

**SEPTEMBER 11, 2019**

**COUNTY ASSEMBLY DEBATES**

**KERICHO COUNTY ASSEMBLY**

**THE HANSARD**

**Second Assembly**

**Wednesday, 11<sup>th</sup> September 2019**

*(The House met at 2.30p .m.)*

*[The Speaker (Hon. Dominic Rono) in the chair]*

**PRAYERS**

**The Speaker (Hon. Dominic Rono):** Let's proceed

**STATEMENTS.**

**The Speaker (Hon. Dominic Rono):** Under statements there is a response by the Leader of Majority on the revenue streams it's on by Hon. Alex Bett, Chair Committee on Finance and Economic Planning.

**Hon. Alex Bett- (Chair Finance and Economic Planning):** Thank you Honorable Speaker for giving me this opportunity to present a response on statement that was raised by Honorable Majority Leader. Allow me to start from page 4...

**Hon. Dominic Rono (Speaker)** I don't have a copy of that. Just proceed

**Hon. Alex Bett (Chair Finance and Economic Planning):** Let me take this opportunity for this is the first time I am standing on the floor of the House since we resumed from recess. Let me also take this opportunity to welcome the rest of the members back from recess. This is the response on statement raised by Hon. Hezron Ngetich.

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On 14<sup>th</sup> June, 2018, Hon. Hezron Ngetich raised a statement in the floor of the house regarding the County Government of Kericho Revenue Streams Status.

The statement entailed the following;

“ Number of Revenue streams in Kericho County, the number of automated revenue streams, the amount of money that have been collected from each revenue stream from 2013 to date and the policy in place for revenue administration.” (See **Annexure 1, a copy of a statement by Hon. Hezron Ngetich**)

### **3.0 Response on Statement**

The Office of the County Assembly Clerk wrote a letter to the County Executive Committee member in charge of Finance & Economic Planning to respond on the above matter and on 16<sup>th</sup> October 2018, the response from the County Executive Committee member was received (*See Annexure 2, response from CECM Finance and Economic Planning*)

### **4.0 Committee Observations**

As per the County Executive Committee member’s response to the statement, the Committee observed that;

- There are One hundred and thirty three (133) categories of revenue streams and One Thousand Three Hundred and Ninety Three (1,393) individual revenue streams
- Thirty Five (35) revenue streams have been automated
- Hospital payments, plot rent and public health payments are partially automated
- Alcoholic Drink License Fee is not automated
- Total revenue collected from the year 2013 to 30<sup>th</sup> June,2018 stood at Ksh 1,587,890,407 exclusive of Ksh 546,251,569 being hospital payments(FIF)
- The County has the following policy in place for revenue administration;
  - i. *Kericho County Public Finance Act,2017*

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- ii. *Kericho Trade and Licensing Act, 2016*
- iii. *Alcoholic Drinks Control Act, No 4 of 2010*
- iv. *Public Finance Management Act, 2012*
- v. *Public Health Act Chapter 242*
- vi. *Kericho County Rating Bill, 2015*
- vii. *Kericho County Administration Bill 2015*

## **5.0 Committee Findings**

The Committee found out that;

- The actual revenue collected do not reflect the 133 revenue streams as captured in the County Budget Review 2018;
- The Alcoholic Drinks Control Act, No. 4 of 2010 is a National law that does not directly affect the local revenue collection by County Government of Kericho;
- The Kericho County Rating Bill, 2015 and Kericho County Revenue Administration and Management Bill, 2015 have not been approved by this Assembly hence could not be used as a remedy for revenue collection and administration;

## **6.0 Committee Recommendations**

In view of the Committee's considerations and observations, and pursuant to County Assembly's Standing Order 194(5), it is hereby recommends that;

- Revenue streams be enhanced for realization of projected revenue collection in each Financial Year
- The automated revenue streams be managed well for maximum revenue collection
- The revenue streams that are non and partially automated be automated fully for ease of control and management

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- The policies in place for revenue collection be implemented as they are, so as to achieve the intended purpose of revenue collection
- The Kericho County Alcoholic Drinks Control Act, 2014 be enforced to the letter so as to maximize revenue collection on this stream.

