

**REPUBLIC OF KENYA**



**BOMET COUNTY ASSEMBLY**

**ASSEMBLY DEBATES**

**(OFFICIAL REPORT)**

**DAILY HANSARD**

**Tuesday 8<sup>th</sup> February, 2022**

**PLENARY**

**BOMET COUNTY ASSEMBLY**

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## OFFICIAL HANSARD REPORT

**Tuesday 8<sup>th</sup> February, 2022**

*The Assembly met at the Chamber,  
Main Assembly Buildings at 2:30 p. m.*

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

### PRAYER

#### WELCOMING REMARKS

**Hon. Speaker** (Hon. N. Mutai): Hon. Members, I welcome all of you to this afternoon session. We get to the orders.

#### COMMUNICATION FROM THE CHAIR

##### ADVISORY ON THE RESIGNATION OF PUBLIC SERVANTS INTENDING TO VIE FOR POLITICAL SEATS

**Hon. Speaker** (Hon. N. Mutai): Hon. Members, the Court of Appeal has today confirmed that the provisions of the Act on the issue of resignation by the civil servants takes effect from tomorrow.

Therefore, those in the public service ought to resign if they are aspiring to vie for a political office.

### MOTION

#### APPOINTMENT OF HOUSE BUSINESS COMMITTEE

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

**Hon. J. Kelong:** Hon. Speaker, I beg to move the following Motion;

That pursuant to the Standing Order No. 156 (1), this County Assembly approves the appointment of the County Assembly House Business Committee;

- |    |                            |   |                          |
|----|----------------------------|---|--------------------------|
| 1. | Hon. Nelson Mutai          | - | Speaker                  |
| 2. | Hon. Josphat Kirui         | - | Leader of Majority Party |
| 3. | Hon. Andrew Maritim        | - | Leader of Minority Party |
| 4. | Hon. Davis Kipkirui        | - | Majority Whip            |
| 5. | Hon. Robert Kiprono Langat | - | Minority Whip            |
| 6. | Hon. Weldon Kirui          | - | MCA                      |
| 7. | Hon. Winny Bor             | - | MCA                      |
| 8. | Hon. Clara Cherotich       | - | MCA                      |
| 9. | Hon. Janet Turgut          | - | MCA                      |

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10. Hon. Joseph Kelong - MCA

Hon. Speaker, for us to transact the House business, I urge the Members to approve the proposed Committee so that the proceedings kick off in the Assembly. I urge all of you to approve. I request Hon. W. Bore to Second.

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

**Hon. W. Bore:** Hon. Speaker, I wish to second the Motion on the approval of the appointment of these Members to the County Assembly Business Committee. Hon. Speaker, Sir, approving these Members will ease Committee meetings, programs and all the businesses of the House. Hon. Speaker, Sir, I Second.

**Hon. Speaker** (Hon. N. Mutai): Hon. Members, I propose the question that pursuant to Standing Order 156 (1) this County Assembly approves the appointment of the following members to the County Assembly Business Committee:

1. Hon. Nelson Mutai – Speaker
2. Hon. Josphat Kirui – Leader of the Majority Party
3. Hon. Andrew Maritim – Leader of the Minority Party
4. Hon. Davis Kipkirui – Majority Whip
5. Hon. Robert Kiprono Langat – Minority Whip
6. Hon. Weldon Kirui – MCA
7. Hon. Winnie Bore – MCA
8. Hon. Clara Cherotich – MCA
9. Hon. Janet Turgut – MCA
10. Hon. Joseph Kibet Kelong – MCA

Hon. Zadock.

**Hon. Z. Kilel:** Hon. Speaker, Sir, I rise to support the Motion although from the list, youths are not represented. Every other group has been represented except for the youth. Hon. Speaker, Sir, we have ten Members in that committee. That is an even number. What happens when it comes to voting and there is a tie? We should have an odd number of Members so as to break that tie. We can have nine or eleven. Hon. Speaker, Sir, it is my opinion that we should work on that before we pass this Motion. Thank you.

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

**Hon. R. Serbai:** Hon. Speaker, Sir, thank you for this chance. It is my belief, and if there are Members who belong to my school of thought then they can attest to it, that these are the usual faces. Since we started the Second Assembly, these are the same Members. Why can't we change? We also have MCAs who are capable. We should give them time to serve in this capacity. Not that these are incompetent but we can have new faces coming to this particular Committee. Hon. Speaker, Sir, this is the third and the last time that we are bringing in the same faces. Personally, I do not want to join the Committee but let us change the membership.

Hon. Speaker, Sir, give us time until tomorrow morning so that we consult. We do not have any grudge against anyone but let us defer this motion until tomorrow morning because even the Members who are on this list are absent in this Sitting. How do we approve Members

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who are absent? Hon. Speaker, Sir, I beg that this Motion be deferred to allow us have consultations.

