

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF UASIN GISHU

THE HANSARD

Thursday, 27th February, 2020

The House Met at the Assembly Chamber at 2:30pm

[The Deputy Speaker (Hon. Hosea Korir) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

The Deputy Speaker (Hon. Hosea Korir): Hon. Members I have some communications to bring to the attention of this Hon. House.

EXCHEQUER REPORT

This is from the Controller of Budget and reference is Financial Year 2019/2020; exchequer report as from January 31st 2020. The Officer of the Controller of Budget is established under Article 228 of the Constitution of Kenya 2010, the powers are to oversee and report on the implementation of the budgets of both the National and County governments to each House or to each House of parliament every four months. Further Article 228(5) of the Constitution requires the Controller of Budget to approve withdrawals from the public funds if satisfied that the withdrawal is authorized by Law.

RELEASE OF RECURRENT AND DEVELOPMENT BUDGET

Hon. Members, there is also a statement over the release of both recurrent and development funds as of January 31st 2020. This is deemed committed to the Committee on Budget and will later be shared to the Finance Committee.

POSTPONEMENT OF THE SENSITIZATION MEETING ON TVETS

Hon. Members, we have an invitation to a Committee meeting on the sensitization of TVET at Moiben Sub-County On the same day. For this reason they are apologizing to the Committee for they have re-scheduled it to 2nd March 2020. Chair, note that.

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STRIKE NOTICE BY KENYA MEDICAL PRACTITIONERS AND DENTIST UNION

There is also a strike notice, Hon. Members, by the Kenya Medical Practitioners and Dentist Union (KMPDU). Herein they issue a 21-day strike notice to Uasin Gishu County due to failure to implement a Doctors' 2017/2020 Collective Bargaining Agreement entered on July 6th 2019. A consideration will be made by the Committee on Health Services though there was a commitment in terms of handling a Petition. I urge the Committee on Health because there was a Petition and now there is a strike notice. That means that you need to dispense your Business within the Committee because maybe after the strike they might also move to the Assembly.

QUARTERLY GOVERNMENT BUDGET IMPLEMENTATION REVIEW -2020

There is also first quarterly government budget implementation review for the Financial Year 2020. Normally we receive copies and will be available at the Speaker's secretary's desk for us to be able to look at our budget implementation.

PUBLIC PARTICIPATION ON NEMA

We also have a communication on the implementation of NEMA (National Environmental Authority) tariffs and there will be a public participation at Eldoret Gospel Ministries Association. I think this is on issues to do with the tariffs and, Hon. Members, this will be looked at by the Chair Trade for further consideration. Thank you. Clerk.

The Hon. Member Vice Chair Budget Committee can you table those Papers?

PAPERS LAID

PROPOSED ANNUAL DEVELOPMENT PLAN

Hon. Muya: Thank you very much, Mr. Speaker. On behalf of Budget and Appropriation Committee together with our able Chair, allow me to Table the Report on Budget and Appropriation Committee, that is, the proposed Annual Development Plan for Financial Year 2020/2021. I hereby do Table the Papers.

(Hon. Francis Muya laid the Paper on the Table)

The Deputy Speaker (Hon. Hosea Korir): The Papers are deemed Tabled. Hon. Chair Finance, you did not Table the full proposed Finance Bill. I want you to table in form of Papers because we shall be referring to it during the Committee of the Whole House.

FINANCE BILL 2019/2020

Hon. Leting: Thank you Hon. Speaker, I beg to Table the Finance Bill 2019/2020 ---

The Deputy Speaker (Hon. Hosea Korir): Just Table the proposed Finance Bill.

Hon. Leting: I am tabling the Finance Bill 2019/2020.

(Hon. Stephen Leting laid the Paper on the Table)

The Deputy Speaker (Hon. Hosea Korir): Those Papers are deemed Tabled, Hon. Members. We will get the copies as we will be deliberating in this session and particularly during the Committee of the Whole House.

Hon. Muya, on behalf of the Chair Budget Committee.

NOTICES OF MOTION

PROPOSED ANNUAL DEVELOPMENT PLAN FOR FINANCIAL YEAR 2020-2021

Hon. Muya: Thank you very much Mr. Speaker, I beg to give notice of the following Motion: That this County Assembly do adopt the Committee of Budget and Appropriation 1st Report on the proposed Annual Development Plan for Financial Year 2020/2021 dated 27th February, 2020 and tabled in the House today 27th February 2020 with or without amendments.

The Deputy Speaker (Hosea Korir): Thank you.

Hon. Singoei on behalf of the Leader of Majority.

Hon. Singoei: Thank you, Hon. Speaker. Allow me to ---

The Deputy Speaker (Hon. Hosea Korir): Order, Hon. Member! Take the position n of the Leader of Majority.

RECESS/ADJOURNMENT

Hon. Singoei: Thank you, Honourable Speaker. Allow me to give notice of the following Motion:

That this House do adjourn it's sitting in terms of Standing Order No 25 (3) and its adopted calendar for the period of 10 days starting from 28th February - yes ten days . Yes of course. You can go forever - starting from 28th February, 2020 to 9th March 2020, both days, inclusive as indicated in Uasin Gishu calendar. Thank you.

The Deputy Speaker (Hon. Hosea Korir): Thank you. The two Motions, Hon Members, will be moved this afternoon.

The Deputy Speaker (Hon. Hosea Korir): Hon. Rugut.

STATEMENT

LOCUST INVASION

Hon. Rugut: Thank you, Mr. Speaker. I beg to ask the following question:

Aware that locusts have spread to 18 counties in the republic of Kenya and their capacity to destroy vegetation is unparalleled.

Hon Speaker, that residents of the County heavily rely on agricultural produce for their subsistence, the risk of locust invasion to Uasin Gishu County would lead to starvation, complete

breakdown of the county's food systems resulting in devastating consequences to the county's economy.