**7.0 Acknowledgment**

The Committee wishes to thank the Offices of the Speaker and the Clerk of the Assembly for the necessary support extended to it in the execution of its mandate.

Mr. Speaker Sir,

It is my pleasant duty, pursuant to Standing Order 194 (5), to present the report of the Committee on Finance & Economic Planning on The Statement sought by Hon. Hezron Ngetich regarding the County Government of Kericho Revenue Streams Status for consideration by the House.

Thank you honorable Speaker

**The Speaker (Hon. Dominic Rono):** Anyone who has an issue with the report, then we will move, you have an issue the Leader of Majority? Whip?

**Hon. Gilbert Ngetich (Chief Whip):** Thank you so much Mr. Speaker for this opportunity you have given me after recess. I will actually take this chance to welcome all the honorable members to the extension of this session. On the recommendation there is an issue which I raised pertaining revenue collection because these recommendations are not that strict at the moment like today there was revenue collection along Ngoina Road – Kericho Road somewhere next to Kapsuser. Matatus coming from Kisii are now turning back from Ngoina Road because they know the County Revenue collectors are there only for two days. Mr. Speaker Sir after that two days they start coming to Kericho to evade revenue collection. So if there are no strict measures which had to be made by the committee on how to collect revenue we are really losing out on those people who are cunning like the Kisii guys. They really want to evade paying revenue to

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Kericho County that is why they disappear whenever there are road blocks for revenue collection along Kericho Ngoina road high way. I am not seeing any reason why we cannot extending the revenue collection officers to Ngoino Roret road because that is the time those people will never evade revenue collection to Kericho County. If not Ngoino road then Roret which of course we shall collect revenue out of this cunning matatu men. So I expected some stronger recommendation so as to avoid such cases.

**The Speaker (Hon. Dominic Rono):** Thank you, anyone else? I think the Chair Finance and Economic Planning has noted what the Chief Whip said so that may be in the future your recommendation must be a bit tight and strict. Thank you. Deputy Majority Leader Hon. Kassim?

**Hon. Kassim Rashid:** Thank you Mr. Speaker Sir for giving me this opportunity, I would like to take this chance on behalf of Majority Leader and myself to welcome back all the Honorable members hoping that they had a fruitful and good recess. Mr. Speaker I have a report on the oversight tour that this house adopt the report on the oversight tour on the various project of the county by the members of the County assembly and the honorable Senator in February 2019 Mr. Speaker with your guidance am starting with the committee membership sorry.

**The Speaker (Hon. Dominic Rono):** Ok start it with page 4 then you move on.

**Hon. Abdul Rashid Kassim:** Thank you Mr. Speaker Sir, oversight is defined as the action of overseeing something. The principle behind legislative oversight of Executive activity is to ensure that public policy is administered in accordance with the legislative intent, and by inference, the citizens' aspirations.

The Committees on Health Services, Agriculture, Livestock and Fisheries, Trade, Co-operative Management, Tourism and Wildlife, Public Works, Roads and Transport and Research, ICT & E-Government on February 4<sup>th</sup>, 2019 made oversight tours to various projects funded by the County Government of Kericho to ascertain the status of those projects.

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In their oversight tours, the Committees relied on their mandates as per the Kericho County Assembly's Standing Orders that state as follows;

The mandate of the Committee on Health services shall entail as provided by the standing order no. 195, all matters related to county health services, including, in particular county health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, cemeteries, funeral parlours and crematoria.

The mandate of the committee of Agriculture, Livestock and Fisheries entails all matters related to agriculture, including crop and animal husbandry, irrigation, livestock sale yards, county abattoirs, plant and animal disease control and fisheries, animal control and welfare, including licensing of dogs and facilities for the accommodation, care and burial of animals and veterinary services (excluding regulation of the profession)

The mandate of the committee on Roads, Transport and Public Works committee shall entail all matters related to county transport, including county roads, street lighting, traffic and parking, public road transport, ferries and harbors, excluding the regulation of international and national shipping and matters related thereto; county public works and services including storm water management systems in built-up areas and water and sanitation services.

