



**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 9:30 a. m*

Third County Assembly- Second Session

Wednesday morning 12<sup>th</sup> April, 2023

*(The Assembly met at 9:30 a. m in the*

*County Assembly Mini Chamber at County Assembly Buildings)*

*[Hon. Speaker (Hon. C. Korir) in the Chair]*

### PRAYER

### COMMUNICATION FROM THE CHAIR

**Hon. Speaker (Hon. C. Korir):** Hon. Members, welcome back from the short recess. I have received communication from the Office of the County Secretary inviting the Speaker and the Members of the County Assembly for a consultative meeting on budget estimates. The meeting shall be held on 14<sup>th</sup> April to 16<sup>th</sup> April 2023 at Sun and Sand Hotel Mombasa. That means you will have to travel tomorrow and be back on Sunday. Thank you.

### PAPERS

**Hon. P. Kirui (Ndanai/Abosi Ward, UDA):** Hon. Speaker, I beg to lay the following Papers today Wednesday 12<sup>th</sup> April 2023:

1. Report of the Auditor General on County Government of Bomet County Revenue Fund for the Year Ended 30<sup>th</sup> June 2022.
2. Report of the Auditor General on Bomet County Assembly Car Loan and Mortgage Scheme for the Year Ended 30<sup>th</sup> June 2022.
3. Report of the Auditor General on County Assembly of Bomet for the Year ended 30<sup>th</sup> June 2022.
4. Report of the Auditor General on County Executive of Bomet for the Year Ended 30<sup>th</sup> June 2022.
5. Request for Payroll Management Services by the County Executive Committee Member (CECM) for Finance.

I beg to lay.

*(Member proceeded to lay)*

**Hon. Speaker (Hon. C. Korir):** Hon. Members, the Leader of Majority has laid the reports of the Auditor General on County Government of Bomet County Revenue Fund, Bomet County

Assembly Car Loan and Mortgage Scheme, County Assembly of Bomet and the report of the Auditor General on County Executive of Bomet for the year ended 30<sup>th</sup> June 2022. Those four reports are committed to the Committee on Public Accounts and Public Investments and Public Investments Committee PAC/PIC. You have thirty days to report back. That will be until 11<sup>th</sup> May 2023.

The request for payroll management services from the County Executive Committee Member (CECM) for Finance is committed to the Committee on Finance and Economic Planning. You have 7 days to look into it and report back.

### QUESTIONS AND STATEMENTS

**Hon. Speaker (Hon. C. Korir):** Hon. Rosaline, you had a response to a Question on Amalo river drying up which was committed to your committee.

**Hon. R. Cheptoo (Rongena/Manaret Ward, UDA):** Hon. Speaker, thank you. I have a response to a Question raised by Hon. Peter Mutai to the Committee on Energy, Water and Natural Resources.

**Hon. Speaker (Hon. C. Korir):** Is Hon. Peter Mutai in? If he is in, then you can proceed.

**Hon. R. Cheptoo (Rongena/Manaret Ward, UDA):** He is in, Hon. Speaker. I also want to inform the Hon. Members that I have already posted the report in our group.

Hon. Speaker, the Question was

1. Whether the County Executive Department of Energy, Environment, Water and Natural Resource is aware that the river is completely while the residents are suffering;
2. Whether the large farm undertaking irrigation upstream met all the legal requirements before they were allowed to utilize water from the said river;
3. Whether there are any measures that the County Government have put in place in collaboration with the Nakuru, Kericho and Narok counties to ensure equitable and sustainable utilization of shares and natural resources;
4. The steps that have been taken by the County Government of Bomet to address the issue of water shortage with the Narok County Government.

Here is the response from the CECM in charge of Water, Sanitation, Environment, Natural Resources and Climate Change, Dr. Benard Tonui.

Hon. Speaker, should I go through the entire report?

