



OFFICIAL HANSARD REPORT

COUNTY ASSEMBLY OF BOMET

THIRD COUNTY ASSEMBLY

ASSEMBLY DEBATES

Vol. 2 NO. 104

DAILY HANSARD

The Assembly met at the Main Assembly Chamber,

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

Third County Assembly - Second Session

Tuesday Afternoon 28th November, 2023

(The Assembly met at 2:30 p.m. in the

County Assembly Mini Chamber at County Assembly Buildings)

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

PRAYER

(Lack of Quorum)

Hon. Speaker (Hon. C. Korir): Sergeant-At-Arms kindly ring the quorum bell for two minutes.

(Quorum Bell rung for two minutes)

Hon. P. Langat (Merigi Ward, INDEPENDENT): Hon. speaker. The quorum now is attained.

Hon. Speaker (Hon. C. Korir): Thank you very much Hon. member for bringing that to my attention.

COMMUNICATION FROM THE CHAIR

Hon. Speaker (Hon. C. Korir): Thank you very much. I have just noted that the Hon. member who has just stood, kindly ensure you have a tie, please. It is my pleasure this afternoon to read to you a communication from His Excellency the Governor, a letter written to you members on the nominee for the Chief Officer position. The subject matter refers; to the exercise of the authority vested in me by the constitution of Kenya 2010, and pursuant to section 45 (1) (a) and (b) of the County Government's Act 2012, His Excellency the Governor Bomet County wishes to forward the following nominees for vetting by the County Assembly of Bomet for the position of Chief Officer.

Chief Officer Cooperatives – Mr. Bernard Koros Kiplangat - 23586359.

As it is the norm, I commit this to the Committee on Trade Tourism and Cooperatives. Hon. chair you understand the calendar of the assembly comes to an end on 7th December. If it is possible you can meet today so that the Public can be informed of this in the next 7 days.

(Hon. C. Langat rose on a point of order)

Hon. C. Langat (Boito Ward, UDA): Hon. speaker, this Assembly is an Assembly of rules and procedure. While you were on your feet Hon. Speaker, the member from Kembu just entered without freezing Hon. speaker. Kindly guide the Assembly because we do not want to lose the standard of this Assembly.

Hon. Speaker (Hon. C. Korir): Hon. member when the chair is standing you are supposed to freeze wherever you are. There is another Hon. member who is moving out. When the chair is on the floor and standing, wherever you are you are supposed to freeze there. Thank you for highlighting that. You are the eyes of the chair.

Hon. B. Langat (Kembu Ward, UDA): I will not repeat it Mr. Speaker.

Hon. Speaker (Hon. C. Korir): Thank you very much and all the members kindly be aware of the standing orders of this Assembly.

Hon. C. Langat (Boito Ward, UDA): He is equally making another mistake, he is responding while sited again.

Hon. Speaker (Hon. C. Korir): You will make me again send you out like last time. Hon. Kipchirchir you also stood while the chair was standing. We said you freeze. For that communication, I was asking you to chair trade expeditiously meet with your members, and come up with a program of how to deal with this matter. Again, I wanted to let the members know that we will be going for recess on the 7th of December so we must finish the business of this session on that very day. Other matters have arisen and I want to urge the Assembly Business Committee tomorrow morning after the first session we meet at 10. I believe you have noted. Hon. Dennis, Hon. Charles, and the others. Thank you very much.

(Hon. C. Langat rose on a point of order)

Hon. W. Kiprotich (Chepchas Ward, UDA): Mr. Speaker I was waiting for you to sit down because I was freezing, and while Hon. Charles Langat pointed out the mistakes of others, where did he get the power to speak while he was freezing because you were still standing.

Hon. Speaker (Hon. C. Korir): Even he was out of order. Hon. Charles, I see you wanted to say something, of course, that was a point of order. I want to take you members to standing order number 111, whenever the speaker or the chairperson of the committee rises, any member then speaking or offering to speak shall resume his/her seat at the county assembly and the committee shall be silent so that the speaker or the chairperson of the committee may be heard without interruption. So let us understand that. Even the Hon. member who was raising the point of order was actually out of order himself. You should have waited for the chair to sit then you resumed. So Hon. members you can enter as you bow.

Hon. N. Kibet (Kapletundo Ward, UDA): Hon. speaker I want to seek your guidance. There is an ADP which is still ongoing. There are some clarification we had sent to the Department of Finance and we are still waiting for communication from them. Since we are going on recess next week, I do not know what will happen because what I know is that maybe when we come back, we are supposed to get CFSP and when CFSP is coming to the assembly, it normally has projects

that are itemized so maybe Hon. speaker kindly guide us on what we should do in that ADP because we are yet to deliberate on it wholly.

Hon. Speaker (Hon. C. Korir): Thank you very much Hon. Nathan and chair for Finance. Kindly inform your clerk to communicate with the executive to get you their response before the end of this week so that we can be able to dispense by next week. Thank you.