The mandate of the committee on Trade as provided by Standing Order no.195 shall entail all matters related to County planning and statistics, trade development and regulation, including markets, trade licenses (excluding regulation of professions), fair trading practices, betting, casinos and other forms of gambling, racing, liquor licensing and cooperative societies and all matters related to local tourism, museums, county parks, beaches and recreation facilities.

The mandate of the committee on ICT and E-Governance as provided for in Standing Order number 195 shall entail all matters related to county communication, information, broadcasting, development and management, and hiring, libraries, research and county technological advancement.

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Recently, there has been an outcry across the County by the public on stalled and incomplete projects which has greatly affected the residents of our beloved County. It is important to appreciate the fact that if this situation is left unchecked, it may lead to the collapse of the County's economy and great loss to the County. It is arising from the aforementioned that the Assembly resolved to establish the Joint Committee to conduct field visits to ascertain the status of various projects across the County and to submit a Report to the Assembly with specific observations and recommendations to be addressed.

The committee in the process of gathering information was guided by the terms of reference as captured in the KCA resolution. The Committee toured various projects and held public hearings. Among those who made presentations were; farmers, traders, patients, students, and other interested parties. The sole objective of the field tours was to ascertain the status of various projects being undertaken by the County Government and to gather information to initiate evidence-informed recommendations to address the issues raised.

The information given to the committee was necessary in order for it to holistically address the issues.

The Committee observed that;

There are numerous stalled projects across the County. On this day the Committee visited only six of such.

The County Assembly should conduct such tours at least on a quarterly basis. Notable delay in implementation of development projects negatively affecting the projects thus affecting service delivery to the public. Most development projects in the CIDP yet to be implemented.

The members did an impromptu visit to the Sub-County Referral Hospital on a fact finding mission to ascertain the status of the Casualty Wing.

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The Sub-County's Casualty Wing was started in the year 2017 with an aim of offering accident and emergency services. The team found that the facility is 90% complete with minor finishing works remaining.

The County Assembly Committee on Health Services writes to the CEC Health Services to give indication on when works will be completed and when the facility will be ready for use.

The market construction was started in the financial year 2015/2016 and funded by the County Government of Kericho. The project was initiated by the National Government in September 1<sup>st</sup>, 2010. The drainage and sanitation in the market stands poor yet traders pay taxes daily. The traders expressed fears that soon they will be grappling with an outbreak of communicable diseases such as cholera. Construction of market stalls was incomplete. The Committee on Planning, Trade, Tourism and Cooperatives should write to the CEC Trade, Cooperatives and Wildlife to establish what plans the Executive has with regards to the facility and indicate whether funds have been committed for the same.

The project was started and funded through the Bureti Constituency Development Fund and thereafter taken over by the County Government of Kericho's Department of Agriculture after the inception of Devolution.

The Report of the Auditor General on the County Executive of Kericho County for the year ended 30<sup>th</sup> June, 2017 indicates that Waste Water Construction Works at the Plant was awarded to a construction company at a cost of Kshs. 7,140,522. An LSO No. 1016185 for the works was raised on 6<sup>th</sup> September 2014 and to date Kshs. 2,356,372 had been paid to the contractor being 33% of the works certified as complete. To date the works stands incomplete and the structure pose a great risk to residents especially pupils of Monoru Primary School.

The boiler and generator room was incomplete and poor workmanship was evident with no contractor on site.

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The processing machines that had been bought could not fit inside the structure as there was no co-ordination between the machinery contractors and those dealing with construction.

The Committee on Agriculture, Livestock and Fisheries writes to the CEC Agriculture, Livestock and Fisheries to establish what plans the Executive has with regards to the facility and indicate whether funds have been committed for the same. The CEC to also indicate the expected completion date.