**Hon. Speaker (Hon. C. Korir):** You can read out the observations and recommendations.

**Hon. R. Cheptoo (Rongena/Manaret Ward, UDA):** I can read out the response to the third Question on large farms using the Mara (Amalo) River for irrigation. The Mala (Amalo) River

which is an important source of livelihood for a greater population of the residents of Bomet East and Chepalungu sub counties of Bomet County is in the verge of drying up. This has been caused majorly by the erratic weather conditions that are linked to climate change which has resulted in more frequent and severe droughts. However, increased human activities like agricultural expansion, headwater deforestation and water abstraction in the upstream has also greatly threatened and reduced the volumes of water in the Mara River.

Water abstraction is mostly commonly used for irrigation where water is diverted to meet agricultural purposes. Since water is a scarce and finite resource in plentiful demand, this abstraction is regulated by the relevant Government Authorities to ensure that the natural flows of the rivers are maintained. The Water Act 2016 established the Water Resources Management Authority, a state corporation responsible for the regulation of the management and use of water resources. Among the functions of this Authority is to receive water permit applications for water abstractions, water use and recharge and determine, issue, vary water permits; and enforce the conditions of those permits.

The Authority therefore issues permits and licenses to individuals or organization who may want to abstract water from any source for a particular purpose. The license will dictate how much and how frequently water can be drawn from a source by any individual or organization.

Unfortunately, there could be unscrupulous actors out there who might be illegally abstracting water sources without obtaining a license. Lalela and Porini Farms in Narok County are notably among the large scale water users of the Mara (Amalo) River. It has been noted that these two farms have abstracted water for the purpose of irrigating their farms. The County Government of Bomet through the department of Water, Sanitation, Environment, Natural Resources and Climate Change has initiated talks with the CECM in charge of Water, Sanitation, Environment and Energy in Narok County so as to ascertain whether these two farms in the upstream of Mara (Amalo) river have a valid permit and license from the Water Resources Authority to abstract water for the purpose of irrigating their farms.

Hon. Speaker, allow me to take a seat because I believe all the Members have read the report that I sent to them. Thank you.

**Hon. Speaker (Hon. C. Korir):** Hon. Nathan

**Hon. N. Kibet (Kapletundo Ward, UDA):** Hon. Speaker, thank you. Before I respond to a Question that was asked by Hon. Josphat Kipkirui, I beg to lay the following Paper:

The Report of the Committee on Finance ...

**Hon. Speaker (Hon. C. Korir):** Hon. Nathan, you are not in order to bring in another item before we complete the Question which was asked. Be patient. Let us finish what is on the floor then I will give you a chance.

**Hon. N. Kibet (Kapletundo Ward, UDA):** Obligated, Hon. Speaker.

**Hon. Speaker (Hon. C. Korir):** Hon. Benard.

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, thank you. I beg to respond to a Statement raised by Hon. Dancel Kirui...

**Hon. Speaker (Hon. C. Korir):** Hon. Member, we are discussing on the response that has been given by the Chairperson, Committee on Water and Natural Resources. Hon. Peter.

**Hon. P. Mutai (Sigor Ward, UDA):** Hon. Speaker, thank you. Those are the repercussions of the long recess.

*(Laughter)*

**Hon. P. Mutai (Sigor Ward, UDA):** I wish to thank you and the Committee on Water, chaired by Hon. Rosaline Cheptoo. Hon. Speaker, I am not satisfied by the report given by the Chairperson. I was asking about the Constitutional Rights given to the big farms operating along the Mara River and the measures taken. I also raised a Question on who gave them the authority to use the water from the Mara River.

As I speak today, the pressure from the community right now is relaxed because it is a rainy season. I wish the department or the Committee on Water gave us the steps taken. The chair has explained that consultations have started between Bomet and Narok County but to my understanding, they have not concluded so the report is still hanging. They have not concluded and they have not come up with the official report. That is what the Chair should have told us. Thank you, Hon. Speaker.

**Hon. Speaker (Hon. C. Korir):** Thank you, Hon. Peter. Is there any other Member who would like to contribute on that before I give it to the Chairperson?

**Hon. P. Ronoh (Kipsonoi Ward, UDA):** Hon. Speaker, thank you. I rise to give my input on the report. I have read through the report conclusively and I must admit that the response given is scanty. The Hon. Member for Sigor asked a Question about a specific river. The response was supposed to cover mitigative measures taken by the department on all rivers across the county.

