

## BOMET COUNTY ASSEMBLY

### OFFICIAL REPORT

Tuesday, 7<sup>th</sup> April 2017

The House met at 9.30 am

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

#### PRAYERS

#### ❖ QUORUM

**Hon. Speaker:** Sergeant-at-Arms kindly ring the bell for 10 minutes.

*(Quorum Bell rings)*

**Hon. D. Rotich BigFive:** Mr. Speaker we have attained the quorum.

#### ❖ COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Hon. Members, as you are aware, this is a special sitting pursuant to a resolution of this Assembly, which was passed on Wednesday this week on April 5, 2017 in the afternoon. This Special sitting is to allow the Assembly and the Executive to table the budget estimates for 2017/18 and the Supplementary Budget. The Supplementary Budget will facilitate transactions of business in this Assembly.

Hon. Members we will alter the calendar for this Assembly for an extension of one more week. The Supplementary Budget process can now proceed pursuant to a consent signed by the Executive and the Assembly.

Hon. Members we were supposed to go on recess this week but with your indulgence, we will alter our calendar and go on recess after one week. In our Wards are many issues and we want Members to have sufficient time to undertake various responsibilities in our Wards.

The other documents which were supposed to be tabled, I am informed, are not ready which is as a result of the court order. I will be able to proceed and this is why we are here today. Thank you.

#### ❖ PAPERS LAID.

**Hon. Speaker:** Hon. Members, which Papers are supposed to be laid? Yes Hon. Bor.

**Hon. S. Bor:** Thank you Hon. Speaker. I beg to lay the following Papers on the Table of the County Assembly on the 7<sup>th</sup> Day of April 2017. The Bomet County Executive Supplementary Budget for the year ending 30<sup>th</sup> June 2017.

**Hon. Speaker:** The paper is duly laid today 7<sup>th</sup> April, 2017 and it is now the property of the Assembly and I hereby commit the said Supplementary Budget to the Committee where they have seven days to be able to clear and report back to the Floor of the Assembly.

**Hon. S. Bor:** Thank you Hon. Speaker, I beg to lay the following paper on the table of the County Assembly of Bomet today 7<sup>th</sup> April 2017, the Bomet Medium Term Framework Budget 2017/2018, 2019/2010 Annual Budget for the year ending 30<sup>th</sup> June 2018 with supporting documents from the County Fiscal Strategy Paper 2017 11.30 ..... on Budget Estimates 2018 Medium Term Expenditure Framework.

**Hon. Speaker:** The Medium Term Expenditure Framework is duly laid today 7<sup>th</sup> April 2017 and it is now the property of the Assembly and I commit it to the Committee on Budget and Appropriation whereby they have 14 days to deal with the matter and report back to the Floor of the Assembly.

**Hon. S. Bor:** Thank you, I also beg to lay the following paper today 7<sup>th</sup> April 2017, the Bomet County Assembly Supplementary Budget for the year ending 30<sup>th</sup> June 2017.

**Hon. Speaker:** The Bomet County Assembly Supplementary Budget for the year ending 30<sup>th</sup> June 2017 is duly tabled on the table of the Bomet County Assembly on 7<sup>th</sup> April 2017 and I hereby commit it to the Committee where they have seven days to deal with the matter and report back to the Floor of the Assembly.

**Hon. S. Bor:** I also beg to lay the following paper on the Table of the County Assembly today 7<sup>th</sup> April 2017, the Bomet County Assembly Budget Estimates for the year ending 30<sup>th</sup> June, 2018.

**Hon. Speaker:** The Bomet County Assembly Budget Estimates for the year ending 30<sup>th</sup> June, 2018 is duly laid on the Table of the Bomet County Assembly today 7<sup>th</sup> April, 2017. It is now the property of the Assembly. I hereby commit it to the Committee on Budget and Appropriation Committee and they have 14 days to deal with the matter.

The four papers are duly laid before the committee on Budget and Appropriation. You are supposed to undertake Public Participation on the Budget Estimates as required by law. I hereby grant leave for the Committee on Budget and Appropriation to meet after this session so that they can plan on how to deal with the papers before the Floor of the Assembly.

**Hon. W. Mosonik:** Thank you Hon. Speaker, we are not seeing the Chair or the Vice-Chair of that Committee, I think it should be given to the entire House.

**Hon. Speaker:** Hon. Mosonik you have been a Member of the Speaker's panel and I do not know what is so special today that you need to see the Chair or the Vice-Chair.