(Hon. C. Langat rose on a point of order)

Hon. C. Langat (Boito Ward, UDA): Because you have now directed that we clear our business before we proceed for recess, Hon. speaker we have a pending business on PAC/PIC. First of all, thank you for giving us guidance and direction now we are set to move and we have just adopted a work plan our work plan is going for exactly 8 days so we are seeking an extension of 60 days because the engagement is thorough to include inviting the CEC finance, CEC water, former board of BOMWASCO, the current Board, the management, the stakeholders, we will invite the regulators WASREP, WARMA so it will go all the way to 60 days. With your permission, kindly consider. Thank you.

Hon. Speaker (Hon. C. Korir): Thank you very much Hon. Charles normally when members are on recess, they are not supposed to be having committee meetings. Considering that your committee is very pertinent to this Assembly, I will allow you to engage with the executive on that matter, and come up with that report during the recess period. The first week once we resume back, you will table the report.

Hon. C. Langat (Boito Ward, UDA): Obligated your honor.

Hon. Speaker (Hon. C. Korir): Thank you very much. Yes Hon. J.K.

Hon. J. Kipkirui (Singorwet Ward, INDEPENDENT): Thank you very much Hon. speaker for this opportunity. I am rising under standing order number 193 Hon. Speaker. According to this standing order Mr. Speaker, each select committee is required to submit a year progress report to the liaison committee Hon. Speaker. So far, we have been in this Assembly now for a year. How I wish Hon. Speaker you give a directive that we all submit the progress report or half-year report to the liaison committee Mr. Speaker, Mr. Speaker, and report to this Assembly as soon as we resume after recess Mr. Speaker so that we can have gauge our performance just like all other government agencies are doing Hon. speaker.

Hon. Speaker (Hon. C. Korir): Thank you very much for bringing that to the attention of the chair, however, I would say because we are coming to the end of this session, can all the chairs have their reports ready next week before we proceed, we will debate on them once we come back.

Hon. J. Kipkirui (Singorwet Ward, INDEPENDENT): Owing to the nature of that work Hon. speaker, I believe it may not be very practically possible to submit the reports by next week Hon. speaker.

Hon. Speaker (Hon. C. Korir): Try before you refuse.

Hon. J. Kipkirui (Singorwet Ward, INDEPENDENT): Okay.

Hon. Speaker (Hon. C. Korir): Thank you. I can see that we have members of the public at the gallery. That is Mr. Christopher Maritim, Madam Linda Omwenga, Mr. Charles Langat, Mr. Peter Chepkwony then Madam Joyce Mutai from Boito, and Mr. Dennis Ronoh from Mutarakwa Ward. Thank you very much so you are welcome to this auspicious Assembly however you are expected to maintain silence on that end and observe what is going on. This is an Assembly of respect and discipline. You are welcome.

PAPERS

Hon. C. Chepngetich (Nominated, UDA): Thank you Hon. speaker. I beg to lay the following papers on the table of the County assembly today Tuesday, November 28th 2023:

1. The report of the committee on health on the Bomet County community health service policy 2023/2027 sessional paper No. 1 of 2023.
2. The report of the committee on health and sanitation on the Bomet County Health Facility Improvement and Public Health Financing Policy 2023 sessional Paper No. 2 of 2023.
3. The Paper on the Committee on Health and Sanitation on the Bomet County Emergency Referrals and Ambulance Policy sessional paper No.3 of 2023. Beg to lay Hon. speaker.

Hon. Speaker (Hon. C. Korir): Hon. member are you a member of all those committees you have read?

Hon. C. Chepngetich (Nominated, UDA): Yes, I am a member Hon. speaker.

Hon. Speaker (Hon. C. Korir): Okay proceed to lay.

Hon. J. Cheruiyot (Embomos Ward, UDA): Thank you very much Mr. Speaker for giving me this opportunity. Hon. speaker I beg to lay the following papers on the table of the county assembly today Tuesday 28th November 2023. The report on Gender, Culture and Social Services on the inquiry into the construction of a rescue center/holding rooms at the prescient of the Bomet Police Station Mr. Speaker. I beg to lay Mr. Speaker.

Hon. Speaker (Hon. C. Korir): Proceed Hon. member.

QUESTIONS AND STATEMENTS

Hon. Speaker (Hon. C. Korir): Hon. members there were questions which were raised by Hon. Dancel Kirui on 17th October. The question was directed to the chairperson committee on energy,

environment, water, and natural resources concerning the performance of Bomet Water and sanitation company (BOMWASCO) from January 2023 to October 2023. In reply, the chairperson was asked to provide the following information:

1. Billing system employed by BOMWASCO during the specified period
2. BOMWASCOs connection roadmap for the same period including any expansion or improvement plan.
3. Total revenue generated by BOMWASCO from exhauster services during the stated period
4. Total revenue generated by BOMWASCO from water bowser services during the said period.
5. Details of any levies and licenses paid by BOMWASCO during the specified period.
6. Overall total revenue received by BOMWASCO during the period from January 2023 to October 2023.
7. A breakdown of the revenue received by BOMWASCO from the provision of bulk services to Kericho County.
8. Information on the electricity bills for all the water schemes owned by BOMWASCO for the same period.

This was committed to the committee on energy, environment, water, and natural resources. Chair water, natural resources, energy, and environment. Is any member from water?