The conservancy was started in the financial year 2013/2014 with an aim of boosting local tourism. The Committee on Planning, Trade, Tourism and Cooperatives writes to the CEC Trade, Tourism, Wildlife and Cooperatives to establish what plans the County Executive has on the project indicating the amount of funds that has been appropriated and whether any funds has been budgeted for. The CEC to also inform the Committee on the intended date of completion.

The potato plant was constructed in Soin-Sigowet Sub - County that was earmarked to process and package sweet potatoes for exports. The plant was dysfunctional during the date of visit.

The Committee on Agriculture, Livestock and Fisheries writes to the CEC Agriculture, Livestock and Fisheries to establish what plans the Executive has with regards to the facility and indicate whether funds have been committed for the same. The CEC to also indicate the expected completion date.

Members visited the site on a fact finding mission. The facility remained unutilized despite installation of computers and networking having been completed. The facility has potential of being a useful resource centre. The ICT and E-government Committee writes to the CEC in charge to establish the plans the Executive has with regards to the facility and follows through till the Centre becomes operational.

The members of County Assembly and the Senator having made the observations recommends as follows-;

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Establishment of Sustainable Development and Impact Assessment Units to curb cases that abound of incomplete and not utilized projects and sometimes non - existent projects across the county;

During the tour the Committee interacted with the public and it was noted that the 781 youths trained at Chebwagan Polytechnic haven't been engaged. This house therefore writes to the CEC Public Services Management to establish why the youths have not been engaged and whether any funds have been allocated towards the same and if no, why hasn't there been any allocation;

Establishment of a unit within the County Executive with the mandate of taking stock of all projects within the County initiated by both County Executive as well as County Assembly and submit quarterly reports to the County Assembly and integrate in the County Development Plans, County Fiscal Strategy Papers to ensure continuity and sustainable development;

That the County Assembly conducts such tours at least on a quarterly basis.

That all projects initiated by the County Government of Kericho be completed and operationalized within the stipulated period;

That where projects have stalled for one reason or another, appropriate action be taken on the concerned County Officials and that the County Assembly follows through till the listed projects become operational;

- a) That the County Government follows the law and regulation in establishing public private partnership agreements to avoid misappropriation of public funds;
  - b) That there is need to prioritize spending on viable projects;
  - c) That this house adopts this report and urges the Committee on Implementation to follow up on each recommendation.
- d) Most development projects in this CIDP yet to be implemented.

The members did impromptu visit to Kapkatet sub-county Hospital which is sub-county Referral Hospital on a fact finding mission to ascertain the status of the casualty wing.

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The sub-county's casualty wing was started in the year 2017 with an aim of offering accident and emergency services. The team found that the facility is 90% complete with minor finishing works remaining. The County Assembly committee on health services writes to the CEC health services to give indication on when works will be completed and when the facility will be ready for use.

**KAPKATET MARKET**

The team visited Kapkatet market and construction was started in the financial year 2015/2016 and funded by the County Government of Kericho.

**Findings;**

- i. The project was initiated by the national government in September 1<sup>st</sup>, 2010.
- ii. The drainage and sanitation in the market stands poor yet traders pay taxes daily. The traders expressed fears that soon they will be grappling with an outbreak of communicable disease such as cholera.
- iii. Construction of market stalls was incomplete.

It was recommended that the committee on planning ,trade ,tourism and cooperatives should write to CEC trade ,cooperatives and wildlife to establish what plans and the executive has with regards to the facility and indicate whether funds have been committed for the same.

**RORET PINEAPPLE PROCESSING PLANT.**

Madam speaker, the Roret pineapple processing plant project was started and funded through the Bureti constituency development fund and thereafter taken over by the County Government of Kericho department of Agriculture after the inception of Devolution.

