



OFFICIAL HANSARD REPORT

COUNTY ASSEMBLY OF BOMET

THIRD COUNTY ASSEMBLY

ASSEMBLY DEBATES

DAILY HANSARD

The Assembly met at the Main Assembly Chamber,

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

Third County Assembly- Second Session

Tuesday Afternoon 17th October, 2023

(The Assembly met at 2:30 p.m. in the

County Assembly Mini Chamber at County Assembly Buildings)

[Hon. temporary Speaker (Hon. J. Kipkirui) in the Chair]

PRAYER

PAPERS

Hon. P. Kirui, Leader of Majority (Ndanai/Abosi ward, UDA): Hon. Temporary Speaker I beg to lay the following papers on the table of the county assembly today Tuesday October 17th 2023.

- i) The Longisa County Referral Level 4 Hospital Bomet County Government annual report and financial statement for the year ended 30th June 2023.
- ii) Cheptalal level 3b Hospital annual report and financial statements for the year ended 30th June 2023.
- iii) Bomet Municipality Annual report and financial statements for the financial year ended 30th June 2023.
- iv) Kapkoros Level 3a Hospital annual report and financial statements for the year ended 30th June 2023.
- v) Bomet County Education Revolving fund annual report and financial statement for the year ended 30th June 2023.
- vi) Bomet County Bursary Fund annual report and financial statement for the financial year ended 30th June 2023.
- vii) Bomet County car loan and mortgage scheme fund annual report and financial statement for the financial year ended 30th June 2023.
- viii) The County Revenue Fund annual report and financial statement for the year ended 30th June 2023.
- ix) County Government of Bomet annual report and financial statement for the year ended 30th June 2023.
- x) Sigor sub county level 4/5 hospital annual report and financial statements for the year ended 30th June 2023.
- xi) Revenue statements for the financial year ended 30th June 2023.

I beg to lay Hon. Temporary Speaker.

Hon. Temporary Speaker (Hon. J. Kipkirui): Proceed and lay.

(Hon. Benard Rotich tries to rise)

Hon. Temporary Speaker (Hon. J. Kipkirui): Hon. Member representing Chebunyo ward, kindly wait. I want to commit the reports to the respective committees for consideration within a period of 30 days from today. Each committee like number one and two I commit to the committee health and sanitation chaired by honourable Rosaline Cheptoo so each and every committee to take it upon their committees and report to this honourable Assembly within a period of 30 days.

Hon. B. Rotich (Chebunyo ward, INDEPENDENT): Hon. Temporary Speaker I beg to lay the following Papers on the table of the county assembly today Tuesday 17th October 2023. The committee on Labour and Public Service report statement raised by honourable Josphat Kipkirui concerning the revocation of the appointment of Mr Kipkoech Ronoh Micah as Early Childhood Development Education assistant in the county education department. I beg to lay.

Hon. Temporary Speaker (Hon. J. Kipkirui): Proceed. Thank you honourable member. The report number three, Bomet Municipality annual report and financial statements for the financial year ended 30th June 2023 is hereby committed to the committee on urban planning, land s and housing for a period of 30 days. The report Kapkoros level 4/3a annual report and financial statements for the financial year ended 30th June 2023 is also committed to the committee on health and sanitation to report to this honourable Assembly within 30 days.

The Bomet County Education Revolving fund annual report and financial statements for the financial year ended 30th June 2023 is committed to the committee on education, youths and sports also to report to this honourable Assembly within a period of 30 days. The Bomet County Bursary Fund annual report and financial statement for the financial year ended 30th June 2023 is also committed to the committee on education, youths and sports to report to this honourable Assembly within 30 days.

Number seven the Bomet County car loan and mortgage scheme fund annual report and financial statement for the financial year ended 30th June 2023 is committed to the committee on finance, ICT and Economic Planning also report to this honourable Assembly within 30 days. Number eight The County Revenue Fund annual report and financial statement for the year ended 30th June 2023 also committed to the committee on finance, ICT and economic planning, please report to this honourable Assembly within 30 days.

Number nine the County Government of Bomet annual report and financial statement for the year ended 30th June 2023 is committed to the finance, ICT and economic planning committee also report within 30 days. Number ten Sigor sub county level 4/5 hospital annual report and financial statements for the year ended 30th June 2023 is committed to the committee heath and sanitation

please report within 30 days. Number eleven the Revenue statements for the financial year ended 30th June 2023 is committed to the committee on finance, ICT and economic planning.

NOTICES OF MOTIONS

Hon. W. Kiprotich (Chepchabas ward, UDA): Hon. Temporary Speaker I am rising on order number 6, I had a notice of motion which I wanted to bring to the attention of the Assembly however I noticed that I had sent to the table team to be included has not been included I therefore push my notice to the next sitting.

Hon. Temporary Speaker (Hon. J. Kipkirui): Thank you honourable member from Chepchabas, you can give the notice probably tomorrow.

