

**REPUBLIC OF KENYA**



**BOMET COUNTY ASSEMBLY**

**ASSEMBLY DEBATES**

**(OFFICIAL REPORT)**

**DAILY HANSARD**

**Tuesday 23<sup>rd</sup> February, 2022**

**PLENARY**

## **BOMET COUNTY ASSEMBLY**

### **OFFICIAL HANSARD REPORT**

**Tuesday 23<sup>rd</sup> February, 2022**

*The Assembly met at the Main Assembly Chamber,*

*Dr. Joyce Laboso Centre at 2:30 p.m*

*[Hon. Speaker (Hon. Nelson Mutai) in the Chair]*

#### **PRAYER**

**Hon. Speaker** (Hon. N. Mutai): Hon. Members, welcome to this afternoon session. I also welcome the visitors in the public gallery, 52 pupils and 2 teachers from Kamogoso Primary School. Welcome to Bomet County Assembly.

*Applause*

You are supposed to listen and see what goes on in the Assembly. You are not supposed to make any utterances or any gestures.

#### **STATEMENTS**

**Hon. Speaker** (Hon. N. Mutai): Is there any Member with a Statement? Hon. R. Rono.

**Hon. R. Rono:** Hon. Speaker, Sir, thank you. First, I rise to join you in congratulating the pupils from Kamogoso Primary School who have joined us for this afternoon session.

Secondly, there was an ad hoc committee which was led by Hon. R. Serbai and I was a member. As a committee, we tasked the Chair to follow up on the issue because it touched on many issues concerning employees on contract and general employment in the County. The report ought to have been implemented. Hon. Speaker, Sir, when we resumed after recess, the Chair rose on the floor of the House to inquire on the matter. We would also like to know because it touches on many residents in this County. The employees on contract are facing a lot of challenges. We need to know the fate of that ad hoc committee report.

**Hon. Speaker** (Hon. N. Mutai): Let us remind ourselves on how far we went. Who was a member of that committee? Hon. Ambrose, Hon. Kelong and Hon. Janet. Let us give ourselves until next week to get an appropriate report on that. Can we get a feedback during the next sitting on 1<sup>st</sup> March 2022? Hon. Ambrose?

**Hon. A. Koech:** Hon. Speaker, Sir, thank you. I join my colleagues in welcoming the teachers and students from Kamogoso Primary School. I welcome them to this Assembly and wish those who are going to sit for KCPE all the best. Kamogoso is not far from Mogogosiek Ward since we meet at a point called Kibanjalal.

On this issue of the ad hoc committee, it is saddening to know that the Executive are reluctant in implementing Motions passed in this House. This is a Motion that was important and touched on every part of this County. We need a serious follow up on the same because we spent a lot of time and money to sit and bring out the facts and recommendations in that report.

From what I see, since I have been visiting the Executive, most of the people responsible are not in offices. It should be upon us as an oversight authority to exercise that authority over them and ensure that they are in offices. Why are they being paid? If they are not in their offices, they are not in the field and you cannot get them through phones, things will lack behind. As an oversight authority, I urge the Members that we stand and ensure that these people answer to what has been passed in this House.

Hon. Speaker, Sir, thank you.

**Hon. Speaker** (Hon. N. Mutai): Hon. A. Koech, thank you. Are you saying that there are staff who do not attend to their duties?

**Hon. A. Koech:** Hon. Speaker, Sir, I yesterday I went to several offices but did not find the Chief Officer, the director and even the County Executive Committee Member and I never found them in their offices. I went to around four offices. I tried to ring them but calls could not get through. I sent them messages stating what I wanted but there was no reply until now. Hon. Speaker, Sir, I think we are in a precarious position and if we do not stamp our authority, they may assume that the life of this Assembly has expired yet we still have time to act and put them back on track. Thank you.

