

BARINGO COUNTY ASSEMBLY
THE HANSARD
SPECIAL SITTING

The House met on Wednesday 16th July 2020 at 3:09P.M

The Speaker (Hon. Kiplagat) in Chair

PRAYERS

The Speaker (Hon. Kiplagat): Clerk!

COMMUNICATION FROM THE CHAIR

CONDOLENCE BOOK IN HONOR OF LATE HON. LYDIA FRANCIS CHEPOKSIRAN

The Speaker (Hon. Kiplagat): Hon. Members, there is a Communication from the Communications office and it reads; Hon. Members, this is to bring to your attention that the Assembly has opened a condolence book in honor of the Late Hon. Lydia Francis Chepoksiran and that book is on a table at the west wing entrance of the Assembly and the main entrance at the East wing and that now being news because of the ongoing renovation work. The late was a Member of the County Assembly in the Inaugural Assembly and served as a Member of Selection, Transport and Public Works, and Health Services Committees respectively. She was Also a Member of Ad hoc Committee in Public Administration and County Security that was formed late towards the end of that term.

According to those who knew her, she has been described as jovial, friendly and an honest person. She was open, frank, great orator and a wonderful story teller. She was recently involved in an accident and she passed on due to complications related to her treatment on 13th July. Preparations are currently underway to accord her a befitting sendoff. May her Soul rest in eternal peace. Next Order!

STATEMENTS

STATUS OF FEEDING PROGRAM FOR ECDE CHILDREN

The Speaker (Hon. Kiplagat): Statement 006. Chairman Education.

Hon. Elizabeth: Thank you Mr. Speaker. We have not received the answer for this question. So, give us up to the first Tuesday after recess. Thank you

The Speaker (Hon. Kiplagat): That takes us to 4th August, 2020 at 2.30PM. Statement 012. Chairperson Labour or any Member of that Committee?

Hon. Kibai: Thank you Mr. Speaker. Give us up to the second week after recess to get a comprehensive answer.

The Speaker (Hon. Kiplagat): 11th August, 2020 at 2.30pm.

Hon. Kibai: Obligated.

(Statement Deferred)

PURCHASE, DISTRIBUTION AND DELIVERY OF WATER TANKS FOR COVID-19

The Speaker (Hon. Kiplagat): Thank you. Statement 014, Chairperson Water. Proceed Chief Whip.

Hon. Chepsongol: Mr. Speaker, this question is from me as a Member of the same Committee and I do request that it be referred back so that I go to the Department because I cannot question my Committee. Thank you.

The Speaker (Hon. Kiplagat): What is the point of order Hon. Selemoi?

Hon. Selemoi: Mr. Speaker I have just heard the Majority Whip requesting to withdraw this statement because of conflict of interest that he has. Is it in order for him to withdraw yet this is a very pertinent statement that requires the interest of the whole House given the fact that what he was purportedly seeking to know is of interest to all of us? Mr. Speaker I need your direction and guidance even if he is a Member of Water and Irrigation, this statement should go into full phase and the Department needs to give us the statement regardless of who sought it.

The Speaker (Hon. Kiplagat): What is your point of concern Hon. Rono?

Hon. Rono: Mr. Speaker, it is not by coincidence or accident that Hon. Chepsongol sought this statement. I believe that he was in sound mind when seeking the statement and up to when he was reading it as a new statement he was still in the same mood. He still is and what he needs to do is to donate it to another Member because it is expected by the House. Thank you.

(Loud Consultations)

The Speaker (Hon. Kiplagat): What is it Hon. Kimosop? Mr. Speaker I think there is a point of concern or information and it is a question of tradition. It is genuine but technically in this House, if you are a Member of a certain Committee, it is prudent that you don't appear to be interrogating your own Committee. And any person has a right at any time to withdraw his question at any stage so let me hover this way...since it is in the floor and it is wonderful, we all need the answer and I undertake to ask Hon. Chepsongol to allow me to take over this question.

(Laughter)

The Speaker (Hon. Kiplagat): Members, I am wondering what the big issue is about this question. Hon. Chepsongol asked the question and was given an opportunity to read it as a new question and the moment you read it, it becomes the property of the House and if you must withdraw, then there is a formal way of doing it. It came through the House Business Committee and it was approved for today's business and what we should be hearing from is the Chairman Water and Irrigation whether they are ready with the answer or not because as it has been said, the issues raised here could and is concern to all the Members once you have done it.

However, you can still withdraw but there is a formal way to do so as opposed to what you have suggested. Chairperson Water, Vice or any Member. If not, then the Majority. Yes Hon. Lotela...please approach the microphone.

Hon. Lotela: Mr. Speaker, before I answer this statement, I want to rise on a Standing Order touching on the Sectoral Committee functions. It states that there is a continuous and a constant engagement between the Committee and the Executive. So it is extremely out of order for Hon. Chepsongol and nothing will bar a Ward Representative to write to a Committee but when you

write to a plenary asking and you are a Member and to make matters worse he is a Whip...he should have de-whipped himself.

The Speaker (Hon. Kiplagat): Order Hon. Lotela! There is something that Hon. Chepsongol needs to confirm because I heard him whisper that it is not him who brought it. He suggests that it is a typing error. Is that what you are suggesting because it will throw the entire thing?

(Loud Consultations)

Just confirm. Hon. Chepsongol proceed

Hon. Chepsongol: Mr. Speaker, even if you go to the Hansard, you will not get me reading this question. I didn't seek any question on the same and it was trying to...

The Speaker (Hon. Kiplagat): What is it Hon. Rono? Hon. Lotela please resume your seat

Hon. Rono: Is it in order to stand and use the same microphone during this pandemic without a mask? What you are allowing us to do is not the best. We are trying to prevent the spread of corona and we have to take matters seriously. We care about our lives and when we lose one of us here is like losing the entire Ward.

(Loud Consultations)

The Speaker (Hon. Kiplagat): Order Members!

Hon. Lotela: Thank you...

The Speaker (Hon. Kiplagat): Hon. Lotela let me make clear what Hon. Rono has said. Members let us be careful on that and it is our duty. If a Member sees another Member doing that, please raise it as soon as possible. There is a serious issue here because Hon. Chepsongol says that this is not his statement and a statement must be owned...

(Loud Consultations)

I need to find out from the Clerk what happened. This is a House of order and we cannot proceed because we don't know who owns this statement and we cannot snatch it from the sky. Member for Mochongoi, I direct that this House be referred back to the House Business Committee so that we can know if it was a typing error. Hon. Chepsongol you took long. You should have come direct and tell what happened.

Let's proceed. Statement 015...

What is it Hon. Lotela? Please approach the microphone.

Hon. Lotela: Mr. Speaker, seeing the seriousness and the kind of this statement because it touches on the Covid-19 and issues funded with the 200 million, as a Committee we are very ready to answer this under your direction. Give us about four days and we will bring this statement. Under Standing Order No. 1, it is now under your powers to...it is a good material to be discussed because it touches on every Ward and it is of County Importance.

The Speaker (Hon. Kiplagat): Thank you Hon. Lotela but I have already ruled that it goes back to House Business. It needs to come back quickly.

(Statement Deferred)

DELAY IN PURCHASE OF GROUNDNUT SEEDS BUDGETED FOR IN 2017/18 FY

The Speaker (Hon. Kiplagat): Statement 015 by Chairperson Agriculture. Hon Serem

Hon. Serem: Thank you Mr. Speaker. In response to the statement sought by Hon. Richard Cheserem Rono...

The Speaker (Hon. Kiplagat): What is it again Hon. Rono?

Hon. Rono: Hon. Speaker from early this week we have been complaining about the Secretariat. One was wrong spellings, two before he reads; I don't have names Hon. Richard Cheserem Rono. Neither does Hon. Richard Cheserem has any name by Rono. We are still doubting the competence of our Secretariat because this is a House of records and if this one will go into records, it will be confusing the entire County because we don't have such names in this House and if it is still there, this is a stranger.

This answer should go back and come with the right writings.

(Applause)

(Hon. Koske Loudly Consults)

The Speaker (Hon. Kiplagat): Hon. Kosgei, you are issuing orders from the other side?

(Laughter)

Hon. Koske: Mr. Speaker the best way is for Hon. Richard Rono to deny the statement because he is not the one.

The Speaker (Hon. Kiplagat): What is the point of information Hon. Chepsongol?

Hon. Chepsongol: Mr. Speaker I challenge this answer because one is Cheserem Rono. Two, we cannot see the name of the person who signed here. Who is the owner of this signature?

The Speaker (Hon. Kiplagat): Order Hon. Chepsongol! We have not reached there. Hold your horses. What is it Member for Mochongoi?

Hon. Kimosop: Mr. Speaker, I applaud Hon. Richard Rono from Barwessa. He is a brilliant Member because I am following question 015/2020 asked by Hon. Richard Cheserem of Saimo Soi Ward but your and our attention has been pointed to an answer which is responded to Hon. Richard Cheserem Rono. So the person who sought and the person who it is responded to are different.

We don't have Cheserem Rono and to show the seriousness of this House, I agree that we return this statement for correction because it continues to refer to the same Member. Not that there is anything serious but for the record, and for them to know that if answers would require us to go to court or anywhere, there should be a tally between the question and the answer. Thank you.

(Applause)

(Loud Consultations)

The Speaker (Hon. Kiplagat): Chairperson Agriculture I don't know what you wanted to say. You had not even opened your mouth. Maybe you wanted to tell us this considering that I had already given instructions. I had given instructions on how signing for CECs should be done and I was expecting to hear something from the Chair Agriculture. I don't know whether you are

happy about this because this is a duty that all the Chairs...when these letters come and I mark and say to deal accordingly, this means looking and confirming all this.

Before I make my ruling, Chair Agriculture I don't know what you have to say about that.

Hon. Serem: Thank you Mr. Speaker. As Agriculture Committee we are very sorry for that and we will meet and make rectification with the CEC. The correct answer will definitely come after recess.

The Speaker (Hon. Kiplagat): This is for all the departments. Any letter that is written for the CEC, that person must write his or her name because that is proper ownership. This letter has two errors that is on the name of Hon. MC. So chair Agriculture return for a correct answer to come on Wednesday 5th August, 2020. Next, Chairperson Water or the Vice. Hon. Lotela you want to take it?

Hon. Lotela: I am a Member

The Speaker (Hon. Kiplagat): Proceed

Hon. Lotela: Mr. Speaker this statement is new and as a Committee we are requesting that we will furnish this House with the answer the first day after recess. That is on 28th.

The Speaker (Hon. Kiplagat): Let me give you a doubt of one day. On Wednesday 29th July, 2020 at 2.30pm. Next order.

MOTION

BOUNDARY REVIEW BETWEEN BARINGO AND OTHER COUNTIES

The Speaker (Hon. Kiplagat): Hon. Kipruto Kimosop, MCA Mochongoi Ward.