Hon. Speaker, the CEC in charge of Water and Environment must rise to the occasion and admit to the County Assembly that there is failure in the department on enforcement. There are good laws enacted by NEMA, the National Assembly, the Senate and the County Assembly but it is for this Assembly to debate on who enforces the law.

What is happening is that there is serious large scale farming activities upstream that has adverse negative effects on our rivers downstream.

Hon. Speaker, the CEC has given us a beautiful statement that is not enforceable. In this case, the Hon. Chairperson should engage more with the CEC in charge of the department so that he can inform us what he plans to do. Hon. Speaker, people in Egypt complained when we tried to divert the water from the Mau because their lives are treated by the economic activities happening in Bomet. We were told to keep off the rivers flowing to Lake Victoria. How comes the people in Narok are given free will to use the waters notwithstanding the damages they are causing downstream?

Hon. Speaker, it is time that this Assembly stamped its authority and negotiates with the neighboring counties on the use of not only the Mara River but all the resources that are shared among counties. Hon. Speaker, the CECM should give us a better report. The one that has been read is not satisfactory to this Assembly. Thank you.

**Hon. Speaker (Hon. C. Korir):** Hon. Peter, thank you. Hon. Kiprotich.

**Hon. W. Kiprotich (Chepchas Ward, UDA):** Hon. Speaker, thank you. The issues raised by the Hon. Peter Mutai are issues touching on every part of the county, the country and the world. Currently, there is a major problem on rivers and water resources. I have not gone to the history of Amalo River. I expected Hon. Cheptoo to give us that history in the response so that we can know where it begins and where it flows to. The activities that Hon. Peter raised that are happening along that river are questions that could only be used to jog our minds to come up with measures that are going to be taken.

Reading the response that Hon. Cheptoo has given, it looks like it is a composition. There is no research done on it. Hon. Speaker, let it be known that the issues raised in this Assembly are pertinent and nobody should see this Assembly as Class 5 or Form 4 debate where we ask whether money is better than education. We are in reality now.

The response by Hon. Cheptoo, as much as we are not castigating her because she is reading a response from where she sought her answers are not up-to-date just as the seeker has said. Some of the issues that we need answers to are whether they visited the river when NEMA gave their report and whether WARMA was involved in this response. This is a serious matter.

Hon. Speaker, that report has also not given us the percentage of the sediments deposited in the river, what is left and the amount of water that is still available for use. Hon. Speaker, can you imagine that this is a Question asked on water and they have not even quoted the Water Act 2016. That is why I am saying that this is just a composition. Take it back to the sender.

**Hon. Speaker (Hon. C. Korir):** Thank you. Based on the contribution of the Members, the report from the CECM is not satisfactory especially on issues touching on what the Members have mentioned on WARMA, NEMA, Ministry of Environment, Ministry of Water, the volume of water being abstracted, the effects of farming and the sedimentation. Hon. Peter, because you raised the Question, liaise with the Chair and come up with those Questions and be specific on the answers you want. I grant you permission to visit those farms and find the answers on how much water they are abstracting upstream.

Hon. Nathan, on the Order Paper we are under the Order on Questions and Statements whereas the Member has a Notice of Motion. Under Standing Order No. 1, I give you the opportunity to give the Notice and then we will proceed with the Questions and Statements.

**Hon. N. Kibet (Kapletundo Ward, UDA):** Hon. Speaker, thank you. Under Order No. 5, I seek leave to lay the report of the Committee on Finance and Economic Planning on the Bomet County Integrated Development Plan, 2023 – 2027. I beg to lay.

*(Hon. Member laid the Paper)*

**Hon. Speaker (Hon. C. Korir):** Proceed to Order No. 6

**Hon. N. Kibet (Kapletundo Ward, UDA):** Hon. Speaker, under Order No. 6 (Notice of Motion) I beg to give Notice; THAT, pursuant to Standing Order 201 (5) (g) of the County Assembly Standing Orders, this County Assembly adopts the report of the Finance and Economic Planning Committee on the Bomet County Integrated Plan, 2023 – 2027 and pursuant to Article 184 (4) (a) of the Constitution and Section 108 of the County Governments Act approves the Bomet County Integrated Plan, 2023 – 2027.