Hon. Speaker, National Government has not put in place sufficient effort in dealing with locust calamity but has instead employed reactive mechanisms with faith and hope that all will be well.

Hon. Speaker Sir, well-thought proactive measures should be put in place to safeguard our agricultural systems, this County Assembly urges the Leader of Government Business to issue a comprehensive statement on the effort made so far by the County Government to counter the menace that may occur in the event of locust invasion.

Thank you, Sir.

The Deputy Speaker (Hon. Hosea Korir): Thank you. I think, Hon. Members, this is a disaster that came to this country and in view of this, before I give the direction I want to allow Members, within the next seven minutes, to have their inputs if it is indeed within our county too.

Hon. Eileen Kendagor.

Hon. Kendagor: Thank you, Mr. Speaker. I stand to contribute to what the Chair for agriculture has said about the locusts. It has indeed affected my own ward Karuna/Meibeki and part of Moiben Ward. This is a disaster in the County. The locusts are just like immigrants and they are moving in large numbers and if they attack a place like Moiben where our farmers are busy weeding their tomatoes - and if the locusts attack a place - they seriously clear almost everything and therefore it is a disaster that we need all of us to come up with a way forward. What are we going to do as a county so that we can stop this thing?

Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Hosea Korir): Hon. Chomba.

Hon. Chomba: Thank you, Mr. Speaker Sir. It is unfortunate that the areas that the areas started in Kenya. I wish they started on the western part of Kenya because this would not be a disaster; people would have enriched themselves with these locusts. Not long ago, we were privileged ---

The Deputy Speaker (Hon. Hosea Korir): What is out of Order, Hon. Ramadhan?

Hon. Werambo: Mr. Speaker Sir, I find the Member on the Floor out of Order because the issue of the locusts is a disaster in the whole Republic, in Kenya at large and so the issue of to either western or any other area, I find it malice. Through your Chair, if he is building, let him build his case properly without discrimination/insinuation.

Thank you

The Deputy Speaker (Hon. Hosea Korir): I think he was not specific; he said down here. He was not specific to western. From the Chair, I rule he was not specific.

Hon. Werambo: Mr. Speaker, he cannot just come and say it could have just started in western; this is a disaster. It is like a disease and you cannot just say it should have started in that area and yet we are here. We have to look for ways to prevent further damage.

The Deputy speaker (Hosea Korir) it is true

Hon. Werambo: So he is as if he is praying for Western Kenya to have this menace yet it is a menace in the whole republic . We have to discuss how to curb this menace not talk of western here.

The Deputy Speaker (Hon. Hosea Korir): Hon. Chomba, just Proceed and consider withdrawing that statement because you are insinuating that western people should been the first people to suffer.

Hon. Chomba: Thank you, Mr. Speaker. I withdraw the word ‘western’. In all other African countries where the locusts have invaded, they are celebrating but in Kenya we are crying. We were privileged to go to Uganda. In each and every market in Uganda people were selling the locusts . They are part of their food. Ugandans make a lot money selling locusts while Kenyans are trying to kill the locusts. That should not be the case. We should get these people from other countries to come and teach us how to fry these locusts and even sell them in our markets. when it will come to that point, we are going to realize how much time we have wasted, how much money we have wasted trying to kill them .

I was with the Hon. Ramadhan in Uganda. that is the food he asked for and so I am wondering if he could eat the same food in Uganda and now God has brought it to Kenya, why do you think it is different food from the one you ate in Uganda?. We need to be allowed to eat these locusts, Mr. Speaker Sir.

About four of them come in to my compound. Yes. My children caught and brought them in the house wanting to keep them as pets. If the children do not want to kill why, as grown-ups, do we want to kill the locusts. Let us find a way of utilizing this God-given food and that is why I was saying once they get to the western part of Kenya, that is when we shall realize that locusts are food.

Thank you, Mr. Speaker Sir.

The Deputy Speaker (Hon. Hosea Korir): Hon Muya.

Hon. Muya: Thank you very much, Mr. Speaker.

I also rise to contribute on this issue of locusts in our country. The issue of locusts invading our land is biblical. From history when we try to inquire the senior citizens, they are advising us and we need to be very careful when see such signs - though my dear friends and client Hon. Chomba is bringing it in different dimension , but what he is not telling us is whether he tasted the meal in Uganda. With my own naked eye, it is quite different from what is being highlighted in our midst. It is alarming to hear. I was not privileged to accompany the Members to Moiben section nor the Agriculture Chairman or others that went with him. However, I want to take this opportunity to commend and congratulate our Leader of Majority. though I am not an active Member in the face book, I was shown the Leader Of Majority being the leader in the village trying to scare the locusts and I think something I posted in our forum really helped him. This is because there was a guy in Ukambani who was really using strong words and in fact demonizing and making sure that he is using the right word to ensure that the devils which have come to our country as locusts, be demonized and be chased.

Therefore congratulations, Leader of Majority Lodea Lowoi for that brave action of trying to chase the locusts.

The Deputy Speaker (Hon. Hosea Korir): Point of Order. What is out of Order, Hon. Chomba?

Hon. Chomba: Is Hon. Muya trying to tell us that Hon. Majority Leader was trying to chase the locusts? As I can recall right our Majority Leader has a disability in one of his legs, from sports. How could he have been running after the locusts?

Hon. Muya: Thank you.

Mr. speaker, I went to school and in Biology we were taught about reflex action and, because the issue of locusts is a disaster and in fact I wondered we were with the Leader Of Majority right here in the premises; the next minute he was in the farm chasing the locusts and that is the real reflex action that was taught in class. Therefore, Hon. Chomba, my client, needs to be very observant on what is happening around.

therefore I want to say the national Government and the County Government, led by the minister in charge of agriculture, needs to do what it takes - though we are being told by one of the Honourable Members from that area that the locust came but the next day they were nowhere; they had already left and when I tried inquiring they were on transit back to Yemen In the do not know how through is that and not any other place but they were heading towards the East.

