

# **BARINGO COUNTY ASSEMBLY**

## **THE HANSARD**

### **SPECIAL SITTING**

The House met on Tuesday, 30<sup>th</sup> July 2020 at 04:16 PM

The Speaker (Hon. Kiplagat) in Chair

#### **PRAYERS**

**The Speaker** (Hon. Kiplagat): Clerk!

#### **MOTIONS**

##### **PROCEDURAL MOTION**

###### **REDUCTION OF PUBLICATION PERIOD OF A BILL**

**The Speaker** (Hon. Kiplagat): Chairman Budget.

**Hon. Aengwo:** Thank you Mr. Speaker. I beg to move that, notwithstanding the provisions of Standing Order 120 and 121, this House resolves to reduce the publication period of the Appropriations Bill (Baringo County Assembly Bill No. 3 of 2020) from seven (7) days to one (1) day. I call upon Hon. Chepsongol to second.

**Hon. Chepsongol:** Seconded.

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

*(Question proposed)*

*(Question put and agreed to)*

*(Applause)*

**The Speaker** (Hon. Kiplagat): Next order!

#### **BILL**

##### *First Reading*

THE APPROPRIATIONS BILL (BARINGO COUNTY ASSEMBLY BILL NO. 03 OF 2020)

*(Order for First Reading read- Read the First Time- Ordered to be read the Second Time today  
by leave of the House)*

**The Speaker** (Hon. Kiplagat): Next order!

**BILL**

*Second Reading*

THE APPROPRIATIONS BILL (BARINGO COUNTY ASSEMBLY BILL NO. 03 OF 2020)

*(By leave of the House)*

**The Speaker** (Hon. Kiplagat): Chairman Budget.

**Hon. Aengwo:** Mr. Speaker. I beg to move that the Appropriations Bill (Baringo County Assembly Bill No. 03 of 2020) be read for the second time.

**The Speaker** (Hon. Kiplagat): Chairman Budget.

**Hon. Aengwo:** Thank you Mr. Speaker. I thank the Members for having passed the motion in the morning and it is now my pleasure to call upon Hon. Parkei to second.

**Hon. Parkei:** Seconded.

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

*(Question proposed)*

**The Speaker** (Hon. Kiplagat): Debate is open.

*(Long Silence)*

Mover!

**Hon. Aengwo:** Thank you Mr. Speaker. This Bill merely actualizes what the House passed in the report of the Budget and Appropriations Committee on Baringo County Budget Estimates for FY 2020/2021.

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

*(Question put and agreed to)*

*(Applause)*

*(The Bill was read for a second time and committed to a Committee of the Whole House today by leave of the House)*

**The Speaker** (Hon. Kiplagat): Next order!

## COMMITTEE OF THE WHOLE HOUSE

*(Order of the Committee read)*

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

### IN THE COMMITTEE

*{The Chairman (Hon. Cheboiwo) took the Chair}*

THE APPROPRIATIONS BILL (BARINGO COUNTY ASSEMBLY BILL NO. 03 OF 2020)

*(Loud Consultations)*

**The Chairman (Hon. Cheboiwo):** Hon. Members welcome to the Committee of the Whole House and the rules are relaxed. Clerk!

*Clause 2*

*The County Treasury may issue out of the County Revenue Fund and apply it towards the supply granted for the service of the year ending on 30<sup>th</sup> June, 2021, the sum of six billion, one hundred and seventy six million, two hundred and fifty four thousand, and fifty seven only.*

*(Question that Clause 2 be part of the Bill proposed)*

Debate is open.

*(Question put and agreed to)*

**The Chairman (Hon. Cheboiwo):** Clerk!

*Schedule 1: Recurrent Expenditure: Vote R3001- R3012*

*(Question that the sums and votes of R3001- R3012 be issued from the County Revenue Fund to meet Recurrent Expenditure during the year ending 30<sup>th</sup> June, 2021 be part of the Bill proposed)*

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

Let's hear from Hon. Selemoi

**Hon. Selemoi:** Thank you Mr. Chair. I had raised my hand but I was obstructed by Hon. Kibai. You realize that we are on Appropriation Bill which is duly gazetted and this means that it is a legal document and a legal process. According to the procedures of this House and Assemblies in this world especially in commonwealth countries, when we have such procedures in the House like today, we expect the CEC Finance and Economic planning and all the technocrats in that Ministry to be in the House in person and not delegated.

Mr. Chair, you realize that we have vacant Chairs behind you reserved for that purpose. Why would a whole CEC fail to attend a function which is ceremoniously his or hers. This is contemptuous and *madharau*...

All these documents that we had from morning up to now is a product of Finance Department and by extension the Executive through the Governor. I suspect that failure for them to attend this session is not only shameful but cowardice.