Hon. E. Kirui (Kimulot Ward, UDA): Hon. speaker I am a member of the committee and I am afraid Mr. Speaker we are not very ready yet with the information on this. I was trying to reach out to my chair and unfortunately, I could not reach her. I promise that when I get hold of her then I give you the full report. Thank you Hon. speaker.

Hon. Speaker (Hon. C. Korir): This matter was brought up last week. Was it? Now this is the second time your committee is saying you cannot dispense this matter. It was asked on 17th October 2023 which means we have had enough time to have received communication from the department. Hon. Kirui, kindly get in touch with your chair and ensure you have a communication by tomorrow afternoon.

Hon. E. Kirui (Kimulot Ward, UDA): Noted Hon. speaker.

Hon. Speaker (Hon. C. Korir): The second question was also raised by Hon. Dancel Kirui on the same day which is 17th October 2023. The question was directed to the chairperson Energy, water, and natural resources. The Hon. member sought to know why some residents of Ndaraweta ward were billed by Bomet Water and Sanitation Company, BOMWASCO from November 2022 to April 2023 yet during that same period, none of them enjoyed water services from the company. The same committee, have you discussed this Hon. Kirui?

Hon. E. Kirui (Kimulot Ward, UDA): Yes, Hon. speaker. We have had discussions on this. It is just waiting finalization and final direction from the chair.

Hon. Speaker (Hon. C. Korir): Hon. Dancel, are you comfortable with tomorrow afternoon?

Hon. D. Kirui (Ndarawetta Ward, UDA): On Thursday Mr. Speaker. Because I know they are always not ready let us add them one more day Mr. Speaker.

Hon. Speaker (Hon. C. Korir): And there you have a day. Thereafter if you fail to do this, we will give another committee your duties because it looks like you are not able to dispense what you are supposed to do. Thank you very much. Question number 3 was raised by Hon. Josphat Kipkirui on 14th November 2023 concerning the alarming state of the Mogombet Water Project in Bomet Central which serves the residents of Silibwet Township and Singorwet Wards. The Hon. member noted that despite substantial resources being allocated, the project seems to have failed in fulfilling the intended purpose. Specifically, the Hon. member sought to be supplied with a detailed report on the current status of the project to know the reason for the apparent inefficiency. Number three, to know the steps being undertaken to rectify the situation to ensure that the residents receive the expected benefits. This was committed to the committee on energy, environment, water, and natural resources. The same committee Hon. Eric, what do you have on this, are you ready at this time?

Hon. E. Kirui (Kimulot ward, UDA): Hon. Speaker I know we've had so many questions coming our way today, and as I said earlier we are currently working very hard to ensure that all these responses are received in good time. Also the final direction from the chair so the three questions will have the same response and I beg that you allow us time so that we can dispense with them immediately, thank you for your Hon.

Hon. Speaker (Hon. C. Korir): Have you sat to discuss these matters Hon.?

Hon. E. Kirui (Kimulot ward, UDA): Yes, we discussed this in our last meeting and because of the weighty nature of the issues that have been raised, there is so much other homework that the Department of Water and the water company needed to respond to so that we can collect the data that they have and the information they have so that we do the final report.

Hon. Speaker (Hon. C. Korir): So when will you be ready?

Hon. E. Kirui (Kimulot ward, UDA): I don't want to usurp the chair Hon. Speaker, I will just pass the information then I think the real status can be given by the chair tomorrow morning.

Hon. Speaker (Hon. C. Korir): We'll wait for you as a committee, the chair to give us.

(Hon. J. Kipkirui rose on a point of order)

Hon. J. Kipkirui (Singorwet ward, INDEPENDENT): Hon. Speaker while bringing to this Assembly these questions I pleaded with you that this matter be treated urgently. Mr. Speaker I

fear looking at the kind of response from my friend Hon. Eric Kirui that this matter might even drag to a later date. How I wish using your powers kindly compel this committee to provide the report to this Assembly no later than Thursday Hon. Speaker.

Hon. Speaker (Hon. C. Korir): That is why I was asking Hon. Kirui whether they've discussed this matter, you've discussed.

Hon. E. Kirui (Kimulot ward, UDA): Yes.

Hon. Speaker (Hon. C. Korir): So meaning you can dispense all these matters before Thursday?

Hon. E. Kirui (Kimulot ward, UDA): I refuted that claim, and because the chair is not with us today and when I get hold of the chair then I can give a firm position on the same.

Hon. Speaker (Hon. C. Korir): Okay thank you, let me request Hon. Josphat to be patient until tomorrow morning when the chair for energy, environment, and natural resources is around so that we can be able to allocate the time. Otherwise, we wouldn't want it to drag up to next week.

So the fourth question was raised by Hon. Joseah Samoei I see he is with us today, he raised this question on 14th November regarding the Nyongores ward office which has not been completed. Specifically, the Hon. member sought answers to the following; why has the project stalled for over ten years whether the contractor has been paid for the construction work, and what plans the relevant department has concerning the completion of the project. I had directed this to the committee on administration, legal affairs, and citizen engagement. I don't know whether the chair is with us.