Hon. Kimosop: Mr. Speaker, Aware that Article 188 of the Constitution provides for alteration of County boundary by taking into consideration population density, physical and human infrastructure, historical and cultural ties, cost of administration, views of communities affected, geographical features and objects and devolution of Governments;

Acknowledging that, Article 10 of the Constitution provides for the promotion of National values and principles of good governance which include human dignity, equity, social justice, inclusiveness, equality and human rights;

Cognizance of Section 3 (b) of the Inter-Governmental Act, 2012 which provides for a framework for consultation and cooperation amongst County Governments and that County boundaries are highly protected in the 2010 Constitution and that the status quo as at its promulgation must be respected at all times by all stakeholders;

Appreciative of the native English law principle of good neighborliness and acknowledging the fact that land has from time in memorial been a highly emotive issue;

Concerned that, in the recent past, there has been encroachment of areas bordering Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi Ward, Baringo South Sub-County, posing a threat to peaceful coexistence among the communities which may further spark political tension, disharmony and heightened animosity if the situation is not addressed at the earliest instance;

Disturbed that recently, unknown surveyors accompanied by a contingent of security officers were spotted doing survey work and demarcation of land at Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi Ward respectively within Baringo County;

Now therefore, this motion urges the County Government of Baringo to:

- i. Immediately move with speed in conjunction with Laikipia County Government and address the encroachment within Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi Ward respectively and other areas with imminent encroachment within Baringo County Governments Boundary.
- ii. Pending intervention by County Governments, the surveyors and security agents to desist from conducting any further survey or any similar activities pertaining the foretasted boundaries.
- iii. Pursuant to Article 188 of the Constitution as read together with part one of the Fourth Schedule, the National Government through IEBC with the approval of the National Assembly and the Senate to undertake independent boundary review between Baringo and Laikipia Counties before 2022 general elections.
- iv. Engage all leaders (MCAs, Members of Parliament, Senators and Governors) from both County Governments to amicably resolve the escalating conflicts arising from the boundary disputes.

Mr. Speaker I beg to move. Just briefly, this is a motion that touches the concerns that we have regarding our boundaries. We members and residents from the territorial areas of Baringo will most of the time come before you and come before this house to seek for your support, indulgence on the challenges that we are facing in the boundary and territorial areas in other counties. Challenges will always be there and this is one of those situations. So maybe to bring to the attention of my colleagues here that in the recent past we have had challenges in the area we border Laikipia. We have had challenges on about four fronts, this is one of those fronts but there have been other fronts. Mr Speaker, I want to bring to the attention of that house that our County project in the area that we border with Laikipia was actually stopped by the Laikipia leadership and residents on the basis that we seem to be encroaching on Laikipia.

In the last Government a milk cooler that we were to install was also stopped on the basis that people were encroaching Laikipia and we move out that was on one front. Now in this particular situation which is the recent one is that we just woke up to surveyors and security agencies doing demarcation up to the interior part of Baringo. And residents mobilized themselves and ensured that the surveyors and security agencies were stopped to ensure this matter is resolved amicably. So basically what we are saying is to help our citizens, our County protected I am urging this house that we approve this motion so that it adds the voice that our executive will also be engaging to actually ensure that Baringo have taken a position regarding the areas that we border with Laikipia and that we begin the process of ensuring that boundary disputes are resolved. Luckily they actually stopped when we told them to stop but then this document would add voice on the requirement that we need to have an amicable way of resolving these matters.

Mr Speaker because of time and I know we have a bigger agenda ahead of us there are a lot that I would have said, if this happens the injustice that would happen is that we have real people who will lose land in our County and I am going to be tabling the names. I want to plead with members that this is one of those occasions when we stand up as the people of Baringo and

protect what belongs to us. We all belong to Baringo irrespective of our political inclinations, age difference, our sub counties of origin. This is one of those occasions that we stand up and put our voice in what belongs to us. Having said that Hon Kibai is also a resident of that area nominated MCA from Baringo South and luckily from Mochongoi Ward and this matter affects both Mchongoi and Mukutani Ward. Ngelecha and Tandare in Mukutani then Lamaiwe and Korkoron in Mochongoi Ward. He will also second the motion and help members understand the situation far much better. I beg to move and I welcome Hon Kibai to second. Thank you

Hon. Kibai: Thank Hon Speaker first I want to thank Hon Kimosop for bringing this motion to the attention of this house and Baringo County Government. Before I second it I want to say that what Hon. Kimosop raised is true that the officers from Laikipia County Government have actually encroached. Mukutani and Mochongoi Ward is adjacent to each other and Ngelecha specifically is actually far ahead of the places that Hon Kimosop has mentioned. Ngelecha area was declared the adjudication section on 10th April 1997 and part of the 105 farms there were allocated to individuals in Mukutani Ward. So it is irresponsible for such officers to encroach parts of Mochongoi and Ngelecha which was gazetted. I have clearly said on record that it was gazetted on 10th April 1997, the same areas which were gazetted on that particular time are now subject of sub division from the Laikipia Government to benefit their people. That is why Hon Kimosop has raised this matter which is very important and he is urging the Hon House to consider it urgent and if it is possible through the implementation committee make swift implementation and get in touch with the County Government so that this matter can be addressed the soonest.

Mr Speaker as my colleague raised, because if there are such issues at any time within our boundaries people fight so it needs urgent attention so that we prevent such clashes or unnecessary tension between our people. Mr Speaker I second this motion.

The Speaker (Hon. Kiplagat): Thank you very much. This motion having been duly moved and seconded I now propose the question.

(Question is proposed)

Members debate is now on, we will have to agree because of the business that is ahead of us I would limit the debate to two on my left and two on my right unless one side wants to donate their position to the other. I have seen Hon. Selemoi and Hon Rono that should do for the left. I have seen on the right Member of Silale anybody else. What is it Hon Kosgei? You want to contribute or? Approach the microphone Hon Kosgei. If it is an amendment I will not take that as a contribution unless you want to contribute.

AMENDMENTS ON THE MOTION

Hon. Kosgei: Mr Speaker, I want to propose an amendment on this motion, immediately after Baringo South Sub County also add Baringo County has been encroached by Elgeyo Marakwet County in Mogotio Ward Sirwo location, Sore sub location in Kaplaimoi area bordering Elgeyo Marakwet.

The Speaker (Hon. Kiplagat): Let's be together. You are talking about where?

Hon. Kosgei: Concerned that.

The Speaker (Hon. Kiplagat): Yes.

Hon. Kosgei: Immediately after Baringo South Sub County.

The Speaker (Hon. Kiplagat): Yes.

Hon. Kosgei: Baringo County has been encroached by Elgeyo Marakwet County in Mogotio Ward, Sirwo location, Sore sub location in Kaplaimoi area bordering Elgeyo Marakwet.

The Speaker (Hon. Kiplagat): That is the amendment you are suggesting.

Hon. Kosgei: Also at now therefore, one immediately after conjunction with Laikipia add Elgeyo Marakwet Government and in three where it says to undertake independent boundary review between Baringo and Laikipia, then add Elgeyo Marakwet.

The Speaker (Hon. Kiplagat): Number three after Laikipia.

Hon. Kosgei: After Laikipia

The Speaker (Hon. Kiplagat): Elgeyo Marakwet

Hon. Kosgei: Yes Mr Speaker

The Speaker (Hon. Kiplagat): Please appoint somebody to second your proposal Hon Kosgei. Let us do one after the other

Hon. Kosgei: I ask Hon Ngotie to second

Hon. Ng'otie: Seconded.

(Question on Amendment Proposed)

The Speaker (Hon. Kiplagat): Now Hon Members the amendment suggested by Hon Kosgei and seconded Hon Ngotie, I would wish to... order member take your seat as I said we need to finish. That this motion be amended as suggested by Hon Kosgei member of Mogotio War.

(Question on Amendment put and agreed to)

The Speaker (Hon. Kiplagat): Hon. Cheruiyot Musa you have an amendment tell the House what you are suggesting.

Hon. Musa Cheruiyot: Thank you Mr Speaker sir, I also have an amendment on that motion because it is affecting us, some areas of our County have also been encroached. My amendment is at where it says encroachment of Mochongoi Ward in Baringo South also encroachment of areas bordering Baringo in the side of Esageri forest that is encroached by Nakuru, PISOI area, Koibatek forest also encroached by people from Nakuru County and also area of Kibunja near Total. Also the upper side of Koibatek forest there is also encroachment of people from Nakuru and Kericho. Those are few amendments that I want to be added on that motion because it is affecting our people and people from other areas have been encroaching by cultivating those areas. There is even a standoff in those areas, people from Baringo are wondering why those areas have been encroached.

The Speaker (Hon. Kiplagat): Hon Cheruiyot please get somebody to second your amendment.

Hon. Musa Cheruiyot: Mr Speaker sir Hon. Richard Rono to second. Thank you Mr Speaker sir.

Hon. Rono: Seconded.

The Speaker (Hon. Kiplagat): I am not very sure whether you know what you are bowing to Hon Rono.

(Laughter)

I saw you consulting then immediately bowed. Members for order and this we must agree is not the perfect way of doing these amendments because you know there are pieces of paper coming to me but considering that this motion is important I will exercise my discretion to add after, because it comes out clearly that we are talking about two regions, Elgeyo Marakwet, Nakuru and Kericho. The Nakuru and Kericho is the one that is bordering Kobiatak forest so when it will be done I think all that will be tied up but I think we get the gist of the matter. So I would wish then to put the question as suggested by Hon Cheruiyot.

(Question on the amendment put and agreed to)

Let's give you a break Hon Rono you have just been here, let's give Hon Selemoi. Hon Rono, I said I give you a break let's hear from Hon Selemoi first.

Hon. Selemoi: Mr Speaker I rise to first of all support the motion with the amendments that has been moved by Hon Kipruto Kimosop MCA Mochongoi. This motion is very important for us as Baringo and not only to the people of Mochongoi alone and the few amendments we had this afternoon. Mr Speaker there is inter-Governmental relations act of 2012 number 2 which stipulates what needs to be done when such conflicts arise. I would have wished that in your considered opinion we would have added the fifth prayer and omnibus prayer that will cater for all corners of Baringo and that prayer would have been that apart from the prayers that he Hon Member has raised we include and all other sections of Baringo bordering other counties.

For example in Elgeyo Marakwet in Kerio Valley stretching all the way from Flouspar to Tirioko there is a lot of encroachment and bullying from Elgeyo Marakwet and not only through encroachment but also our resources are being taken away to facilitate programmes in such counties. Equally in Turkana, the first stretch of Tirioko and Silale Ward, you are aware of the famous Kapedo-the 18 acre piece of land that is under tussle between Pokot and Turkana but then it should not be Pokot and Turkana.