QUESTIONS AND STATEMENTS

Hon. V. Mutai (Nominated MCA, UDA): Hon. Temporary Speaker, I am rising in reply of the statement that was sought by honourable member of Ndaraweta ward on 19th September 2023 pertaining the Ng'ainet water project which was launched on 26th April 2023 and funded during the financial year 2022/2023. The residents of the Kabusare sub-location and Sebe village within Ndarawetta Ward are yet to benefit from the said project. The honourable member sought audience from the chairperson water committee and the seeker of the statement requires the chair to state why the department has not fully implemented the project yet the pipe work has already been completed.

Hon. Temporary Speaker (Hon. J. Kipkirui): Let me confirm, have you shared the same information with the members?

Hon. V. Mutai (Nominated MCA, UDA): Yes honourable temporary speaker.

Hon. Temporary Speaker (Hon. J. Kipkirui): Proceed.

Hon. V. Mutai (Nominated MCA, UDA): Hon. Temporary Speaker, below are the committee's findings;

The intake works, rising and storage tanks. Having asked the CEC water to explain why the project has not been operationalized yet all the waterworks has been completed; the CEC via a report informed the committee the following.

That the next phase of the water work still pending is to construct distribution networks to target populations which shall include Kabusare, Sebe village in Ndaraweta ward. Number two Mr Speaker that handing over of this project to BOMWASCO limited as a water service provider is on-going so as to register to the consumers.

Below are the committee recommendations, that the department of water should implement the construction of distribution networks still pending by utilizing the allocation in the budget. Thank you honourable speaker.

Hon. Temporary Speaker (Hon. J. Kipkirui): Thank you let me give this opportunity to the seeker of the statement.

Hon. D. Kirui (Ndaraweta ward, UDA): Thank you Hon. Temporary Speaker for giving me this opportunity to respond on what the vice chair water and SANitation has given. I respect the committee on water so much but I find the report so shallow because the committee did not do site visit to inquire about the project. Secondly we launched the project on 26th April 2023, today it is 17th October 2023, four months down the line, the line has been completed and people have not been connected to the line. Mr Speaker it is so funny at the same time so painful because the same people who elected me believed in me so much and they wanted me to deliver but four months down the line they have not been connected to the water line.

Secondly, the department has not given timeline on when they think they can connect the residents of Ndaraweta ward with this water line so I think the chair water with all due respect I'm requesting through the speaker they should up their game and still I am not satisfied with the answer Mr Speaker, thank you.

Hon. Temporary Speaker (Hon. J. Kipkirui): I want to request the chair and the entire committee on water, sanitation and natural resources, to seek further information and report to this honourable Assembly within seven days. I hope that is in order chair.

Hon. R. Cheptoo (Rongena/Manaret ward, UDA): Thank you chair, you will allow me to clarify some issues. I am happy that the MCA from Ndaraweta ward has accepted that the work has been done though it has not been connected to other people, that was the first phase and now we are going to embark on the second phase of which we were waiting for the budget of this financial year. So I believe in this financial year we are going to factor in and consider the expansion of water to be supplied to individuals where they will be able to get water in this financial year, thank you.

(Point of order)

Hon. E. Kirui (Kimulot ward, UDA): With all due respect Hon. Temporary Speaker, I want to request my honourable chair to kindly go back to her statement so that we don't look like we are implementing, she is owning the work herself so I am afraid that the committee does not do the implementation. I am sorry to look like I am contradicting my chair and with all due respect I respect her, from her statement it says the committee is the one implementing the project, I want to say here that there is no committee that implements any projects in the wards so I want you to give direction, maybe she can be given another opportunity to respond adequately so that we are not seen by the people of Ndaraweta ward that the committee of water is implementing the project

but rather we will be seeking to ask the executive team led by the CEC to go back to the project or even do whatever is necessary. Thank you Hon. Temporary Speaker.

Hon. P. Mutai (Sigor ward, UDA): Hon. Temporary Speaker, it is also my prayer that on the reason why the water at Ndaraweta has not been used up to date, the reason given by the chair is not enough, it is this Assembly that made the budget and we know each financial year we allocated the funds to each department adequately but when the chair raise an information which is not true that the budget was not adequate so they are waiting again for this year's budget so as to complete the said project I think it is not in order and it is this Assembly that made the budget and we know the allocation of each budget is adequate for each financial years so the information and the reason why the Ndaraweta people have not actually used the water is not up to our own satisfactory.

Such question is raised and it is in all over even my ward when we talk of some few projects in my ward that were also raised, Ndaraweta was only used but the other wards that were allocated the piped water they have not actually enjoyed that privilege so Mr Speaker kindly with your permission direct the chair to give us more information.

Hon. Temporary Speaker (Hon. J. Kipkirui): As directed earlier, the chairperson committee on energy, environment, water and natural resources I want you to seek further information from the department because this is an issue that is cutting across all the wards and it is an issue of common interest to the honourable members so kindly together with your committee report to this Assembly within the next seven days. I hope that is okay.