The Hon. chair for administration, legal affairs, and citizen engagement was just here a few minutes ago. He is the one who raised that the quorum was okay.

Hon. D. Kirui (Ndaraweta ward, UDA): Mr. Speaker when you read the name of the nominee for cooperatives he got so excited because that is the only nominee he has gotten so far so he left.

Hon. Speaker (Hon. C. Korir): Hon. member how does the nominee nomination affect his duty of reporting to this Assembly the question?

Hon. D. Kirui (Ndaraweta ward, UDA): He is celebrating, he is in a celebration mood.

Hon. Speaker (Hon. C. Korir): Now I don't know then, any other member that...

(Hon. J. Samoei rose on a point of order)

Hon. J. Samoei, Deputy Leader of Majority (Nyongores ward, UDA): I think the chair is joking, I think he received a report, it was almost 11:00 this morning, and the report was handed over to him by the CEC administration.

Hon. Speaker (Hon. C. Korir): Has he shared it to you?

Hon. J. Samoei, Deputy Leader of Majority (Nyongores ward, UDA): He has not shared and I don't know why he is busy doing some other things outside or maybe they need a repeal, Mr. Speaker.

(Hon. D. Ngeno, Deputy Leader of Minority rose on a point of order)

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): Thank you very much, Mr. Speaker, last week we discussed the issue of stalled projects and we were informed by the speaker that we can relook at all the other projects that are stalled so the question had been dispensed on but only clarification on the other projects which are stalled across other wards apart from Nyongores ward, thank you.

Hon. Speaker (Hon. C. Korir): Any other member from that committee? Which committee was dealing with these stalled projects?

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): Administration.

Hon. Speaker (Hon. C. Korir): Any other member from that committee? Are you a member of that committee Hon. member?

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): Yes Mr. Speaker, I am a member of the committee.

Hon. Speaker (Hon. C. Korir): That is why you are protecting your committee.

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): I am not protecting Mr. Speaker but...

Hon. Speaker (Hon. C. Korir): Now that you are standing and Hon. Caroline is there if the project that is being mentioned by Hon. Samoei was dispensed, could you answer the questions that are here? Why the project has stalled for ten years?

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): Yes.

Hon. Speaker (Hon. C. Korir): Read it to him then.

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): The reason why the project has stalled for ten years?

Hon. Speaker (Hon. C. Korir): Yes and you answer this question.

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): Yes, we have already dispensed it, Hon. Speaker.

Hon. Speaker (Hon. C. Korir): It looks like the Hon. member is not aware, Hon. Samoei have you been given reasons why it has stalled for ten years?

Hon. J. Samoei, Deputy Leader of Majority (Nyongores ward, UDA): Not yet Mr. Speaker and I see the chair is trying to enter, maybe he has a copy.

Hon. Speaker (Hon. C. Korir): Okay let's allow him. Hon. Dance as you are walking out inform the chair that his response is required in the chamber, he's just stepped in. Hon. Peter Langat, you are the chair of administration, legal affairs, and citizen engagement.

Hon. P. Langat (Merigi ward, INDEPENDENT): Yes, I am the one.

Hon. Speaker (Hon. C. Korir): Are you aware that there was a question that was raised by Hon. Joseah Samoei on 14th November regarding the Nyongores ward office which has not been completed and specifically he was looking for answers to the following; why the project has stalled for ten years, whether the contractor has been paid the construction work, what plans do the relevant departments have concerning completion of the project.

While you were still outside your able vice chair I believe, Hon. Dennis you are the vice chair or you are just a member?

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): Yes just a member Mr. Speaker.

Hon. Speaker (Hon. C. Korir): Who is the vice chair?

Hon. D. Ngeno, Deputy Leader of Minority, Deputy Minority Whip (Kongasis ward, CCM): Hon. Caroline.

Hon. Speaker (Hon. C. Korir): Hon. Caroline you are the vice chair and you are not...anyway the Hon. member there has just tried to give us the information that was dispensed last week. As you were entering I asked Hon. Samoei whether the response that you gave last week answered his questions, the questions which in raised here.

Hon. P. Langat (Merigi ward, INDEPENDENT): Thank you Mr. Speaker the statement is with me here and I am ready but the final whatever is now being undertaken.

Hon. Speaker (Hon. C. Korir): What do you mean by whatever? When you say final whatever, what do you mean by that Hon. member?

Hon. P. Langat (Merigi ward, INDEPENDENT): That is the final compilation, we have the cover only.

Hon. Speaker (Hon. C. Korir): You have the response to Hon. Joseah?

Hon. P. Langat (Merigi ward, INDEPENDENT): We have the response.

Hon. Speaker (Hon. C. Korir): Have you shared with the members?

Hon. P. Langat (Merigi ward, INDEPENDENT): No I have just been given by the...

Hon. Speaker (Hon. C. Korir): Then I will direct you to share it with the members now tomorrow morning you will give your response.

Hon. P. Langat (Merigi ward, INDEPENDENT): Yes, by tomorrow I will be ready, thank you.

Hon. Speaker (Hon. C. Korir): Hon. Joseah I'll request that you be patient until tomorrow morning.