What is it Hon. Metet.

**Hon. R. Metet:** Thank you. I believe that the suggestion from Hon. Mosonik is correct because it is good for us to go and scrutinize the Supplementary and Budget Estimates. You can commit it to the whole House so that we can work on it.

**Hon. Speaker:** Hon. Metet you are out of order. A specific committee does every work.

**Hon. S. Chelule:** Some of the Members have been busy on the ground and they forgot that it was tabling today. The Chairperson for the Committee on Budget and Appropriation was aware that we have Special Sitting today since everyone got a message but the Chair of that Committee has been busy campaigning for the seat of a Member of Parliament. Is it in order for Hon. Mosonik to ask that all members accompany the Committee on Budget and Appropriations?

**Hon. R. Serbai:** We are all aware that we got messages including the leadership of that Committee. Hon. Chelule has said that the Chair is campaigning forgetting that he is still the MCA and the Chair for Committee on Budget and Appropriations and that he is suppose to be here to tackle a very crucial issue that is touching on County.

Mr. Speaker is it in order therefore that the most delayed Papers here are committed to the Committee on Budget and Appropriation which has been failing this County Assembly for quite a long time. They have failed to give answers to some Statements and now they have been given very serious work and yet they are absent.

Mr. Speaker I fail to understand, when we talk about campaign and matters touching on the County. I find it awkward that Members who are absent are the Members of the Committee on Budget and Appropriation. These Members are not dedicating their time before us at this particular time.

Mr. Speaker, if these Committee Members are going for a retreat, when will they have time to campaign if they are campaigning now for this just one hour? The retreat is going to be three to four days, who is going to campaign for them? There has to be a way of solving this matter because it is a very crucial matter. Members of this Committee have to be very serious.

**Hon. L. Kirui:** Thank you Hon. Speaker. I am surprised at the way Members are accusing the Committee on Budget and Appropriation. I may not rule out that the Chair is not in but there are other allegations. Is it in order to accuse these Members of other accusations other than the

substantive matter of the day? I heard Hon. Serbai stating that the Committee on Budget and Appropriation has not answered other Statements. Hon. Speaker, I wish Hon Serbai could substantiate because now, we have more than four Statements that are ready to be answered by the Committee. We are just waiting because yesterday we would have answered about four Statements, which had been given to other Committees but due to unsatisfactory answers, they were referred to the Committee on Budget and Appropriations. So I am wondering because the reason these Statements were redirected to the Committee on Budget and Appropriation was because of the confidence that the Assembly has in the Committee.

Hon. Speaker, I think your office and the office of the Clerk is aware that we are done with all the Statements that were before the Committee. For the other issues I agree.

Hon. Speaker, I have realized why these Members are against the Committee on Budget and Appropriation. They claim that the Committee Members were selected inappropriately. The selection of the Members and its membership was approved in this Assembly. I don't know where those Members were because there is no Committee and its membership that was not approved by the Assembly. The procedure of approval of the Committees was done one after another one. I expect these Members to have been keen to refuse approval.

Lastly, members of the Committee on Budget and Appropriations are not the only ones who are absent. I wish the Members; especially Hon. Serbai, who is accusing the Committee on Budget and Appropriations could also stand and name their Members of their Committee if they are present. Hon. Serbai is a chair of a Committee. Can he tell us if the Members of that Committee are present? It may be even be surprising to realize that members of the Committee on Budget and Appropriation are more in the Assembly.

Thank you Hon. Speaker.

**Hon. Julius Korir:** Thank you Hon. Speaker. I wish to add on what Hon. Kirui has said. Indeed, we have tackled several Statements. The reason was that we had a challenge in the leadership of the Committee whereby the Chair was not around. The Vice-Chair had excused himself that he was busy with his Committee. Therefore, we sat down as a Committee and even the Chair was there and agreed that at times he might not get time to attend to the Committee so he requested that we nominate one of us to act as the Vice-Chair and take over the work.

Hon. Speaker, we have done that and we have tackled the Statements and now even ready to face the task ahead on the Budget Estimates and the Supplementary Budget. We nominated Hon. Kirui as the acting Vice-Chair of the Committee.

Thank you Hon. Speaker.

**Hon. R. Serbai:** Thank you Hon. Speaker. I think you are also a witness that other new things are emerging. When Hon. Kirui was talking it appeared as if he was not aware that he has been nominated as the acting Vice-Chair because he did not mention it.