Hon. V. Mutai (Nominated MCA, UDA): Hon. Temporary Speaker I also wish that you invite my fellow colleagues to read the statement very well and the statement was replied according to the question and the second reply says that the handing over of this project to BOMWASCO which is the service provider and the process of handing over is on-going and the service provider is BOMWASCO so that will register the consumers now, the people of Kabusare and Sebe village. The piped water has been installed and the handing over now of the project to BOMWASCO because it is a process, the piping is done by the executive that is the department of water but the service provider is BOMWASCO Mr Speaker and it was so satisfactory if only the honourable members would read the statement very well.

(Point of order)

Hon. D. Busienei (Chemagel ward, UDA): Hon. Temporary Speaker the chair of water seems to be confirming that they did not sit for that report. They are confirming because they are saying they are yet to hand over this report to BOMWASCO they have not given us the information whether they are going to give that information on what time. We are waiting for this report because we also have the same grievances as to Ndaraweta. They have built the lines, it is only the

connection and the registration, we were expecting to receive the report that the registration is already in progress, there is no exact date, the committee did not visit the area, if they had visited it could have been confirmed by the area MCA. So direct this committee not to conclude before they give us exactly and how much should be used in registration. I am made to understand that registration is five thousand, it should be less than five thousand, it should be five hundred shillings so Mr Speaker please give direction so that we get a comprehensive report on this matter. Thank you.

Hon. Temporary Speaker (Hon. J. Kipkirui): I want to confirm that the direction that I had given earlier stands and therefore the chair kindly seek further information since this project was to be financed during the financial year 2022/.2023. Your report to this honourable Assembly will be very important in giving us the feedback of the expenditures that are made in the department.

Hon. D. Kirui (Ndaraweta ward, UDA): Hon. Temporary Speaker I am still on the order paper, my question is to the chairperson committee on energy, environment, water and natural resources I beg to know why some residents from Ndaraweta ward were billed by the Bomet Water and Sanitation Company from November 2022 to April 2023 yet during the period none of them enjoyed water services from BOMWASCO.

Another question Hon. Temporary Speaker...

Hon. Temporary Speaker (Hon. J. Kipkirui): Table that one first.

Hon. D. Kirui (Ndarawetta, UDA): Hon. Temporary Speaker, Sir, my Question goes to the Chairperson, Committee on Energy, Water, Environment and Natural Resources concerning the performance of Bomet Water and Sanitation Company (BOMWASCO) from January 2023 to October 2023.

In his reply, the Chairperson should provide the following information:

- i. The billing system employed by BOMWASCO during the specified period.
- ii. BOMWASCO's connection road map for the same period including any expansion or improvement plans.
- iii. The total revenue generated by BOMWASCO from exhauster services during the stated period.
- iv. The total revenue generated by BOMWASCO from water boozer services during the same period
- v. Details of any levies and licenses paid by BOMWASCO during the specified period.
- vi. The overall total revenue received by BOMWASCO during the period from January 2023 to October 2023

- vii. A breakdown of revenue received by BOMWASCO from the provision of bulk services to Kericho County
- viii. Information on the electricity bills from all the water schemes owned by BOMWASCO from the same period in the entire county.

Hon. Temporary Speaker (Hon. J. Kipkirui): I commit the two Questions raised by Hon. Dancel Kirui to the Committee on Energy, Environment, Water and Natural Resources and are expected to report to the Assembly within 30 days.

Hon. D. Kirui (Ndarawetta, UDA): Hon. Temporary Speaker, I am requesting that, due to the urgency of the second Question, you reduce from 30 days to 2 weeks. It is a request.

Hon. Temporary Speaker (Hon. J. Kipkirui): Is it in your capacity to report within 2 weeks, Hon. Chairperson?

Hon. R. Cheptoo (Rongena/ Manaret Ward, UDA): I am requesting for the 30 days you had mentioned earlier.

Hon. Temporary Speaker (Hon. J. Kipkirui): I, therefore, direct that you report within 30 days. Hon. Nathan Kibet.

Hon. N. Kibet (Kapletundo Ward, UDA): Hon. Temporary Speaker, I rise to respond to a Statement sought by Hon. Josphat Kipkirui on 20th September 2023 from the Committee on Finance, Economic Planning and ICT regarding the following matters:

The first Question was on the failure to present a Finance Bill. Hon. Temporary Speaker, when the same was committed to the Committee on Finance, we sat and wrote a letter to the CECM, Finance. The response by the CECM, Finance was that the draft Finance Bill, 2023 was adequately prepared with all amendments from the respective departments and forwarded to the County Assembly of Bomet on 15th May 2023.

According to the CECM, Finance, whatever they forwarded to us on 15th May 2023 was the Finance Bill, 2023 that we required but according to what we know is that the Finance Bill that we needed was the yellow one. We responded back to the CECM and are still expecting the response on that.

I will only read what we sent the CECM on the Finance Bill.

“The County Assembly Committee on Finance and Economic Planning on Tuesday, 3rd October 2023 deliberated on your response and noted that the document you submitted on 15th May 2023 and which you referred to it in your letter is a draft legislative proposal. The Committee however expects a published County Finance Bill as contemplated under section 132 (2) of the Public Finance Management Act, 2012.

The Committee further notes that the passage of the Bill is long overdue as the same is supposed to be passed 90 days after the passage of the County Appropriation Bill as per Section 133 of the Public Finance Management Act, 2012.

