

BOMET COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 13th April 2017

The House met at 02.30 pm

[Hon. Speaker (The Hon. Geoffrey Kipng'etich) on the Chair]

PRAYERS

❖ QUORUM

Hon. Speaker: Kindly ring the quorum bell for 10 minutes.

(Quorum Bell rings)

Hon Speaker: we now have quorum let us proceed

❖ COMMUNICATIONS FROM THE CHAIR

Hon Speaker: Hon. Members, you are aware that this is a Special sitting. We called for the Special sitting so that we can be able to deliberate on the Bomet County Appropriation Bill no. 2 of 2017 and any other pending business. I thank the Members who have honored the invitation and I know that

everyone is busy with the campaigns for nominations. I request the Members present to stay up to the end so that we finish the business of the day. I once again welcome you and request you not to leave until we finish because this is very crucial and critical especially for this County to move forward. Remember if we are not able to approve the Supplementary Budget then Members and members of staff in the executive will not be able to receive their salary. The development in this County will stall.

Therefore, I request that we persevere with the situation. Thank you.

❖ **PROCEDURAL MOTION**

Hon. Speaker: There is a procedural motion. This motion was supposed to be moved by the leader of majority but I will task the leader of minority to move the said motion.

Hon J. Chepkwony: Thank you very much Hon Speaker, I rise to move this motion that pursuant to Standing Order 231 the Bomet County Supplementary Appropriation Bill, Bills no. 2 of 2017 be exempted from Standing order no 121.

Standing Oder 231 is about exemption of business from Standing Orders Subject to paragraphs (2) and (3), a Motion may, with the approval of the Speaker, be moved by any Member, either with or without notice that the proceedings on any specified business be exempted from the provisions of Part VI (Sitting and Adjournments of the County Assembly), Part VIII (Order of Business), Part XVI (Limitation of Debate), Part XVIII (Public Bills), Part XIX (Private Bills), Part XX (Committee of the whole County Assembly) Part XXIII. (Supply and Ways and Means), Part XXI (Select Committees),

Part XXII (Public Petitions) and Part XXV (Public Access to the County Assembly and its Committees) of these Standing Orders:

Mr. Speaker the Standing Order no. 121 is on Publication which says No Bill shall be introduced unless such Bill together with the memorandum referred to in Standing Order 118 (*Memorandum of objects and reasons*), has been published in the County Gazette (as a Bill to be originated in the County Assembly), and unless, in the case of a County Revenue Fund Bill, an Appropriation Bill or a Supplementary Appropriation Bill, a period of seven days, and in the case of any other Bill a period of fourteen days, beginning in each case from the day of such publication, or such shorter period as the County Assembly may resolve with respect to the Bill, has ended.

That is why this standing order be exempted based on the standing order which validates exemption which is standing order no. 231. I beg Hon Samson to second this procedural motion.

Hon S. Towett: I stand to second the motion before us that this supplementary bill of 2016/2017 be exempted from the normal procedures based on standing order 231. And 121. The Bill before us is very important and it will ensure that the county will continue to finance its operations smoothly. At the moment we do not have sufficient funds, to finance the many activities in the executive and even in the county assembly. It is necessary to allow this bill to be exempted from the normal procedure so that we can approve it and allow the county government to access funds. We also do not have enough time to subject this document to the normal procedures provided for such bill thus the need to exempt it. This will allow the members to interact with their electorates as we seek a second term to represent them.

With the few remarks, I urge the colleagues to support this procedural motion, so as to enable us to go to the next stages. So as to make the bill become operational. Thank you

Hon Speaker: Thank you Hon Samson and Chepkwony. It is now my turn to propose the procedural motion no.8 That pursuant to Standing Order 231 the Bomet County Supplementary Appropriation Bill, Bills no. 2 of 2017 be exempted from Standing order no. 121.

(Open for debate)

If there is no one to contribute, I now put the question that pursuant to Standing Order 231 the Bomet County Supplementary Appropriation Bill, Bills no. 2 of 2017 be exempted from Standing order no 121.

(Questioned put and agreed to)

**FIRST READING OF THE BOMET COUNTY SUPPLEMENTARY APPROPRIATION BILL
BILLS NO.2**

Hon Speaker: read it for the first time.

