

# **BOMET COUNTY ASSEMBLY**

## **OFFICIAL REPORT**

**Tuesday, 15<sup>th</sup> March 2017**

The House met at 14.30 Pm

*[Hon. Speaker (The Hon. Geoffrey Kipng'etich) on the Chair]*

### **PRAYERS**

### **❖ QUORUM**

**Hon. Speaker:** Sergeant at Arms kindly Ring Bell for 10minutes.

*(Quorum Bell is rung)*

**Hon. Speaker:** Yes Honourable Nancy.

*(On a point of order)*

**Hon. N. Chepkirui:** We have attained the quorum.

### **❖ STATEMENTS**

**Hon. Speaker:** Honourable Members there was some pending statement. One sought by Hon. Sought by John Molel from the Chair Budget and Appropriation on renovation of Governors private residence using government funds.

I have seen the chair immediately leave has he delegated to anyone. Do you have the answer?

**Hon. J. Molel:** I am receiving it right now. I have not gone through.

**Hon. Speaker:** I hope it very straight forward. Where is any member of that committee?  
Hon. Samson.

**Hon. S. Towett:** Thank you very much Mr. Speaker. We had discussed this at the committee stage and the good side of this is that Hon. Molel is a member of this

committee. In any case, the answer that is here is so straight forward that does not need to ventilate in.

**Hon. Speaker:** Proceed to answer.

**Hon. S. Towett:** Thank you very much Mr. Speaker. The answer to that statement that Hon Molel sought touches on the renovation of governor's private residence using public funds. Some specific issues were asked. Mr. Speaker I do not want to go to each part of the statement.

I want to answer this as follows honourable Molel statement directed to that chairperson Budget and ...

**Hon. Speaker:** The chairperson has not signed this statement. I do not know if it is genuine.

Hon Molel, is yours signed?

**Hon Molel:** Yes, it is signed by the CEC...

**Hon Speaker:** No, no, no, by the Committee chair, the report itself?

**Hon S. Towett:** Hon Speaker you are right, it is not signed, I too was wondering why the chair has not signed.

**Hon Speaker:** Why do not you look for the chair then? They can sign two, so that one can be handed to the table office and another can be given to Hon. Molel.

We now proceed to the next statement which is a comprehensive statement sought by Hon. Wilson Keter on 21st February, 2017 statement from the Chairperson Committee on Water, Energy, Environment and Natural Resources on the disilting of water dams within the county. In particular, he sought to get clarification on the following;

- i. Whether the department is aware about a myriad challenges and suffering facing (PWD) persons with Disabilities as a result of silted dams
- ii. How many are disilted water dams within Kipsonoi Ward?

**Hon E. Chepkemoi:** Thank you very much Hon Speaker, the members do not have the hard copies because of shortage of papers, however the soft copies are in their tablets.

**Hon Speaker:** That is ok then, proceeds to answer.

**Hon E. Chepkemoi:** Once again thank you very much, the statement which was sought by Hon. Wilson Keter on 21st February, 2017 statement from the chairperson committee

on Water, Energy, Environment and Natural Resources on the disilting of water dams within the county. In particular, he sought to get clarification on the following;

- i. Whether the department is aware about a myriad challenges and suffering facing (PWD) persons with Disabilities as a result of silted dams
- ii. How many are disilted water dams within Kipsonoi Ward?

Mr. Speaker, on Tuesday the 28<sup>th</sup> Feb. 2017, the committee received a report from the CEC water and Energy and Natural Resource whose response was attached to the report. Here are the committees' observations as per the CECs report;

1. Is the department aware of the challenges and suffering the persons with disability faces because of silted dams?

*Response*

The CECs responded that silted dams cause challenges not only to the PWDs alone but also to everyone who uses the silted dams.

2. Number of dams that have been disilted in Kipsonoi ward

*Response*

There are no disilted water dams in Kipsonoi ward

*Committee's recommendation;*

Having examined the response from the CEC, the committee did find that indeed the residence of Kipsonoi find life hard not only due to silted dams but also because of scarcity of water sources like springs rivers and even dams.

The committee therefore recommended that in order to address such challenges faced by the PWDs, the department of social services water and irrigation and natural resources should;

- i. Work together to come up with dams that suits the needs of PWDs.
- ii. Prioritise the disiltation of silted dams. This should be done before the rainy season commence.