**Hon. Speaker** (Hon. N. Mutai): Hon. Kelong.

**Hon. J. Kelong:** Hon. Speaker, Sir, thank you. I was a member of that committee. The recommendation we made to the County Public Service Board were to be implemented within 90 days. We expect them to give us that report.

**Hon. Speaker** (Hon. N. Mutai): Hon. Ngeny.

**Hon. L. Ngeny:** Hon. Speaker, Sir, I join you in welcoming the pupils from Kamogoso Primary School. The school neighbours my former primary school and my home, Kipketii. They are highly welcome.

On the ad hoc committee, I do not know whether the members of that committee who have just spoken are trying to tell us that the work we gave them as an Assembly is too much and that they are not able to deliver. They are not supposed to report to this House the way they are doing. They are doing it in a casual way yet when we report to the House, we are supposed to report in a formal manner. You are supposed to bring a report to this House on whether you have been able to deliver on your work or not.

Hon. Speaker, Sir, what I said when the House wanted to form an ad hoc committee to take up the roles of the Committee on Water, where I am the vice-chair, is on record. I said that we should not use ad hoc committees as a way of running away from the sectoral committees that we have in this House. At the end of the day, if this is what ad hoc committees bring back to the House then it

means that they are not any better from the sectoral committees. Sectoral committees are way better and can deliver on their mandate. There is no other way we can oversight except through sectoral committees.

Hon. Speaker, Sir, the Hon. Member from Mogogosiek said that he went to these offices. When he went to these offices, he went on his personal capacity and not as a Member of this County Assembly. The way we engage with those offices is not by casually walking into those offices. We have procedures in this House. That is why we have ten departments in the Executive and ten departments here in the Assembly, if that is the number. For example, if we have a water department in the Executive, we have a line Committee in the Assembly that oversights that department. Whenever there is something that we need to ask from that department, we go through the Committee. This idea of going there as a person, cannot yield anything. It is like being given a *jembe* to dig in a farm and the following day you leave that *jembe* at the store and you go to the farm to dig with your hands. Let us use the sectoral Committees that we have here so that we can get whatever we want from those departments.

Hon. Speaker, Sir, thank you.

*Hon. J. Kelong rose on a point of order*

**Hon. Speaker** (Hon. N. Mutai): What is it Hon. Kelong?

**Hon. J. Kelong:** Hon. Speaker, Sir, thank you. I rise to clarify that we did our work. After finishing, we made recommendations to the County Public Service Board to work on it within ninety days. What Hon. Robert said is that, the ninety days have lapsed yet we have not received a report. Thank you.

**Hon. Speaker** (Hon. N. Mutai): Hon. A. Langat.

**Hon. A. Langat:** Hon. Speaker, Sir, thank you. The Constitution is quite clear on our functions as a legislative arm of the government. It is our duty to give directions and make recommendations. The recommendations made in this House are binding. The second thing is to seek statements. Any Member can seek a statement asking the Executive or the County Public Service Board to tell the House why we have spent resources and time and we have not seen the results.

Hon. Speaker, Sir, a Motion, Committee resolutions or recommendations should be binding. Whatever is passed in this House is equivalent to the judgment of a high court. Hon. Speaker, Sir, I seek your indulgence. If recommendations have not been implemented, the law is quite clear. There are procedures. Let us give them adequate discipline in order for them to discharge their mandate.

Hon. Speaker, Sir, thank you.

**Hon. Speaker** (Hon. N. Mutai): Hon. Members, you know what to do in an event of non-compliance of recommendations made by a Committee. You are required to take steps towards the attaining the objectives of those recommendations. The ad hoc committee should take steps and let the House know what steps they have taken. We need to see results. Thank you.

### ADJOURNMENT

**Hon. Speaker** (Hon. N. Mutai): Hon. Members, there being no other business to be transacted, this House stands adjourned to Tuesday, 1<sup>st</sup> March 2022 at 9:00 a.m.

House rose at 2:50 p.m.