**Hon. Speaker (Hon. C. Korir):** Proceed to Table.

*The member tabled the notice of motion*

**Hon. Speaker (Hon. C. Korir):** Hon. Members, I have noted that at the Speaker's gallery, we have visitors. They are Mr. Joseph Ngeny and Nicholas Maiwa from Boito Wad. I welcome you to the County Assembly of Bomet. Please observe the proceedings silently.

The notices laid shall be considered by Assembly Business Committee and schedule their respective Motions. Let us proceed.

**Hon. N. Kibet (Kapletundo Ward, UDA):** Hon. Speaker, may I respond to a statement sought by Hon. Josphat Kipkirui concerning the division of revenue. The division has a sole mandate to collect and manage local revenue for the county.

**Speaker (Hon. Cosmas Korir):** Hon. Member, I am sorry to cut you short. Do the Members have that report?

**Hon. N. Kibet (Kapletundo Ward, UDA):** Hon. Speaker, no. However, we shall share immediately after this.

**Speaker (Hon. Cosmas Korir):** Hon. Member, let the Members receive the report first. On next week Tuesday, you will go through it. Can the Chair of Labour and Public Service proceed instead?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, I beg to respond to a statement that was raised by Hon. Dancel Kirui.

**Speaker (Hon. Cosmas Korir):** Is the Member around?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, no.

**Speaker (Hon. Cosmas Korir):** Now, when you ask a question, you must be there to receive the answer. Kindly proceed.

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, the committee wrote a letter to the office of the county secretary and the committee received a detailed response on 3<sup>rd</sup> March 2023. The committee avoided pushing the envelope by confining itself to the matters raised by the Members.

The committee analyzed the report and made recommendations to the Committee on Budget and Appropriation on the recently approved CFSP 2023/2024.

The Committee observed that the casuals engaged have become a haven of disorganization and misuse. The committee notes that casuals engaged are not distributed equitably among the 5 wards in some instances, some casual workers are not known to the MCAs.

As a committee to note that the Committee on Budget and Appropriation took note of the recommendation and reduced the ceiling until the issues raised are resolved.

**Hon. Speaker (Hon. C. Korir):** Are those your comments or the response by the CECM?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, some are committee's and others are responses by CECM.

**Hon. Speaker (Hon. C. Korir):** Do you have a report from the CECM?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, we compiled the report out of the engagement.

**Hon. Speaker (Hon. C. Korir):** We must have a written response.

**Hon. F. Chepkirui (Nominated MCA, UDA):** Hon. Speaker, I am a member of the committee and we have a written response from the CECM.

**Hon. Speaker (Hon. C. Korir):** Where is it? Do the Chair have?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, yes.



**Hon. Speaker (Hon. Cosmas Korir):** Then go through it. Do the Members have the report from the CECM?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, yes.

**Hon. Speaker (Hon. Cosmas Korir):** Proceed.

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, the summary from the CS is as follows. The distribution per department is as follows;

|      |  |   |     |
|------|--|---|-----|
| i.   | Administration, Public Service and Social Programs | - | 35  |
| ii.  | Lands, Housing and Urban Planning                  | - | 301 |
| iii. | Finance and Economic Planning                      | - | 116 |
| iv.  | Gender, Culture and Social Service                 | - | 16  |
| v.   | Agriculture, Livestock and Fisheries               | - | 58  |

They are a total of 526.

Thank you.

**Hon. Speaker (Hon. Cosmas Korir):** What are your recommendations?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, I have read.

**Hon. Speaker (Hon. Cosmas Korir):** Since the seeker is absent, on Tuesday, we shall hear from him.

**Hon. M. Manyei (Nominated MCA, UDA):** A statement was sought by Hon. Lily Cherotich on the accessibility of public offices by persons with disabilities (PWDs). The committee received a response from the CECM and after an analysis, the committee found out that the response was shallow and dissatisfactory. The response did not even attempt to address the question.