Hon. J. Samoei, Deputy Leader of Majority (Nyongores ward, UDA): Yes, thank you, Mr. Speaker.

Hon. Speaker (Hon. C. Korir): Thank you, I would want you to...you had used a word I don't think is parliamentary. When you say an Hon. member is joking I think it is too strong a term.

Hon. J. Samoei, Deputy Leader of Majority (Nyongores ward, UDA): I withdraw it, Mr. Speaker.

Hon. Speaker (Hon. C. Korir): Thank you.

Hon. D. Busienei (Chemagel ward, UDA): Mr. Speaker I was seeing this question that was raised and if I can remember Mr. Speaker Hon. Kirui once complained to the agriculture committee that it took so long for the question to be responded to and as far as I can see three questions were asked and if possible let it not going to the next week because we are going on a recess in the next week and since Hon. Eric is the one who complained he should be the one to fast track this issue because we also have interest on those issues of water.

And Mr. Speaker before I conclude I would like to welcome members of the public who are here, they come from my ward led by Councilor Maritim whom we served as councilors some years back when I was elected for the first time in 1997 we were together. He was the first chairman of the county council when I was the chairman and I am happy that he is here today with the electorates from my ward I would like to welcome them here although I was a bit late. I want to say thank you to them for coming into this Hon. Assembly otherwise Mr. Speaker we are expecting all these questions to be completed before we go for a recess, thank you, Mr. Speaker.

Hon. Speaker (Hon. C. Korir): Thank you very much I think your concern is noted, Hon. Eric Kirui informed your chair that she must give her response to these matters before Thursday however tomorrow afternoon we are expecting her to respond to this.

Hon. E. Kirui (Kimulot ward, UDA): Noted Hon. Speaker, thank you.

(Hon. J. Kipkirui rose on a point of order)

Hon. J. Kipkirui (Singorwet ward, INDEPENDENT): Hon. Speaker this session of questions and statements, we've had previously a proposal that we have the CECs appear before this Assembly and provide details of the information sought by themselves. I wish you give a directive on the same on how we should pursue the issue so that the information that we seek does not face a lot of bureaucracy, thank you.

Hon. Speaker (Hon. C. Korir): Thank you very much I think that is very much in order. In the national assembly and the senate, they have amended their standing orders, you can enter Hon. member. The Senate and the National Assembly have amended their standing orders to allow for the cabinet secretaries to attend their full Assembly meetings for question time so I think it is upon the Assembly business committee to come up with those changes in the standing orders and I am the chair of that committee so Hon. member if you are the one kindly liaise with the legal team here in the assembly and come up with how you would want it to be, your prayer.

Hon. J. Kipkirui (Singorwet ward, INDEPENDENT): Noted.

Hon. Speaker (Hon. C. Korir): Thank you.

THE BOMET COUNTY CONTROL OF STRAY DOGS BILL, 2023, (BILLS NO. 6 OF 2023)

Second reading.

Hon. P. Ronoh (Kipsonoi ward, UDA): Thank you Mr. Speaker before I move allow me to welcome the members of the public who are following us in the gallery, feel at home. Mr. Speaker I move that The Bomet County Control of Stray Dogs Bill, 2023, (Bills No. 6 of 2023) be read a second time.

Mr. Speaker the committee on agriculture, fisheries and livestock which derives its mandate from the provisions of standing order number 201 clause number 5 which defines its functions as being but not limited to studying and reviewing all legislations referred to it and of course making reports and recommendations to the assembly as often as possible including recommendations of proposed legislations.

Hon. Speaker this bill The Bomet County Control of Stray Dogs Bill, 2023, (Bills No. 6 of 2023) was gazette on 14th September 2023 in the Kenya gazette and pursuant to standing order number 129 the bill had to complete a publication period of 14 days before its introduction in the county assembly. Mr. Speaker the standing order 129 provides that no bill shall be introduced unless such bill together with memorandum referred to in standing 126 has been published in the Kenya gazette or the county gazette. In this case Mr. Speaker the bill before us was published in the Kenya Gazette.

Hon. Speaker the bill was therefore introduce in the county assembly through its first reading on 14th October 2023 and having been read for the first time was then committee to the committee on agriculture, fisheries and livestock pursuant to standing order 133 clause number 1 for proper assessment, preparation and conduct of public participation and reporting to the county assembly within 20 calendar days Mr. Speaker in accordance to standing order 133 clause number 4 of the Bomet County Assembly Standing orders.

Hon. Speaker in considering the bill and this is what prompted the committee to ask this Hon. Assembly to introduce the bill for it to be read a second time. While considering the bill the committee on agriculture, fisheries and livestock was taken through the bill in a number of its meetings. The committee also sought the views of the county executive committee member for agriculture and then held one robust public participation forum at the county assembly grounds which the residents of all the 25 wards were invited.

Mr. Speaker the public participation meeting was very engaging because we did get a contribution from the URAIA group, members of the public directly engaged us and gave us their recommendations Hon. Speaker allow me to take this opportunity therefore to thank all the members of the public for their very valuable and in-depth understanding of the process of public participation and valuable contributions made during the public participation exercise.