This is therefore to request your office to urgently publish the Bill in the Kenya Gazette and submit to the County Assembly for consideration and approval.”

Hon. Temporary Speaker, we are still waiting for the response after we sent them the letter requesting them to publish and forward to the County Assembly.

(Hon. Temporary Speaker (Hon. J. Kipkirui) left the Chair)

(Hon. W. Kiprotich took the Chair)

The second Question that Hon. J. Kipkirui asked was on the neglect to make a pronouncement on revenue raising measures. This was a response by the CECM, Finance on:

REVENUE RAISING MEASURES

To partly finance the budget of FY 2023/2024, County Government of Bomet is expected to among other considerations generate Ksh. 350 million (4.6% of the approved budget) from its own sources of revenue. In last financial, FY 2022/2023, the County Government of Bomet through the division of revenue missed the target of Ksh 300 million having collected Ksh. 242 million (80%).

In order to achieve the set target, the division of Revenue has considered the following strategies as revenue raising measures that may not be exhaustive but at least offering strategic guidance:

(a) Projections and Targets

The division of Revenue has extensively interrogated all revenue streams and has come up with a target that shall guide collections. This FY, the Division intends to collect 350 million and to achieve this, apportionment of target has been made to the sub counties, all the departments with a revenue component, all streams of revenue and all revenue collectors.

For collectors, each of them have daily collections target that are managed through the revenue system and at the same time maintaining the daily collections registers at all specific collection points.

(b) Internal Controls and Reconciliation.

This is an aspect that ensures that all revenues collected are accounted to the last cent. The revenue collections systems shall always be used to ensure that all bills given to the clients are fully paid. Other aspects of control include management of all accountable documents distributed to revenue officers and other officers involved in facilitation of collection for instance the medical certificates being issued to public health. All accountable documents are keyed to our Lifeform Systems and every time, whenever necessary the documents can be recalled for controls and audits.

In addition, the system, Jambo Pay assists the division to monitor collections among the revenue collectors. Auto reconciliations shall be possible and that all reconciliations should be done at the end of every business day. It is now possible to get very quick summaries of collections per collector through the system and probably summon those who are performing dismally in collections.

(c) Revenue Administration Laws

The revenue administration laws must be enacted by the County Assembly soonest possible. This will allow the revenue enforcers better deal with revenue evasions.

Hon. Temporary Speaker, from that recommendation by the CECM, I urge that we do it as soon as possible so that we can achieve the targets.

(d) Apportionment of projections/targets to departments.

The division has apportioned revenue targets to specific departments and has properly been captured as a key element of performance contracting weights for the departments involved. All the departments in the county with a revenue element shall communicate their revenue targets to their staff and such performance should be closely monitored and supported by the staff through invoking the tone from the top.

(e) Maintenance of county equipment for revenue generation

The Division has a sole responsibility for collecting and managing revenues only. It is the responsibility of departments with machinery to have a budget for maintenance of equipment and machinery to further generate revenues for the county. The departments with machinery that generates revenue needs to interrogate their budget to ensure that equipment and plant have resources for maintenance since revenue is not spendable at source.

(f) New streams of Revenue

The county has advanced health facilities that provide services such as Linda Mama. The division has profiled health facilities to ensure that claims to NHIF are made for all the facilities that offer maternity services. In this case, reporting and claims are made immediately for all prenatal and antenatal visits. There are other areas that are currently being enforced for better revenues for instance Development controls where all aspects of plan and building approvals is concerned. It means that the departments involved should constitute a committee to jointly vet projects prior to approvals in a bid to ensure full compliance and that revenues are directly paid to the county revenue account.

(g) Public Health Facilities

According to the revenue collection report of last year FY 2022/2023, Ksh 101 was collected from all health facilities. This represents 41% of the total revenues collected. However, the county loses

millions of uncollected revenues especially from the linda mama revenues. The in-charges of facilities should consider this item as part of their administrative agenda in facilities.

To advance this, the department of Finance, going forward, may consider delaying or even stopping disbursements altogether for facilities that are either not remitting revenues to CRF or failing to facilitate the process of collections for health revenues. The Division has since seconded staff to all health facilities to ensure full compliance on this.

(h) Land Rates

There is a huge revenue debt in the form of arrears in the county in respect of land rates and ground rent. The Division of Revenue, through the department of Finance, may consider proposing a waiver on rates in order to achieve two main objectives: One, to construct a register for bonafide plot owners with proper contact addresses and two, to collect a principal amount that would also boost the revenue target.

Going forward, the division may impose tougher enforcement measures on the rate payers who have been adamant on payments compliance. The Division shall for instance block access to business premises for traders whose landlords and ladies have not complied. This would compel rate defaulters to comply.

(i) Single Business Permit (SBP)

According to revenue report of FY 2022/2023, the division of revenue managed to collect Ksh. 13 million on SBP against a target of Ksh 17 million. The target of this year remains the same as last year's target. Based on the records, the county has more than five thousand registered businesses, if all these businesses comply, the county will even collect more than the set target.