The seeker of the statement is away in Singapore on an official visit and it will be unfair and un-procedural if we attempt to dispense with the matter at hand. We, therefore, request for an additional 14 days.

**Hon. Speaker (Hon. Cosmas Korir):** The time requested is a longer time. I grant you seven days.

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** I beg to respond to a statement that was sought by Hon. Joseah Samoei concerning the employees of county government of Bomet whose contracts lapsed 31<sup>st</sup> December, 2022.

The committee wrote a letter to the county secretary on the said issues. The following is the response from the CS. The total number affected are employees are 1, 146. On the reason why the government retained but failed to settled their wages is that their contracts lapsed on 31<sup>st</sup> December, 2022 and they were fully notified in good time.

On the plans that the government have concerning the employees, the CPSB has advertised for the said vacancies. The affected staff were given equal opportunities by declaring enough vacancies equivalent to or more than the number of those serving under the lapsed contracts.

Thank you.

**Hon. P. Ronoh (Kipsonoi Ward, UDA):** I support the report and I am a member of the committee. The CS was particular about the labour laws. The saddest part was why some of the staff were retained and yet the government cannot pay them. He told us that the Controller of Budget has given them notice to move everyone to Integrated Personnel and Payroll Database system (IPPD) by December. The Controller of Budget (CoB) had declined to release funds to the government. There is employment going on and we encourage them to apply and compete with the rest of the applicants.

**Hon. R. Ruttah (Chemamer Ward, UDA):** Hon. Speaker, what happens to the institutions that had officers on contract and since it lapsed, what went on?

**Hon. Speaker (Hon. Cosmas Korir):** You are raising another question?

**Hon. R. Ruttah (Chemamer Ward, UDA):** Hon. Speaker, it is a concern stemming from the information we have received.

**Hon. Speaker (Hon. Cosmas Korir):** Do the Chair has that response?

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, we do not have an express answer.

**Hon. Speaker (Hon. Cosmas Korir):** Kindly put it as a question.

**Hon. W. Kiprotich (Chepchas Ward, UDA):** Is it in order for the Chairperson of the Committee to address you while sitting.

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, it was on a lighter note but I apologize.

**Hon. Speaker (Hon. Cosmas Korir):** I order that you exit the House for the remainder of the session for disrespecting this Chair.

**Hon. B. Rotich (Chebunyo Ward, INDEPENDENT):** Hon. Speaker, I apologize.

**Hon. W. Kiprotich (Chepchas Ward, UDA):** Hon. Speaker, on the next question that was sought by Hon. Changmorik, we are yet to file a complete report because we intend to visit other Vocational Training Centers. We are currently remaining with three sub counties. Therefore, we are requesting for 10 more days.

**Hon. Speaker (Hon. Cosmas Korir):** Please report back on Tuesday 25<sup>th</sup> April, 2023.

**Hon. W. Kiprotich (Chepchas Ward, UDA):** Hon. Speaker, most obliged.

**Hon. R. Ruttoh (Chemaner Ward, UDA):** Hon. Speaker, I request the committee to include Chemaner VTC.

**Hon. Speaker (Hon. Cosmas Korir):** Is Chemaner VTC included?

**Hon. W. Kiprotich (Chepchas Ward):** Hon. Speaker, it is included.

**Hon. Speaker (Hon. Cosmas Korir):** Hon. Speaker, I think we are done with questions number 1, 2 and three. The fourth one is for Hon. Peter Ronoh.

**Hon. P. Ronoh (Kipsonoi Ward, UDA):** Hon. Speaker, the question was about the leave wilting, withering and scouring of a tea clone in Chepchas Ward. I stand to seek for more time because the report from the Kenya Plant Health Inspectorate Services (KEPHIS) is yet to be received. However, we have done extensively well in seeking the answers to the question. We have interrogated the CEC, CO and the Director. They also wanted assistance from a more sophisticated body.

Therefore, it will be immature for me to table a half-baked report. Kindly allow us another seven days to complete it.