Therefore, Mr. Speaker, this is a disaster the national Government and county Government of Uasin Gishu need to join hands do what it takes to make sure that we protect our farmers from this locusts.

Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Hosea Korir): Thank you. Hon. Whip, though our seven minutes is over, I expect you to be within that limit.

Hon. Singoei: Thank you, Honourable Speaker. I also want to make contributions to this statement that was issued by the chairman Agriculture committee.

Honourable Members, I want to dissuade members from making this a laughing matter. This is Because of course maybe all of us were born just the other day from how we are debating on very serious issues. Our old parents told us this is real disaster. It is a real disaster if it strikes; leave alone the nonsense of it can become food. You will become food when these things actually strike.

Honourable Speaker, let us not make this fun ---

The Deputy Speaker (Hon. Hosea Korir): Order, Honourable Singoei! Also I want to seek your indulgence that you use parliamentary language. You apologize and withdraw the other statement. And you know where you did that statement.

Hon. Singoei: Thank you, Honourable Speaker. I withdraw that word 'nonsense' but nonetheless, Honourable Speaker, it is not a laughing matter. I just want to ask Members to dissuade themselves from thinking that because it can be eaten --- You know sometimes the when the wild animals come out to destroy food, it doesn't become a laughing matter because we

know when they come out of the bush or in the reserve, they are valuable to the economy of Kenya because tourists go and see them, but, Honourable Speaker, when they come and destroy food we should be very careful on the way we handle those matters. This is a public place. It is on the *Hansard* and when we are discussing serious matters. Let us not laugh and say it can be eaten by other communities. These are very many insects that cannot become food. Yes, of course maybe along the way if it really eaten, but as it is now if they strike and come out like the way I saw it yesterday at Sing'ore, it is a disaster. So I think what we should be doing as leaders is that we are asking our county Government to take whatever measures and also sensitize our people on what other measures they can take on their own to at least scare them away.

Somebody said - and I quote Leader of Majority said - there was one farmer yesterday who he had overhead that sprinklers can scare them away when you use it in your small farm. And I think that is what we should be telling people rather than saying, "I wish it landed in some other place so that it can become food for other communities."

You know, Honourable Members, let us be serious even for once and ask the national Government and the County Government to seriously look into it and do something about it so that our farmers will remain with some food. I know when it rains somehow we understand they will go away. And because these animals come once in a very long time we hope that God will see us through.

Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Hosea Korir): Honourable Ali, I think we should have the last person contributing because it was just a statement.

Hon. Werambo: Thank you. To contribute a little on that statement, the issue of locusts although we are now complaining, we were shown especially in the Bible, and there is a verse in the Bible that says --- I read both, I read both. We value both. There is verse that says when God is annoyed with your deeds he can even, punish you through sending you locusts. So maybe what is happening to Kenya, we have to think twice. Sometimes we used to pray every day we have breakfast prayer and others. In the book of Leviticus although that book says you may eat locust but there is another book. Yes, Leviticus 22. it says you may eat locust, crickets or grass hoppers but these are not the ordinary locusts that we think and that is why *Mheshimiwa* was saying if it could have landed in western -- It is true in western there are those locusts that are eaten but with this type, the way they came, as Kenyans, we should sit down .They came through Ethiopia, they came to Somalia, and now they have landed in our country. Let us put this thing in prayers and I believe it not be the curse that God wants to punish us with. I believe even if we are looking for the acaricides we should also go through prayers to control this menace.

Thank you.

The Deputy Speaker (Hon. Hosea Korir): Thank you. I therefore now direct this to the Leader of Government Business. On his behalf, the Whip that information should reach the Leader of Government Business and within 14 days a response should be done.

Hon. Malel: Thank you, Honourable Speaker, for giving me this opportunity.

I beg to ask the following question:

Honourable Speaker, Several cases have been reported about stray dogs biting the members of the public. The hungry dogs have become a menace in the county especially Block Ten Estate in Kuinet/Kapsuswa.

Recently an elderly woman aged 70 years was attacked by the street dogs and later she passed on as a result of the same. Fearing a rabies outbreak the Uasin County Commissioner assured the public that all the street dogs will put down. However according to the Prevention of Cruelty to Animals Act 2012, killing animals willingly is illegal. I therefore request the Leader of Government Business to issue a statement detailing what the County Government is doing through the Department of Livestock and Fisheries to control stray dogs .

Honourable Speaker, not long time ago on 20th January this year, an elderly woman was killed by the stray dogs at Block Ten Area and it was even in the news on that day.

We are asking what the department could do because there are a lot of dogs loitering around. You remember during the post election violence 2007, when people ran for their safety they left the dogs hanging around and there is nobody who is taking care of the dogs.

When the county Government gives dates to vaccinate the rabies vaccination, these dogs remain unvaccinated hence causing very great danger to the public because of the same.

Honourable Speaker, last year a pupil in Moiben was attacked by the stray dogs. We want to get a comprehensive statement of what the Government is doing now that there is an Act that is preventing the dogs from being killed.

Thank you, Honourable Speaker.

The Deputy Speaker (Hon. Hosea Korir): Thank you. It is a great concern. Honourable Members, as it has been expounded by the Member that concern should be responded to immediately.

I am also directing that within 14 days the Leader of Government Business should be able to respond to that.

MOTION

PROPOSED ANNUAL DEVELOPMENT PLAN FOR FINANCIAL YEAR 2020-2021

The Deputy Speaker (Hon. Hosea Korir): Honourable Jonathan, you are now in; you can move that Motion.

Hon. Ngetich: Thank you, Mr. Speaker Sir. Allow me to move the following Motion:

This county Assembly do adopt the Committee of Budget and Appropriation first report on the Proposed Annual Development Plan for Financial Year 2020-2021, dated today 27th February 2020 and tabled in the House today 27th February 2020 with or without amendments.