It should be Baringo versus Turkana County. We have a very lazy mentality in this County where when disputes like the one that was mentioned by Hon Cheruiyot when it touches one corner of this County it is very important and it is Baringo versus other counties but when the conflict turns to the other side of Baringo and other counties it is tribe versus the other tribe which is nonsensical. Where I come from the Churo Amaya Ward I border three counties Turkana, Samburu and Laikipia and in fact the stretches that Hon Kimosop has just mentioned, the Ngelecha stretch borders Tagulbei, Mukutani ward and myself.

So it is very pertinent that we consider such areas because as we speak it was last week that we chased Samburu surveyors who were surveying an area called Karuwon in Amaya. We literally chased them because they were entering bushes and beaconing and doing that kind of stuff. So Mr Speaker this is very timely and we need more proactive approach that will involve His Excellency the Governor to wake up from thinking that this are stretches that involve other people not him.

In the year 2012 or around there the Senate Committee which was chaired by the then Senator Mike Mbuvi Sonko visited Kapedo and they visited Turkana and Pokot side and they made a ruling subject to many maps and many other correlation and declared Kapedo Baringo ...

The Speaker (Hon. Kiplagat): Hon Member from Saimo Soy what is point of information?

Hon. Cheserem: Thank you Mr Speaker sir for giving me the opportunity, I wish to inform Hon Selemoi that Baringo County has been concerned in all corners of this County and there is no part which has not been concerned because recently we paid a lawyer Donald Kipkorir who was dealing with the case of Kapedo and now as he alleges I think he is lying or he is not giving us factual information. Thank you Mr Speaker.

The Speaker (Hon. Kiplagat): Order Hon Cheserem the word lying is not parliamentary

Hon. Selemoi: He has withdrawn the way he has just coiled himself signifies that he has withdrawn it

The Speaker (Hon. Kiplagat): Hon Selemoi has accepted that withdrawal by demeanor

Hon. Selemoi: Yeah and I liked the way he froze

(Laughter)

Mr Speaker he has just waded into another controversy that I don't want to go into, the Donald Kipkorir saga which was subject of EACC because he any case that lawyer was paid for doing nothing actually. What I was mentioning and concerned was the proactive effort by His Excellency the Governor to ensure that he puts his leg action and mind into the affairs of Baringo and other counties. For example even this one, even the prayers that Hon Kimosop has just alluded here, it will be packed if we don't have the Executive power and effort by the Governor. We will still be pushing the implementation to Hon Ngotie and it gathers dust in our Assembly.

Mr Speaker what we need to pump sense to our CEO is to ensure that once the wrangles go outside the boundaries of Baringo he takes up the matter. As the conflict is between ourselves internal then he can backtrack and keep off so that he doesn't appear that he supports one community.

On my conclusion, the mitigation that needs to be taken so fast is for us as leaders of Baringo to meet and ensure that we engage all the leadership of Laikipia, Samburu, Turkana, Elgeyo Marakwet one at a time. And because Hon. Kimosop has started it let us first of all start with Laikipia as we rotate like this. Finally I don't know whether it is in the interest of the mover to include when he is replying the fifth prayer that will engulf the entire Baringo. Thank you Mr Speaker I support.

The Speaker (Hon. Kiplagat): Thank you very much Hon Selemoi I am just wondering because if you are suggesting an amendment I think you may have to move it yourself because in the wisdom of the mover he didn't deem it fit to include what you have said so that we can move.

Hon. Selemoi: Mr Speaker as I finalize I want to move an amendment on the additional prayer number five that all other disputes that involve Baringo and other counties be included as prayer number five. I beg Hon Kimosop the mover to second, Hon Lotela because he donated to him

The Speaker (Hon. Kiplagat): Let me guide you before it is proposed, how about if you put the same amendment just add to the other counties you have said it is Baringo, Elgeyo Marakwet came in, now Nakuru, Kericho then after that you say and all other surrounding counties.

Hon. Selemoi: Precisely.

The Speaker (Hon. Kiplagat): Rather than number five we just add the existing.

Hon. Selemoi: Ok we add that any conflict that any conflict that arises from the boundaries of Baringo and Elgeyo Marakwet, Baringo and Turkana, Baringo and Samburu, Baringo and Laikipia, Baringo and Nakuru, Baringo and Kericho, Baringo and Uasin Gishu be included in the prayer.

The Speaker (Hon. Kiplagat): Let's get it on record this is Uasin Gishu... yes

Hon. Selemoi: Elgeyo Marakwet

The Speaker (Hon. Kiplagat): Yes. Elgeyo Marakwet is already here.

Hon. Selemoi: Kericho.

The Speaker (Hon. Kiplagat): Kericho is already there

Hon. Selemoi: Nakuru.

The Speaker (Hon. Kiplagat): Nakuru is already there

Hon. Selemoi: Turkana

The Speaker (Hon. Kiplagat): Turkana yes

Hon. Selemoi: Samburu

The Speaker (Hon. Kiplagat): Laikipia, Samburu, is it there? Okay.

Hon. Selemoi: And any other.

The Speaker (Hon. Kiplagat): Then you had proposed somebody to second. Yes Hon. Lotela.

Hon. Lotela: Seconded.

(Question on Amendment proposed)

The Speaker (Hon. Kiplagat): The suggestions of the amendments moved by Hon. Selemoi and seconded by Hon. Lotela be part of this motion.

(Question on Amendment put and agreed to)

Yes Hon. Rono then we are done with the left side and we will come to the right side.

Hon. Rono: Thank you Mr. Speaker. I support the motion. Mr. Speaker I had a statement yesterday which has been here for a while actually concerning the boundary between Elgeyo Marakwet and Baringo on the other side of Barwesa Ward Mr. Speaker of which with the amendment done by Hon. Selemoi it has really handled it.

Mr. Speaker as I quote from Kwamen Nkrumah that is great leaders of great Africa when he was dealing with the boundary issue, the colonial territorial, during that Lancaster houses Mr. Speaker he suggested that we remain with the colonial territorial boundaries simply to avoid a lot of conflicts and maintain our brotherhood.

Mr. Speaker that tells you that without resolving boundary issues it will actually end to a lot of conflicts which will bring a lot of enmity instead of having brother hoodless and doing our own businesses as usual Mr. Speaker.

Mr. Speaker I thank Hon. Kimosop of Mochongoi Ward for brilliantly bringing this motion at this particular time Mr. Speaker. I just want to correct the notion which was said here by Hon. Ameja Selemoi and we need to bring back facts to this Hon. House simply because Kapedo issue

was handled by the Baringo County Government and it was a serious issue, it was not just between the Pokots and the Turkanas but it was between Baringo County and Turkana County.

Mr. Speaker I just want to bring to your attention that if we can allow the piece of land to be Turkana the entire Silale I am told will just go to Turkana County. Mr. Speaker this is a very serious issue that we need to solve with all the resources required so that we maintain our boundaries Mr. Speaker.

We don't want to lose any inch or a whole Ward like Silale I could not expect Hon. Lotela to speak from the other side of Turkana but I want him to remain in Baringo and be part of us Mr. Speaker.

Mr. Speaker we have a natural boundary like along Kerio River it changes course at a given time and initially it was a natural boundary for us in the other side but if it changes course it affects actually the boundary.

Mr. Speaker if these disputes are resolved when this rivers changes course Mr. Speaker we will not be in any issue. Mr. Speaker it the other time after devolution when we lost a water source to Uasin Gishu I think in the other sides of Lembus Ward which is very serious because it is inside our County but it is now an Uasin Gishu water source inside our own land.

Mr. Speaker you can imagine allowing a water source to be managed by another County and suppose they come back they want to curve the entire area and the catchment we will have lost an inch of this County Mr. Speaker.

Mr. Speaker my prayer will be we need this motion to be approved in this House, we need this motion to be acted upon to make sense to this Assembly Mr. Speaker because if we lose boundaries I know in future we will be in conflicts we will not be making any developments Mr. Speaker. So I stand to support and congratulate the Member. Thank you.

The Speaker (Hon. Kiplagat): Yes Hon. Lotela.

Hon. Lotela: Mr. Speaker I support this motion and make the following remarks on what is going on in Mukutani and Mochongoi is indeed a very important issue to this County that should with an urgent speed the County Government could make a move to intervene and consider the County Government Act and the Inter County Act stipulated very clearly in our Constitution.

Mr. Speaker this kind of behavior will definitely spark tension, conflict and it will affect the socio-economic and political life cycle of the community living there. Mr. Speaker giving an example as we speak there is a serious encroachment of Turkana County in Baringo and that one has caused a National Mega project of Geothermal company that was supposed to drill three wells in Silale to delay for the last two years because of the 600metres piece of land that they were claiming it is within their land.

They made further actions to write to the donors and that is when the National Government failed to intervene and delay and that is why you can see the drilling of Geothermal has been majorly in undisputed areas of Paka, Korosi and if you see according to their report the more places that has potential of 3000 megawatts is in Silale Mr. Speaker.

As a County we have been denied to get revenue from the carbon credit of a close to Kshs. 3 billion. Mr. Speaker if the County Government cannot be serious to petition other Counties through Senate or through Inter-County relation engagement Mr. Speaker then as County we will

lose our natural resource and definitely we will not be in a position to explore what we have and utilize it.

A resource that is not utilized Mr. Speaker will not benefit the generation that is living today and it's just a resource beneath the earth without value, therefore it is also allowed that this Assembly can form engagement with another County to form a plenary engagement between the County Assembly of Baringo and County Assembly of Laikipia. It is in the provision that the Assembly of Baringo can form and make a communication to have an engagement over the same issue.

They have also been given a provision to make a deliberation and make a resolution by the two Speakers under the resolution within the two Counties. That means that they are required to make reconciliation, a resolution over a matter by Assemblies and that is why they even indicate where they can conduct that kind of a resolution and it becomes a bit of laws between the two County Governments.

Mr. Speaker those are some of the options that we may look in to so that we can upgrade and affirm the engagement between the County Governments with a higher level where Senate can now intervene looking in to what Assemblies have resolved as one.

The other key areas Mr. Speaker is the matter about land and the boundary it is the IEBC function, but our contribution and our participation also in that process is highly important in that matter therefore I support this motion that the County Government to be in speed to intervene and maybe Mr. Speaker to stop that kind of demarcations and surveyors exercise in the ground and get a clear communication as to what is going on and why they are doing that at this particular moment without the knowledge of the communities living around. Thank you.

The Speaker (Hon. Kiplagat): Thank you very much. Yes Hon. Koske.

Hon. Koske: Thank you Mr. Speaker sir. I thank Hon. Kimosop for bringing this motion, I think this is the best motion I have seen in this House. If anybody visits the area I am talking about in Siria; Mr. Speaker sir you will really be shocked because people are living in tents.