**Hon. Speaker (Hon. Cosmas Korir):** Hon. Speaker, on Wednesday, 25<sup>th</sup> April, 2023.

**Hon. P. Ronoh (Kipsonoi Ward, UDA):** Hon. Speaker, most obliged.

**Hon. D. Busienei (Chemagel Ward, UDA):** Hon. Speaker, we visited yesterday and we are still yet to receive the report from the executive on the matter. I am requesting for 10 working days then we will come back with a comprehensive report.

#### MOTION

**Hon. D. Busienei (Chemagel Ward, UDA):** THAT, pursuant to Standing Order 198(2), this County resolves to adopt the County Public Investments and Accounts Committee Report on the Report of the Auditor-General on the County Executive of Bomet for the Financial Year ended 31<sup>st</sup> June, 2020

I beg that this Motion be deferred until such a time when the Assembly business rules committee shall allocate date and time. This is because the committee has a lot of issues to iron out before the report can be dealt with. I request Hon Caroline to Second.

**Hon. Speaker (Hon. C Korir):** Hon. Member you are giving my ruling? You are directing the Assembly Business Committee. You were supposed to discuss the Motion. Do you want to defer the Motion?

**Hon. D. Busienei (Chemagel Ward, UDA):** Yes,

**Hon. Speaker (Hon. C Korir):** Then be precise Honorable Member.

**Hon. D. Busienei (Chemagel Ward, UDA):** Mr. Speaker I beg to defer.

**Hon. P. Mutai (Sigor Ward, UDA):** Mr. Speaker, I was expecting Hon. Busienei to apologize and not to direct the question to you, Mr. Speaker. Kindly guide the Assembly.

**Hon. Speaker (Hon. C Korir):** Hon. Member I think you need to apologize but before he apologizes, this Motion was supposed to be moved by Hon. Charles Langat but he is not in and the committee feels that this Motion should be deferred to a later date. That is why he has gone ahead and given it to the Assembly Business and Rules Committee. But because it is the first time and for other members to learn from you, you will apologize.

*(Hon Kiprotich rose on a point of order)*

**Hon. W. Kiprotich (Chepchas Ward, UDA):** Mr. Speaker, there is a saying that says the devil is in the details. When Hon. Busienei rose, he read through the Motion and went ahead to give reasons why he wanted the motion to be deferred. But when the devil came to the details, he said and I want him to withdraw. It has gone through several processes, there must have been a notice of Motion and a report tabled in the Assembly and him to say the committee has not seen the report is lying to the Assembly. Will they change the report that has been tabled? You cannot change unless an amendment comes during the debate.

**Hon. Speaker (Hon. C Korir):** Hon. Member before you apologize, I like the sentiments by Hon. Kiprotich. He was once a deputy Speaker and he knows the procedure. I want you to apologize to the Assembly.

**Hon. R. Ruttoh (Chemamer Ward, UDA):** Hon. Speaker, allow me to explain what Hon. Busienei was trying to convey. The reason why we need more time is because the Chair gave an apology late and the report has not been shared to the Members. We ask for more time.

**Hon. Speaker (Hon. C Korir):** That is a satisfactory reason as to why we might not have this Motion today. We ask the Assembly Business to reschedule the Motion. Hon Busienei you may proceed to apologize.

**Hon. D. Busienei (Chemagel Ward, UDA):** Hon. Speaker I had asked for an apology. I hope all members have learnt from me. They have to thank me because I have tried.

**Hon. Speaker (Hon. C Korir):** You have not apologized.

**Hon. D. Busienei (Chemagel Ward, UDA):** Hon speaker I really apologize to the Members of the committee and the Speaker.

**Hon. P. Ronoh (Kipsonoi Ward, UDA):** This is an Assembly of rules. Is it in order for the Hon. Majority whip to lie that the report was not shared yet I received it? And we have it

**Hon. Speaker (Hon. C Korir):** Was that your statement hon Richard?

**Hon. R. Ruttoh (Chemaner Ward, UDA):** Mr. Speaker I believe hon. Kipchirchir is trying to put me in an awkward situation but the motion was supposed to be moved by Hon. Charles Langat who is not in today. Another member cannot move a motion unless given permission by the chair

**Hon. Speaker (Hon. C Korir):** Hon. Members if I understood him well, there are two reports, county public investments and accounts sports on the report of the auditor general and report of PIC/PAC. What the Hon. Member meant is that the PIC/PAC report has not been shared. Is that so hon Richard?