Mr. Speaker Sir, with me is the report of the Budget and Appropriation the first report and on the proposed Annual Development Plan for Financial Year 2020-2021. This is a 95-page report.

Mr. Speaker Sir, in our previous engagement we have engaged the Members and to the best of my ability, I believe that the Members know the content of the ADP.

Now, Mr. Speaker, I seek your permission that I do summaries this report and request the House to support.

The Deputy Speaker (Hon. Hosea Korir): Proceed.

Hon. Ngetich: Thank you. Mr. Speaker Sir, Honourable Members, Invited guests, and members of the public present, today I present to the Assembly the report of the Uasin Gishu County Annual Development Plan for Financial Year 2020-2021. I do this in the fulfillment of the requirements of section 126 of the Public Finance Management Act 2012.

Mr. Speaker Sir, Annual Development Plan is prepared in accordance with section 126 of Public Finance Management Act 2012 that reads every county shall prepare a development plan in accordance with article 222 of the constitution.

Mr. Speaker Sir, the Annual Development plan contains the following:

1. Strategic priorities for the medium term that reflect the County Government priorities and plan
2. A description of how the county Government is responding to the changes in the financial and economic environment.
3. Programmes to be delivered with details of each programme.
 - (i) The strategic priorities to which the programmes will contribute
 - (ii) The services or goods to be provided,
 - (iii) measurable indicators of performance where feasible, and
 - (iv) The budget allocation to the programme.
4. Payment to be done on behalf of the County Government including details of any grants, benefits and subsidies that are to be paid.
5. A description of significant capital development of physical, intellectual, human and other recourses of the county including measureable indicators where those are feasible.

Mr. Speaker Sir, I can point out that the proposed ADP meets all those requirements required and, having gone through this report, all of us and each and every Member have a copy of the same.

Mr. Speaker, I will move to the conclusion part of it and read that. The public participation being central, the committee engaged with stakeholders in the formation of the county Annual Development plan 2020-2021. This has helped enriched and informed the programme to pursue.

Obviously we are not always able to accommodate every proposal leading to choices to be made as a result of scarce resources available. But the involvement of the public and the elected representative and of community, labor, business and other organizations has helped improve the quality of the ADP 2020-2021.

We have adopted as a Committee of Budget and Appropriation. The county Government of Uasin Gishu has set out an ambitious social economic development agenda that seek to address the needs of the county as outlined in the CIDP 2018-2022. The proposed County Annual Development Plan has also been aligned to the vision 2030, the Big Four Agenda and the Uasin Gishu County Ward Equalization Bill (Bill Number 10), 2019.

Mr. Speaker Sir, the New Equitable Bill Empowerment Framework embodies the principle of local economic empowerment which is important in bringing about economic transformation and closing inequality gaps. While County Government embraces this principle, we should seek win-win approaches to give effect to the national objective enshrined in Vision 2030 and the Big Four Agenda and bring it to finality.

Targeted resource allocation proposals have been met what matters is effective implementation and result in best management and we need to act decisively and thus seek support and insight going forward from all sectorial committees.

Mr. Speaker Sir, I thank my colleagues for their support and common understanding during deliberation and preparation of this report.

I also thank my secretariat, the Budget team for their hard work, innovation and selfless effort devoted in preparation and finalization of this report.

Mr. Speaker Sir, finally the personal efforts, guidance and hands-on involvement by the Speaker and the Clerk has made it possible to prepare this report in a thorough and substantial manner. It has been a privilege and a pleasure to work with them.

Mr. Speaker, this a point to note: the Committee did not in any way remove any proposed project by the executive either from the flagship or ward projects but only added what had been left out as noted by the public.

It is now my distinguished honour to submit the Committee's report to this Hon. House on the proposed Annual Development Plan 2020/2021 for approval. We have gone through the process of coming up with the Annual Development Plan for Financial Year 2021. The consideration that has been taken included both the flagship and ward programmes as envisaged in the ward Equalization Development Bill. This is now an Act that requires that 40 percent of development money be wired to every ward for specific programmes that will be decided by the Ward Project Implementation Committee.

Mr. Speaker Sir, we received shocking news from the National Treasury and CARA (County Allocation of Revenue Act) which reduced our national shareable revenue by Ksh300 million. Our revenue from loans and grants also reduced by almost 50 percent. As compared to this current financial year, we lost almost Ksh450 million from grants and loans whereas Ksh300 million was reduced from the equitable share. That affected what could have been our 40 percent; we were expecting that this year we would have like Ksh50 million per ward but that could not be possible as a result of what CARA gave us. What is available for us is the flagship programmes and in the ADP report it is outlined well. The Ward programmes came from the Ward identification Committee together with the leadership of the ward that is area representatives and the five percent for affirmative action has been captured in almost all the wards.

Mr. Speaker, this is our document; it is a policy document that will inform the CFSP (County Fiscal Strategy Paper) and we expect that it will be in this House by tomorrow 28th February. The programmes in the ADP will inform the CFSP and the CFSP will give us the ceilings together with the estimates for the Financial Year 2020/2021. After the CFSP has been approved we shall then deal with the budget.

With all those many remarks, I believe that the programs that we have provided in this ADP will go a long way in assisting our people from various wards. Our needs are different but because we have Ksh33 million that will be shared in a ward then that will bring about equity because needs and priorities are different.

Mr. Speaker, this report has been given to this House with utmost good faith and with the belief that the executive will implement to the fullest. We are praying that they will support us. We have always insisted that the implementing arm of the County government should work with minimum delay and maximum speed so that the programmes are implemented. I know that many of the Hon. Members are worried that we approve policy documents year in and year out and we might not see actual work on the ground.

I urge this House, through various committees, let us do our oversight work such that if it is about allocations in water then the Department of Water needs to work with extra speed and do oversight. If there are programmes in Roads then the Roads department as well as the Roads Committee should assist this House to see that the programmes are implemented. Otherwise we will be blaming ourselves, the County government as the implementing arm that they are not doing anything yet it is our responsibility that we do thorough oversight.