The division has made a decision that all single business permits to be issued with an invoice that will be tracked in the revenue systems. When a client makes payment invoice number must be quoted in the bank/m-pesa pay bill so that it will be easy to monitor invoices which have been paid and those which have not been paid. Alongside this, every sub-county to update the business registers to accommodate news businesses.

To ensure 100% collections of SBP on retailers, all wholesalers to instruct them to only trade with retailers who are compliant with county. This will force all retailers, more so who are in remote areas to obtain trade license.

(j) Liquor license

This is a revenue source that has potential of Ksh 20 million according to revenue target set by the department. Liquor license needs to be centralized: only to be issued in one point: head quarter. After liquor license application process is completed, all clients who have been approved should collect permit from a central place: headquarter only.

The department has made a decision to issue a circular to all distributors to only supply liquor to traders who have complied with permits. A thorough enforcement will be done in the entire county. This is made possible by assigning a vehicle that deals with liquor only.

(k) Staffing, Motivation and incentives

Bomet County Revenue Division has a total of three hundred and nineteen (319) staff. Out of this, 39(12%) are on permanent and pensionable, 164 (52%) are on contract and 116 (36%) are casuals. The department has made and submitted an indent to engage additional 151 staff to replace those whose contract expired. However, the staff union went to court to question the arrangement and the case is with the courts to date.

The Division has approved and shall immediately ensure that all revenue offices from the Head office to the sub counties have access to reimbursable office imprest. This is not only motivating but also ensures that basic supplies are available for collections and management of revenues.

The Division has also forwarded to the accounting officer, for a possible consideration and approval in the county HRMAC requests for promotions for staff who have since not been promoted since they were engaged in 2014.

1. LEGAL FRAMEWORK FOR TAXATION

The Department of Finance has a County Assembly of Bomet Finance Act of 2021 that guides all collections of Revenue. Amendments to the Act have given birth to the Finance Bill 2023 that is currently before the Assembly.

Change of chair

Hon. Temporary Speaker (Hon. J. Kipkirui) exits

Hon. Temporary Speaker (Hon. W. Kiprotich) takes chair

The Public Finance Management Act (PFM) of 2012 also forms a basis for taxation in the way it guides the County Minister in Section 157 to designate a county Receiver of Revenue that has since been done and properly documented.

The imposition of taxes is also guided by Article 209 (5) of the Constitution of Kenya, 2010.

Finally, valuation for rating, which is work in progress currently at the draft level, shall inform all charges and fees related to property once enacted.

Hon. Temporary Speaker, on this issue of valuation, I remember that during the budget making process, there was a request of about Ksh. 10 Million for the completion of valuation roll but during the budget we moved the Ksh. 10 million to another department which I must request this Assembly and especially, the Committee on Budget and Appropriation to reconsider the decision and reallocate the Ksh. 10 million to the valuation roll so that we may be able to complete it once and for all. When we go for the Supplementary Budget, I request that we ...

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. Chair, you are pre-empting. What if there will be no Supplementary Budget? Furthermore, you had all the time to request the Committee on Budget and Appropriation to allocate the Ksh. 10 Million that you are requesting for. If it is farfetched, it is. If it is going to come by, you will be in a position to defend it. Otherwise, you need not to pre-empt that we are going to have a Supplementary Budget.

Hon. N. Kibet (Kapletundo, UDA): Hon. Temporary Speaker, I stand guided. If it comes, I request this Assembly that we reconsider reallocating the Ksh. 10 Million so that we complete this process once and for all.

Hon. Temporary Speaker, there was a time we, as a Committee, visited some areas within the County and realized that there are too many loop holes. Most of the revenue staff do not encourage the use of pay bill. We should enact laws in this Assembly that must compel them to use the pay bill. They prefer receiving cash rather than Mpesa.

I hope that the Hon. Josphat Kirui is satisfied. Thank you.

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. Nathan, thank you for the answer that you have given. However, usually the beauty lies in the eyes of the beholder and whether or not these answer is enough and satisfactory, will be known by the Member who sought the Statement and the Members who have been listening to you.

Before I give a chance to Hon. Josphat Kipkirui who sought the Statement, there is an assignment that you gave to the Assembly. In revenue raising measures part (b) of the Question, on part (d) of your response, you said revenue administration laws are to be enacted by the Assembly. While listening to you, I did not hear you mention those laws.

Can you be able to mention those laws?

Hon. N. Kibet (Kapletundo, UDA): Hon. Temporary Speaker, when I will be responding on the first Question on Finance Bill, I will be able to mention those laws.

Hon. Temporary Speaker (Hon. W. Kiprotich): That is fine. Hon. Josphat Kipkirui, the seeker of the Statement.

Hon. J. Kipkirui (Singorwet, Independent): Hon. Temporary Speaker, thank you for this opportunity to respond to the answers that have been put forward by the Chairperson, Committee on Finance, Economic Planning and ICT.