**Findings;**

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- i. The report of the auditor general on the County Government of Kericho for the year ended 30<sup>th</sup> June 2017 indicate that waste water construction works at the plant was awarded to a construction company at a cost of kshs.7,140,522. An LSO No.1016185 for the works was raised on 6<sup>th</sup> September, 2014 and to date kshs.2, 356,372 had been paid to the contractor being 33% of the works certified as complete. To date the works stands incomplete and the structure pose a great risk to residents especially pupils of Monoru primary school.
- ii. The boiler and generator room was incomplete and poor workmanship was evident with no contractor on site.
- iii. The processing machines that had been bought could not fit inside the structure as there was no co-ordination between the machinery contractors and those dealing with construction.

Madam speaker, it was recommended that the committee on Agriculture, Livestock and Fisheries writes to the CEC Agriculture, Livestock and Fisheries to establish what plans the executive has with regards to the facility and indicate whether funds have been committed for the same. The CEC to also indicate the expected completion date.

### **CHEBULU CONSERVANCY**

Madam speaker, another project that was visited by the team was Chebulu conservancy. The conservancy was started in the financial year2013/2014 with an aim of boosting local tourism.

The committee on Planning,Trade,Tourism and Cooperatives recommended that they write to the CEC Trade, Tourism ,Wildlife and Cooperatives to establish what plans the county executive has on the project indicating the amount of funds that has been appropriated and whether any funds has been budgeted for. The CEC to also inform the committee on the intended date of completion.

### **SWEET POTATO PLANT AT KAPLELARTET**

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Another project that was visited is the sweet potato plant in Kaplelartet. The potato plant was constructed in Soin-Sigowet Sub County that was earmarked to process and package sweet potatoes for exports. The plant was dysfunctional during the date of visit.

It is hereby recommended that the committee on Agriculture, Livestock and Fisheries writes to the CEC Agriculture, Livestock and Fisheries to establish what plans the executive has with regards to the facility and indicate whether funds have been committed for the same. The CEC to also indicate the expected completion date.

### **KAPKATET ICT CENTRE**

Members visited the site on a fact finding mission. The facility remained unutilized despite installation of computers and networking has been completed. The facility has potential of being a useful resource center.

It is therefore recommended that the ICT and E-government writes to the CEC in charge to establish the plans the executive has with regards to the facility and follows through till the center becomes operational.

Madam Speaker, the general recommendations and conclusions of this committee was that the Members of the County Assembly and the Senator having made the observations recommends as follows-;

- a) Establishment of sustainable development and impact assessment units to curb cases that abound of incomplete and not utilized projects and sometimes non-existent projects across the county.
- b) During the tour, the committee interacted with the public and it was noted that the 781 youths trained at Chebwagan polytechnic haven't been engaged. This house therefore

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writes to the CEC public service management to establish why the youths have not been engaged and whether any funds have been allocated towards the same and if no, why hasn't there been any allocation.

- c) Establishment of a unit within the county executive with the mandate of taking stock of all projects within the county initiated by both County Executive as well as County Assembly and submits quarterly reports to the county assembly and integrates in the county development plans, county fiscal strategy papers to ensure continuity and sustainable development.
- d) That the County Assembly conducts such tours at least on a quarterly basis.
- e) That all projects initiated by the County Government of Kericho be completed and operationalized within the stipulated period.
- f) That where projects have stalled for one reason or another, appropriate action be taken on the concerned county officials and that the County Assembly follows through till the listed projects become operational.
- g) That the County Government follows the law and regulation in establishing public private partnership agreements to avoid misappropriation of public funds.
- h) That there is need to prioritize spending on viable projects.
- i) That this house adopts this report and urges the committee on implementation to follow up on each recommendation.

I will call upon the Honorable Erick Bii to come and second. Thank you.

*(Hon. Erick Bii bows in secondment)*

*(Question Proposed)*

**Temporary Deputy Speaker (Hon. Milca Wangare):** Now the floor is open for the discussion. Let us have Honorable Erick Bii then Honorable Sammy Rono and the Honorable chair for Finance.

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**Hon Erick Bii:** Thank you very much Madam Speaker for this opportunity you have given unto me. First of all allow me to join my colleague who has spoken before me welcoming members for this part of the term after the recess. Madam speaker, the report that has been tabled by the Deputy Chief Whip is a very important report...