With those many remarks, I move the Motion and I request my able Deputy Chair, Hon. Muya to second.

The Deputy Speaker (Hon. Hosea Korir): Thank you Chair, Budget and Appropriation Committee. Hon. Muya.

Hon. Muya: Thank you very much, Mr. Speaker.

I thank the Almighty God for creating us in His own likeness as we are fearfully and wonderfully made especially me as I move with time.

From the onset, I second the report that has been moved by my able Chair of Budget and Appropriation, Hon. Jonathan Ngetich, that we adopt the first report on the proposed Annual Development Plan for the Financial Year 2020/2021.

As the Chair Budget and Appropriation said when he began reading the report, this was reached after a lengthy deliberation and consultation by both the Members and the originator of the Annual Development Plan. As a Committee, through the wisdom of our Chair we decided that it was proper to consult widely even though the other document will be brought to this House later, but we saw it wise to do so in order to make our work easier. I congratulate the Committee of Budget and Appropriation and the Members to this Hon. House because they participated fully in making sure that we come up with this report.

The task of coming up with the ADP this Financial Year was made easier because of very noble work that was done in this House, if Members can remember the Ward Equitable Development Act. This culminated in every ward coming up with a seven-Member committee comprising five elected Members of the Ward Identification Committee Unlike other years. this means that people from the ground have participated in trying to identify what they would like done in their areas; that is why the Chair stated that we have followed the law - the Members of public have been involved and more so with the guidance of the leaders who the people chose themselves.

Mr. Speaker, this is a document that has been consultatively researched and we hope as a Committee when the County government --- This is one document that is a requirement by the law and after this we are going to receive other Papers like the County Fiscal Strategy Paper and finally we shall move to the budget making process.

Therefore, Mr. Speaker, this document is timely and well captured.

Without much ado, I fully support the report as the Deputy Chair of Budget and Appropriation. On behalf of my Chair, I do hereby request this Hon. House that we pass it because it is required by Law. We do not want to drag so much because it will affect the calendar of events in the budget-making process and I kindly request this House that we consider passing this report with or without amendments. As a trusted Committee, I can say without fear of contradiction that this report has captured the aspirations of all Members in this House and followed the Law as it has to be captured in the CIDP. Through our able secretariat, that has been looked into and it is in conformity of the Law.

With those remarks I do second that this report which has been moved be deliberated by this Hon. House and be adopted with or without amendments. Thank you.

The Deputy Speaker (Hon. Hosea Korir): Thank you, Vice Chair to this Committee on Budget and Appropriation. I therefore propose a question.

(Question proposed)

Ensuing debate, Members.

Hon. Member for Kiplombe.

Hon. Werambo: Thank you, Hon. Speaker.

I stand in full support of the Annual Development Plan for this County government. I have an issue which the Chair of the Committee on Budget and Appropriation. He has just stated that as Members, we should carry out oversight. If there is a better way that he can explain to us a better way to do oversight, then it will be good to me as one who needs that explanation. This is because we have tried to do oversight for the last two years. The other day we were talking here and we agreed that we should not go out and complain about the same issue. We have done so and an example is when one day we went to the County yard as the people's representatives but nothing happened; we have gone to the Governor and asked but nothing is happening. We have gone to the site and to the CECs concerned. When we are just talking about the issue of oversight, nothing is taking place. Now which is the better way for us to do oversight for us and our people of Uasin Gishu to realize that the budget we are passing is of their benefit? We cannot accumulate because if we go and see the last year's Annual Development Plan that was passed I can say it is about 40% and 50% done but on the ground there is nothing that has been done. I believe that the Chair for Budget, as you budget for this thing you interact fully. We were in Kisumu and I saw you interacting closely with these CECs. There is no doubt but which is the best way we can use for oversight for a reality, because we are being asked many questions on the ground we keep turning round and answering this and that? At the end of the day it is not accomplished and we go look for other suitable words to our people, it is not accomplished.

What is happening especially since we introduced 40-60 % budget? We are not accurate in giving our service to our people.

The Deputy Speaker (Hosea Korir): What is out of Order, Member? Order, Hon Ramadhan!

Hon. Muya: Mr. Speaker, I find the Member who is on the Floor --- considering that he is the most experienced Hon Member in this Hon House, having served thrice as councilor and now he is on his second term as an MCA, he knows that after going on the ground asking questions he has not explored the final word of putting flowers in front of the CEC concerned and department concerned. Let him not mislead this House. As a senior Member he has done because he has been doing in the first term. What is done in this or his hands are tied. Therefore, he needs not to mislead this House because he is a senior Member and he knows well it is out of Order.

The Deputy Speaker (Hosea Korir): Precede, Hon. Ramadhan.

Hon. Werambo: Thank you, Mr. Speaker. What I am talking is from a reality and when we are out of this House outside there, this is what we always discuss in low tones. This is not happening and today we are passing the ADP; it is okay and the issue I am trying to insinuate here ---

The Deputy Speaker (Hosea Korir): Point of Order! What is out of, Hon. Member for Soy?

Hon. Talam: Hon. Speaker, the Member on the Floor of the House ought to have contributed on the Motion that is before the House but he is telling us about the oversight or Doing oversight in his area of jurisdiction. We are here discussing the matter that is before the House; issues to do with oversight should be done another day.

The Deputy Speaker (Hon. Hosea Korir): Stick to the substantive Motion, Hon Member!

Hon. Werambo: Mr. Speaker, I wish when the Chair for Budget was talking that time, we could give that because he told us we are saying we are passing this ADP and it is not a reality; let us do our oversight. He said that. I am totally in agreement 100% that we pass the ADP, but I would wish if there is any better way we can use to do oversight so that this ADP comes to be the reality, then it is good to put it in place .

I support but my sentiments should be taken into consideration. Thank you, Sir.