Thank you very much Hon. Speaker.

**Hon Speaker:** Hon. Wilson

**Hon. W. Keter:** Thank you very much Hon. Speaker. If the response from the CEC said he has never done any disiltation in the dams then I am satisfied because he said that he has never done any disilting in Kipsonoi ward. In my statement, I had inquired on whether the CEC for water had done any disilting in the County especially in Kipsonoi ward and in his response he said he has never done, then I am saying I am satisfied.

**Hon Speaker:** Are you saying you are satisfied or not? If you are satisfied, then that issue is settled. Yes Hon ...

**Hon John:** Thank you very much Hon. Speaker, I want to echo what Hon. Keter said that he is satisfied. He is satisfied because there is not even a single dam that has been disilted in Kipsonoi ward. This is in spite of the many dams that are there. In fact, the CEC has said the truth that even though the budget had been done to that effect, I am only worried that maybe it is only Kipsonoi ward that disiltation was not done.

**Hon. Speaker:** Ok, I think it is settled, and next is the comprehensive statement, which Hon Samson Towett sought on the chairperson committee of Infrastructure Roads and Public Works.

The statement was committed formally to the committee on Budget and Appropriation.

Hon Samson...

**Hon. S. Towett:** Hon Speaker I do not know because I sought for this statement

**Hon. Speaker:** Oh, you are the one who sought the statement. So who is any other member of Budget and Appropriation Committee?

Hon. Korir

**Hon. Julius Korir:** Hon Speaker, the chairperson for Budget and Appropriation Committee is around and I do not have the responsibility of answering...

**Hon Speaker:** Members, it is high time that we deal with this issue. We cannot be taken in circles anymore. Hon. Samson has he signed the...

**Hon S. Towett:** Hon. Speaker, I had asked the whip to help me in this issue.

**Hon D. Rotich:** Hon. Speaker, I took the copies that the chairperson Budget and Appropriation was to sign but he referred me to have the same to Hon. Bor to sign without enough reasons to.

**Hon Speaker:** Why did he refer the matter to be signed by the Majority? Is there any specific reason?

**Hon D. Rotich:** Actually, no valid reason was given nor any elaborations given. To me he looks like he is not willing to do so and the reason behind this. I can neither tell nor force him to sign it.

**Hon Speaker:** So does the same thing applies to statement number three Hon. Korir.

**Hon Julius Korir:** Hon. Speaker, I have no answer because the chairperson is around maybe he can respond.

**Hon Speaker:** This is a serious issue. I see no reason why a chairperson cannot sign the same yet he is present and instruct that another member signs. This is not in good taste. I thus direct that the committee through the Members of that committee, that they report to this house on;

1. Why has the chairperson refused to sign? The challenge is that Hon. Langat, who has been assisting in this house has reached a point and he is in record saying that he no longer wants to answer any question on this. That is why I am referring this matter to the committee. As a House we are engaging in a very serious problem. I want to refer the matter to the Budget and Appropriation committee. Can the committee discuss and bring a report to this committee.
2. What is the problem, what are the issues? Why is the chairperson not signing? From there on we can escalate the matter to the house business committee. I want Hon. Langat as the vice chairperson that in fourteen days, you report to the house on this matter and the other pending matter. I direct that you handle both the Labour and the Budget and Appropriation committee. Let us have a substantive reason as to why and maybe as a committee, you sat down and agreed to have Hon. Bor to sign. That is if the committee would wish to have Hon. Bor to sign.
3. If the chairperson is not signing then who should? There has to be a resolution. I think this issue is not real. We really need to handle this issue expeditiously and do it for the last time.

**Hon. Langat:** Mr. Speaker, this is a problem that has persisted, it was reported in this house, and looking at how things are moving, I asked to be relieved so I can concentrate on Labour committee alone.

**Hon. Speaker:** So you want to be relieved as a vice chairperson.

**Hon. Langat:** Yes, because I have been running two committees.

**Hon. Speaker:** So has the committee elected another vice chairperson? I think what I am going to do is just refer this matter to the committee. Can you sort out the mess in the committee so that things can move?