**Hon. Gilbert Ngetich (Chief Whip):** Point of order!

**Temporary Deputy Speaker (Hon. Milcah Wangare):** Honorable Chief Whip?

**Hon. Gilbert Ngetich (Chief Whip):** Madam Speaker thank you for this opportunity. Let me start by to start by guiding the Honorable member that after a long recess of which I understand, the member who was tabling the report was the Deputy Majority Leader and not Majority Whip. Thank you so much.

**Temporary Deputy Speaker (Hon. Milcah Wangare):** Thank you Honorable Chief Whip.

**Hon. Eric Bett:** Thank you very much for your guidance Majority Whip. I think it's a slip of the tongue. I want to say that the report that has been tabled today is very important. When I figure out a little bit on February, when we went to this tour, immediately two weeks after the tour some of our CECs and COs were fired and I want to believe that the reason why the Governor did so was because of this tour whereby we found that several issues and projects were pending and we have been waiting for this report. I want to say that today we have heard that in the department of health the causality has not been functioning in Kapkatet and mind you up to date it has not been functional.

Secondly there is this place called Kaplelartet ward which is being represented by Hon. Joseph Kirui. There are some issues like Chebulu conservancy has not been functional up to date again and when we were going round we found out that it was a delay from the department and the report we have tabled today is going to give us some highlights and recommendation is going to improve those areas.

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Thirdly the tour I suppose should be quarterly because when we go, some things are being highlighted and establishment of those issues is going to assist us to further development projects in our county. So I support that we go round on quarterly basis so that we can pick up these issues as we know that as a Honorable House we are doing oversight, and it is our mandate to go round every quarter or after every 3 months so that we can pick up all these issues and develop our wards. I want to thank Honorable Senator for joining us during this tour and I think his opinion was valid and was captured in this report today so as we move ahead we should ensure that we join hands together. On departmental sectorial committee I think they should summon some of these CECs in areas like trade, health, agriculture so that they can shed light on issues that has been captured so that in case we find that some of the departments are delaying on their development they can be asked questions and they will be answerable for those issues. Otherwise I support this report and I thank the Deputy Majority Leader for tabling this report and I urge Honorable members that we support this report and we request the Chair for Implementation to do further research and to give us results later. Thank you Madam Speaker.

**Temporary Deputy Speaker (Hon. Milca Wangare):** Thank you Hon. Eric Bett let us now hear from Hon. Sammy Rono.

**Hon. Sammy Rono:** Thank you Madam speaker for giving me this opportunity, and also it is hard for me to contribute while holding this micro phone, because I have been using gestures, Sergeant- at-arms can assist me hold the micro phone, if you may allow!

*(Laughter)*

**Temporary Deputy Speaker (Hon. Milca Wangare):** Yes it is allowed.

**Hon. Sammy Rono:** Okay, thank you Madam Speaker. I want to contribute on this report, if you can see from the first page is that the report was actually for February 2019 that is the beginning of the year and right now we are at September almost to October. I want to say that Majority Leader and Majority Whip the report has been delayed and if you can see the report, although it

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was headed by the Honorable Senator it is a partial report because actually it involves the two sub-counties the one for Bureti and that of Soin Sigowet.

**Hon. Gilbert Ngetich (Chief Whip):** Point of order!

**Temporary Deputy Speaker (Hon. Milca Wangare):** Hon Chief Whip, which point of order?

**Hon Gilbert Ngetich (Chief whip):** Thank you Madam Speaker, I don't like this that is why I will hold the microphone and it's a letdown to our Assembly. We are not supposed to be holding microphone because someone can assume we are in a *baraza* yet we are in a very Honorable House. Now Madam Speaker, on the recommendation the thing which I find is not in order is mentioning that the report is partial. It was a tour which was a starting point by our Senator. We actually toured the places indicated by the report so if there is an area which is not captured, am very sure this was just but a tip of an iceberg. Another tour will come because our Senator still lives and we really want our county to have each and every performance each and every development in every part of our County. We cannot conclude that a report which is made today is a report which is covering the whole county. This is a report which indicates where the Senator visited and I know he has a plan to visit Tendeno to be specific we will appreciate other reports when they come. Thank you Madam Speaker.