The Deputy Speaker (Hon. Hosea Korir): Thank you and I hope you understand the procedure. You can have the CEC and the CO appearing before a committee and finally a resolution can be done through here. You have seen what other counties do. You can go to direction; you can go that direction. Hon. Shah. I have seen you; Hon. Whip and Hon. Chomba.

Hon. Keitany: Thank you, Mr. Speaker Sir.

I really want to say that I support passing this ADP report but still I want to say what Hon. Ramadhan was saying is true and the truth is that even me, as a Member representing Sergoit Ward, I am not happy with passing ADP every now and then. This is the third time for me; I think it is the fourth time because we had the one for 2017/2018, 2018/ 2019, 2019/2020 and now 2020/2021. Right now I have a project which was for 2017/ 18 which has not been done and my worry is that are we here to pass this report every now and then? Anyway you have said

we have to do something and let me say that your formula is not bad but we have tried most of the time but for me for all the number of months that I have been here, it has never worked

The Deputy Speaker (Hon. Hosea Korir): Order, Hon. Keitany! A Member is in on a point of Order.

Hon. Muya: Mr. Speaker, again I find this Hon Member whom I respect to be out of Order because when we are bringing very important report as a committee that is not the time for Hon Members to bring issues. They have all the time to dispense their core mandate of oversight. Are they insinuating they have not been doing their oversight role as Hon Members of this House? We ought to have seen a very clear report from a given committee that the said project was never done but today what are we going to do?

The Deputy Speaker (Hosea Korir): Are you contributing, Hon Member?

Hon. Muya. Therefore, I find the Hon. Members to be out of Order. Let them to stick to the substantive Motion because the document is before them but the issue of oversight, can they wake up as Hon. Members?

The Deputy Speaker (Hon. Hosea Korir): Order, Hon. Member! I think on the issue of oversight I have already given a direction. A CEC will appear and COs will be interrogated; where he/she will be found to have not executed on a mandate, the instruments and powers given to you, you exercise on that.

Proceed, Hon. Keitany. Let us allow him. Proceed!

Hon. Keitany: Thank you, Mr. Speaker and kindly protect me.

I want tell Hon. Muya to continue trusting me because I am still a trustworthy person as are other Members.

As I was saying that your idea is good but the only issue is that we have been trying but anyway, let us assume that may be we were not serious that time and let us get serious.

I still had another idea; I wanted to request - not even requesting but to give early warning to the executive that if in case come that time that Hon Ngetich was talking about the issue of passing the budget or preparing the budget --- I want to say clearly come that time, if they would have not done anything, especially the one for 2117/18, 2018/19, I will not be in a position to approve the budget come that day.

Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Hosea Korir): Hon. Whip then Hon Chomba.

Hon. Singoei: Thank you, Hon Speaker, for the opportunity.

I also stand to support the report that has been brought by Hon. Ngetich Chair Budget on the Annual Development plan for the Financial Year 2020.

Hon. Speaker, if you look at this development plan and I think because of the nature in which we have undertaken this issue we have had consultation and the details. They normally say the devil is on the details. We do want this ADP to be passed by this Assembly. However, I think the fears that Members are expressing - though they are saying in different ways - is that we have

been doing this over the years and as they are saying nothing seems to be seen. The problem with our budgeting is that we sometimes give things in a blanket and we do not know what is going to happen at the end when the budget is actually implemented. I think that is where we should be asking ourselves as well as all Hon. Member to be very keen because you remember all the reports that have been coming back from the Controller Of Budget asking the geographical location of this project you are telling us you are going to do. I can give you two good examples of what has been stated in this Annual Development Plan.

For example, there is around Ksh80, 000, 000 that we are saying we are going to buy machinery. I think this is either water machinery for Ksh80, 000, 000 through or across the County. What does that one mean? It is a very vague statement. You will eventually hear that they have bought one machine. And that one machine will serve the County.

So I think instead of us talking about this ADP because ADP is supposed to be really general, let us be very careful because this County knows exactly what they want to do. When we go to the budget we have about the 60-40%; the 40 Members have been able to tell us what they want to do in their various wards. you can clearly go to a ward like Huruma and Hon. Chomba is telling us he wants to do a sewer line, ECDE, Hospital or may be swimming pool or something like that; and those are not my word but they are your words, but Hon. Speaker. That is really what budget should be. But in reality what we have been given - and let us call spade a spade - is a blanket cheque. That in the other 60% we were told we are going to buy machinery. Look at this document properly because when we are saying we want to help farmers, we are not really helping farmers.

We are helping place called Chebororwa and I support Chebororwa. It is a good place but look at the money we are putting there, including Ksh100 Million for fencing. Who wants to jump into Chebororwa? Those people who are grazing should be allowed to graze in some places, left to go home in the evening, and not just put Ksh100 Million whereas our farmers cannot get the subsidy seeds that we are saying we want to empower farmers with.

I understand what Hon. Governor was saying; we want our people to have money in their pockets but putting Ksh100 Million for fencing Chebororwa, is that really putting money in pockets of our farmers? We should be very realistic and address this issue. I don't know where The Water Muster is sitting now. I saw it landed somewhere and I think Mheshimiwa knows. There are two Hon. Members in that area. We want to be told what is happening and what it is doing and may be this other machines we are talking about- are they going to roam around the county? It is also another water master?

So let us be very careful in these generalities. We are putting things in a blanket. Let the budget have specifics so that as we are saying as Hon. Members in our various wards, we have this amount of money that it is going to water, ECEDE and also in the 60% what is going to your ward? Are we only fighting for this 40%? And even if we talk about it, do you think and are you sure this 40% is going to come?

We hear the national Government is reducing the budget. If it reduced, how do you know that the Ksh40 Million will not be reduced?

There is something that we must discuss and I think maybe this is not the time for it because we are saying let us approve this ADP but let us now look at the CFSP and the real budget. We want to know what this county Government wants to do. Let us not be told it is buying a machine. We want to know what kind of machine and where it going to be placed and what is it going to do.