Hon. Temporary Speaker, revenue collection is a very critical matter in our county Mr. Speaker and that is why I came up with the following questions seeking to know the reasons why we do not have a finance bill, why there has been a neglect pronounced revenue raising measures and the legal framework for taxation in this county Mr. Speaker. Listening to the responses by the Hon. chair and I want to thank the committee for the response that they have given to this Hon.

Assembly. I want to really thank them for seeking further information from the CECM of the particular department however Mr. Speaker, 90 days after the passage of an appropriation bill as guided by the PFM Act, the CECM is supposed to forward to this Hon. Assembly the finance bill which guides the charges for various revenue sources that are expected and that are budgeted for in the county budget Mr. Speaker. It will be remembered that during the last financial year 2022 - 2023, the department failed to beat the target of 350 million Mr. Speaker and with the assistance of this Hon. Assembly, we need to think and devise ways of assisting this particular department so as to ensure that the targets that are set by the department does not just remain a dream Mr. Speaker. I appreciate the fact that there are various revenue measures that have been highlighted by the CECM however I still find that enforcement of the said revenue raising measures Mr. Speaker is not yet done to the expectation. We have various problems that are still hindering the department in terms of collection of revenues as expected. The daily collection targets Mr. Speaker and the internal controls are okay say for the fact that we do not have a report of the said collection as at now which should have been posted by the chair so that it proves the functionality of these strategies that have been laid by the department. The biggest problem here Mr. Speaker is the automation of revenue collection which we all agree or which I believe all members are in agreement that we ought to devise ways of ensuring that revenue collection in this county is automated. We appreciate the fact that we have the system Mr. Speaker but the chair is on record Mr. Speaker himself highlighting that some of the officers who have been engaged themselves have come up with their own pay bill numbers. I think this is a very serious crime Mr. Speaker and some of these officers are doing this because of what the chair again has highlighted that they are poorly motivated, they are not well remunerated and therefore it begs the question how then will we tax somebody who is not well compensated for the effort that he or she does to submit revenue to the relevant authority Mr. Speaker. These enforcement officers or the revenue collection staffs who have been engaged are very few. Having 12% of them being on Permanent and Pensionable terms Mr. speaker clearly shows that we have a problem in this department and despite the fact that we have the intend ready for submission to the relevant I believe the public service. I still feel that the revenue department or the revenue division of the county government of Bomet ought to think of a way of engaging staff and ensuring that they are will remunerated based on their performance Mr. Speaker because I guess if we are going to pay more than the revenue that is collected, I want to be reminded that one of principles of revenue collection Mr. Speaker is that it should be economical. Economical in the sense that the amount that is used to collect should be much less than the amount that is to be collected and therefore I want to believe that the staff who have been engaged are not well motivated Mr. Speaker and that is why we have various loopholes

as the chair has highlighted. I want to believe that if the finance bill does not come to this Hon. Assembly as soon as possible then we will have situations where people will question the legality or the legal framework for taxation that is currently ongoing in the county government of Bomet Mr. Speaker and therefore to save us from this situation and this very embarrassing situation, we ought to have a functional finance bill relevant for this financial year so that we do not lose a lot of revenue which has already been budgeted we shall have various shortfalls which will amount to pending bills comes the next financial year Mr. Speaker. Mr. Speaker once again I am reminded that the essence of us to have this finance bill is so that we are able to match or to acquire the right revenue which is as per the market trade Mr. Speaker. Mr. Speaker I have had an encounter of a situation where we have a petition that was put forward to my committee where somebody is seeking waivers for revenues Mr. Speaker and yet the same plot owners who are cutting across various market centres do not have or are not able to pay the principal amount Mr. Speaker and therefore we are losing a lot in terms of revenue and yet we are not having a comprehensive report of the effort that is being done by the committee or by the department so that we have good revenue Mr. Speaker. For the last around three years Mr. Speaker, checking at the budget proposals that have been brought forward to this Hon. Assembly, we always have budget for valuation role which the chair has mentioned and it counted the committee on budget and appropriation Mr. Speaker to strike out the allocation that CECM was seeking for valuation role. Why are we continually budgeting for valuation role for the last three or four years Mr. Speaker and up to now it still remains as a draft. I think it is high time the CECM on finance and Economic planning Mr. Speaker give a comprehensive and a good report so that it guides this Hon. Assembly in whatever we are discussing and it also save us from the embarrassment Mr. Speaker that we are setting targets which cannot be achieved because of some of the mistakes that can be corrected. It is not time to debate on the various loop holes that are still running, it is high time for us to think of ways which we can assist and I am happy that you are saying that some of the laws already exist. Now we have to bring them to this Hon. Assembly and pass them without further ado. Otherwise with those few remarks Mr. Speaker, thank you very much for the opportunity.

Hon. Temporary Speaker (Hon. W. Kiprotich): Thank you. Hon. Eric Kirui, member from Kimulot.