The committee also takes this opportunity to thank the office of the speaker, the clerk of the county assembly, and the legal department for their support during the formulation and development of the bill. The committee is grateful to the staff of the county assembly attached to the committee for their services rendered to the committee, their efforts and input made the work of the committee and the production of this bill and report possible.

Finally, on behalf of the committee Hon. Speaker, it is my pleasure and duty to present to the assembly this report and as I beseech the chair to allow for the second reading Mr. Speaker all the members of the committee on Agriculture appended their signatures to a report that culminated to it being introduced for the second reading. Hon. Speaker in the report that we generated the public views were captured that we were supposed to make a few amendments to come up in the third reading and the overview of the bill which should be read for the second time but not input in the clauses.

The purpose of the bill, why the introduction of the bill, and allow me to read that one only Mr. Speaker in the background. This Assembly is well aware that the Rabies Act which was enacted in 1932 and was last amended in 1962 via an act of parliament number 32. The act is outdated and it is important to know that with the promulgation of the 2010 constitution, it is essential to complement the act to take into account the devolved functions under part two of the fourth schedule Mr. Speaker.

The overview of the bill captures everything including why we have to customize it and make it a Bomet County bill. Hon. Speaker as I ask that the bill be read a second time, I want to ask Hon. Ann Mutai to second Mr. Speaker, thank you.

Hon. A. Mutai (Silibwet Township ward, INDEPENDENT): Thank you Mr. Speaker for the new proposal of the bill into new law I rise to second the bill be read the second time, thank you.

Hon. Speaker (Hon. C. Korir): Thank you very much for seconding the motion by Hon. Peter Rono who is also the chair of Agriculture, Fisheries, and Livestock. Therefore, I propose that the Bomet County Control of Stray Dogs Bill, 2023, (Bills No. 6 of 2023) be read a second time. Hon. members then the floor is open for debate.

Hon. E. Kirui (Kimulot ward, UDA): Thank you Mr. Speaker for this opportunity I rise to support that the motion on control of stray dogs bill 2023 be read a second time. I want to first start by thanking the committee for the good work that they've done so far in making sure that we bring to life the issues surrounding the control of stray dogs in our community and our county. The cost and the agony that the stray dogs bring to this county and the people of this country generally is so grave and heavy and with this bill Mr. Speaker I know if passed into an act of this assembly we will be able to control the so many issues that we get when stray dogs are let to loiter around our cities, towns, our communities Mr. Speaker.

I know most people have been injured or have had to pay hospital bills and I know this bill is very timely for all of us and for this county, it will also set a record for responsibility in our community for the sake of our safety and also for the sake of the safety of our young ones. So I support this motion and I support that it be read for a second time, thank you Mr. Speaker.

Hon. D. Busienei (Chemagel ward, UDA): Mr. Speaker I rise to support this bill on control of stray dogs bill of 2023. As you can remember I was the first to raise the question on the stray dogs way back last year in November. It is now one since we dispensed on that issue and there was no law guiding the control of these stray dogs. As you know Mr. Speaker this issue of stray dogs, the dog being domestic and a friend to human beings is both useful being the security of human beings, and also it has a disease that is very dangerous at a time to the same human being that was supposed to be protected.

So Mr. Speaker this law if enacted will guide the way we shall be interacting with this animal and it will assist because there is a neighbor who has different kinds of dogs; there is another one called a German shepherd and I was surprised to see that this animal goes for hefty amount of money ranging up to Kshs 100,000. I was surprised and I asked him why that it was very expensive and according to the explanation he said that for this animal you give it food, there is no medical allowance and the rest and therefore the end of it will be a bit cheaper and you will be protected.

Mr. Speaker when I was elected just immediately after nomination my Assembly was broken into, I had no dog that time and I was surprised in the morning that everything was taken and maybe I was asleep because I had just won and everything was taken in my Assembly, had there been a dog I think all my property would have been secured so Mr. Speaker I know there are many people who suffered the same fate as I did, therefore, I congratulate the committee for coming up with

such a bill and I know residents of Bomet will be very much protected both medically and when they will have these animals. So Mr. Speaker I support you, thank you.

Hon. J. Kipkirui (Singorwet ward, INDEPENDENT): Thank you Mr. Speaker I also rise to support the second reading of the Bomet County Control of Stray Dogs Bill 2023. I would like to laud the committee on agriculture, fisheries, and livestock for considering this very prudent bill for the people of Bomet. Indeed the havoc that has been caused by stray dogs cannot be underestimated. Mr. Speaker these stray dogs pose a great danger to the people when they are not controlled. We have seen many dogs around, especially in our towns. Having a Bill that will help in controlling stray dogs is necessary. This Bill will ensure that people exercise responsibility in terms how ensuring that they are protected within their homes so that they do not pose a danger to the people around them. At times when you are driving you find dogs that have been hit by vehicles and this makes the environment not conducive.

Lastly, this afternoon while I was driving for this session, I met a large group of dogs headed towards Nyangores, the ward being represented by Hon. Samoei. I know that in the next few months, Nyangores is likely to have several stray dogs. This Bill will help us control them. Thank you.