The machines that we bought for water, has it been changed to water? Because we just don't need machines, we want the machines to be changed into water. We want even the other road machines to be changed in to roads. We just don't want to be a county that is just buying machines and buying machines. We really support because when it is put in use but let us also see also see the other mechanism of ensuring that whatever we are buying is actually put into use.

the risky part of putting things into generalities and giving a blanket cheque is that one person and when we say one person it is not always only the Governor; one person can decide and use the amount. You remember what happened to the water department. The Water Department has no money to deliver on the other things that we promised the people because there is a project that took whooping Ksh40Milion. That is the problem with us. We just say we pass this thing without asking when it was spent, how it was spent and whether it was it in the budget. The oversight role that the chairman was saying has to come from us. Remember what happened to water department. They do not have no money to deliver on the other things that they promised the people because there is a project that took Ksh40Million. And that is our problem. We just want to pass it without asking when it has been sent and how it was spent and if it was in the budget. The oversight should come from us and we can start by scrutinizing the budget.

I want to agree with *Mheshimiwa* Shah (Keitany) - he has stepped out - when he said if he does not see what is pleasing, then he is not going to pass that budget and I am happy to say that also one of the Members irrespective of whether we have passed this - because this time round we must see that the budget is helping our people. If it is not helping our people why should we be seated here? We were elected by people to represent them so that something can happen to them. Look at how we speed up the buildings. There is a ward office in my place; it was constructed within nine months. That is record. Is it going to serve my people? There is cooling plant that has been sitting for the last four years and is not complete. That is the one which is supposed to be serving my people. The ward office is not serving my people. I serve my people from my house and I do not care about the ward office. This is because whenever I go, I meet the people and I serve them; I can even give bursary under a tree . Building a ward office worth Ksh15Million and leaving the cooling plant stalling for four years is a joke.

We must tell this government that we must deliver service to our people; otherwise we would just be here rubber-stamping things. Nobody here should say he is a friend to someone; all of us here are friends to whomever you are calling your friend. We are very good friends of the Governor, Deputy Governor and everybody else but we must tell them to deliver service to our people .

Thank you. I stand to support.

The Deputy Speaker (Hon. Hosea Korir): Honourable Chomba.

Hon. Chomba: Thank you, Mr. Speaker sir.

I rise in support of the ADP . I think if what the Members are saying today we normally put it in perspective then we would be very far as a county. I am saying this because the executive has used this County Assembly in streamlining the paper work that the national government needs on the projects that are supposed to be done in this county. We have become example for the other counties in the country. Look at what the ADP for Uasin Gishu. If they say look at the ADP for Uasin Gishu County with a lot of projects , good projects but apparently those projects do not take place. The truth of the matter - having served or having been privileged to serve as a councilor in this county - as councilors we did more than what has come from 2013 after devolution until now.

Going to my ward, I could be able to pin point the projects which the public chose to be put up and at the end of the day what was budgeted for those projects and those that were put up to completion.

In Uasin Gishu County, if I may rate the county that I love the most the county that I call home, the truth of the matter is we are 47. That is where I would rate the county of Uasin Gishu. Number 47 because we put money where we are not supposed to put money. Why are we fencing rental houses in honourable Ramadhan's ward? Those people have lived for over 20 years without a fence but now we have found it better to put up a fence for them but most of the houses that are being fenced are already rotten. There are houses that need roofing because they leak; others need paint. That is where the money could have gone to.

If you look at the projects we put on the ADP when we are told that nothing will be put unless it is in the CIDP when they are in those CIDP, at the end of the day nothing is done in our wards.

it is a high time we had a department this time around when are allocating funds as Members of the County Assembly, not a single Member allocating money into the trade department because both the CEC and the CO are sleeping on their jobs. Projects that were supposed to have been done in 2015/2016 have not done to date. We need to sit and ask ourselves why we are being used by the County Executive to make all these bundles of papers that are sent to the National government to show what we are planning. When are we going to come out from the planning and go into implementation because for now we only have two years remaining with us? And we are still planning. It is a question, as Members of the County Assembly, that we need to ask ourselves because you said, Mr. Speaker, that we need to summon the CECs and chief officers. We have done it and I am sure most of the committees are tired of inviting these people because apparently once they listen to us the next thing they tell us is that we sat as a cabinet at the executive and decided this is the project that needs to be done. When is the project that is supposed to come to Kapsaos ward decided by Kapsaos people going to be done if the cabinet is going to decide on the project to be done? We are just playing games that are not helping us but helping a few contractors in the County because even those contracts given, whether it is in Megun Ward, the contractors of those projects are not from Megun ward. But we still pretend that it is going to help the people of Megun Ward. I have never heard a single Member of this County Assembly Telling us that people from their wards or contractors from there ward have benefitted from the contract from the County Government. It is unfortunate and the way things are going, we need to invite the Governor so that we ask the questions that we are asking today.

We face him as our Governor because he is the father of our county to find out if maybe we were not elected or nominated and he is the only one who was elected to make all the decisions of what projects to be done to this county.

I support.

The Deputy speaker (Hon. Hosea Korir): Honourable Member for Cheptiret/Kipchamo.

I have seen you, Members. I will give you time.

Hon. Tenai: Thank you, Mr. Speaker, for allowing me to support this report.

Mr. Speaker, I have sat here and heard Members contribute to the same. Mr. Speaker, this ADP was very much consultative and that this is why when I stand here I support it. First, the lay-out on the project in terms of priorities has been clearly identified. The programmes in the ADP are very much clear. The information on the flagship projects is also provided. Mr. Speaker, where the same projects are going to be undertaken is clearly stated; the public involvement in this report is also clearly stated.

The five points give clear information that this document qualifies to be called an ADP. And I want to congratulate the in-charge of budget through the able chair and the vice chair and all the members.