These people from Elgeyo Marakwet always come and burn the houses, the stores and they do so many bad things in Sirwa Mr. Speaker. Children are not going to school their ECDs have been destroyed simply because the Elgeyo Marakwet claim that the area is theirs because there is a hots pring in a place called Kipsiwar and so they are claiming it is theirs and they want to build a hotel for the County.

Mr. Speaker sir I request as Members have said that we should move with speed so that we can save this people. Recently we lost a project for smart agriculture, it was destroyed and the investment had been done for about Kshs. 2 million and it was destroyed by the encroachers from Elgeyo Marakwet Mr. Speaker.

Mr. Speaker we need surveyors that will be agreed between the two Counties who will beacon and give a true map that will be used so that this destruction does not go on again and I belief this motion once passed implementation should be done immediately so that it should not go to the archives like the others. I support the motion Thank you.

The Speaker (Hon. Kiplagat): Thank you. As we had arranged we now go back to the mover.

Hon. Kimosop: Mr. Speaker I want to most sincerely thank my colleagues for the contributions that they have made for the proposals of amendments they have taken I support the amendments as they were voted in this House including the one that provides another clause for the prayers.

Mr. Speaker I think today is one of those very rare moments when we stand together as a County and reason and take resolutions as a County acknowledging that it is Baringo and this is the spirit Mr. Speaker that we all need to inculcate that we may have our internal differences on many fronts but when it comes to the question of Baringo identity and Baringo direction and Baringo interest we all come together.

I think I understood Hon. Selemoi as much as we have these concerns I think being practical or being a player in the affairs of this County, there are moments Mr. Speaker when we have probably as political leadership not given as much voice as it should be to other areas of this County so I agree with him that sometimes we get drowned so much in to the conflicts that we have to the point that if today we have a matter bordering Silale or a matter bordering West Pokot we are so much drowned to the issues that we have but politics is about growth and progressive and I look forward to that particular moment.

Mr. Speaker as you have seen the question of County boundary is a very serious concern in fact I am realizing that I needed to have taken many of these concerns especially from Nakuru side we have concerns, We also have concerns from Elgeyo Marakwet side, Turkana side but just as a matter of information so that I stop it there, there are no inconsistencies, the Counties that we inherited from the original 46 districts and the boundaries of those districts are spelled out.

When you look at the one for Baringo it is very clear how our boundaries are supposed to be, I am not going to read the whole of it but it begins from number 30 which is Baringo district which is now Baringo County commencing at the confluence of Kolosia and Kerio rivers on the boundary between the West Pokot and Turkana districts then South Easterly by a straight line through the Emugur which is Muku to a point in the Suguta river immediately East of Kapedo post then to East by a straight line to the summit of Silale.

Mr. Speaker the area that I am interested myself and the area that is of consent and of interest here is generally south westerly by the general easterly boundary to a beacon inlock situated at a point approximately half a mile north of the Mukutani river and half a mile east of Mukutani east then it goes to a hill called Tukamur then to where Mochongoi borders Laikipia.

So these are things that are so clearly provided for that once this motion is approved by this House it becomes very easy for us to push the two Counties to ensure that we have surveyors then this matter is sorted out. Thank you Members, thank you my seconder Hon. Kibai who comes with me from Mochongoi Ward, I think that was splendid he gave you the explanations. Thank you.

The Speaker (Hon. Kiplagat): Thank you Hon. Members I now put the question.

Aware that Article 188 of the Constitution provides for alteration of County boundary by taking into consideration population density, physical and human infrastructure, historical and cultural ties, cost of administration, views of communities affected, geographical features and objects and devolution of Governments;

Acknowledging that, Article 10 of the Constitution provides for the promotion of National values and principles of good governance which include human dignity, equity, social justice, inclusiveness, equality and human rights;

Cognizance of Section 3 (b) of the Inter-Governmental Act, 2012 which provides for a framework for consultation and cooperation amongst County Governments and that County

boundaries are highly protected in the 2010 Constitution and that the status quo as at its promulgation must be respected at all times by all stakeholders;

Appreciative of the native English law principle of good neighborliness and acknowledging the fact that land has from time in memorial been a highly emotive issue;

Concerned that, in the recent past, there has been encroachment of areas bordering Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi Ward, Baringo South Sub-County, and also encroachment of Baringo County by Elgeyo Marakwet County in Sirwa location, Sore Sub-Location, Kipsiwaw village and also parts of Esageri forest, Koibatek, Kibunja and areas surrounding Koibatek forest, encroachment by Nakuru County and Kericho County and other surrounding areas bordering Baringo from Counties such as Uasin Gishu, Turkana, Laikipia, Samburu and other neighbouring Counties posing a threat to peaceful coexistence among the communities which may further spark political tension, disharmony and heightened animosity if the situation is not addressed at the earliest instance;

Disturbed that recently, unknown surveyors accompanied by a contingent of security officers were spotted doing survey work and demarcation of land at Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi Ward respectively within Baringo County;

Now therefore, this motion urges the County Government of Baringo to:

- i. Immediately move with speed in conjunction with Laikipia County Government and address the encroachment within Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi Ward and also Elgeyo Marakwet, the areas being encroached are Sirwa location, Sore sub-location, Kipsiwaw village and also Esageri forest Koibatek, Kibunja and areas surrounding Koibatek forest and other areas with eminent encroachment within Baringo County Governments Boundary.
- ii. Pending intervention by County Governments, the surveyors and security agents to desist from conducting any further survey or any similar activities pertaining the foretasted boundaries.
- iii. Pursuant to Article 188 of the Constitution as read together with part one of the Fourth Schedule, the National Government through IEBC with the approval of the National Assembly and the Senate to undertake independent boundary review between Baringo and Laikipia, Baringo and Elgeyo Marakwet, Baringo and Uasin Gishu, Baringo and Turkana, Baringo and Laikipia, Baringo and Samburu Counties before 2022 general elections.
- iv. Engage all leaders (MCAs, Members of Parliament, Senators and Governors) from both County Governments to amicably resolve the escalating conflicts arising from the boundary disputes.

(Question put and agreed to)

REPORT ON REVISED BARINGO COUNTY GOVERNMENT BUDGET ESTIMATES
FOR 2020/2021FY ON THE GOVERNORS MEMORANDUM

The Speaker (Hon. Kiplagat): Members we have Motion number 9, Chairman Budget and Appropriations Committee.

Hon. Aengwo: Thank you Mr. Speaker sir I am standing here on the revised report of the Budget and Appropriations Committee on the Baringo County Government Budget Estimates for Financial Year 2020/2021 on the Governors Memorandum.

Mr. Speaker sir, that pursuant to the provisions of Article 220 and 224 of the Constitution of Kenya 2010 and Sections 129, 130 and 131 of the PFM Act, 2012 as well as Section 24 (3) (a) of the County Governments Act 2012, as read together with Standing Order 138 (3) (a) and 212 of the Baringo County Assembly Standing Orders this House resolves:-

- i. To approve the Revised Report of the Budget and Appropriations Committee on the Baringo County Government Estimates of Revenue and Expenditure for the year 2020/2021 FY laid on the Table of the House on the afternoon of Thursday the 21st day of May 2020 and following the referral of the Baringo County Appropriation Bill 2020 to the Assembly with a memorandum on his observations and Recommendations dated 10th July 2020;
- ii. To approve the issuance of a sum of Kshs 6,306,909,057 from the County Revenue Fund (CRF) to meet the expenditure during the Financial Year ending 30th June 2021 in respect of the votes as contained in the First (1st) Schedule.
- iii. To enhance Overall Revenue by Kshs 130,655,000 from Kshs 6,176,254,057 to Kshs 6,306,909,057.

Mr. Speaker sir, allow me to present to this Hon. Assembly for adoption, the revised report, that is the introduction part. The revised report of the Budget and Appropriations Committee on the Budget Estimates of the Baringo County Assembly and the Baringo County Executive for the 2020/2021 Financial Year (FY) following the referral of the Baringo County Appropriation Bill 2020, Baringo County Assembly Bill No. 03 of 2020 by His Excellency the Governor, Hon Stanley Kiptis.

Mr. Speaker sir, Section 131 of the Public Finance Management Act and Standing Order 212 of the Baringo County Assembly Standing Orders gives mandate to the Committee to discuss and review the estimates and make recommendations to the House after taking into account the recommendations of the Assembly Sectoral Committees and the views of the County Executive Committee Member (CECM) responsible for Finance and the public which was done in the initial Committee report.

Mr. Speaker sir, the Budget Estimates for the 2020/2021FY for both the County Assembly and the County Executive were tabled in the Assembly on the afternoon of Thursday 21st May 2020 and were committed to the Budget and Appropriations Committee and as per the provisions of the Law it was deemed to have also been committed to all Sectoral Committees of the Assembly for Consideration.

Mr. Speaker sir, the Assembly adopted the report of the Budget and Appropriations committee during a Special sitting held on the Morning of 30th June 2020 which enabled the introduction of the Baringo County Appropriations Bill 2020 to the Assembly. The Appropriation Bill was subjected to the normal procedure for passing of a Bill after the House adopted a Procedural Motion for reduction in the time of introduction of a Bill.

The Bill was debated and approved on the afternoon of 30th June 2020. After collecting and collating all documents related to the Budget Estimates for the 2020/2021FY.

The Vellum of the Baringo County Appropriation Bill 2020 was forwarded to the

Governor after being signed by the Hon. Speaker and Clerk to the Assembly as envisaged in relevant Laws on Thursday, 2nd July 2020.

Mr. Speaker sir, the Governor within his rights, referred back the Baringo County Appropriation Bill 2020 with a Memorandum of Observations and Recommendations as envisaged by the Provisions of Section 24 (2) (b) of the County Governments Act 2012 as well as Standing Order 138 (2) (b) of the Baringo County Assembly Standing Orders.

Mr. Speaker sir, further to the Governor's Memorandum, there was Communication from the Ministry of Health for inclusion of some additional Revenue for payment of Medical allowances from the National Treasury for Frontline Healthcare workers dealing with the COVID 19 pandemic.

In addition to this the Council of Governors (Co G) also communicated for the inclusion of some additional revenue for the Transformation of Health Systems –Universal Healthcare Project (THS-UCP) to fund the strengthening of COVID 19 response at the County Level. The National Treasury and Planning has further communicated a directive for the issuance of the KDSP Grant credit No. C/REQ: 77/19/20 to all County Revenue Funds (CRF).

Mr. Speaker sir, with the above issues at hand, the Committee resolved to look into each issue on merit and as per the relevant Laws to expeditiously finalize its report for adoption by the House and passing of the Amended Baringo County Appropriation Bill 2020 for forwarding to the Governor for his assent in time for the processing of the July 2020 Personnel emoluments (P.E) payroll and to allow the Departments expedite the preparation of Procurement Plans for the 2020/2021FY.