(First reading of the Bill)

Hon. Speaker: Hon Members, the Bomet County Supplementary Appropriation Bill no. 2 of 2017 having been read for the first time, I hereby commit it pursuant to standing order no. 125 to the Committee of Budget and Appropriation. They have up to one hour to bring the report to the Floor of the

Assembly so that we could go to the next stage and if a need arises that you finish before the one hour elapses, then inform the Speaker so that I can hold the assembly.

Hon. Members, we are giving this document to the Committee to see whether there are errors or not. They are to make a report to the Assembly and if any Member has any other issue with the Bill, if you want to make any suggestion then this is your time, kindly appear before the Committee on Budget and Appropriations and make your submissions to them.

We are going to adjourn up to a maximum of one hour then we come back to proceed from there.

(The Assembly Suspended for One Hour)

Hon. Speaker: We now have quorum, next order?

THE BOMET COUNTY SUPPLEMENTARY APPROPRIATION BILL BILLS NO.2 SECOND READING

Hon. Speaker: Chairperson Budget and Appropriation Committee

Hon. L. Kirui: Thank you very much Hon. Speaker. On behalf of the Members of the Committee on Budget and Appropriation Committee as required under Standing Order 190, I take this opportunity to present to this Floor of the Assembly the Committee's report on the Supplementary Appropriation Bill 2017.

The members of the committee know the mandate of the committee. We adopted this report with the members who were present. The members who were present were able to analyze the Supplementary Appropriation Bill and we were able to come up with this report.

I wish to thank the members from Budget and Appropriation Committee for dedicating their time and energy to prepare this report.

The committee is also grateful to the Assembly Clerk, treasury officials for their response during interrogations during budgetary proposal.

The committee is also grateful to the Budget Office for their technical support.

There was comprehensive analysis of the Bomet Supplementary Appropriation Bill 2017. Out of that we were also able to compare between the estimates and what has been put in the bill.

The comprehensive review undertaken by the committee on the document resulted in the following key findings and observations.

The committee noted that the Bomet Supplementary Appropriation Bill 2017 conform the approved committee report on supplementary estimates for the financial year 2016/2017 that was adopted on 12th April 2017.

I recommend that this House adopt this report.

It is therefore, my duty and pleasant duty on behalf of the Budget and Appropriation Committee to table this report and recommend it to the House for adoption.

Hon. Speaker: Who seconds?

Hon. Samson seconded.

Hon. Speaker: I now propose the question that the Bomet County Supplementary 2017 be now read a second time.

(Open for debate)

Hon. L. Kirui: Thank you Hon. Speaker. I want to congratulate the Members because it seems everybody agrees and I think we agreed right from the start as we were adopting the Budget Estimates and because there is no change case in what we had adopted, and then we should do the same, that is adopt the report. I thank the Members because they seem to agree.

Thank you Hon. Speaker.

Hon. Speaker: Thank you Hon. Members. It is now my turn to put the question on motion no. 10.

That Bomet County Appropriation Bill no. 2 of 2017 be read a second time upon this day of 13th April 2017.

(The question is put and agreed to.)

**SECOND READING OF BOMET COUNTY SUPPLEMENTARY APPROPRIATION BILL,
BILLS No. 2 OF 2017.**

Hon. Speaker: The Bill has been read the second time.

Hon. Members, we now go for the Committee of the Whole Assembly. You know the procedures of the Committee of the Whole Assembly.

The Assembly is now turning into the Committee of the Whole Assembly.

(Committee of the Whole Assembly)

(Hon. Samson Towett Chairs the Committee of the Whole Assembly)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett) Hon. Members, we call this Assembly to order so that we proceed and remember the Assembly is on session. I believe that we will follow the rules and procedures of the Assembly.

Hon. Members, we are in the Committee of the Whole Assembly and I welcome you. We do not have any proposed amendment at the moment and I propose we move straight to proceedings.

Hon. Members I propose that clause 3 be part of the Bill.

I now put the question the question that clause 3 be part of the Bill.

(Question put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members I propose that in the schedule R 101, through R106 be part of the Bill.

I now put the question that schedule R 101, through R106 be part of the Bill.

(Question is put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members I propose that schedule 107 through R111 be part of the Bill.

