

BOMET COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 28th March 2017

The House met at 2.30 pm

[Hon. Temporary Speaker (The Hon. Samson Towett) on the Chair]

PRAYERS

❖ QUORUM

Hon. S. Towett (Temporary Speaker): Sergeant at Arms, kindly ring the Quorum Bell for 10 minutes.

(Quorum Bell Rings)

Hon. S. Towett (Temporary Speaker): Hon. Beatrice, Kindly do not go out! Please come back.

Hon. S. Towett (Temporary Speaker): What is it Hon. Metet?

Hon. R. Metet: Mr. Speaker sir, we now have the Quorum.

❖ STATEMENTS.

Hon. S. Towett (Temporary Speaker): Hon. Members, this afternoon we have some Statements to answer. Firstly is Hon. Sammy Chelule's Statement. This Statement was committed to the Committee on Budget and Appropriation.

Hon. Big Five do we have an answer to this Statement?

Hon. D. Rotich: Hon. Speaker, we do not have any.

Hon. S. Towett (Temporary Speaker): Hon. Members, we differ this Statement to be answered next week Tuesday in the afternoon sitting.

Hon. Samson sought Statement number two and three. I wish to differ defer these Statements too until next week Tuesday afternoon because as the seeker of the statement I am in the Chair.

Hon Leonard Kirui sought Statement number four. This Statement was committed to the Committee on Labour and Public Services.

Hon. R. Langat: Thank you very much Mr. Speaker. As directed by the Speaker, we were to do some summons. The Committee's clerk prepared a summon letter draft and it is now in the Legal office. We as the Committee will be able to give an answer next week.

Hon. S. Towett (Temporary Speaker): I hereby direct that you take seven days to answer that Statement. Chair, is that ok with you?

Hon. R. Langat: Yes, Hon. Speaker, it is ok with us.

Hon. S. Towett (Temporary Speaker): Ok, you now have seven days to answer the Statement.

Hon. Wilson Keter sought Statement number five. This Statement was committed to the Committee on Gender and Social Services. Can the Chair answer?

Hon. W. Mosonik: Thank you Hon. Speaker. Let me respond to that Statement.

Hon. S. Towett (Temporary Speaker): Do the seeker of the statement have an answer?

Hon. Keter do you have an answer?

Hon. W. Keter: Yes, today we requested for a special Committee sitting to allow us go through the answer.

Hon. W. Mosonik: There is a letter of October 2016 from the Controller of Budget addressed to Dr. Peter Koros, County Executive Member for Finance and Economic Planning. Thus reads the letter;

County Government of Bomet,

Reference: Bomet County Support For the Needy 2014.

This is reference to the above subject matter.

The Act that establishes various funds to Support the Needy including the Older Persons and Persons with Disabilities' Fund and the Bomet County Compassionate Fund. In our letter dated July 2016, we sought to know the specific functions to the fourth schedule which support this funds but we are yet to receive response to it.

Article 186 sub-section two of the Constitution provides that a function or power that is conferred on more than one level of government is a function or power within the concurrent jurisdiction of each of those levels of government. In line with the provision, the ministry of East African Community, Labour and Social Protection, administers a cash transfer program for the Older Persons and Persons with Disabilities. The Person with Disability Program is provided for specifically in the Person with Disability Act 2003.

We are further aware that Article 187 of the Constitution allows transfer of funds from one level of Government to another and if that function was to be performed correctly by the receiving County.

In view of the above, kindly let us have a copy of a Memorandum of Understanding between the said Ministry and the County Government through which particular functions were transferred.

Hon Speaker sir, this is a letter, which as the Committee, we have deliberated on and agreed to. We have agreed that the letter gave a sufficient answer to the Statement. Hon. Keter, who is the seeker of the Statement, can attest to this. This is in line with the directions you gave that as a Committee, we sit and see the way forward.

Hon Speaker, those are the answers.

Hon. S. Towett (Temporary Speaker): Hon. Keter, Hon Metet can you kindly assist Hon Keter.

Hon W. Keter: Thank you very much Hon Speaker. Since the Chair and the CEC for Finance and Economic Planning received a letter from the National Government, and the letter specified that this is not the function of Bomet County Government, then there is no otherwise.