Legal framework for the referral of Appropriations Bill by the Governor; Mr. Speaker sir, section 24 of the County Governments Act, 2012 on Assenting to a Bill envisages Scenarios where the Governor can refer back a Bill to the Assembly and reads thus:

Assenting to Bills;

1. The Speaker shall, within fourteen days, forward a Bill passed by the County Assembly to the Governor.
2. The Governor shall, within fourteen days after receipt of a Bill–
 - (a) assent to the Bill; or
 - (b) refer the Bill back to the House with a Memorandum outlining reasons for the referral. So Mr. Speaker sir actually what we are doing is within the law.
3. If the Governor refers a Bill back to the House, the House may, following the appropriate procedures under this section—
 - (a) amend the Bill taking into account the issues raised by the Governor; or
 - (b) pass the Bill without amendment.
4. If the House amends the Bill taking into consideration the issues raised by the Governor, the Speaker shall within fourteen days submit the Bill to the Governor for assent.
5. If the House passes the Bill a second time without amendment, or with amendments which do not accommodate the Governor's concerns by a vote supported by two-thirds of Members of

the House, the Speaker shall, within seven days, re-submit the Bill to the Governor and the Governor shall, within seven days, assent to the Bill.

6. If the Governor does not assent to a Bill or refer it back within the period referred to under paragraph (5), the Bill shall be taken to have been assented to on expiry of that period.

Mr. Speaker sir I think on number 9 the Standing Orders of Baringo County Assembly, it is actually talking of the same, so I may not read Mr. Speaker sir. Also on committee mandate Mr. Speaker sir, I will not go through them because it was recently Mr. Speaker sir read and go through the same and even on the committee composition Mr. Speaker sir.

Mr. Speaker sir I will go to maybe acknowledge; Mr. Speaker sir, the Committee acknowledges His Excellency the Governor Hon. Stanley Kiptis for his keenness and knack for detail which led to his observation of oversight on some Votes, Programmes and Budget lines which needed to be realigned, as well as the need to incorporate the contents of emerging issues that needed to be urgently factored into the Budget prior to his assenting of the Appropriation Bill.

If this were not rectified prior to assent, they would have stalled the process at the level of the Controller of Budget leading to a delay in the implementation of the Budget and you can imagine Mr. Speaker sir even our health care workers who are supposed to be given money that was remitted by the Government. So this particular sitting will make them smile and motivate our health care workers.

Further I wish to acknowledge the members of my Committee together with the technical team for their speedy preparation of this report, which is evidence they are a dedicated force and have the interest of Baringo at heart.

Mr. Speaker sir, It is now my pleasure and honourable duty to present to this Assembly for debate and adoption, the revised report of my Committee on the Baringo County Government Budget Estimates for the 2020/2021FY following the referral back of the Appropriation Bill by His Excellency the Governor with a Memorandum.

Mr. Speaker sir I will straight away go to our findings as a committee; Upon receipt of the Governor's Memorandum on the Budget Estimates, the committee took time to peruse the Memorandum alongside the other Budget documents as presented to the Governor by the County Assembly and made the following findings;

1. There was a mismatch of Appropriation Bill and line items for the Department of health.

Mr. Speaker sir, the Committee noted that indeed there was a mismatch between the figures in the Appropriation Bill and the Budget line items in the Health Department, in that whereas the Appropriation Bill had an Amount of Kshs 1,882,715,472, the summation of the Recurrent Expenditure (R.E) Budget Lines for the Department yielded a sum of Kshs 1,910,396,472.

Upon analysis, it was discovered that the Hyperion Link, spreadsheet software used in Budget making) did not pick up the Cells that contained the allocation for DANIDA Funds of Kshs 14,490,000 and the Compensation for User Fees forgone of Kshs 13,191,000 totaling Kshs 27,681,000 which amount is the difference between Kshs 1,910,396,472 and Kshs 1,882,715,472 thus making the Budget not balanced.

Mr. Speaker sir, In addition, it was discovered that the following allocations were reflected in the Revenue section of the Budget but not captured in the expenditure side whereas they should have been a Contra entry i.e they are recognized as Revenue in the Budget as well as the Expenditure side.

This anomaly was attributed to the lumping of allocations in the Hyperion by the County Treasury and as such it became almost impossible to decipher specific Funds captured in the Budget as well as the earlier explained link that failed to pick up some cells for summation. The following were the affected Funds:

- i. Facility Improvement Fees (FIF)
 - ii. DANIDA Funds
 - iii. Compensation for User Fees Forgone that is for County Health Services Headquarters.
2. Personnel Emoluments for Office of the Public Service and Devolution.

Mr. Speaker sir, perusal of the documents forwarded to the Governor yielded the finding that an amount of Kshs 40,341,921 was erroneously moved to Operations and Maintenance (O&M) while it was meant to be part of Salaries for the same Department.

3. Transfer of additional DANIDA Funds for COVID 19 for 2019/2020

Further to the Governor's Memorandum the committee received fresh information from the Council of Governors (CoG) to all Governors, all County Executive Committee Members (CECM) for Health and Finance, all County Chief Officers (C.O's) for Health and Finance as well as all County Directors of Health and Finance on the inclusion of additional Revenue amounting to Kshs 5,670,000 for the Transformation of Health Systems Universal Care Project (THS-UCP) to the County Budget, towards strengthening the COVID 19 response at the County Level.

The County Governments, Baringo included are required to effect further transfers of these funds from the County Revenue Fund (CRF) to the DANIDA THS-UC Special Purpose Account (SPA) within 15 working days and to gazetted Level 2 and Level 3 Health Facilities (HF's) within 10 working days, failure to which penalties shall be effected on a reduced percentage of the eligible funds. Counties are required to transfer the funds to the Special Purpose Account before Thursday 30th July 2020 and to Gazetted Level 2 and Level 3 HF's by Thursday 13th August 2020 .The COG communication and the Conditionality's of the Grants are herewith attached as ANNEX 2.

Mr. Speaker sir it is actually timely because we are also saving a situation. In case funds are not appropriated then we shall stand to lose because it has some timelines.

Mr. Speaker sir, the County received communication from the Ministry of Health Principal Secretary to the Chairman of the Council of Governors on approved COVID 19 Medical allowances and benefits to Frontline Healthcare workers for a three month period effective 1st April 2020 which is to be appropriated by the Counties and paid in arrears to the Frontline Healthcare workers after they were provided for in National Government's Supplementary Estimates No III for the 2019/2020 FY The total amount allocated for Baringo Healthcare workers is Kshs.44,985,000. Communication herewith attached as ANNEX 3. It is there Mr. Speaker sir.

Mr Speaker Sir, Lastly the National Treasury and Planning has further communicated a directive to all County Treasuries for the issuance of the KDSP Grant credit No. C/REQ:77/19/20 to all County Revenue Funds (CRF) amounting to Kshs 1,410,000,000 to be equally distributed amongst the Forty seven Counties whereupon Baringo County would get an allocation of Kshs 30,000,000. Communication herewith attached as ANNEX 4 Mr. Speaker sir.

Our Committee recommendations Mr. Speaker sir; the Committee based on its analysis, I am faster Mr. Speaker sir considering time. Members will like to move and there is also adjournment Motion, so I will move with speed Mr. Speaker sir.

The Committee based on its analysis of the Governor's Memorandum and other documents submitted as well as the approved budget documents presented to the Governor makes the following recommendations:

1) Mr Speaker sir, that the Revised 2020/2021FY Baringo County Budget Revenue and Expenditure Schedules be as set out thus:

- i. That the Program Based Budget (PBB) be as set out in the First (1st) Schedule; Those schedules are there in this document Mr. Speaker sir. There are only some changes because of the increase.
- ii. That, the Overall Revenue Resource Envelope be as set out in the Second (2nd) Schedule and for now Mr. Speaker sir it is 6.3 Billion not 6.176 Billion. Annexes are there Mr. Speaker sir;
- iii. That, the Detailed Recurrent Expenditure Summary be as set out in the Third (3rd) Schedule;
- iv. That, the Detailed Development Expenditure Summary be as set out in the Fourth (4th) Schedule;
- v. That, the Detailed Overall Budget Summary be as set out in the Fifth (5th) Schedule;
- vi. That, the Overall Budget Summary be as set out in the Sixth (6th) Schedule;
- vii. That, the schedules contained herein First (1st) to Sixth (6th) Schedule be approved as part of the 2020/2021FY Budget Estimates

2) Mr. Speaker sir, that, the Committee in agreement with His Excellency the Governor amends the allocation for the R.E budget for the Department of Health Services from Kshs 1,882,715,472 to Kshs 2,006,200,472 while the D.E budget for the Department is amended from Kshs 335,873,725 to Kshs 341,543,725.

3) That, the Following Funds in the Health Department are recognized;

- a) Kshs 14,490,000 for DANIDA Conditional Grants,
- b) Kshs 13,191,000 for Compensation for User Fees Forgone and
- c) Kshs 50,655,000 being allocation for Additional funds as per communication from the CoG and the Ministry of Health respectively as follows;
 - i. Kshs 5,670,000 for the DANIDA funded THS-UCP to strengthen COVID 19 response in the County and;

ii. Kshs44, 985,000 for Allowances for Frontline Healthcare workers dealing with COVID 19 Pandemic.

4) That the KDSP Grants Level 1 amounting to Kshs 30,000,000 in the Department of Finance and Economic Planning is hereby recognized both as a Revenue and Expenditure item.

5) That, Overall Revenue is enhanced by Kshs 130,655,000 from Kshs 6,176,254,057 to Kshs 6,306,909,057 with Local Revenue being enhanced by Kshs 50,000,000 from Kshs 296,088,720 to Kshs 346,088,720.

6) That the amount of Kshs 40,341,921 that was in error in the Department of Devolution and Public Service be moved from O&M to Personnel Emoluments in the same Department.

7) Mr. Speaker sir, that the allocation for Secondary Bursary in the Education Department amounting to Kshs 30,000,000 be reduced to zero (0) and be reintroduced at 1st Supplementary Budget.

In conclusion Mr. Speaker sir, that Pursuant to the provisions of Article 220 and 224 of the Constitution of Kenya 2010 and Sections 129, 130 and 131 of the PFM Act, 2012 as well as Section 24 (3) (a) of the County Governments Act 2012, as read together with Standing Order 138 (3) (a) and 212 of the Baringo County Assembly Standing Orders this House resolves:-

- i. To approve the Revised Report of the Budget and Appropriations Committee on the Baringo County Government Estimates of Revenue and Expenditure for the year 2020/2021 FY laid on the Table of the House on the afternoon of Thursday the 21st day of May 2020 and following the referral of the Baringo County Appropriation Bill 2020 to the Assembly with a memorandum on his observations and Recommendations dated 10th July 2020;
- ii. To approve the issuance of a sum of Kshs 6,306,909,057 from the County Revenue Fund (CRF) to meet the expenditure during the Financial Year ending 30th June 2021 in respect of the votes as contained in the First (1st) Schedule.
- iii. To enhance Overall Revenue by Kshs 130,655,000 from Kshs 6,176,254,057 to Kshs 6,306,909,057.