**Hon. R. Ruttoh (Chemaner Ward, UDA):** Yes Mr. Speaker.

**Hon. Speaker (Hon. C Korir):** Hon. Kipchirchir I hope you are satisfied

**Hon. W. Kiprotich (Chepchas Ward, UDA):** Mr. Speaker I rise to defend Hon. Kipchirchir. We are becoming more confused. We have a report that was given by the committee which says the county public investments and accounts committee report on the examination of the report of the auditor general on the county executive of Bomet for the FY ended 31<sup>st</sup> June 2020. The motion is on the report. Hon speaker why are you confusing us?

**Hon. Speaker (Hon. C Korir):** Hon. Members I was informed that you have not shared with the report of the committee. Actually, hon Kipchirchir is right. You should seek that you are not ready to move the motion today.

**Hon R. Ruttoh (Chemaner Ward, UDA):** Mr. Speaker, I stated that the mover of the motion is Hon. Charles Langat who is the chairperson and I know the speaker does have eyes to check who is in or not.

**Hon. W. Kiprotich (Chepchas Ward, UDA):** Hon. Speaker, as I said earlier the devil is in the detail, there is nothing that prevents a motion from being moved by anyone else irrespective of the name on the order paper on condition that the person has given authority and informed your office Mr. Speaker. Kindly guide the Hon. Member to say we are deferring the motion and not to give details.

**Hon. Speaker (Hon. C. Korir):** Hon. Member that brings it to an end. It is part of learning. Hon. Members, it has come to my attention that one of our staff Weldon has lost his father, he comes from Chebangang. May his soul rest in peace. I urge you to support the family.

**Hon. P. Kirui (Ndanai/Abosi Ward, UDA):** Hon. speaker I beg to move a Procedural Motion that pursuant to standing order 28 (4) this County Assembly resolves to alter its calendar and adjourn from today Wednesday 12<sup>th</sup> April 2023 to Wednesday 19<sup>th</sup> April 2023 at 9.30 a.m.

Hon. Members, this came as a result of the invitation by the Executive that they have organized we meet for a consultative meeting on the budget estimates. We will engage one on one with the Executive. I beg this Assembly to approve the adjournment. I request Hon. Kipchirchir to second.

**Hon. P. Ronoh (Kipsonoi Ward, UDA):** Mr. Speaker I rise pursuant to standing order 28 to second the motion. I ask the Assembly to support the adjournment motion. Issues raised by the members of the public should be looked into. Budget is an important development plan. We need to seat with the executive and ensure that the views of the members of the public are looked into

*(Question on the motion proposed)*

**Hon. S. Changmorik (Longisa Ward, UDA):** Hon. Speaker I rise to support the Motion. This is a good move by the governor that we meet with the Members of the Executive. I support the engagement because it will take our county to the next level.

**Hon. B. Langat (Kembu Ward, UDA):** Hon. Speaker, we just came from recess and I hope everyone is fine. We accept the invitation and we are looking forward for good consultation. Our pockets are dry and we request the leader of majority to request for funds.

**Hon. P. Ronoh (Kipsonoi Ward, UDA):** Pursuant to Standing Order 31(3) the Hon. Member is out of order. The debate on an adjournment Motion under this Standing order shall be confine to the matter of the Motion.

**Hon. Speaker (Hon. C. Korir):** Hon. Members stick to the Motion.

**Hon. B. Langat (Kembu Ward, UDA):** Hon. Speaker I think it was part of telling the house how the recess was. I support the adjournment because it is giving us another recess.

