

**Second Assembly  
(NO.035)**



**First Session  
(Afternoon Sitting)  
(035)**

REPUBLIC OF KENYA  
BOMET COUNTY ASSEMBLY  
SECOND ASSEMBLY - (FIRST SESSION)  
SPECIAL SITTING  
**VOTES AND PROCEEDINGS**  
WEDNESDAY 27<sup>TH</sup> DECEMBER, 2017 AT 2.30 P.M

1. The County Assembly assembled at thirty minutes past two.
2. The proceedings were opened with prayer.

3. **Members Present**

- 1) Hon. David Shadrack Rotich-Speaker
- 2) Hon. Kiprotich Wesley
- 3) Hon. Chepkirui Ridha
- 4) Hon. Chepkorir Hellen
- 5) Hon. Kirui Josphat
- 6) Hon. Koske Augustine
- 7) Hon. Chirchir Richard
- 8) Hon. Bett Wesley
- 9) Hon. Chepkirui Marcella
- 10) Hon. Keter Samwel
- 11) Hon. Kirui Haron
- 12) Hon. Kirui Weldon
- 13) Hon. Koech Ambrose
- 14) Hon. Langat Robert
- 15) Hon. Rono Robert
- 16) Hon. Ngeny Leonard
- 17) Hon. Kirui Leonard
- 18) Hon. Langat Charles
- 19) Hon. Bore Winnie
- 20) Hon. Chepkwony Joseah
- 21) Hon. Langat Alfred
- 22) Hon. Langat C. Jane
- 23) Hon. Korir Philip
- 24) Hon. Barchok Kipngetich
- 25) Hon. Chemutai Catherine
- 26) Hon. Cherotich Clara
- 27) Hon. Kelong Joseph
- 28) Hon. Kilel Zadock
- 29) Hon. Maritim David
- 30) Hon. Turgut Janet

### **Members Absent**

1. Hon. Andrew Maritim
2. Hon. Davis Kipkirui
3. Hon. Chesangi Alice
4. Hon. Evaline Chepkemoi
5. Hon. Cecilia Mutai
6. Hon. Vincent Mutai
7. Hon. Robert Serbai

#### **4. COMMUNICATION FROM THE CHAIR**

The Speaker welcomed the casual workers working at the Bomet Stadium lead by Ann Ngetich.

#### **5. MOTION((Chairperson Committee on Lands, Urban Planning and Housing)**

**THAT**, Pursuant to Section 9 (1) of the Urban Areas and Cities Act 2011, this County Assembly adopts the report of the Committee on Lands, Urban Planning and Housing on the Bomet Municipal Charter and approves the Bomet Municipal Charter.

The Motion was seconded by Hon. Ridha Chepkirui;

The question was then proposed;

1) Hon. Leonard Kirui rose to move the following amendments;

- (a) “That Section 4.1 be amended by deleting the words **“exercise its legislative authority by passing municipal by-laws”** and inserting thereof the words **“make by-laws or make recommendations for issues to be included in by-laws subject to section 4.2.6 of this charter”**”

The amendment was seconded by Hon. Catherine Chemutai;

The question was then proposed on the amendment;

Debate arising;

The following members rose to support the amendment;

1. Hon. Zadock Kilel
2. Hon. Kiprotich Wesley
3. Hon. Ambrose Koech

The Mover was then given a right of reply;

The question on the amendment was put and **agreed to.**

- (b) “That the charter be amended by inserting the following new section immediately after Section 4.2.5-

4.2.6 (1) After any by-law has been adopted by the Board it shall be submitted to the County Executive Member for submission to the County Assembly for approval.

(2) Every by-law submitted for approval under subsection (1) of this section shall be accompanied by—

(a) a certified copy of the minutes of the meeting of the Board of the Municipality at which the by-law was adopted;

(b) a certificate by the Municipal manager that a fourteen day notice of intention to make such a by law has been issued and complied with; and

(c) copies of any objection to the adoption of the by-law which has been lodged in writing with the Board of the Municipality or, if no such objection has been lodged, a statement to that effect.