In conclusion therefore, on behalf of the Budget and Appropriations Committee request this Honourable House to approve this revised report to enable the presentation and approval of the amended Baringo County Appropriation Bill No. 03 of 2020 taking into consideration the views raised by the Governor to the Assembly and enable a smooth transition of service delivery and Development for the 2020/2021 Financial Year. Mr. Speaker sir I beg to move and ask my Vice Chair Hon. Kibarar to second.

Hon. Kibarar: Thank you Mr. Speaker sir, I rise to second the revised report of the budget and appropriations committee on the Baringo County Government budget estimates for 2020/2021 financial year on the governor's memorandum.

Most of the issues in the governor's memorandum has been noted and Kshs. 14 Million towards shall remain the same. All faced projects and RMLF projects are intact in our wards. There are only changes in revenue in the treasury which were greatly affected and the condition brought in has made this report brought back for revision. For example we shall get the 100% of DANIDA funds if we pass this report but if it delays after 45 days, we shall get zero amounts.

We have also included funds added to health department to help health workers work efficiently especially this time of Covid-19 pandemic. We need to pass this memorandum so that salaries of our County staff run smoothly and also the treasury to make BQs for our projects.

I urge members to pass this motion, thank you Mr. Speaker.

The Speaker (Hon. Kiplagat): Thank you very much.

(Question proposed)

Debate is open for members to contribute. Yes Hon. Makal come to the mic.

Hon. Makal: Thank you Mr. Speaker I have gone through the report of the budget committee. They have not done good job because they did not consult elected Hon. Members for us to get a glue.

Secondly the committee does not provide money to Ward development projects. Example removing the Kshs 1 Million bursary to zero yet the previous had budgeted Kshs 30 million to wards. We do not want to be rubberstamps. We are told that the committee is called to governor's residence instead of it being independent which is unfortunate. They should protect the Assembly and ward development fund not to endorse what the governor says. Members could be happy if something is added to wards but now bursary has been reduced. That is my contribution Mr. Speaker.

The Speaker (Hon. Kiplagat): Hon. Makal you should state whether you support or not...okay because of time members let us restrict our contributions. Hon. Chepsongol or you are not ready I thought I saw you hand up. Hon. Lotela.

Hon. Lotela: Mr. Speaker this is interesting. I seek a clarification from the chair that the problem we have now in short is a computer error and a computer part called Hyperion Link learning programme that failed to code a language; the sum the committee were not able to encrypt Mr. Speaker. This is a computer generated mistake but a spread sheet is not a complicated thing for those who have a computer idea. For research and medical it can be complicated.

Committee findings is about wrong miscalculations not a computer error. There was clear reason why CEC finance refused to read the budget. This means the kind of keenness that was subjected to that document. The committee with its composition and professionalism shows when dealing with that kind of a business.

This reminds me when I was at referral and something happened in news that a patient was supposed to be taken to theater for an operation of ear operation but it ended to be a knee operation. When the patient came out from theater, it was discovered that he has been done wrong operation; this is what the chairman is saying.

(Laughter)

That is the exact thing the chairman is saying that we were not able or the computer failed to pick a line in Hyperion which is impossible, Mr. Speaker what is the meaning of the word copy? When dealing with a soft copy and you move a line you will have to use a hard copy to counter.

The second thing Mr. Speaker the chairman have to also make a clarification of the removal of the Ksh.30 Million for Ward Development Fund... Ok it is sensible that they are removing because the schools are closed until January which means we can reintroduce that program in the first supplementary but this begs the question where is this money going now in this budget? The

committee is very silent on that line, where is the Ksh.30 Million taken to? Is this money taken to the Health department or is it taken to devolution that seems to have suffered again because of the problems happening.

Mr. Speaker the report is not very clear, it does not tell us it is taking this money to cater for this so that in the coming supplementary we are going to remove it from here or there... Lastly Mr. Speaker the committee has been fond of capturing the perception of the MCAs when presenting the budget, that they only deal with Ward fund and Flagship project funds period nothing else... any other expenditure especially recurrent is not a business of a MCA neither a business of this House... But it should be known that it is a mandatory and cardinal role of the committee to deal with the executive recurrent expenditure that is the perception we have been having all along.

(Applause)

Mr. Speaker the chair has confirmed all along that anything to do with recurrent is them to decide how they are going to utilize, Mr. Speaker it is now glaring that the engagement between the committee of Budget and Appropriation and the treasury was not sought Mr. Speaker it means the partners had their own ways, the Budget and Appropriation committee did their own work without consultation they moved the vote lines without knowing what they were moving and that is why they were not in a position to quote in authentic terms Mr. Speaker...

The Speaker (Hon. Kiplagat): Finalize please Mhe. Lotela.

Hon. Lotela: That is the position and they are very clear, the admission they have made now that they had errors and mismatch... I was reading the way appropriation Bill was done here Mr. Speaker, the amendments of the Appropriation was made using “hand” using human hand by a pen Mr. Speaker I can recall it, that means that in your position using Standing Order number 1 you may schedule for a training on computer issues or to our Budget committee or the secretariat because that is a very serious thing...

(Laughter)

But the good part is we have Ksh.14 Million for trainings Mr. Speaker and they have to be trained on the handling of the soft ware on budget process and the kind... and this pegs the question of the composition of the Budget committee Mr. Speaker, seeking to know the kind of the impute they are putting to that committee as we know that two members of that committee sat for their O’level last year and they are members of Budget committee... *walifanya mtiani ya kidato cha nne mwaka jana two* of them that means they need training Mr. Speaker...

The Speaker (Hon. Kiplagat): Hon. Lotela we have had you let us move on time is not on our side... thank you very much Member for Saimo Soi and I think we have limit our contributions because we have more.

Hon. Cheserem: Thank you Mr. Speaker for giving me the opportunity I stand to support this motion because the committee have come admit that they had errors the other time and now they are giving us information that they did not understood the other time. Mr. Speaker sir I support and recommend that the committee to be trained together with the clerks who are serving the committee. Mr. Speaker I also support and recommend that if not trained well they should be disbanded and another committee be appointed, thank you Mr. Speaker sir I support.

The Speaker (Hon. Kiplagat): Thank you very much, I think then we are going to limit time if we are going to give you one and half minute each member, Hon. Chepsongol one minute.

Hon. Chepsongol: Mhe. Spika nimesimama kutaja mambo mawili hivi, kwanza ningependa kuwajulisha wajumbe kwamba kamati ambayo bunge hili liliteuwa kusimamia mambo ya bajeti wako sawa na tunaelewa bajeti Mhe. Spika. Pili, Mjube wa Silale amauliza mambo mengi kwamba pesa ambazo zilitolewa zilitolewa kwa sababu gani, Mr. Spika ukweli mtupu ni kwamba wajumbe wanaelewa pesa za Wadi zilikuwa ni Ksh.10 Million wakati tulipo pitisha kupitia maoni ya wananchi kutoka nyanjani mbaka ilipofika bunge hili Mhe. Spika.

Mhe. Spika sisi kama wanakamati wa bajeti tulipo keti chini mulipotutuma kwenda kuangalia bajeti vile imetengenezwa kuhakikisha kama iko vile wanachi na ninyi wajumbe mulikubaliana na kuhithinisha? Mhe. Spika kwa ukweli tuliweza kuangalia mambo mengi na tukaweza kujua kuwa idara ya fetha katika Kaunti letu lina mambo mengi ambao hawakuweza kuhorotheshwa...

The Speaker (Hon. Kiplagat): Order Hon. Chepsongol I thought you are bringing something new... that will come in your response...

Hon. Chepsongol: Mhe. Spika ninataka tu kuwa fungua macho Mhe. Spika...hapo tu.

The Speaker (Hon. Kiplagat): Order Hon. Chepsongol, you are a member of this committee so just summarize...

Hon. Chepsongol: Mhe. Spika ninataka niwajulishe wajumbe Ksh.132 Million vile Mwenye kiti alivyo sema ilikuwa ni ya wizara ya afya vile wizara hawakuweza kuhorotheshwa mali ambapo hayo pesa yanaelekea ndiposa sisi tukasema hii pesa haijapewa matumizi hivyo tukawaita wajumbe na kuwaeleza kuna pesa hapa na tukawaongeza Ksh.4 Million kwa kila Wadi na kuwapigia simu wajumbe kuwa kuna pesa imeongezeka hapa kwa hivyo wanao ongea na kusema kwamba hatujui kazi yetu swali ni hili, mbona muliweza kuitikia Ksh.4 Million? Tulitoa wapi?

Mhe. Spika wakati ilipojulikana kwamba Wazara ya Afya hakuweza kuhorotheshwa ndipo tukasema tatumia haya na tukasema hatuwezi kuguza pesa ya wajumbe Ksh.4 Million kwa sababu tulipata pesa ambayo yalikuwa yame kaa vibaya na tuka....

(Laughter)

Kwa hivyo Mhe. Spika tusipigwe kwamba hatujui, tulijua lakini tukasema wajumbe wale walikuwa wanalalamika wapate kitu na tuweze kuwaponyesha kwa njia ya nje sio ya ndani asante sana Mhe. Spika.

The Speaker (Hon. Kiplagat): Thank you very quickly only two members, Hon. Selemoi and Hon. Rono but will start with Hon. Rono after that we go to the mover to reply because of time.

(Loud consultations)

Hon. Rono: Thank you Hon. Speaker, first and foremost I am here... protect me from loud consultations Mr. Speaker...

The Speaker (Hon. Kiplagat): Order Members silence... proceed Hon. Rono.

Hon. Rono: Thank you Mr. Speaker I stand to support the motion simply because of one, Mr. Speaker we could have appreciated if the error we are correcting is addition of money like the one we are receiving from the National Government, Mr. Speaker if it is up on the Hyperion link Mr. Speaker this then becomes where we have the problem, Mr. Speaker for a computer to operate it has to be operated by human being and he/she should be understanding the computer so if the issues of errors of the computer due to Hyperion links is bringing us here Mr. Speaker

then we must say that the technocrats in the department of finance and our budget committee are purely illiterate about these issues.

Mr. Speaker this takes me to what the Standing Orders is saying that after every three years we need to change the Standing Committees Mr. Speaker, it is a high time that we change all the Standing Committees we reorganize it to enable us have new blood in the committee of budget Mr. Speaker. We cannot operate because of human errors and I will encourage that next time we have to come back from a memoranda when there will be additional funds but not because of errors thank you.