**Temporary Deputy Speaker (Hon. Milca Wangare):** Thank you Honorable.

**Hon. Sammy Rono:** Thank you Madam Speaker for that clarification it was actually an important clarification because it is very bad for other sub counties to be left out because we are all in Kericho County and the oversight done, should be done in all the sub counties. But since the Majority Whip has confirmed, am well contented and I want to echo that and say now if at all it happens again let it happen faster let us take the little time because if we delay then we shall only do maybe two or three sub counties. Madam Speaker I want to say that the recommendation given by the oversight led by the Honorable Member and able Majority Leader is that we shall pass it. We are agreeing so that it goes to the Executive for implementation and then we shall be

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given a report and we don't want this report to be delayed because it is long overdue. We want this report and if possible before we go to another recess. We want to know the status because as my Whip has said, even some CEOs have been fired due to incompetence that has been seen on the ground but yes they have been fired but implementation has been done to that extend. So I stand to support the report. I also want to know the plan of the Senator when he is coming back to go round to the sub counties that he never visited. Thank you Madam Speaker

**Temporary Deputy Speaker (Hon. Milca Wangare):** Thank you. Now let us hear from Honorable Alex Bett.

**Hon. Alex Bett:** Thank you Madam Speaker for giving me this opportunity also to contribute on the motion before this House. First and foremost let me use this opportunity to congratulate the members for having undertook the exercise that was done in the beginning of the year.

Unfortunately I want to echo the fact that the report has become long overdue. It was done in February and it is now almost October and surely, there are so many things that would have been done between February and now. One of the things that we can see in the report was where the committee was recommending that a particular department writes to relevant CEC for further action so what I keep wondering is that from February up to now has there been anything that has been done by relevant department? However Madam Speaker this work is good, however in some areas I was wondering there is some area that talks about committee membership. I don't know if whoever wrote the report was conservant by not putting the names of the members who undertook the tour. In every report I think I have read in this house there is always a list of members unfortunately in this one there is no list of members.

Number two, there is a place where the documents talks about, in page two, committee proceedings. The last part of the committee proceedings talks about the data records of the information connected to the receipts documents and notes received by the committee forms a basis of the committee observation and recommendation. Unfortunately when you look at this report there is not even single annexure. I wonder why we don't have anything to support the

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various report that we have on this documents if we are going to talk about hospitals, Kapkatet hospital, I expected to see some photographic annexures. Like when we talk about Roret Pineapple Plant I am privy to the fact that there are still some machines lying outside that facility that has never been taken inside. The fact that the place that was supposed to be used as a boiler is still not complete and in this Assembly Madam Speaker, we have some very expensive cameras...

**Hon. Gilbert Ngetich (Chief Whip):** Point of order Madam Speaker!

**Temporary Deputy Speaker (Hon. Milca Wangare):** Point of order from Honorable Chief Whip.

**Hon. Gilbert Ngetich (Chief Whip):** Ok Madam Speaker thank you so much for this. I just wanted to clarify something. What the Honorable member has said is about the time we visited Roret. At the moment, the boiler house is almost complete, the building is good, the finishing is going on now so there is nothing being rained on. As I stand today the waste disposal pit is being worked on as I stand. So this is just but an impact of our going round ourselves and pertaining the committee am very sure the recommendation made here annexures and all indications of our visit will be handed over by the team.

**Hon. Edith Kaptich:** Point of order!

**Temporary Deputy Speaker (Hon. Milca Wangare):** Yes. Let us hear point of order from Honorable Edith Kaptich.

**Hon. Edith Kaptich:** Thank you Madam Speaker for giving me this opportunity so that I can rise on a point of order and give some information to the Honorable Chief Whip because he is trying to clarify that whatever is done in Roret is okay. The boiler is not rained on meaning this report is somehow fake because Madam Speaker as we speak also...