(3) The County Assembly may approve, with or without alteration or reject any such by-law.

(4) No by-law made under this Charter shall have the force of law until it has been approved, whether with or without alteration, by the County Assembly, and published, or notice thereof published in the Gazette.

(5) The Municipal manager shall cause the by-law, or a notice stating that the by-law has been approved, to be published in the Gazette.

The amendment was seconded by Hon. Koske Augustine;

The question on the amendment was then proposed;

Debate arising;

The following members rose to support the Motion;

1. Hon. Kiprotich Wesley
2. Hon. Zadock Kilel

The question on the amendment was put and **agreed to**;

2) Hon. Alfred Langat rose to move the following amendments;

**(a) “That the Municipal Charter be amended by deleting section 3.9”**

The amendment was seconded by Hon. Koech Ambrose;

The question on the amendment was then proposed;

Debate arising;

The following members rose to support the amendment;

1. Hon. Zadock Kilel
2. Hon. Charles Langat

The Mover was given a right of reply;

The question on the amendment was put and **agreed to**.

**(b) That Section 6.1 be amended inserting new Section 6.1.3 immediately after Section 6.1.2. with the words “the Municipal Manager shall be the Secretary to the Board of the Municipality”**

The amendment was seconded by Hon. Charles Langat;

The question on the amendment was then proposed;

Debate arising;

The following members rose to support the amendment;

1. Hon. Koech Ambrose
2. Hon. Leonard Kirui
3. Hon. Marcella Chepkirui
4. Hon. Charles Langat

The Mover was then given a right of reply;

The question on the amendment was put and **agreed to**;

The Question on Motion 11 as amended was then proposed by the Hon. Speaker;  
Debate arising;

The following members rose to support the Motion;

1. Hon. Robert Rono
2. Hon. Leonard Kirui
3. Hon. Alfred Langat
4. Hon. Kellong Joseph
5. Hon. Koech Ambrose
6. Hon. Haron Kirui
7. Hon. Clara Cherotich
8. Hon. Philip Korir
9. Hon. Josphat Kirui
10. Hon. Charles Langat

The Mover was then given a right of reply;

The question was put and **agreed to.**

#### **6. PROCEDURAL MOTION (The Leader of Majority)**

**THAT**, the Bomet County Support for the Needy (Amendment) Bill 2017 be exempted from the provisions of Standing Order 121.

The Motion was seconded by Hon. Kiprotich Wesley.

The question was then proposed;

No Debate arose;

The Mover was then given a right of reply;

The question was then put and **agreed to.**

#### **7. THE BOMET COUNTY SUPPORT FOR THE NEEDY (AMENDMENT) BILL, 2017**

(First Reading)

The Deputy Clerk read the Bill for the first time.

#### **8. MOTION (Chairperson Budget and Appropriations Committee)**

**THAT**, Pursuant to Standing Order 218, this County Assembly adopts the First report of the Budget and Appropriations Committee on the Bomet County First Supplementary Budget Estimates for the financial year 2017/2018 and Pursuant to Section 135 of the Public Finance Management Act approves the Bomet County First Supplementary Budget Estimates for the financial year 2017/2018.

The Motion was seconded by Hon. Kiprotich Wesley;

The question was then proposed;

Debate arising;

The following members rose to support the Motion;

1. Hon. Alfred Langat
2. Hon. Ambrose Koech
3. Hon. Robert Rono
4. Hon. Marcella Chepkirui
5. Hon. Keter Samwel

6. Hon. Charles Langat

The Mover was then given a right of reply;

The question was put and **agreed to.**

9. **ADJOURNMENT OF THE ASSEMBLY**

The County Assembly adjourned until **Thursday 28th December 2017 at 9.00 am.**

10. The **County Assembly Rose at 5.00 pm.**