*(Applause)*

You realize that from morning we have been praising the Chair for Budget and Appropriations Committee; Hon. Aengwo and the whole committee. This means that this House did a good job for the people of Baringo and them because of that they shied away. The CEC Treasury and his technocrats have failed to attend today's session for obvious reason and I make it public that they have been nabbed. First they brought around three to four documents that were contrary to the procedures of this House and the Committee did not accept their dubious document and they stuck with the one that Mwananchi approved from public participation to this House. That is one dissentient that they are not happy.

*(Applause)*

Two, their falsification of data and figures in that document could not go through because they were restrained by the Members of the Budget Committee and they felt jilted and that is why they did not come here. Three, because the flagship budget was slashed and given to the Ward specific projects, that is one of the disenchantment by them and they were not happy. Another factor is RMLF which has been their domain to move and eat around have now been distributed to every Ward and they are not happy.

Lastly, because of the due diligence by the Budget and Appropriations Committee they ensured us that pending bills have been factored in the budget and the people who were contractors before Kiptis came will be paid and they are not happy. Last reason is that they think that they will go and manipulate these figures after we pass. Our eyes are on this document until it is fully assented to and implemented by them to the people of Baringo. And by the way, snubbing of County responsibilities is an impeachable offence.

*(Laughter)*

Why are you paid salary? Chairman I don't want to bore you but we have not had Hon. Kiptis address us. The last time he did was in September 2017. That is another offence...

*(Laughter)*

To the people of Baringo, Baringo County Assembly is your savior now and all the MCAs will save you from the malpractices that have been going on. Your salvation lies in this House. We are public watchdogs and never again will the funds meant for the people of Baringo be stolen when we are watching.

Finally, I urge my colleagues not to be swayed and tempted to look back. Do your job as prescribed in the Constitution. Thank you.

*(Laughter)*

**The Chairman** (Hon. Cheboiwo): Thank you Hon. Selemoi. Your concerns have been heard by the relevant Committees that is Finance and Budget. Hon. Kibai, what is your concern?

**Hon. Kibai:** Thank you Chairman. As I said that is a brief concern as I check on item R3002 we can consider it in future. Hon. Selemoi said that we must be very vigilant on peoples' based budget. Civic education is good for the people and we can know what we are doing. If you allocate Kshs. 1 million... we should allocate more funds to civic education in the future. I concur with him that it is a tradition that in every financial year we expect the Executive in the National, Legislature and County level to sit together so that they can discuss matters pertaining the Community and the people that we represent.

So if we are not seeing the Executive part, I think the Baringo people should now believe on the Legislature of Baringo or the MCAs that they elected because all of them are here. The 30 elected and the 15 nominated have been here from morning as it has been the tradition but I have not seen any Executive Member here.

**The Chairman** (Hon. Cheboiwo): Mover!

**Hon. Aengwo:** Thank you Chair. Before I move the amendment, I state that the CEC Member is not supposed to be seated here at the moment but he was supposed to come to our first session to highlight on revenue raising measures to this County. And what we are seeing across there was meant for him. So we were ready to receive him as I alluded to this House.

*(Loud Consultations)*

The reason why he did not show up is well known to him. In the morning we said that they had not brought the gazette supplement but they have just brought it. Now let me go back to what I am supposed to do.

Mr Chairman, I propose the amendments in the following votes; Recurrent expenditure. One, that vote R3003 Department of Treasury and Economic Planning be reduced by Kshs. 1, 500, 000 to Kshs.268, 573, 985. Two, that vote R3005 Department of Education be reduced by Kshs.9,796,814 to read Kshs.316,287,098. Three, that vote R3007 Department of Water and Irrigation be enhanced by Kshs. 10,000,000 to read Kshs. 122, 004, 156. Four, that vote R3009 Department of Health Services be reduced by Kshs. 132,681,000 to read Kshs. 1, 882,215,472. That the recurrent expenditure subtotal be reduced by Kshs. 143, 977,814 to read Kshs. 4,272,864,564. Thank you Chair.

*(Question that the sums and votes of R3001- R3012 as amended be issued from the County Revenue Fund to meet Recurrent Expenditure during the year ending 30<sup>th</sup> June, 2021 be part of the Bill put and agreed to)*

**The Chairman** (Hon. Cheboiwo): Clerk.

*(Question that the sums and votes of D3001- D3012 be issued from the County Revenue Fund to meet Development Expenditure during the year ending 30<sup>th</sup> June, 2021 be part of the Bill proposed)*

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

*(Long Silence)*

Mover!