The Speaker (Hon. Kiplagat): Hon. Selemoi.

Hon. Selemoi: Mr. Speaker I want to make an admission that when we passed the Motion and the Appropriation Bill your final verdict was, it is now upon the Governor to assent to it or give a memorandum which he has done.

Why are we here with this Memo from the Governor? We are here because our own committee and the secretariat of this House in the budget through their admission and the admission of Hon. Chepsongol and the chairman, they said when we went for the report writing we saw a floating money somewhere and then they were excited about the floating money and made phone calls to the elected Members which we were also excited and happy. So we were *fulizad*. This was a *fuliza*, you know Me Speaker...

(Laughter)

The Speaker (Hon. Kiplagat): Order ...

Hon. Selemoi: I withdraw

The Speaker (Hon. Kiplagat): You may just need to clarify.

Hon. Selemoi: Okay.

The Speaker (Hon. Kiplagat): It is not a bad word.

Hon. Selemoi: You know because let's face the truth because there are no cameras there or the press. Our committee became excited of grant money from Ministry of Health and they distributed that money to the wards. In fact 5 Million and the other 1 Million was for the rig and we were excited. Little did they know that this money was not ours. This is a provisional grant and some of us who were making the debate Mr. Speaker, we pointed out that there are glaring errors in this budget but because of the collective responsibility and the culture of Baringo of making things *kienyeji* the way we have been doing let it pass.

Now the egg is in our face as Assembly. In fact the Governor has a reason to tell us why he didn't tell his CEC to this House because we were doing things wrongly. So Mr. Speaker see what they have done that they have open another big hole and raised the revenue ceiling which means this is another *fuliza* also. This is a false belief that we are going to get money from revenue which we are not going to get it. So Mr. Speaker we are still into another problem when we will be doing the 1st Supplementary. So let's face it as Hon. Members and there is no emotion about it, this is not about Hon. Aengwo credibility, this is not about disparaging who and who but this is about facts and mathematical facts are very stubborn and they will come back on your face Hon. Aengwo.

So thank God Hon. Members we have a hope that County Allocation of Revenue Act (CARA) will give us another 600 million. This is where our mess will be corrected.

(Applause)

And this...yes lets pray that we get the 637 Million so that we close this hole and the other one that we had before. Otherwise Hon. Members because of the *kienyeji* business that we have then we have to task this in the hope that our Hon. Committee will not again make this pedestrian mistake again because this is punishable. Had the *wanainchi* known that we did this kind of error, we would be punished as a House. So Hon. Speaker the falls raising of the revenue will haunt us because we are under Covid-19. How are we going to get that revenue? We will never get even if we do what?

So finally the hope that you gave us wards 4 million is not enough reason to gag and silence Ward Reps because in the first place the 4 million was not justifiable. You didn't acquire it correctly albeit what is happening.

Finally, Mr. Speaker the bursaries, you know we have to indicate that since there is Covid the bursary has been taken to this department upon resumption of education system we are going now to take it back but there is no indication of where and in fact do you know it is illegal to have slashed that money, the 30Million when allocation has been made.

Each ward had made a list of beneficiaries and it is lying in the Ministry of Education. It is like saying we have given a contractor money to dig a borehole and then he has acceptance letter and awarded tender and then you don't give him money or her. That is the similarity about this bursary.

So we need Hon. Chair as he reply to tell us where the bursaries went to and which department so that it is on record we retrieve it when education system is back. Finally Mr. Speaker we applaud the Governor for correcting us and making us feel like he is in the correct track and the bad egg is in our face.

About Road Maintenance Levy Fund (RMLF), we want to put it in record that we don't deny the Governor to control the RMLF as long as it is in the ward. Yes whether he controls it through his contractors or what? We don't deny him that but as long as the work is done in our wards and the 5 million to each and every ward and not Ravine and Mogotio again, thank you.

The Speaker (Hon. Kiplagat): Thank you very much the mover, Chairman.

(Loud Consultations)

Hon. Aengwo: Thank you Mr. Speaker I beg to reply. ..

The Speaker (Hon. Kiplagat): Hon. Members allow the chair to ...

Hon. Aengwo: On some few issue Mr. Speaker sir...

The Speaker (Hon. Kiplagat): reply on some few issues and you mind the time also.

Hon. Aengwo: Yes I feel Members are blowing it far. I want to say on 30 Million Mr. Speaker sir because of the conditional grants, the 13 Million and... I think the conditional grant leave alone the Facility Improvement Fees (FIF), the Danish International Development Agency (DANIDA) and the User Fees Foregone, the 30 Million for bursary is used to gap that Mr. Speaker sir.

Mr. Speaker sir I also want to say the 2020/2021 Financial Year bursary, we have just passed it. I think our Member from Churo Amaya, the bursary he is referring to is for 2019/2020 FY, which is actually in the treasury yet to be disbursed to the schools and because of the pandemic they have not been spent but this particular one is yet to be spent. I think the collection of who is to benefit was usually used to be done in November to December and so it is not yet time Mr. Speaker sir.

I also wanted to....maybe on Hyperion that is the computer application that never captured some items Mr. Speaker sir. I think in our budget we read some few weeks ago, I think it was in our recommendations that the County Treasury submitted requested documents except...there are some documents they never gave us Mr. Speaker sir. That is one and I think the gazetted County Appropriation Bill, they just presented when we were coming to debate in this House. The itemized budget for each budget entity for both development and recurrent expenditure, they never gave us Mr. Speaker sir. So Mr. Speaker sir I want to say that even if there was an error but actually they denied my committee access to information which we didn't know.

When you lump up money and you don't tell us where the budget lines of this money is then what could we have done Mr. Speaker sir? My committee did what they thought is fit to do and that is why they gave each ward 4 Million Mr. Speaker sir.

(Applause)

It is in our recommendations here. We told them to give us every item, budget lines and they failed then what could we have done? And we were missing a lot of money for wards and we gave them. Only for them to latter say it was for DANIDA, they were for User Fees Foregone and Mr. Speaker sir for sure they have also put us in very awkward position and that one I can attest Mr. Speaker sir but they failed to do that Mr. Speaker sir.

Mr. Speaker I want to applaud Members especially the Churo Amaya ward Rep for actually considering on the prayer of the Senate. Passing of...

(Laughter)

For sure Mr. Speaker sir we call a spade a spade. That we pray God that additional funds to be given to Baringo County so that we seal this holes Mr. Speaker sir. It is true Mr. Speaker sir.

(Applause)

So Mr. Speaker sir I want to urge this Hon. House to pass this Motion so that our people or employees can get salaries for this month at the right time Mr. Speaker sir. For those few remarks Mr. Speaker sir I beg to stop and urge this Hon. House to pass this Motion, thank you Mr. Speaker sir.

(Applause)

The Speaker (Hon. Kiplagat): Thank you very much chair.

(Question Put and Agreed to)

(Applause)

Next order.

BILL
COMMITTEE OF THE WHOLE HOUSE

(By Leave of the House)

(Order of the Committee read)

{The Speaker (Hon. Kiplagat) left the Chair}

IN THE COMMITTEE

{The Chairman (Hon. Tarus) took the Chair}

THE APPROPRIATIONS BILL (BARINGO COUNTY ASSEMBLY

BILL NO. 03 OF 2020)

(Re-committal of A Bill)

The Chairman (Hon. Tarus): Order Members. Take your seats Hon. Members. We are now at the committee of the Whole House stage and let me make Members informed on the procedures upon re-committal of a Bill, that is Standing Orders number 134 (1).

Hon. Kibet order. When a bill has been re-committed to the committee of the Whole House the Committee shall consider only the matter so re-committed and any matter directly consequential thereon.

Part two except as is provided by paragraph one the procedure of a bill on first committal shall apply with the necessary modification to a bill on re-committal. When a bill has been reported from a Committee of the whole House after re-committal Standing Order number 132 on procedure on bills reported from the committee of the Whole House shall apply.

Schedule 1: Recurrent Expenditure:

Vote R3003: Treasury and Economic Planning, Kshs 268,573,985.

Vote R3005: Department of Education Services, Kshs 316,287,093

Vote R3009: Department of Health Services Kshs 1,882, 715,472

Recurrent Expenditure; Class Sub Total Kshs 4,272,864,564

(Question proposed that the sums and votes of R3003, R3005 &R3009 be issued from the County Revenue Fund to meet Recurrent Expenditure during the year ending 30th June, 2021

be part of the Bill)

The Chairman (Hon. Tarus): Debate is open.

(Long Silence)

Mover, do you have any amendments?

Hon. Aengwo: Yes Chair, I propose the amendments in the following votes:

On Recurrent Expenditure, that Vote R3003 Department of Treasury and Economic Planning be enhanced from Kshs 31,500, 000 to read as Kshs 268,573,985 to read *Kshs3,073,985*

That Vote 3005 Department of Education Services be reduced by Kshs 30,000,000 from Kshs 316,287,098 to read Kshs 296,287,098

That Vote R3009 Department of Health Services be enhanced by Kshs 123,485,000 from Kshs 1,882,715,472 to read Kshs 2, 006,200,472.

That the Recurrent Expenditure Class Sub Total to be enhanced by Kshs 124, 985,000 form Kshs 4,272,864,564 to read Kshs 4,397, 849,564.

Thank Chairman.

The Chairman (Hon. Tarus): Thank you Hon. Chair to the Budget and Appropriations Committee.

(Question on Votes as amended put and agreed to)

Schedule 2: Development Expenditure;

Vote D 3009 Department of Health Services Kshs. 335,873,725.

Development expenditure Class Sub Total 1, 903,389,493

Grand Total 6, 176,254,057

(Question that the sums and votes of D3009, Development Expenditure Class Sub Total &Grand total be issued from the County Revenue Fund to meet Development Expenditure during the year ending 30th June, 2021 be part of the Bill proposed)

The Chairman (Hon. Tarus): *Debate is open.*

(Long Silence)

Hon. Chair, do you have any amendments to move?

Hon. Aengwo: Yes Chair.

On development expenditure, we have the following amendments;

That Vote D3009 Department of Health Services be enhanced by Kshs 5,670,000 from Kshs 335,873,725 to read Kshs 341,543,725.

Two, that Development Expenditure Class Sub Total be enhanced by Kshs 5,670,000 from Kshs 1,903,389, 493 to read Kshs 1,909,059,493.

The grand total be enhanced by Kshs 130,655,000 from Kshs 6,176,254, 057 to read Kshs 6,306,909,057.

Thank you Chair.

(Question on Vote D3009, Class Sub Total and Grand Total as amended put and agreed to)
Memorandum of Objects and Reasons

(Question that Memorandum of Objects and Reasons be part of the Bill proposed)

The Chairman (Hon. Tarus): Mover.