Hon. E. Kirui (Kimulot ward, UDA): Thank you Hon. Temporary Speaker I rise in support of the statement or the rejoinder given by the chair Hon. member from Singorwet on his question that he has asked however a few of other clarifications that I would have expected in this response by the committee was really to come up clearly on revenue rating measures so that it seems to be a grey area to them or to the people who are answering this question because I expected this question

to be answered in a way that what is the strategy that the county is putting in place like I have listened though the conversation about the fact that they are trying to manage reconciliation and the checks and balances they put in terms of the revenue collection n and part of it I would have expected them to mention to us that they are putting in place business license, they will be putting in place QR codes so that you can authenticate whether it is actually from Bomet and it is registered under trader X. in Bomet for example you can never tell whether business license has been given to a trader in Sotik or in Kimulot where I come from or wherever because you cannot authenticate that and we are not moving with technology. Sadly, that is the same same department that has ICT in it but I do not know why they have conveniently left out use of technology in terms of them making sure that the accountable documents like the single Business permit, liquor licenses and medical certificates cannot be authenticated. I know any Hon. member sitting in this Assembly would attest to the fact that has QR codes Mr. Speaker and you can easily authenticate whether this belongs to trader X or Y. however, we are failing to see that so I am thinking when listening to them I have not seen that come out very well. The mention of keying in into large forms and a very obsolete system and another one called Jambo Pay very obsolete. Those are the people who sometimes when the county delays paying then they switch off the system and we are still relying on them as partners to do revenue collection in the county I am thinking the mention of them says a lot about the effort being put by the county executive in terms of making sure that we maximize revenue collection Mr. Speaker. Something else that I have issues with Mr. Speaker is the fact that revenue rating measures would be enactment of laws. I am thinking if there is anything that I would have expected, it is a measure. If for example I am the CEC, then I would be expected to be saying that this is my strategy. In the event that the law does not exist, does it mean that you will not raise revenue? So it is like they are throwing the ball to us instead of him owning up the process and running with whatever he has to complete the circuit of revenue collection. I have seen lately Mr. Speaker cess barriers that have been mounted on our roads and especially the road going to Silibwet. I am yet to see other cess barriers that have been mounted in other connections by the county revenue collection officers. I would expect that they would even be giving us also that they have mounted cess barriers that they have put in legislations to make sure that they are legal and they cannot be challenged anywhere Mr. Speaker. So I also think with all due respect however much they have given us the response to this question, I still feel like we are yet to really understand what revenue raising measure is especially in the light of the question that have been asked so I want to request Mr. Speaker that Maybe we have a conversation or Maybe we invite the CEC finance to this Assembly so that he clarifies a few of the issues so that we are not taking each other round in circles. I can tell you for a fact that all the revenue streams that have been targeted here

have not been covered fully and I want to request that maybe we ask that the CEC comes to this Assembly so that he explains to us more on revenue raising measures. Thank you Mr. Speaker for the opportunity.

Hon. Temporary Speaker (Hon. W. Kiprotich): Thank you Hon. Eric Kirui , I can see there is no more rejoinder that is required and from where I sit I realized this statement is carrying a lot of weight and the issues raised by the Hon. Josphat Kipkirui and the issues raised by the Hon. Eric Kirui are preferably supposed to reach the table of the CEC in charge of finance, I therefore direct the office of the clerk to make a rejoinder and a communiqué of what has been discussed and the rejoinders that have been given so that at least it can be able to have some impact on it. Chair take note of that.

Hon. N. Kibet (Kapletundo ward, UDA): Noted Hon. Temporary Speaker.

Hon. Temporary Speaker (W. Kiprotich): Thank you. You were saying you still have another question to answer?

Hon. N. Kibet (Kapletundo ward, UDA): Not for today Hon. Temporary Speaker I was saying there was a question which was on finance bill.

Hon. Temporary Speaker (Hon. W. Kiprotich): Part (a).

Hon. N. Kibet (Kapletundo ward, UDA): yes, we wrote back to the CEC so we are still waiting for the response.

Hon. Temporary Speaker (Hon. W. Kiprotich): Okay how long are you still taking on that?

Hon. N. Kibet (Kapletundo ward, UDA): We expect the response by the end of this week so maybe if we get the response by this week, we will respond next week.

Hon. Temporary Speaker (Hon. W. Kiprotich): So can we say you still have seven more days for that. Tuesday next week?

Hon. N. Kibet (MCA Kapletundo – UDA): Yes Hon. Temporary Speaker.

Hon. Temporary Speaker (Hon. W. Kiprotich): Is that okay Hon. Josphat Kipkirui the seeker of the statement?

Hon. J. Kipkirui (Singorwet ward, INDEPENDENT): Yes, pretty okay.

Hon. Temporary Speaker (Hon. W. Kiprotich): The final statement, the third statement in the same order of statements and questions. There was a statement that was sought by Hon. Rosaline Cheptoo member for Rongena/Manaret ward on the 21st of September 2023 which was directed to the chairperson committee on health and sanitation. Hon. Catherine.

Hon. C. Chepngetich (Nominated MCA, UDA): Thank you Hon. Temporary Speaker. On behalf of the committee on health I am requesting for the extension of time because the committee is

aiming to give a comprehensive statement on the facilities across all the wards. Thank you Hon. Temporary Speaker

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. Catherine can you give concrete reasons why you need extension of time. You have just given a blanket one. What is the big issue that is bedevilling the answering of this statement right now?