*Schedule 2: Development Expenditure: Vote D3001- D3012*

**Hon. Aengwo:** Thank you Chair, I propose the amendments in the following votes; Development expenditure. One, that vote D3001, the County Assembly to be enhanced by Kshs.62, 704, 016 to read Kshs.62, 704,016. Two, that Vote D3002, the County Executive Services be reduced by Kshs. 10,450,200 to read Kshs.11, 549,800. That Vote D3003, Department of County Treasury be reduced by Kshs. 7,000,000 to read Kshs. 54,000,000. That Vote D3004, Department of Lands, Housing and Urban Development be reduced by Kshs. 29, 292, 588 to read Kshs. 62,307,412. That Vote D3005, Department of Education be reduced by Kshs. 9,932,182 to read Kshs. 62,314,754. The sixth amendment is Vote D3006, Department of Industrialization, Commerce and Tourism, be enhanced by Kshs. 22, 900,000 to read Kshs. 73, 900,000. Seven, That Vote D3007, Department of Water and Irrigation be enhanced by Kshs. 130,795,951 to read Kshs.332, 895,951. That Vote D3008, Department of Tourism, Wildlife Management, Environment and Natural Resources be reduced by Kshs. 15, 092, 350 to read Kshs. 21, 907, 650. That Vote D3009, Department of Health Services be enhanced by Kshs. 14,927,978 to read Kshs. 335,873,725. That Vote D3010, Department of Agriculture, Livestock, Fisheries, Veterinary and Livestock Management be reduced by Kshs. 12,502,332 to read Kshs. 394,397,761. That Vote D3011, Department of Transport and Infrastructure be enhanced by Kshs. 63,710,607 to read Kshs. 435,729,510. That Vote D3012, Department of Youth, Gender, Sports, Culture and Social Services be reduced by Kshs. 66,791,146 to read Kshs. 55,808,854. That the Development expenditure class subtotal be increased by Kshs. 143, 977,814 to read Kshs.1,903,389,493. Thank you Chairman.

*(Question that the sums and votes of D3001- D3012 as amended be issued from the County Revenue Fund to meet Development Expenditure during the year ending 30<sup>th</sup> June, 2021 be part of the Bill put and agreed to)*

**The Chairman** (Hon. Cheboiwo): Clerk!

*Memorandum of Objects and Reasons*

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

**The Chairman** (Hon. Cheboiwo): Mover.

*(Long Silence)*

You seem to be having no amendments.

*(Question Put and Agreed to)*

*Long Title*

*(Question that Long Title be part of the Bill proposed)*

*(Question Put and Agreed to)*

*Short Title*

*(Question that Short Title be part of the Bill proposed)*

*(Question put and agreed to)*

**The Chairman** (Hon. Cheboiwo): Now Honourable members this is the end of this process. Appropriation Bill (Baringo County Assembly Bill No. 03 of 2020) is passed but we have to vote for it. I now call the mover.

**Hon. Aengwo:** Thank you Chair. I beg to move that the Committee do report to the House its consideration of the Appropriation Bill (Baringo County Assembly Bill No. 03 of 2020) and its approval thereof with amendments. Thank you Chair.

*(Question proposed)*

*(Question put and agreed to)*

**The Chairman** (Hon. Cheboiwo): Order Members!

*(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): Chair of Committee please report what transpired in my absence.

**Hon. Cheboiwo** (Deputy Speaker): Hon Speaker, I beg to report that the Committee of the Whole House has considered the Baringo County Appropriation Bill (Baringo County Assembly Bill No. 03 of 2020) and approved the same with amendments. Thank you.

**The Speaker** (Hon. Kiplagat): I now call the mover.

**Hon. Aengwo:** Thank you Mr. Speaker Sir, I beg to move that the House do agree with the Committee in the said report.

*(Question proposed)*

*(Question put and agreed to)*

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

**Hon. Kipchumba** (Leader of Majority): Seconded.

*(Question proposed)*

*(Question put and agreed to)*

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

**The Speaker** (Hon. Kiplagat): Hon. Members that is the end of passing the Bill. I wish to congratulate all members for their industry. You have put in your all from morning; the time of the report all the way up to now. That shows the resolve from you Hon. Members to serve the people of Baringo. And I want to encourage you to proceed with that spirit. Now what remains is that the Baringo County Appropriation Bill (Baringo County Assembly Bill No: 03 of 2020) now awaits the assent by his Excellency the Governor of Baringo pursuant section 24 of County Government Act and Standing Order No. 138 to become law. So it is a matter of time. I thank you very much.

#### **ADJOURNMENT**

**The Speaker** (Hon. Kiplagat): Order members! This House stands adjourned until tomorrow; the first day of July, 2020 at 9:30 am.

The House rose at 5:05pm