Hon. Speaker (Hon. C. Korir): Thank you. Hon. Caroline.

Hon. C. Chelangat (Nominated MCA, UDA): Hon. Speaker, thank you. I rise to support the Bomet County Control of Stray Dogs Bill, 2023 (Bills No. 6 of 2023) read by Hon. Peter Rono. I have a neighbour who was attacked by a dog. She later went for treatment but the owner of the dog has not contributed anything towards her treatment. As we all know, dogs are good but they are at times dangerous. This Bill will assist us a lot. I support it. Thank you.

Hon. Speaker (Hon. C. Korir): Hon. Caroline, thank you. Hon. Charles.

Hon. C. Langat (Boito Ward, UDA): Hon. Speaker, thank you for giving me this opportunity to support that this Bill be read a second time. Hon. Speaker, the basis of this Bill is to control the stray dogs. Dogs are good for protection and security but because of rabies, these dogs have to be controlled. This Bill is therefore to give the Executive a basis for vaccination of these dogs and a basis for compensation should a dog bite a human being.

I thank the Committee for coming up with this Bill. I support it. Thank you.

Hon. Speaker (Hon. C. Korir): Thank you. Hon. Emily.

Hon. E. Cheruiyot (Nominated MCA, UDA): Hon. Speaker, thank you for this opportunity. Before I support the Motion, I welcome my friends to the public gallery from Sotik. Welcome and feel free.

Hon. Speaker, I rise to support this Motion...

Hon. Speaker (Hon. C. Korir): Hon. Member, this is a Bill that is to be read a second time.

Hon. E. Cheruiyot (Nominated MCA, UDA): I apologize, Hon. Speaker. I applaud the Committee for bringing this Bill. The Bill will help us in the rural areas. I support.

Hon. Speaker (Hon. C. Korir): Thank you, Hon. Members. Hon. Peter Rono, from what the Hon. Members are contributing, it seems they do not know what you mean by control of stray dogs. Do you want them killed vaccinated or protected?

Hon. P. Rono (Kipsonoi Ward, UDA): Hon. Speaker, I was taking notes as the Hon. Members contributed and allowed me to bring a quick rejoinder to what Hon. Charles Langat said. I am worried because it might go on record. After all, he said that should a stray dog bite a member of the public, the Bill provides for compensation. That is wrong, Hon. Speaker.

Allow me to go through a quick overview of the Bill:

- i. The Bill is aimed at promoting the responsible ownership of dogs through public sensitization programs that will significantly reduce the number of stray dogs.
- ii. It will prevent the incidences of the spread of diseases between dogs, people, and other animals
- iii. It will improve the health and welfare of dogs that are owned and the stray dog population. Clause number 4 provides for what the county government should do to control stray dogs within the county which includes but is not limited to;
 - i. Sensitize the public on the dangers of stray dogs and the management of rabies
 - ii. Evaluate management strategies to reduce the number of stray dogs within the county
 - iii. Encourage and support initiatives towards the control of stray dogs
 - iv. Encourage and promote control of the dog population through controlled breeding.
 - v. Administer at subsidized rates or at no fee medication including vaccines aimed at treating rabies
 - vi. Encourage, promote, and support the activities of institutions involved in animal welfare in the control of stray dogs at the county level.

While we were having lunch this afternoon, I was with the Hon. Member for Chepchas and Hon. Benard Langat. Unfortunately, both of them have left the Chamber. I received a phone call from a villager who was asking for assistance because the child had been bitten by a stray dog. This is real.

Clause number 5 provides for the power to seize or detain stray dogs. It provides that an authorized officer may seize and retain any stray dog found in any public place. We are all aware that Bomet Town and areas around Slaughter Assembly are a haven for dogs. To reduce this, this Bill gives powers to authorized veterinary officers to detain and impound stray dogs.

Hon. Speaker, Clause number 6 provides for the responsibility of dog owners. It states that it shall be the responsibility of any person who owns or owns a dog to:

- i. Accept responsibility for that dog and for any offspring that it may reproduce for the duration of its life until a subsequent owner is found
- ii. Ensure the welfare of the dog, including vaccination and protection of the dog from infectious diseases
- iii. Ensure that the dog does not roam out of control in a manner that would pose a risk or cause nuisance to members of the public

Clause number 7 provides for trespass of dogs and it states that;

- i. Where a dog trespasses to a place other than its owner's place, the owner of the dog and the last person in possession of the dog as the case may be shall be jointly and severally liable for damage done to property caused by the trespass of the dog or by any person in capturing the dog and the expenses incurred in capturing the dog.
- ii. The expenses incurred in subsection (i) shall include expenses incurred in capturing, confining, and impounding the dog, identifying the dog, attempting to ascertain the last person in possession, maintaining the dog, transporting the dog, and selling the dog.

Clause number 8 provides for the unitization of dangerous dogs. Clause 9 provides for the impoundment of a captured or confined dog, Clause 10 provides for entry of an unauthorized person to a premise, Clause 11 provides for the disposal of stray dogs and most importantly Clause 12 provides for registration of dogs and dog owners.