Therefore, the committee should sit within fourteen days and bring a solution. In your committee sitting, discuss the issues and provide solution. The standing orders are very clear on this matter. The Speaker cannot come in. Those issues have to be dealt with by the committee members and reach an agreement as a solution.

I think that is where we are being stuck and we need to have things moved.

Hon. Big Five.

**Hon. Big Five:** Thank you Mr. Speaker. I was asking myself many questions. To me if the chair refuse to sign, the vice chair should. Although I agree with Hon. Langat, I am in the Labour committee and as a member and we have a lot of pending issues, which are coming up, but I do not know why the chairperson has not elaborated deeper. Is the Labour chairperson saying that he cannot handle issues of Budget and Appropriation committee when the chairperson is there? How about in cases the chairperson is not there, should not the vice chairperson do it? In addition, if both are absent, the chairperson should direct a member to sign.

I agree with you that the committee should handle this matter.

**Hon. Speaker:** So let the committee handle the matter and on 28<sup>th</sup> March, afternoon session, you should be able to update us on this statement. I want to request Hon. Langat to update us on what the committee will have done.

I ask Hon. Molele and Hon. Samson on this statement, because it also related, to subdivide so that we get a proper picture. In the mean time if the committee would not have done anything, at least they have 14 days to handle it, which have been provided. It is within the committee's powers to sit, discuss and come up with a solution.

Statement numbers four, which is a comprehensive statement sought by Hon. Leonard Kirui from the chairperson committee on Labour on the ECDs. Hon. Langat.

**Hon. Langat:** Mr. Speaker, we have sat as a committee and we have instructed that do the summons in all the statements related to employment. So we are waiting for it to be effected. Thank you.

**Hon. Speaker:** I am giving you 14 more days to be done.

Next is statement that Hon. Samson Towett sought from the chairperson committee on administration on the conversion of ATC.

Yes chairperson, what is happening? Hon. Chairperson, I thought you also want to step out.

**Hon. Bett:** Thank you very much Speaker. I remember I answered that statement but there was a supplementary question on clarification from the honourable members and I asked him to give me some time to get the proper clarification on the supplementary issue. I was to get the minutes that changed CDG from Agribusiness department to the department

dealing in issues relating to trainings in the county. I have discussed with the seeker of the statement and agreed on the step forward.

Thank you.

**Hon. Speaker:** Hon Samson, have you discussed?

**Hon. S. Towett :** Yes, I agreed with Hon. Bett to update me and I wanted to understand him from the perspective that last week we were engaged in other activities and maybe it was hard to look at the supplementary question but not only the supplementary question Hon. Speaker.

When you look at question

- (a) Whereby I had asked for the minutes, that question is still unanswered.
- (b) Even if part (b), it was partially answered, for the training, maybe money comes from different department but how about the employees in that department? Where are they drawing their salaries? It needs to be specific because almost all of these statements were not answered satisfactorily and Hon. Bett should find time to look at them so that we get convincing answers and deal with the issues once and for all

**Hon. Speaker:** Hon. Bett you have 14 days to bring the report including the supplementary questions which Hon Samson asked.

The next was comprehensive statement sought by Hon. John Molel on 18<sup>th</sup> January from the chairperson committee on Implementation on implementation status of part four of the Bomet County Coordination of Government functions

**Hon. Julius Korir:** Thank you very much Hon. Speaker. Pertaining the statement sought by Hon. Molel, we as a committee sat and followed the due process of inviting the County Secretary. We forwarded the letter on 22<sup>nd</sup> February 2017 to appear before the committee. On 20<sup>th</sup> January 2017, we had forwarded a letter to the County Secretary to appear before the committee but he never appeared and on 22<sup>nd</sup> February 2017, we forwarded another letter but up to date he has never responded.

It is my humble request that we summon because he has never responded to any invitation letter

**Hon. Speaker:** Hon. Molel

**Hon. J. Molel:** Mr. Speaker of all the statements that I have asked I can term this as the worst because it affects the entire activities of the County Government because of the wage bill as people are using development votes to do illegal recruitment. I can give time

to other statements but not this one because it has end up in creating units which require people to work there and hence increasing the wage bill. I urge my colleague to work on it seriously so that the County Executive can stop employing people illegally,

Thank you

**Hon. Speaker:** Hon. Korir, you have fourteen days to summon these 1200 so that we clear these issues once and because you have started the process then proceed

**Hon. Julius Korir:** Thank you

**Hon. Speaker:** The next is comprehensive statement sought on 24<sup>th</sup> January by Hon. Robert Serbai from chairperson committee on Administration, Peace Justice and Legal Affairs to enhance the role of the County administrators.