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

**Hon. R. Rono:** Hon. Speaker, Sir, thank you. I echo what Hon. R. Serbai has said. I also notice that these are the same people being appointed to this House Business Committee. I request that we defer the Motion so that we can do wider consultations amongst ourselves. We have been having a lot of business but not coming up through House debates may be because we have people who are not gentle to putting business. Otherwise, I support that we defer it so that we can consult between the two parties; Jubilee and C.C.M. Thank you.

**Hon. Speaker** (Hon. N. Mutai): Thank you. I wish to remind you members that the constituted committees that we have in this House were arrived at following series of consultations within yourselves and various stakeholders in the House. If there will be a change; may be it can happen, then it will affect all the other committees we have in the House. I don't know, maybe that is the direction you want to take and I have no problem but I am just saying that it was based on a consensus where each of the members must have been consulted. Secondly, on the other aspect that Hon. Member has raised that it does not include the youth, standing order no. 156 (1) states as follows;

1. there shall be a select committee to be designated the County Assembly Business Committee consisting of;

- (a) The speaker- chair person.

- (b) the leader of the majority party.

- (c) leader of the minority party.

- (d) not more than seven members who shall be nominated by the county assembly parties at the commencement of every session, taking the relative majorities of the sittings held by each of the county assembly parties and taking into consideration the interests of the youths, PWDs and the dependents.

(ii) Sub-section 2; the County Assembly Business Committee shall be appointed within seven days.

(iii) in nominating the members to the County Assembly Business Committee, each county assembly party shall include its Whip into the membership. Those opposed to, give us how detailed in absence of the speaker, the chairperson of the committee shall chair the meetings of the County Assembly Business Committee.

4. County Assembly Business Committee shall details all the businesses of the County Assembly Business Committee, which might answer the question that the Hon Ronoh has been raising that if you have been in the previous County Assembly Business Committee, that did not bring matters to the assembly for debate.

5. Sub-section 5 (a) gives the duties of the House Business Committee which I would like the Hon member to go through it to check for any breach.

I think those are the main issues that we might wish to dissect. So, whether or not we proceed with this or wait for tomorrow, it means we cannot stop business for tomorrow and for this week. That is why it is supposed to be done at the beginning of the session. Hon. Serbai.

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*Hon. R. Serbai rises on a point of order*

**Hon. R. Serbai:** Hon. Speaker, I seek for quite a number of answers first concerning the standing orders as raised by you. Mr. Speaker, as raised by the Hon. Member from Sigor that a youth should be included in this particular list, at the same time, we have a representative of the minority group. So, it is a humble request that we can have our own meeting led by the leader of majority and the other side have their own led by the leader of the minority. Then, we can discuss those who may just go to a place. If they move a member from a certain committee to join here and then this one go to join that committee so there will be no much effect. We are just going to arrange with the leader of majority and then we bring a list after consulting. Mr. Speaker, you will find that when we talk about PWDs, we already have one person again, personally I do understand in the list right from 1-5, the people mentioned in the standing order, the rest can be changed. A change is as good as a rest.

**Hon. W. Kiprotich:** Mr. Speaker I am checking what honourable member and my colleagues are raising to the effect that they intend to change the naming of those people serving in house business committee. In the essence, I think the reason why the motion was tabled in the morning under notices of motion was to inform the house that there is business coming up. If members had an issue with it, they would have amended it as per the standing order. This is a select committee where Members have been brought up based on the membership of the rest of the committee. If one is removed and replaced with another one, then it may affect the other committees. I do not know if there are preferred names by honourable members who requested that this motion be deferred. If they have they can still raise them and an amendment can be given by the speaker. It is for the benefit of the house because usually this is always the first business. If there were request from the members that they wanted to serve in this committee, they would have informed their leaders both the leader of majority and minority party.

**Hon. Speaker** (Hon. N. Mutai): Honourable members I do not want us to engage in one issue. Hon. Serbai.

**Hon. R. Serbai:** Mr. Speaker, I believe honourable Kiprotich has been the Deputy Speaker for almost the whole of this term. When he talks of “we would have given names” yet it was not advertised for one to apply. We do not have preferred names. We need to consult. We have mentioned that we do not have grudge against anybody. The youth and marginalized group should be represented. I just stated myself that I do not need any position.

### ADJOURNMENT

**Hon. Speaker** (Hon. N. Mutai): Honourable members there being no other business to be transacted. I, therefore, defer the motion to Wednesday 9<sup>th</sup> February 2022 at 9 a.m. This house stands adjourn to Wednesday 9<sup>th</sup> February 2022 at 9 a.m.

The House rose at 3:20 p.m