

**REPUBLIC OF KENYA**



**BOMET COUNTY ASSEMBLY**

**ASSEMBLY DEBATES**

**(OFFICIAL REPORT)**

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**DAILY HANSARD**

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**Wednesday, 19<sup>th</sup> February, 2020**

# PLENARY

## BOMET COUNTY ASSEMBLY

### OFFICIAL HANSARD REPORT

**Wednesday, 19<sup>th</sup> February, 2020**

*The Assembly met at the Chamber*

*Main Assembly Buildings at 9:00 a. m.*

*[The Acting Speaker (Hon. W. Kiprotich) in the Chair]*

#### PRAYER

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, I take this opportunity to welcome you to the business of the day.

**Hon. J. Chepkwony:** Hon. Acting Speaker, Sir, thank you. I rise to move a motion

That Pursuant to Standing Order 156 (1), the County Assembly approves the appointments of the following Members in the Assembly House Business Committee.

1. Hon. Josphat Kirui - Leader of Majority Party
2. Hon. Andrew Maritim - Leader of Minority Party
3. Hon. Davis Kipkirui - Majority Whip
4. Hon. Robert Kiprono Langat - Minority Whip

5. Hon. Weldon Kirui -MCA
6. Hon. Winny Bore – MCA
7. Hon. Clara Cherotich – MCA
8. Hon. Janet Turgut – MCA
9. Hon. Kelong Joseph Kibet - MCA

Hon. Acting Speaker, Sir, according to the Standing Orders of this Honourable House, we are supposed to have this Committee so that it can allocate businesses to the House. I have read through the list that was Tabled in the House and it is important to constitute the House Business Committee.

This is a Committee necessary in the Assembly. The Committee will look into the Membership of other Committees. The House will do its best to approve the same.

This is a new Session which we have started. A Member yesterday raised an issue about pending businesses and without this House Business Committee we may not reach where we are headed. The Committee will allocate the time for businesses in the House.

I propose that the Membership should not be changed and likewise to the rest of the Committees. We cannot object but let us have a healthy debate and be objective. We have just resumed from recess and we have pending businesses to transact.

Hon. Acting Speaker, Sir, without much ado, I request the House that we approve the names as they appear in the list so that we move fast in other important businesses ahead of us.

Since we did this in consultation with the Minority Party, I request the Leader of Minority Party to Second the Motion.

**Hon. A. Maritim** (Leader of Minority Party): Hon. Acting Speaker, Sir, to be honest, I support this. I Second the Motion before us. The House Business Committee should remain the way it is because we consulted with the Leader of Majority and the board. I do not have any business of rejecting the list that I am part and parcel of.

We did this in a humane manner. This is a trying moment and that is why I am talking today with a lot of humility.

*(Laughter)*

I kindly request that we approve the list the way it is. I second.

*(Question proposed)*

**Hon. R. Serbai:** Hon. Acting Speaker, Sir, the Mover of the Motion who is also the Deputy Leader of Majority, contradicted himself when he was setting room to the Motion.

He talked about the County Assembly leadership being entrusted to come up with the names. I wonder if the nomination is about the leadership of this Assembly or the Chief Whip.

Secondly, he said what they did is okay. However, he went ahead and contradicted himself by saying he has a group.

The Secunder of the said Motion seems to know that something has occurred. They are not straight forward. Therefore, as a Member of Embomos, I oppose the entire list. Since the inception of the Second County Assembly, these are the same people who have always been nominated. We are not against the Members but as the Members of this House we should give a chance to each Member so that he or she gets opportunity to serve. Why is it that all the time, we have the same Members?

Hon. Acting Speaker, Sir, the Standing Orders requires that we give others a chance to serve. We are all equal.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hold on Hon. Serbai. What is it Hon. Maritim?

**Hon. A. Maritim:** (Leader of Minority): Hon. Acting Speaker, Sir, on a point of order. The Hon. Member on the Floor has mentioned my name and said that I had some cards below the table. I want to confirm to this House that I have no dangerous (*inaudible*).

Secondly, in the list are the Leader of Majority and myself. Now, these are the constitutional---

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Leader of Minority, you have had your time to defend the list when you were Seconding. Otherwise, you need to stick to the point of order.