Is Hon. Serbai is not here?

Hon. Bett

**Hon. R. Bett:** Thank you very much Hon. Speaker, we have invited Hon. Serbai to shed more light on who are doing the work so that the committee can handle the issue.

Moreover, we were still awaiting a response from the substantive County Secretary. The earlier letter had been signed by the Acting County Secretary, which was rejected by most of the members. The County Secretary is now in and I hope the acting County Secretary handed over everything but up to now, we do not have any answers.

I need the seeker of the statement and the County Secretary to appear before the committee.

**Hon. Speaker:** Yes Hon. Molel

**Hon. J. Molel:** Mr. Speaker I am not getting what Hon. Bett is saying because he is contradicting himself. He said that he is expecting a response from the County Secretary and at the same time that he requested Hon. Serbai to provide evidence. We are the witnesses of what the seeker of statement said on what these administrators are doing. The role of the administrators is well stipulated in the County Governments act and if they are being misused it will be their individual responsibility to be asked whether they are conversant with their roles and the questions of the seeker of statement giving evidence should not arose.

Thank you



**Hon. Speaker:** I had given direction that any member who wants to go to the committee to seek clarification or even ask questions to those members is encouraged. This will therefore ease the numerous questions erstwhile would be witnessed in the house. Most issues would be sorted out and we will not be going back to the committee since it will solve time of the committee and the House. You have a case where a statement is going back to the committee more than five times and that is what we are trying to avoid.

Hon. Bett you have 14 days and you have to summon all the relevant officers that you think will assist you including even requesting documents that you think you should be given.

We come to statement number 8. Hon Helen on 1<sup>st</sup> March 2017 sought a statement from the chairperson committee on Gender, Sports and Social Services regarding allocation to persons with disabilities.

Hon. Helen, have you handled the matter?

**Hon. H. Chepkirui:** No

**Hon. Speaker:** I am giving the committee 14 more days.

We move to statement number 9. Hon. Helen on 1<sup>st</sup> March 2017 sought statement from Chair Labour and Public Service regarding the number of Persons with Disabilities.

Chairperson

**Hon. R. Langat:** This statement landed today in our committee and we are still processing it.

**Hon. Speaker:** If Hon. Helen does not have a problem you have 14 days.

❖ **Procedural Motion.**

**Hon. Speaker:** Majority Leader

**Hon. S. Bor:** Thank you Mr. Speaker for this opportunity to move this procedural motion;

That,

Pursuant to Standing Order 28 (4) this County Assembly resolve to adjourn today 15<sup>th</sup> March 2017 up to 28<sup>th</sup> March 2017 at 9.00 Am.

The reason why we want to adjourn is to allow members to attend Legislative Summit, which is taking place in Mombasa from this coming Sunday to 24<sup>th</sup> March 2017.

On Sunday, PWDs are attending their meeting there followed by women on Monday and the rest will join on Wednesday and Thursday. That is a very important meeting and we should all attend. I am requesting Hon. Members to support this motion since we are supposed to attend the meeting. I request deputy Majority Leader to second me.

*Hon. Julius Korir seconds.*

**Hon. Speaker:** Thank you Hon. Majority. Thank you, Hon Korir for seconding the motion.

It is now my turn to propose the motion that pursuant to Standing Order 28 (4) this County Assembly resolve to adjourn today 15<sup>th</sup> March 2017 up to 28<sup>th</sup> March 2017 at 9.00 Am.

It is now open for debate. ‘

*There was no contribution.*

**Hon. Speaker:** I proceed to put the question that pursuant to Standing Order 28 (4) this County Assembly resolve to adjourn today 15<sup>th</sup> March 2017 up to 28<sup>th</sup> March, 2017 at 9.00 Am.

*Question put and agreed to.*

❖ **ADJOURNMENT.**

**Hon. Speaker:** Hon. Members there being no other business to be transacted this House stands adjourned 28<sup>th</sup> March 2017 at 9 AM.