**Hon. Gilbert Ngetich (Chief Whip):** Point of order!

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**Temporary Deputy Speaker (Hon. Milca Wangare):** Yes point of order from Honorable Chief Whip. Can you respond to that?

**Hon. Gilbert Ngetich (Chief Whip):** Madam Speaker unless the word fake is to be redefined this report is valid. It is not in order for the member to say so because the time we were there the building which is in Roret as I stand was made just two weeks ago....

**Hon. Edith Kaptich:** Point of order! Point of order!

**Hon. Gilbert Ngetich (Chief Whip):** Two weeks ago. Am trying to explain what is in Roret

**Temporary Deputy Speaker (Hon. Milca Wangare):** Let him finish first and then...

**Hon. Gilbert Ngetich (Chief Whip):** So Madam Speaker am saying this report....

**Hon. Collins Biegon:** Point of information Madam Speaker!

**Temporary Deputy Speaker (Hon. Milca Wangare):** Yes let us hear from Honorable Collins.

**Hon. Collins Biegon:** Madam Speaker I think just to inform the House so that we will not have such. I don't think it is not procedural for anybody to interrupt a point of order from another member because the Member has not finish and if somebody is out of order then you rule them out of order then you can give another person but if we continue this way, I don't think it is procedural once a member is on a point of order they should be allowed to finish.

**Temporary Deputy Speaker (Hon. Milca Wangare):** Thank you that is the order to be followed so Honorable Edith Kaptich was saying something

**Hon. Edith Kaptich:** Madam Speaker we come from this town and we are members of this Assembly. We see the Chebwagan youths working. So Madam Speaker this report is stale, the committee who dealt with this information must accept that the report is stale. So it is in order

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for us to have a way forward, we can't approve this report the way it is, because we will be lying to ourselves and to the Assembly. Thank you Madam Speaker it is either for the committee to do recommendation or they do otherwise because this report is stale. Thank you Madam Speaker.

**Temporary Deputy Speaker (Hon. Milca Wangare):** Thank you Hon. Edith Kaptich; let us hear from the mover of the motion so that we can respond to those points.

**Hon. Abdul Rashid Kassim:** Thank you Madam Speaker, there is a lot that has been raised. I think I will begin with what Hon. Sammy Rono raised that this report is partial. Madam Speaker this report is not partial at all. The Honorable Member says that the report is partial. I don't know what he meant by that but this is the report that instigated this whole process of finding out stalled projects. Number two Madam Speaker is that it is this tour we are talking about that the Honorable members are going to and that we will be doing on quarterly basis. It will not hinder our work as honorable members that is oversight role, so I think it is also the honorable members duty to whistle blow on any stalled projects in their ward. We should not wait for the senator to come there my friend. Madam speaker another issue that was raised was that this report is stale, I don't know how but it is not stale Madam Speaker. The issue of time has been raised why the visit happened in February and report tabled today. Madam Speaker I would like to inform the honorable members and the honorable House that this report was ready and it is due to incompetence from our Assembly and the House Business Committee that this report has not been tabled up to today. Truth be told. It was also raised that the membership of this committee has not been outlined. All the members of this honorable house went for this visit plus the Senator I don't know why we should again outline the names Madam speaker another thing that was raised and that was handled by Hon. Chief Whip, was that this report doesn't have annexures. I want to tell this honorable House that there will be consequent reports from various sectoral committees to outline this various stalled projects and responses from County Executive. Thank madam speaker.

*(Question Put and negated)*

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**SEPTEMBER 11, 2019**

**COUNTY ASSEMBLY DEBATES**

*(Adjournment)*

**Temporary Deputy Speaker (Hon. Milca Wangare):** Thank You Honorable Members. There being no other business the House stands adjourned till tomorrow at 2:30pm.

*(The house rose at 3:30pm)*

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