**Hon. R. Serbai:** Hon. Acting Speaker, Sir, the Hon. Leader of Minority is a junior Member. I am aware of the provisions of Article 156, I am aware of the obvious Members. I am requesting the Members not to take too much time. What we need

from our party Chief Whips are to get us the minutes showing that you had a meeting and resolved on the names. If there are none, it means they only produced the list and Tabled before the House. I urge the House that each Member should serve in different capacities so that by the end of five years, we all would have had a chance. The last time I was the Chairperson in a different Committee and currently a Chairperson of Public Accounts Committee (PAC).

Thank you.

**Hon. Z. Kilel:** Bw. Kaimu Spika, awali kulikuwa na mshike mshike kuhusu orodha iliyowazilishwa kwa Jumba hili. Kila Mheshimiwa wa Jumba hili ana kipawa la kufanya jambo lolote.

**Hon. C. Cherotich:** Bw. Kaimu Spika, kwa hoja la nidhamu. Nimesikia Mheshimiwa Zadock Kilel akisema “mbeleni”. Hii inamanisha orodha hili tulipewa kitambo kidogo.

*(Loud consultations)*

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. C. Cherotich, I did not get what you said.

**Hon. C. Cherotich:** Bw. Kaimu Spika, Mheshimiwa mwenzangu amesema mjadala iliyopo ni ya mbeleni. Hii inamaanisha tulipewa hii mjadala kitambo na si siku ya leo.

**Hon. R. Serbai:** Bw. Kaimu Spika, nimepigwa na butwaa baada ya Mheshimiwa Clarah Cherotich hafahamu Kiswahili. Mheshimiwa Zadock Kilel hajasema kuna

orodha iliyotolewa mbeleni. Alikuwa anachangia mawazo yake kuhusu orodha uliyopo mbele wetu.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Still on that fact, there was a notice of Motion that was moved yesterday.

*(Applause)*

**Hon. Acting Speaker** (Hon. W. Kiprotich): The Notice of Motion still got the same content. If Hon. Zadock Kilel meant that, then he is right.

**Hon. Z. Kilel:** Bw. Kaimu Spika, kuna wale ambao hawafahamu lugha ya Kiswahili kisanifu. Kama nilivyosema, hakuna Mheshimiwa ambaye alikuja hapa bila talanta ya kuongoza. Hata mimi niko na talanta ya kutekeleza kwa jumba hili. Kwa hivyo, kulingana na orodha hilo, tukipatiwa nafasi ili tujue ni kina nani wanaweza kuendesha kazi.

**Hon. Acting Speaker** (Hon. W. Kiprotich): I do not know whether you approved or rejected the list.

**Hon. Z. Kilel:** Bw. Kaimu Kinara, naomba tupewe wakati ili tujadiliane kwa kina ni akina nani wanaweza kuruhusiwa au kungatuliwa katika mamlaka.

**Hon. W. Bett:** Hon. Acting Speaker, Sir, the wise men once said, “*Change is as good as a rest*” So, I reject this list.

*(Laughter)*

**Hon. C. Langat:** Hon. Acting Speaker, Sir, I am requesting if possible the House can be suspended for a few minutes so that we consult and come back with a solution.

**Hon. S. Keter:** Bw. Kaimu Spika, naunga mkono Mheshimiwa R. Serbai kwamba kila Mheshimiwa humu anayo nafasi ya kuongoza katika jumba hili. Kwa hivyo, hii orodha itupiliwe mbali ili tupate nafasi ya kupeana majina mengine.

**Hon. M. Chepkirui:** Hon. Acting Speaker, Sir, I oppose the Motion. Under the Standing Order no. 159, the party leaders are de facto Members of the House Business Committee (HBC). So, we need time to consult on the other Members that are fit to be Members of the HBC.

I oppose the motion.

**Hon. W. Kirui:** Hon. Acting Speaker, Sir, I support the Motion. Equally, I am surprised that it is only Sotik Sub-County that is represented by one Member. I am lucky to be that one Member. All other Sub-Counties have two Members.

When we lost our Governor, in the same breath, it is like we lost the leadership. I am surprised why Sotik County has only one Member in this Committee and not two.