Hon. Aengwo: Thank you Chair. On Memorandum of Objects and Reasons, this Bill has been submitted by the County Executive Member in charge of the County Treasury to the County Assembly. Clause 2 of this Bill provides for the issue out of the County Revenue Fund of the sum of *Kshs* 6,306,909,057 required to meet public expenditure during the Financial Year ending on the 30th June 2021.

Thank you Chairman.

(Question that Memorandum of Objects and Reasons as amended Put and Agreed to)

The Chairman (Hon. Tarus): That is the end of the process of incorporating the proposed amendments from the committee on the revised report on the budgets estimates on the Governors memorandum and on Baringo County Appropriation that is Baringo County Assembly Appropriation Bill No. 03 of 2020 and its approval therefore with amendments.

(Question Put and Agreed to)

What is your point of Order Hon. Chepsongol?

Hon Chepsongol: Im standing on the standing order No. 29(3a) that Mr. Speaker, Not withstanding paragraphs 1&2, the County Assembly may resolve to extend its sitting time. So Mr. Speaker, I beg that this sitting may be extended until the completion of this process. Thank you.

The Chairman (Hon. Tarus): Since time is almost lapsing.

(Question on extension of time proposed)

(Question put and agreed to)

(The House resumes)

[The Speaker (Hon. Kiplagat) *took the Chair*]

CONSIDERATION OF THE REPORT AND THIRD READING

THE APPROPRIATIONS BILL (BARINGO COUNTY ASSEMBLY

BILL NO. 03 OF 2020)

The Speaker (Hon. Kiplagat): Chairman of the Committee of the Whole House please report what transpired during the Committee of the Whole House.

Hon. Tarus: Thank you Honorable Speaker, I beg to report that the Committee of the Whole House has considered The Baringo County; Baringo Assembly Appropriation Bill no: 03 of 2020 and approved the same with amendments.

The Speaker (Hon. Kiplagat): Thank you Chair of the Committee of the Whole House. I now call the mover.

Hon. Aengwo: Thank you Mr. Speaker, I beg to move that the House do agree with the Committee in the said report. I want to call upon Hon. Chepsongol to second.

Hon. Chepsongol: Seconded.

(Question proposed)

(Long Silence)

(Question put and agreed to)

(Applause)

Next order!

The Speaker (Hon. Kiplagat): Chairman!

Hon. Aengwo: Mr. Speaker, I beg to move that The Baringo County; Baringo Assembly Appropriation Bill no: 03 of 2020 be read for the Third Time. I want to call upon Hon. Lawi Kipchumba to second.

Hon. Kipchumba: Seconded.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

The Speaker (Hon. Kiplagat): Now members, the Bill has been read the Third time and has passed. I want to congratulate all the Members for the time you have put in, the debate, the suggestions you gave and I think they have been noted by Committee and the Assembly at large. Now The Baringo County; Baringo Assembly Appropriation Bill no: 03 of 2020 is dully passed and what remains is for his Excellency the Governor of Baringo County to assent to for it to become a law pursuant to Section 24 of County Government Act and Standing Order no. 138 of Baringo County Assembly . Thank you very much.

Next Motion Number 12, Leader of Majority.

ADJOURNMENT MOTION

The Speaker (Hon. Kiplagat): Next Motion number 12 Hon. Leader of Majority... there is a motion.

Hon. Kipchumba (Leader of Majority): Thank you very much Mr. Speaker I would like to move a motion that this House to adjourn for a short recess as from Friday 17th July 2020 to...

The Speaker (Hon. Kiplagat): Order Hon. Leader of Majority you have to wear your mask we have Hon. Rono who is our medic in the House.

Hon. Kipchumba (Leader of Majority): Thank you Mr. Speaker I would like to move a motion that this House to adjourn for a short recess as from Friday 17th July 2020 to Monday 27th July 2020, Mr. Speaker as it is our tradition we always had been having short and long recess and since we have had enough time in the Assembly we will now like to proceed for the short recess Mr. Speaker, I now call upon Hon. Chepsongol to second the motion.

Hon. Chepsongol: Mr. Speaker as I second the motion of adjournment because this is a routine of this Hon. House that we should be having a short recess and long recess and this will give us a chance to go and inspect projects and be with our electorates because you know this is the time of COVID 19 and it is good time to go and tell our people how they can take care of themselves on this COVID 19 time and I want to urge members that we use this short recess to benefit our electorates so Mr. Speaker I beg to second.

The Speaker (Hon. Kiplagat): Thank you very much, normally this is a motion that we don't put a question because it is on our calendar, I think I can allow only two members... I think this is just a motion of adjournment unless you will use one minute each because I have see three members, Hon. Kibarar, Hon. Rono and MCA Kabarnet Ward and on the right I can see Hon. Elizabeth and Hon. Kabon, so on that sequence I will start from.. people always say gender and now to you Hon. Kabon.

Hon. Kabon: Asante sana Mhe. Spika kwa kunipatia hii fursa, kwanza ninataka ni unge mkono mjadala wa kuenda kwa likizo fupi ya wiki moja ilituweze kuenda mashinani kuona kazi ya wananchi na tutkutane na wapigaji kura, hio ninaunga mkono kabisa. Jambo la pili ningependa kuwajulisha waheshimiwa kuhusu Mheshimiwa wa bunge lilopita kutoka Koloa... Mhe. Makal angekuwa hapa lakini nimemuona ametoka, jana mulijitoa na kutoa pesa na mazishi itakuwa ijumamosi, ningepomba kama kuna wale watapata nafasi kwenda kule, mimi nimeomba gari ili wale watapata nafasi tupate kwenda kule siku ya Ijumamosi kwa ajili ya mazishi ya mwendazake Mhe. Lydia.

Jambo lingine kama kuna wale hawajatoa mkono yao tunaomba mutoe kwa maana ni kesho tu peke yake kisha tunaenda, ninataka nishukuru sana Afisi yetu ya Clerk and Spika kwa kutupatia magari ya kwenda kule koloa, asante sana.

The Speaker (Hon. Kiplagat): Thank you very much, Member for Emining

Hon. Kibarar: Asante sana Bw. Spika kwa kunipea wakati huu nichangie katika hoja hii ya likizo fupi ambao tumeona tunaenda kupewa, ningependa kuchukuwa wakati huu kuwauliza waheshimiwa kwamba tuweze kutumia wakati huu ambayo ni fupi mno kama siku kumi hivi kuwa fikia wananchi wetu ambao tunawaakilisha katika eneo zetu na saidi tuweze kuwapokea, katika hivi majuzi tumekuwa na uteuzi nyingi kutoka kwa afisi ya Gavana wetu... mawaziri na COs, waweze kufika sehemu zetu na waone miradi mbali mbali na waweze kuendeleza ili zisiweze kukwama.

Mhe. Spika umeona katika Kaunti letu, Mumeona tumepokea wageni kutoka serekali ya taifa ingawa hatujui ajenda yao ni fiche ama ni ya maendeleo tunawapokea na tutaona matokeo kule mbele. Pia mwisho sote kama waheshimiwa tuweze kutafakari tukikumbuka kwamba hii likizo

fupi inalingana kabisa na miaka yetu mitano, tutakuwa tumefika katikati ya muhula wetu hivyo ni wakati wa kutafakari pia vile tutakuja na kuweza kuendeleza ajenda zingine nyingi zetu katika bunge hili letu, ninawaomba sana tutumie wakati huu kuweza kutafakari hayo na zaidi ya hayo tuweze kutangamana na wananchi wetu wakati huu, asante Bw. Spika.

The Speaker (Hon. Kiplagat): Thank you very much... member of Kabarnet.

Hon. Kibet: Thank you Mr. Speaker sir, I want to take this opportunity also to support the adjournment, Mr. Speaker sir we want to acknowledge the very excellent services that the members were able to enjoy and one notable one is the cafeteria, the only challenge we are facing is that we were not given the guidelines of how to serve the food so some of us were ending up serving a lot of food at the beginning and in the final section where there are juicy things were getting confused but nevertheless we are so impressed and we would say that keep it up, we want to congratulate our staff for that service.

I also want to join hands with the colleagues to wish the family of our late former colleague Hon. Lydia, we wish them God's prayers, we are with them in this trying moments and for those members who will have time let us represent the Assembly present our condolences because we are the leaders of Baringo and if one of us has faced a challenge we should be together.

Finally I thank your office for the progress of building works going on and hopeful when back from recess we will be surprised that we are going to our new plenary. As host MCA I report to this house members have been well behaved no incident outside the public. We have had incidents that members join hands in Harambees and let us continue with the spirit and wish all the best in the short recess, thank you

The Speaker (Hon. Kiplagat): Thank you...Hon. Elizabeth

Hon. Elizabeth: Thank you Mr. Speaker wish all members go to church this coming Sunday to celebrate Gods goodness, thank you.

The Speaker (Hon. Kiplagat): Thank you...Hon. Rono

Hon. Rono: Thank you Hon. Speaker I support the motion that members break for short recess to have a rest in our Assembly activities. We are still in the Covid-19 pandemic time and we avoid crowds for our health and our representation.

There was a Covid-19 protocol issued by the national Government as a guideline. It is my prayer that members be inducted so that we know of the guidelines and also we usually assemble to transact business.

Mr. Speaker from our facilitation, developments in our Assembly to cafeteria this is the time I enjoy being Assembly precincts. Security officers services at the gate is wonderful and putting biometric gadgets at the entrance of our staff makes our work easy. I encourage we forge ahead to be the best Assembly to be emulated in the future. Let mercies of God be with all of us and those who will go to Kolowa to take our condolences and sorrows to the family. Journey mercies to those travelling and pass greetings to your families, Thank you Mr. Speaker.

The Speaker (Hon. Kiplagat): we have come to close of long hours today afternoon. The debate do not need question put but order and direct that the house adjourns as from Friday 17th July 2020 to Monday 27th July 2020.

The selection committee is going to sit next week to look at the committees and its membership. The chair is appealing to any member willing to surrender a committee to do in writing to the chair of the committee; if you have too much you can surrender to another disadvantaged.

Secondly, during recess, committee activities are going on and agriculture committee has sales yards bill is set for public participation next week from Monday 21st to 23rd July 2020. Members are advised to attend.

Finally as members from Kabarnet and Barwessa talked about developments in our Assembly, I urge members at your own time take a walk and if you want tour guide shall be arranged. The plenary is world class and it will give urge to Hon. Members to work hard so as to come back in 2022. This Assembly will have the first lift in the County, thank you for the appreciation.

We wish you success, restful events and enable you to go and oversee your projects until we come back. Thank you very much.

Order Members!

ADJOURNMENT

This House stands adjourned until 28th July 2020 at 2:30 PM

The House rose at 6:21 PM.