**Hon. E. Cheruiyot (Nominated MCA, CCM):** Hon Speaker I rise to support the Motion to enable us travel before we are late. Most Members were trembling, it is like they were given hard time during recess. We saw Hon. Busienei who instead of apologizing to you he was apologizing to the members. Hon. Kiprotich should stop saying the devil is in the detail. The devil is not around. I concur with what the members have said. Thank you.

**Hon. R. Ruttoh (Chemaner Ward, UDA):** Hon. Speaker, I rise to support the adjournment but I proceed to make my contribution, I wish to say that a lot of activities were running taking place in our wards. What some of the members are saying hon Busienei has deviated from the agenda of the day, not as such Mr. Speaker. Hon. Busienei has a lot of abilities in his ward and therefore when he talks to try to speak on the matter, what was pending in the village is still in his mind. And therefore, Mr. Speaker we are all in the right direction. Some of us might be blaming speaker one or two members who have done wrong but I believe it is not wrong Mr. Speaker. I, therefore, support the motion.

**Hon. Speaker (Hon. C. Korir):** Thank you very much hon. Peter.

Hon; thank you mar speaker. Let me support the motion that once again, we are breaking for a break and we were coming from a recess. I want to recommend that next time when we are on recess maybe we can have such meetings so as we do not pop in and break again. We have several issues and businesses to transact in this house though the break is loud and fruitful to this house because we are going to discuss the issues of budget and finance. Therefore, I wish to support this motion and make a recommendation.

**Hon. Speaker (Hon. C. Korir):** thank you for the contribution of the members. What we are doing here and the journey we are travelling to Mombasa is a not a recess. We are going there for a specific duty, which we were called upon, engaging in a retreat. Hon Nathan of finance had given a notice earlier of motion so next week we shall have many businesses at this house. We will have the ADP, CIDP and many others. However, we can again decide not to go to Mombasa we just discuss these issues within these areas. At the end of the day we have discuss, on what I am getting is like members not happy that we are breaking going to Mombasa, will you be comfortable within Bomet.

**Hon. D. Kirui (Ndaraweta Ward, UDA):** Thank you Mr. Speaker. I didn't wish to contribute while you are factually making a communication that you are going to Mombasa. Going to Mombasa is acceptable and is part of our business. But my concern was we resumed from recess and we break but we are also given direction that the reason why we are transferring our business, some of our business to Mombasa is to seek clarification from the Executive. I think the point now is well understood thank you, Mr. Speaker.

**Hon. Speaker (Hon. C Korir):** Thank you very much. I think I've just used him because I don't need an explanation for what I've been told. What he was going to say was, what's the meaning of this? What he meant, was that we are coming from one recess and we are proceeding to another recess. It's not a recess. You are actually going I thought the chair would say something because it's actually a physical matter. That's why we are going to have a meeting. But you are keeping quiet. You have not explained to the members why we are going there anyway I think what he has that is taken into account to the momentum. If we come, maybe you meant that we should have the feelings to discuss the matters which you want to say something chair.

**Hon. V. Rop (Nominated MCA, UDA):** Thank you, Mr. Speaker, for allowing me this chance, maybe to put it clearly, some of us have left the ground for a lot of achievement for the county and the other members of the public. MCA are not the implementers of whatever they were proposing. So at least, by meeting with the executive, we also put our input so that whenever they are

implementing, they're implementing what is in the law. So it should be, I think this meeting with the executive will give us an opportunity to discuss with them one on one that the government to be there since the decisions are there. We discuss ways to implement those project that was proposed by the members of the public. What the members of the public were saying was that they normally give out their projects and most of them are just wish lists so we want to go read them and then discuss how to implement those projects I think I support this motion because it will give us the opportunity to discuss with them then we agree on ways to implement those project that was raised by the members of the public thank you Mr. Speaker.

*(Question put and agreed to)*

**Hon. Speaker (Hon. C. Korir):** From that this house is adjourned to next week Wednesday at 9.30 a.m.

### **ADJOURNMENT**

**Hon. Speaker (Hon. C. Korir):** There being no other business, this Assembly stands adjourned to Wednesday 19<sup>th</sup> April, 2023 at 9:30 a.m.

*The Assembly rose at 3:25 p:m*