

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

ASSEMBLY DEBATES

(OFFICIAL REPORT)

DAILY HANSARD

Wednesday 4^h May, 2022

PLENARY

BOMET COUNTY ASSEMBLY

OFFICIAL HANSARD REPORT

Wednesday 4th May, 2022

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2.30 pm

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

PRAYER

STATEMENTS

Hon. R. Serbai rose on a point of order

PENDING BUSINESS

Hon. R. Serbai: Mr. Speaker, thank you. There are several Statements that you ordered to be responded some days ago but they have not been answered including the one I sought regarding the implementation of the *Ad hoc* Committee Report. The Chair ordered the Committee to come up with a response within seven days. The period has lapsed yet nothing has been received.

VISITING DELEGATE FROM EMBOMOS WARD

Secondly, we have a visitor whom I wish that the Chair recognise. We competed together in the just concluded United Democratic Alliance (UDA) primaries.

Thank you.

Hon. Speaker (Hon. N. Mutai): What is the name of the visitor?

Hon. R. Serbai: Mr. Speaker, his name is Mr. Simon Cheruiyot.

Hon. Speaker (Hon. N. Mutai): We recognise the presence of Mr. Simon Cheruiyot in our public gallery today. I thank you honourable R. Serbai for conceding defeat and we wish you well next time.

Thank you.

I request the committee Chairs to come up with those statements sought. Hon. R. Serbai sought a statement on implementation of the *Ad hoc* Committee Report and the Chair was supposed to come up with a report within one week but I am not seeing him. Who is the Vice-chair of the Committee on Labour and Public Service? There was also a report from the Committee on Labour and Public Service which was supposed to come up yesterday but there was a holiday.

Hon. C. Mutai: Mr. Speaker, thank you. We did not complete because of the holiday. We request the Chair to give us seven more days and we shall be ready by Wednesday next week.

Thank you.

Hon. Speaker (Hon. N. Mutai): Do you have any information on the status of implementation of the *Ad hoc* Committee Report Honourable C. Mutai?

Hon. C. Mutai: Mr Speaker, allow me to consult because I am not the Chair but a member.

Thank you.

Hon. R. Serbai: Mr Speaker, I am perplexed by the way the Vice Chair is responding. She said she is not the Chair. Pursuant to the Standing Orders of this House, there is a provision that provides that in the absence of Chair and the Vice Chair, any Member in the Committee can chair a meeting.

The County Public Service Board submitted its report to this Assembly for consideration in a month or two ago but it has not been Tabled. That is what I want to know. I still seek to know the percentage that has been implemented in the mentioned report and the remainder. Also, what reasons made the County Public Service Board not to implement it fully.

Thank you.

Hon. Speaker (Hon. N. Mutai): Thank you honourable R. Serbai. The Vice Chair stepped out. Maybe she is consulting. Let us wait for her communication. Next order!

BILL

THE BOMET COUNTY COMPASSIONATE ASSISTANCE BILL 2021, (BILL NO.4 2021)

Second Reading

Hon. E. Chepkemoi: Thank you Hon Speaker, I beg to defer this Bill because the report is not ready.

Hon. Speaker (Hon. N. Mutai): We are aware that your report has not been submitted. However, pursuant to the Standing Orders of this House, we can proceed in the absence of the report notwithstanding.

Hon. W. Kiprotich: Hon. Speaker, I am also one of the Committee Members of the Committee on Administration, Peace, Justice and Legal Affairs. I echo what Hon. H. Chepkorir is talking about. At the Second Reading, we can move several amendments and the report will inform what the Bill is all about. We seek the Chair's indulgence and that it is deferred by at least one week.

Leader of Majority (Hon. J. Kirui) Hon. Speaker, I am also rising to echo what the Hon. W. Kiprotich said. I am a member of the Committee and we seek your indulgence on how we can defer this issue so that we can have a comprehensive report that can be adopted and adopted.

Hon. Speaker (Hon. N. Mutai): Hon Members, you are aware that Standing Order no. 125 (4) provides that the Chairperson of the Sectoral Committee to which a Bill is committed, or a Member designated for that purpose by the Committee shall present the report to the County Assembly within 20 calendar days of such committal.

I am aware that committal was done on the 8th March, 2022 and upon such presentation, if the committee fails to present their report, it is considered due. So, 20 days have lapsed and the report is due because it has not been presented.

The Bill shall be read a Second Time on such a day as the County Assembly House Business Committee shall in consultation with the Member or the Committee in charge of Bill appoint. Notwithstanding the reading of that section, the report may not be mandatory at this stage because after all we are not adopting it.

Secondly, there was a public participation exercise which commenced. I am not sure whether there are substantial changes that necessitates postponements of this Motion.

Hon. W. Kiprotich: Mr. Speaker, I can explain that. It is true that it was advertised in the print media that there is a scheduled public participation on the Bill. The last time I checked, there were about seven submissions from the Members of Bomet County.

The said submissions have not been factored in the report. Therefore, we are asking for a deferment so that the Committee can consider the submissions by the resident of Bomet. They sent through the Assembly's email and we were yet to retrieve the them.

Hon. J. Kelong: Mr. Speaker, this Bill is long overdue. The Bill is meant to assist Bomet County residents especially those in the hospitals to pay their bills but the Committee has taken a lot of time.

Therefore, I think we can proceed to the Second Reading.

Hon. R. Serbia: Mr. Speaker, I just want to echo what the Leader of Majority and Hon. W. Kiprotich have requested. What is the point of us rushing thereafter the results will be disorderly? We need to have time to go through the submissions and responses from the members of the public. We shall then incorporate them in the Bill if there are any substantial information.

Mr. Speaker we were in a long recess and the Members of this Assembly were engaged in politicking. Some are still in shock because of the results. It is evident a half of the Members are absent. Some are nursing injuries. Why can we not give them time? They are also human beings.

Mr. Speaker I do not know whether under the Standing Order no. 1 the Chair can apply and use it as an excuse. This Bill is important for this county. Therefore, allow us so that we have time to see through it and come out with a smart and conclusive Bill.

Thank you.

Hon. D. Langat: Mr. Speaker, I want to concur with the Member from Kembu Ward that this Bill is long overdue. On the same note, I also sit in the House Business Committee where the Speaker is the Chair. I request your honourable Chair that you give the Committee at least a week so that we have the best document.

Hon. Speaker (Hon N. Mutai): Hon. Members, in view the request from the Members and the able submission made before the House, I rule as follows;

That the Second Reading of the Bomet County Compassionate Assistance Bill 2021, Bill No. 4 of 2021 be done on Tuesday next week. Upon completion of the Second Reading, the House shall proceed to the Committee of the Whole Assembly. We hope the report will be ready and we will move with speed.

ADJOURNMENT

Hon. Speaker (Hon. N. Mutai): Hon Members, there being no other business, this Assembly stands adjourned to the 11th day of May 2022 at 9. 00 a.m.

The House rose at 3. 30 p.m.