Hon. Speaker, a Question asked by Hon. Busienei, on whether the county government was aware that there were cases of rabies in Kibajit areas and that a boy had been bitten by a dog, necessitated us to bring this Bill. We have lost two lives because of rabies.

I therefore ask this Assembly to allow the Bill to be read a second time.

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

(Hon. P. Langat rose on a point of order)

Hon. Speaker (Hon. C. Korir): What is it, Hon. Peter?

Hon. P. Langat (Merigi Ward, UDA): Hon. Speaker, I wanted to contribute in support of the Second Reading of the Bill. I know that we have been traveling and witnessed most dogs being killed along the road. This is an indication that we are not good managers of these dogs. They may be in search of food or looking to mate.

I am also one of the beneficiaries of those stray dogs. During the festive season, we welcomed dogs to my place as they searched for food. Until now the number of dogs that I manage is many.

It is upon us to treat these dogs and follow the guidelines. I support this Bill being read a second time.

Hon. Speaker (Hon. C. Korir): Hon. Peter Langat, thank you. I had earlier been told that you were celebrating. However, I think the celebratory mood is now over and you are back to business.

(Question put and agreed to)

(Bill read a Second Time)

MOTION: THE REPORT OF THE COMMITTEE ON ENERGY, ENVIRONMENT, WATER, AND NATURAL RESOURCES ON THE 2022-2023 EXPENDITURE REPORT OF THE COUNTY DEPARTMENT OF WATER, SANITATION, ENVIRONMENT, NATURAL RESOURCES AND CLIMATE CHANGE

Hon. Speaker (Hon. C. Korir): Hon. Rosaline Cheptoo

Hon. D. Ngeno, Deputy Leader of Minority (Kongasis Ward, CCM): Hon. Speaker, our able chairperson and vice-chairperson are away on official duty but the chairperson gave me the Expenditure Report for the Financial Year 2022-2023.

Hon. Speaker, Sir, Pursuant to Standing Order 192 of the County Assembly Standing Orders, this County Assembly notes the report of the Committee on Energy, Environment, Water and Natural Resources on the 2022-2023 Expenditure Report of the County Department of Water, Sanitation, Environment, Natural Resources and Climate Change laid on the Table of the County Assembly on 21st November 2023 at 2:30 p.m.

Hon. Speaker (Hon. C. Korir): Hon. Member, have you shared this with the other Hon. Members?

Hon. D. Ngeno, Deputy Leader of Minority (Kongasis Ward, CCM): It has been shared, Hon. Members.

Hon. Speaker (Hon. C. Korir): When was it shared?

Hon. D. Ngeno, Deputy Leader of Minority (Kongasis Ward, CCM): Today in the morning.

Hon. Speaker (Hon. C. Korir): What time? I can see the faces of the Hon. Members are blank.

(Hon. C. Chelangat rose on a point of order)

Hon. Speaker (Hon. C. Korir): Hon. Caroline

Hon. C. Chelangat (Nominated MCA, UDA): Hon. Speaker, it is there. It was shared by Hon. Kiprotich yesterday in the evening.

Hon. Speaker (Hon. C. Korir): Proceed

Hon. D. Ngeno, Deputy Leader of Minority (Kongasis Ward, CCM): Hon. Caroline, thank you for that. Hon. Speaker, Sir, the Committee on Energy, Environment, Water and Natural Resources had the following key objectives which guided us in examining the submitted report which enabled the Committee to recommend the way forward. The objectives formed the basis on the

constitutional mandate and role of the Assembly in over sighting the Executive as contemplated under article 155 of the Constitution;

- i. Degree of compliance level in relation to implementing the approved budget of 2022/2023
- ii. Determine the implementation status of the priority projects and programs
- iii. Ascertain the output and impacts of projects
- iv. Challenges and gaps witnessed in the department which hampered full implementation and absorption rates of the budgeted funds

Hon. Speaker, because the report has been shared, I will not go through the entire report but I will skip some...

(Hon. P. Rono rose on a point of order)

Hon. P. Rono (Kipsonoi Ward, UDA): Hon. Speaker, Sir, I have gone through the Standing Orders. Before a report is presented, it should be shared. What was shared by the Hon. Wesley Kiprotich is the Order Paper not the report.

Hon. Speaker (Hon. C. Korir): I thought so too. Hon. Caroline, what were you referring to?

Hon. C. Chelangat (Nominated MCA, UDA): The report that was shared yesterday. I thought it was inclusive but I have gone through and it is not there.

Hon. Speaker (Hon. C. Korir): You were about to mislead the whole Assembly.

Hon. C. Chelangat (Nominated MCA, UDA): I apologize, Hon. Speaker.

Hon. Speaker (Hon. C. Korir): Hon. Dennis, the report has not been shared. We will therefore allow you until tomorrow morning to share the report.

ADJOURNMENT

Hon. Speaker (Hon. C. Korir): Hon. Members, as I had earlier indicated, the County Assembly Business and Rules Committee should meet tomorrow at 10:00 a.m.

There being no other business, this Assembly stands adjourned to tomorrow, Wednesday, 29th November 2023 at 9:30 a.m.

The assembly rose at 4:30 p.m