (Hon. N. Mutai): Hon. Members, yesterday I directed the Committee on Budget and Appropriation to come up with a report on the Supplementary Budget of Bomet

County Assembly within 24 hours. I expect that report to be in the House forthwith. The House Business Committee to convene after this.

There being no other business to be transacted, this House stands adjourned to Wednesday, 1st December 2021 at 2:30 p.m.

The House rose at 10:05 a.m