Let us approve as it is and if Members want to reject it as it has been echoed, the Chair can rule on the same and we vote over the same. Let us not approve this Motion orally rather by actual Division.

Thank you.

**Hon. A. Langat:** Hon. Acting Speaker, Sir, I support the list owing to the fact that we need to take things seriously. Time is not on our side. There are so many pending Bills that we are expected to handle. We have held several meetings and we have held *kamukunjis* as well where we have raised issues that need the attention of this House. This Committee will plan and give us the businesses that we need to deal with.

There are several issues that need the attention of this Assembly, including the Building Bridges Initiative which is about to come to Bomet to give us some information. We need to get prepared. When I look at the list, I concur with Hon. Z. Kilel when he said it should have the face of the County. Based on this, I can see that all sub-counties are represented. He has also said that all of us have the capabilities of being Members. The procedure may not have been the best but I think that this is okay because it has at least someone from every sub-county.

Hon. Acting Speaker, Sir, if there are issues we can as well deal with the right time.

I support the Motion.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, I cannot see any other Member who wishes to contribute. Hon. Deputy Leader of Majority, you have the right of reply.

**Hon. J. Chepkwony:** Hon. Acting Speaker, Sir, thank you. The list before us is meant for the formation of the House Business Committee and as it has been discussed. The importance of this Committee is to enable us deliver before this

House. Some Members have mentioned that time is not on our side. All the Members cannot be in this Committee even if we remove two or three Members.

We have the other Committees where each and every one of us belongs to. Only nine Members are required to sit in the House Business Committee. The programs of this Honourable House need this Committee to allocate time for House businesses. This is something which is also tied within the Standing Orders.

Hon. Acting Speaker, Sir, I request the Members that even though there are challenges let us approve it.

I would also wish to serve in this Committee as well but because of the limitation of the chances, this Committee cannot accommodate all of us. I am not trying to convince the Members to vote for the list because it is the best but because we need to do other things too.

Hon. Acting Speaker, Sir, this is a different time. We are past half in our term and there are those things that we are supposed to do since the electorate may not understand why we argue about the Committee. We have many other things that need to proceed and as a House, the entire county is relying on us.

Yesterday, we talked of the merits and demerits of an ad hoc Committee. Those are some of the things that we need to be looking at now. Let us look at the bigger

picture and approve this. We also solve the problems that we have ourselves so that it does not look like we are pushing for some other people to do it for us. I may not have the words to express it but you have got the message that we approve this so that we can continue with other businesses.

Hon. Acting Speaker, Sir, I do not want to take much more time but I pray that we approve the list as it is because we all cannot be in this Committee. It is my humble prayer that we approve for the sake of the businesses of this House. Thank you.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, there are three requests that have been made during the contributions to this debate.

One, a request for the suspension of the House has been put forward. Secondly, there are some Members who used different words but indirectly they wanted a dilatory Motion which they did not bring.

*(Hon. Z. Kilel rose on a point of order)*

**Hon. Z. Kilel:** Mheshimiwa Kaimu Spika, shukrani sana. Jana niliweza kuzugumzia ustawi ya wanachama na pia kuhusu maji lakini kwa hakika sijapata jibu manaake wengine wetu wamekaukiwa koo.

Asante sana.

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, I was mentioning that there are three requests. One is the suspension of the House.

Secondly, although it did not come out directly, a Member was requesting the extension of time meaning that you were supposed to come up with a dilatory Motion which you did not. The third request is that we go directly go to Division which is by singular vote.

Hon. Members, I will rule as follows. I will not suspend the House simply because it did not have enough support. Secondly, because there was no dilatory Motion then we will not give it more time. Thirdly, on voting, we will follow the procedure. So we will have an acclamation and if there will be Division, then we will go for voting. I will only request that since I am the one hearing and I am human, make you acclamation well expounded.

*(Question put and agreed to)*

*(Applause)*

Hon. Members, that marks the end of that debate.

### **ADJOURNMENT**

**Hon. Acting Speaker** (Hon. W. Kiprotich): Hon. Members, there being no other business, this House now stands adjourned to tomorrow, Wednesday, 19<sup>th</sup> February 2020 at 2:30 p.m.

*(House rose at 9:40 a.m.)*