I now put the question that schedule 107 through R111 be part of the Bill

(Question is put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members, I propose the question that schedule D101, D102, D103, D104, D105, D107, D108, D109, D110 and D111 be part of the Bill.

I now put the question that schedule D101, D102, D103, D104, D105, D107, D108, D109, D110 and D111 be part of the Bill.

(Question is put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members, I propose the question that schedule R112 and D112 be part of the Bill.

I now put the question that schedule R112 and D112 be part of the Bill.

(Question is put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members, I propose the question that the long title be part of the Bill.

I now put the question that the long title be part of the Bill.

(Question put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members, I propose the clause 1 be part of the Bill.

I now put the question that clause 1 be part of the Bill.

(Question put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members, I propose the clause 2 be part of the Bill.

I now put the question that clause 2 be part of the Bill.

(Question is put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): Hon. Members we are done going through the Supplementary Bill. I hand over to the Chair and the Committee to report at the Floor of the Assembly.

Hon. L. Kirui: Hon. Chair, I beg to move that the Committee do report to the Assembly its consideration of the Bomet County Supplementary Appropriation Bill 2017, Assembly Bill no. 2 of 2017 and its approval thereof without amendments.

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): I put the question which is that the Committee do report to the Assembly its consideration of the Bomet County Supplementary Appropriation Bill 2017, Assembly Bill no. 2 of 2017 and its approval thereof without amendments.

(Question is put and agreed to)

Chair of The Committee of the Whole Assembly: (Hon. S. Towett): The Sergeant-at-Arms kindly call the Speaker.

Hon. Speaker, I beg to report that the Committee of the Whole Assembly has considered the Bomet County Supplementary Appropriation Bill 2017, Assembly Bill no. 2 of 2017 and its approval thereof without amendments.

Hon. L. Kirui: Hon. Speaker, I beg to move that the Assembly do agree with the Committee on the said report.

Hon. Speaker: Hon. Members, I propose that the question

That the Assembly agree with the Committee on the said report.

I proceed to put the question, which is

That the Assembly agree with the Committee on the said report concerning the Bomet County Supplementary Appropriation Bill 2017, Assembly Bill no. 2 of 2017.

(Question is put and agreed to)

**THIRD READING OF THE BOMET COUNTY SUPPLEMENTARY APPROPRIATION
BILL 2017, ASSEMBLY BILL no. 2 OF 2017.**

Hon. L. Kirui: Hon. Speaker, I beg to move that the Bomet County Supplementary Appropriation Bill 2017, Assembly Bill no. 2 of 2017 be now read a third time.

Hon. Speaker: You need to state reasons why it is read a third time

Hon. L. Kirui: Hon. Speaker we really need this Bill to be passed so as to be an Act as quickly as possible and that is why we are rushing on the same issue. Members agree from the time we started the process of this Supplementary Budget. We really require it for the sake of development of our County,

which is almost in standstill because of the same issue. That is why I request Members that this Bill be read for a third time so that it allows also for the same to be fast tracked.

Mr. Speaker, I request Hon. John Molel to second.

Hon. J. Molel: I second.

Hon. Speaker: Thank you Hon. Molel. It is now my turn to propose the question

That the Bomet County Supplementary Appropriation Bill 2017, Assembly Bill no. 2 of 2017 be now read a third time.

(Motion Open for Debate)

Hon. L. Kirui: Thank you Hon. Speaker. As I had said earlier, these members agree that we fast track this Bill. I thank Members for demonstrating the same and supporting the motion that we have at hand.

Hon. Speaker: Thank you Hon. Kirui. I will now proceed to put the question that is the Bomet County Supplementary Appropriation Bill 2017, Assembly Bill no. 2 of 2017 be read a third time upon this day of 13th April 2017.

(Question is put and agreed to)

Hon Speaker: It can now be read a third time.

(Third reading of Bomet County Supplementary Appropriation Bill, Bills no. 2 of 2017.)

Hon. Speaker: Hon. Member the Bill having been read the third time it is now a law passed by this Assembly, for it to be effect give I, as the Speaker, will proceed, pursuant to Standing Order No. 139, within 14 days so this Supplementary Bill No.2 of 2017, give it to the Governor for assent. I hope the Governor, after receipt, will be able to assent to the Bill or write back a Memorandum to the County Assembly stating the reasons.