Hon. C. Chepngetich (Nominated MCA, UDA): Thank you Hon. Temporary Speaker, the committee is oversighting the stalled projects on all the 25 wards and we are yet to give the comprehensive statement Mr. Speaker. Thank you.

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. Catherine, Hon. Rosaline Cheptoo was specific on her request and she needed an answer concerning only one. Monire – Kimugul dispensary. Why do you have to go and look for others whose questions have not come? Although we welcome the idea but we need the answer to this statement only one. Monire – Kimugul dispensary. The people of Rongena Manaret are asking for that particular one. Why are you going to enormous ones when you have not answered the ones that was asked?

Hon. C. Chepngetich (Nominated MCA, UDA): it is the work of the committee Mr. Speaker so that we give the comprehensive statement on the same matter but Mr. Speaker the response is almost done, we will give the response in the course of this week Mr. Speaker.

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. Rosaline Cheptoo what do you read in this matter?

Hon. R. Cheptoo (Rongena/Manaret ward, UDA): Thank you Hon. Temporary Speaker since the vice chair has requested and I am part of the committee, we will allow the committee two days. Maybe on Thursday.

Hon. Temporary Speaker (Hon. W. Kiprotich): As per your pardon Hon. Rosaline Cheptoo, as per your pardon I will accept that but I will direct that the answer that is being required by this Assembly first is the one concerning Monire – Kimugul dispensary so Hon. Catherine and your committee take note of that. That is what we want the answer for.

Hon. C. Chepngetich (Nominated MCA, UDA): Noted Hon. Temporary Speaker.

Hon. Temporary Speaker (Hon. W. Kiprotich): What is it Hon. Langat from Kembu?

Hon. B. Langat (Kembu ward, UDA): Hon. Temporary Speaker,

point of order

Hon. Temporary Speaker (Hon. W. Kiprotich): I have given Hon. Langat from Kembu under the same. Were you up on a Point of order?

Hon. B. Langat (Kembu ward, UDA): Yes Hon. Temporary Speaker.

Hon. Temporary Speaker (Hon. W. Kiprotich): Under which order?

Hon. B. Langat (Kembu ward, UDA): Under Standing Order number 1.

Hon. Temporary Speaker (Hon. W. Kiprotich): You do not know the order on which you are rising on. What is it Hon. Mutai from Sigor.

Hon. B. Mutai (Sigor ward, UDA): This Assembly is well guided by the standing orders and we know that we do not have eyes but we are your eyes. Hon. Is it in order Hon. Temporary Speaker for Hon. Langat from Kembu ward to come to this Assembly as if he is entering the disco? He did not dress well for this sitting.

Hon. Temporary Speaker (Hon. W. Kiprotich): Clerk can you confirm to me that Hon. Bernard Langat is improperly dressed. Very well it has been confirmed to me that Hon. Bernard Langat while inside the chambers was not properly dressed and that the point of order having been raised by Hon. Mutai from Sigor has alluded that Hon. Bernard Langat was improperly dressed and the clerk has confirmed to me that he was missing a tie which is a requirement of the standing orders and the speaker's rules and from where I sit, the addition of the mistake is Hon. Bernard Langat quitting the precincts of this assembly without permission and having his name being mentioned. Before I give my reprimand even on the second mistake, Hon. Bernard Langat can you defend yourself.

Hon. B. Langat (Kembu ward, UDA): Thank you Hon. Temporary Speaker. The speaker while in a sitting has no eyes; I do not know where you get eyes. I adjusted my tie and Hon. Mutai did not see it. I sought permission when I was leaving the room but now I am back. I was responding to a call of nature.

(Laughter)

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. Bernard Langat I think you need to take into yourself that this is an Assembly of rules and order. Do you want to lie to this Assembly that you had a tie before you left?

Hon. B. Langat (Kembu ward, UDA): No Hon. Temporary Speaker, I did not have it.

Hon. Temporary Speaker (Hon. W. Kiprotich): You did not have it?

Hon. B. Langat (MCA Kembu - UDA): Yes.

Hon. Temporary Speaker (Hon. W. Kiprotich): And you are now saying because the speaker does not have eyes you had a tie you were only adjusting it. You have also lied to this particular Assembly that you went outside to answer the call of nature which is still a pure lie. Can you confirm that you are still lying?

(Laughter)

Hon. B. Langat (Kembu ward, UDA): No it is not a lie.

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. members when a point of order is given by a member preferably on improper dressing of other members, every one of us are very much aware that the only consequence that the speaker can give is to let you out so that you can be able to dress properly. Hon. Bernard Langat you went ahead to add salt into injury by leaving the chambers and on coming back, you are now lying to the chamber that you had a tie. For that particular reason, I give you a sanction that tomorrow morning; you will not be able to enter this particular chambers until afternoon because of the second mistake. *(Applause)* thank you.

ADJOURNMENT

Hon. Temporary Speaker (Hon. W. Kiprotich): Hon. members this Assembly now stands adjourned to tomorrow Wednesday 18th of October 2023 at 9.30 am.

The Assembly rose at 3:45 pm.