Mr. Speaker, we will wait until this Assembly amends the Support for the Needy Act. This will pave way for the stipend to be channeled to the beneficiaries through this County Government. I therefore accept what the Chairman has given us as the true answer.

Thank you.

Hon. S. Towett (Temporary Speaker): Ok, that seems a satisfactorily answered question, as attested by the seeker of the statement and since there is no...Hon Kirui

Hon L. Kirui: Hon. Speaker, according to my research, I find that maybe the letter was concerned with the stipend that is given to the Older Persons but the Statement here was talking about the NHIF. I think there a difference between the stipend and NHIF.

Hon. Speaker, NHIF deals with issues to do with medical, which is a fully devolved function to the County Government. To me, I see that we should have answered why the KES 2000 is not being paid and not the NHIF. Hon. Speaker, I need that understanding because that is how I see it.

If that is the case which of course the county government of Bomet can still get the implications from the person writing the letter to be specific on whether they didn't also want the NHIF to be paid or only the KES 2000.

This Assembly needs to stand and defend the fact that we have the Needy Act, which of course we have talked about in section one dealing with issues of the Older Persons.

I do not know why the County Government was reluctant in tabling the Memorandum because it was just an issue of negotiating with the department concerned in the National Government. They were only to be given the Memorandum.

I think the same issues were underlined in the funding of the primary and secondary and secondary education. Currently we are going on funding the primary and secondary which are national functions. I wish that the County Government could have done the same to agree and get a Memorandum.

Mr. Speaker sir, in my view, the County Government agreed with the contents of the letter because they were reluctant in paying stipends for the Older Persons. As I conclude, I think the money meant for the Older Persons was in the budget. If they have received the letter and they are no longer paying, they need to show us where they have put the money. I have not seen in the

supplementary budget where they have put the money. I want the CEC Finance to tell us, when we stopped paying the Older Persons, where did they take the money for the older persons.

Thank you.

Hon. S. Towett (Hon. Temporary Speaker): Hon. Chair, is there any further contributions on the Statement?

Since there are no more further deliberations, I too find that there are still questions that need to be answered. If indeed, the question of stipend has been supported by a letter. The letter supported the fact that the County Government has not been paying the stipend. The Needy Act of 2014, it provided for the issuing of the NHIF drugs to the beneficiaries, what is it that stops the County Government from facilitating the same to the older persons? I think that part of the question was not answered although the seeker of the motion seemed to have been satisfied. Looking at it, I wish that this part of the question could be answered with supporting evidence. So Chair, do you mind, if directed again, you give us may be why the part of NHIF? There is no supporting document as to why the County Government is no longer paying this facility to the Older Persons. I think just that part. Can you work with it within the next seven days?

We move to the next statement. The Statement deals with the newly constructed Sigor High school. Hon. John Ng'etich sought the Statement and the Statement was committed to the Committee on Education, Vocational Training, Youth Affairs and Sports. There were some answers which were to be given to the Members to be deliberated on. I am not seeing the Chairperson, Vice-chair do you have an answer?

Hon. W. Keter: Hon. Speaker, I do not have the answer now. This morning, you heard the Chairperson saying that he was to answer the Statement this afternoon. I am surprised that he is not around.

Hon. S. Towett (Hon. Temporary Speaker): What do we do? If the Chair is around... but he is not in yet he knows that the afternoon session has started. Is there any Member among the Members of the Committee on Education, Vocational Training, Youth Affairs and Sports who can answer?

What is it Hon. Joyce

Hon. Joyce Korir: Thank you very much Hon. Temporary Speaker. As a member of the said committee, I want to confirm that this Statement had already been answered. We wanted a further clarification from the Statement seeker because we have a comprehensive document that is trying to answer these issues as raised in the Statement. To me the answer to the Statement is comprehensive unless there is another Statement.

Hon. S. Towett (Hon. Temporary Speaker): What you are saying is that there is an answer to this Statement and at some point, you wanted a clarification from the seeker of the Statement. The seeker of the Statement is not in so we might not really deal with it until tomorrow in the morning session. I direct that this Statement is answered on Tuesday during the morning sitting. The statement has been pending for quite so this should be the last time.

❖ **ADJOURNMENT**

Hon. S. Towett (Hon. Temporary Speaker): I request that we generate more business to transact.

There being no other business this Assembly stands adjourned until Tomorrow Wednesday 29th March 2016 at 0900 hours.