Thank you Hon. Members.

PROCEDURAL MOTION

Hon. Speaker: Hon. Minority.

Hon. J. Chepkwony: Thank you Hon. Speaker. I beg to move the following procedural motion.

That pursuant to Standing Order No.28 this County Assembly does adjourn to Tuesday 9th May 2017.

The nominations are around the corner and as per our calendar, the amendment that we made were done in good faith. I thank the Members for persevering to this evening. I request Hon. Wilson Keter to second this Motion.

Hon. W. Keter: I rise to seconds.

Hon. Speaker: It is now my turn to propose the question.

That pursuant to Standing Order No.28 this County Assembly does adjourn to Tuesday 9th May 2017.

(Motion opens for debate.)

You need to indicate what you are going to during this short recess.

Hon. H. Chepkirui: I rise to support the motion .Thank you.

Hon. S. Chelule: I rise to support the motion too. I wish all the Members the very best and good luck as they seek for votes during this nomination period.

God bless you all.

Hon. L. Kirui: Thank you very much , we are through with this and we shall get time to go round the Wards and seek for votes because everybody is aware that we shall be having our nomination starting on 19th and where the CCM party will have their nominations and Jubilee party will have theirs on 21st . It is good that we will not report early here before we could know our eventualities in the nominations. Just in case anything happens, we will have one week to console ourselves and adjust accordingly

(Applause)

In addition, for those who will win they too will have one week to celebrate and those who will lose they will get time to console one another. This motion is good and considers both sides I support.

Hon. Speaker: Hon. Molel.

Hon. J. Molel: Thank you very much; I support the motion before the Floor of the Assembly. We need energy before we start the day. It is my prayer and wish that we all come back, but the reality is that some will win and others will lose.

Hon. Speaker: What is your point of order Hon Kirui?

Hon. L. Kirui: Thank you very much, I want to ask if it is in order for Hon. Chelule and Molel to say if we come back after nomination? Does it mean we are not coming back? I think what will determine whether we are coming back or not is the August general elections.

Hon. Speaker: Hon. Chelule.

Hon. S. Chelule: Thank you very much; I want to say what Hon. John Molel is right. On Saturday the ground will tell us who will have been elected or lost.

Hon. Speaker: Hon. Molel.

Hon. J. Molel: Thank you, I want to conclude that nomination is almost the same as general elections. I wish everyone well. I want to encourage everyone that it will not be the end of the world.

Hon. Speaker: Yes Hon. Bett.

Hon. R. Bett: Thank you I want to say that this procedural motion is timely as Hon. Kirui have said. We need to look for votes we know the things are tough and it is my wish that we all come back. This is the

last session of this parliament and we have come a long way in learning the procedures of this House. We have known what we are supposed to do day in day out. If we come back we deliver better for this County. The whole of 2013, 2014 we were learning. This year we are at the Climax. We are supposed to deliver for this County but it is unfortunate that Constitution has it that we have to go for general election. It is my prayer that all of us come to this Assembly after the August general election. We also pray that you be nominated so that you handle the issue touching on this County of Bomet. For, Hon Speaker, I lack words to use that you win the senators race come 2018.

Hon. Speaker: Yes Hon. Philip Korir

Hon. P. Korir: Thank you I take this opportunity to wish all to come back to this Bomet County Assembly and for you Hon Speaker, I wish you well may be you will be our Senator Come 2018 thank you.

Hon. Speaker: Thank you Hon. Members I want to wish you well and on Thursday evening, we shall know those from the Chama Cha Mashinani from those who will have made to the final Friday we will know those who will have made as well in other parties. It has been an interesting session. On Friday things will change and some will be happy and some will not be happy but I can assure you will be around till 7th of August and there is likelihood that all of you will come back. Since I am the titular head of this Assembly I am going to give you my blessing that you will succeed and we support each other and I want to wish everybody that we go through in the nomination process and we will be able to

meet on the 9th may to proceed with the work of this Assembly. Our mandate ends on 7th of August 2017 whether you are nominated or not.

ADJOURNMENT

There being no further business to be transacted, this Assembly stand adjourned until Tuesday 9th May 2017 at 0900 hours.