Secondly is that there are actually more Statements that Hon. Kirui is claiming to have been answered. You are the one Hon. Speaker who directed that a Statement that had stayed for nine months down the line be addressed. You are also aware that the bonafide Vice-Chair had refused to answer any question because the Chair of the Committee on Budget and Appropriations was perpetually absent. This Committee on Budget and Appropriation is in dilemma. If its leadership itself is in dilemma, what will happen to the Members of the Committee? It is a lucky thing that Hon. Kirui has been nominated as the Vice-Chair. I only wish he had told us.

Mr. Speaker, this is an Assembly of records and procedures, we cannot rely in hearsay. We need the answers tabled in this Floor so that we know that the Committee on Budget and Appropriation has answered all the questions. We will not go by hearsay. Therefore, I think the enormous work before this Assembly is much more important than the work we do outside. Thank you.

**Hon. P. Siele:** Thank you Hon. Speaker. Mr. Speaker, I just want to say that all of us were very aware that we had a special sitting today, and it was very important. Most of us are very busy as far as campaigns are concerned. Since that is the case, it should be noted that today's business is very crucial for all of us. I think all of us are much aware of what is going on today nonetheless the Chair and the Vice-Chair is not around. In a scenario such as this one, Committee Members can nominate one amongst them to act as the Chair so that timelines are observed. Therefore, I urge you as the Speaker to give direction on that matter. We need to meet because of the time lines and we cannot afford to waste time because all of us are busy in our various Wards. In spite of that, what is also going on here at the Assembly is equally paramount.

**Hon D. BigFive Rotich:** Thank you Hon. Speaker. We should always learn to respect each other and try not to put others' word on one's mouth. I have been seeing many people trying to accuse Hon Bernard Ngeno, and I think he is on his way coming. You know when you are on the way coming using these machines, you cannot tell whether these machines are good or not.

*(On a point of order)*

**Hon R. Serbai:** Mr. Speaker is it in order for Hon. BigFive to behave as if he is in a church and not a County Assembly. He is telling us that maybe somebody is on the way. How can we believe on people on the way? The message was clear that Members will be having Special sitting on Friday at 1000 hours. Who did not get that? As leaders, we need to be careful and observe time. The Chief Whip of this Assembly is trying to lie to

us. We are not accusing Hon Ngeno but rather the Committee in its entirety. We are saying the Committee and its leadership have failed us.

Is it in order for Hon BigFive to tell us that somebody is on the way? If indeed that was true, then it would have been in order had the Member send a message to the Speaker saying that he is on the way so that the speaker could communicate, it is not the chief whip to say that.

Thank you

**Hon. D. Rotich BigFive:** Mr. Speaker, I do not know whether the Hon. Member heard what I was saying. Everyone knew that today we were having a Special sitting. I said that since this is a Special sitting, he knew it and thus no need to accuse him until the time is over. That is what I was saying. I have not said he is coming or not coming, all I know is that he knew that we are here today.

**Hon S. Chelule:** Mr. Speaker, this is the last Supplementary Budget. I am perplexed to realize that this time towards the end of this Assembly's term; some are trying to sabotage everything. We wish everyone to comeback and we cannot be rivals to each other. It is our feeling that we are re-elected, although it depends on how you relate with your electorates. For example if you have been away and now you are ok in the ground, then God will answer you your prayers. I humbly request the Hon. Members to approve this document by following the due process needed. This will also allow us to go on recess to campaign. We are remaining with one week or less and we are to cover our Wards entirely addressing crucial and critical issues. Personally, I have not much to say and I request Members to be brief so that we can finish today's business as soon as possible. Right now, I wish to travel to Kiromwok to receive a new bus, which Hon Bett, MP Bomet East, bought. I also request Members to give me company to the venue. Thank you very much, may God bless you.

**Hon Speaker:** Hon. Members since the Papers are duly tabled, I had given permission the Committee on Budget and Appropriate to nominate the Chair on acting capacity and report back on the same. Since you have done so, you need to proceed to call for a meeting after this session. Members of the Committees on HBC, Appointments and Procedure and Rules should meet immediately after the session to clear the pending business due in those Committees.

❖ **ADJOURNEMENT**

April 7, 2017 (Special Sitting)  
BOMET COUNTY ASSEMBLY DEBATES

**Hon Speaker:** Hon Members, there being no other business to be transacted in this Assembly, the Assembly stands adjourned until Tuesday 11<sup>th</sup> of April 2017 at 0900 hours.