Mr. Speaker, the only challenge we have in this Assembly is when it comes to the implementation part. We speak a lot of sense when we are in this Assembly, but practically when you want to discharge what we say here it becomes a problem. Today we are on record. The last financial year I was seated in this Honourable House. The same pronouncements that are being done by Members were also made last year but they went to approve the budget. It is not proper, Mr. Speaker, to just convince us with a lot of words here. But when we tell you let us sit down as Honourable Members and face whoever is doing that, you start chickening away. We are all Members who are tasked with the responsibility of doing oversight. Not even a single day have we moved a Motion here that deters any person from doing what they are doing. Not a single day but here we are standing here to make huge pronouncements. It will not help; the budget will come in the month of June, we will the same House which will be saying let us just approve the same then we will say let us just wait there; we will invite the CECS. Fine, all the CECs will come here even 10, 20 or 15 times; they will sit here. They will still convince us “we are doing this; there is a problem with procurement; there is a problem with the IFMIS system; there is a problem with a, b, c and d. All the sweet words we will buy in as Members and say “fine let’s give another chance.” We give another chance, then another financial year comes, we will not approve if we you have not used all the money that were allocated to your department .

Currently, Mr. Speaker, as we speak here in this Honourable House, the roll-over totaling to Ksh2.9 Billion has not been spent. I am worried of the development money that we appropriated in the last financial year the close to Ksh3.2 billion, if we are only remaining with four months to close the financial months to close the Financial Year. We did not implement the roll-over; we have not used the money we appropriated this financial year. That means we will be rolling over a lot of money in the next financial.

And, Mr. Speaker, I sat here I did not the information because I am informed myself. I am talking out of information as a legislator in this Honourable House who sat here and appropriated budget, who sat here when roll-overs were explained. I know every detail that I am talking about. We need to be vigilant as a House. We need to exercise what we have been given by the Constitution of Kenya: the oversight roll and, if it means going the Speaker's way, let us do it for the purpose of saving our people. It should not be rhetoric here, talking of stories just keeping a debate alive here and not doing anything ---

The Deputy Speaker (Hon. Hosea Korir): Order, Honourable Member! A Member is on a Point of Order. What is out of order, Honourable Ramadhan?

Hon. Werambo: This is a business of this House which was passed by the House Business Committee; it is not matter of rhetoric's and stories. If there is something one can contribute to convince the House well and good but do not bring up stories. It is out of order. Thank you.

The Deputy Speaker (Hon. Hosea Korir): Proceed, Honourable Member and consider that statement.

Hon. Tenai: Mr. Speaker, a past history is a story. When I talk of the last financial year's deliberations, it is a story. When I talk of stories, these are stories of the last financial years that have passed and it is in order because I am referring to something we discussed in this honourable House in the previous year that were not implemented.

I want this Honourable House to go on record on issues of taking implementation department by department to task, if we so wish, to save this county government of Uasin Gishu to put it on the right track. Otherwise this ADP is good and all the issues that were factored in especially on the ward level were captured well and will be implemented in due course.

Thank you, Mr. Speaker Sir, and I support the Motion.

The Deputy Speaker (Hon. Hosea Korir): I have already seen you, Honourable Member for Kimumu ; I will give you kindly.

Order, Honourable Member! I want to bring to your attention that when we sat as leadership of this Assembly immediately after the short recess of 10 days, all the Chief Officers and the procurement and the supply chain department will be seated on the left side and all the Members will be on this other side.

Any CEC who will by any chance have not utilized his or her resources to a particular percentage ---

Order, Honourable Member for Kipkenyo! I am doing a communication. Action will be taken by the whole House immediately so that we send a signal or a wake-up call. If your percentage will be 10% or 40% and you will not convince the whole House, an action will be taken. I am just preparing that we will have that session immediately after recess.

Honorable Member for Kimumu.

Hon. Malel: Thank you, Honourable Speaker, for giving me this opportunity to also add my voice and support the report before this House.

I want to thank the Chair and all the Members for the effort that we did. I want to say the document before us is a result of wide consultation from the grassroots level to this House. I want to thank your office for facilitating us all to deliberate on this document.

Today we are encouraged as committee that all the issues raised by Honourable Members concerning their wards and their areas were well captured and I will be the happiest person today to hear that the document before this House has captured the aspiration of the wards that we present.

I want to commend our clerks for capturing all the issues the public said and what the Honourable Members representing them also in this House rectified. The document is a document which is a creation of the PFM Act, 2012, Section 126 which provides that for no funds should be appropriated in the budget without a plan. And what we are discussing here today is the plan that will be used by the County Government to do the work that they need to do.

I want to say that what has been captured here - and will say without a doubt - that all deliberations were captured. I do support and I want to thank the Honourable Chair for the good work. While I was seated here, I heard the sentiments of Honourable Members and this has given me a positive impression that in this Session, we have come in to this House with all the energy that was needed even before today. I like the energy that the Honourable Members have today. If we can appreciate or accept that we have failed in our duties, then this is what I noted. This is because if we can give a scenario where we have passed ADPs –this is the third one since I came to this House - and yet nobody has complained that we are not passing it because the other one for the other year has not been implemented to the letter. I like the positive attitude that we have and the energy that we have and I thank you for the direction that the executive part to appear before us so that we can all read from the same script and take action.

I therefore support and congratulate the committee for the good work.

The Deputy Speaker (Hon. Hosea Korir): Let us have the last person; honourable Gorette. What was it, Honourable Chair?

Hon. Ngetich: *(Spoke off mic)*

The Deputy Speaker (Hon. Hosea Korir):---but it is under the Chair's discretion. Proceed, Honourable Member.

Hon. Boroswa: Thank you, Mr. Speaker Sir, for giving me this opportunity.

I want to congratulate the Honourable Members concerned with the Annual Development Plan (ADP). What I would say is that for sure we could be like a drum-beaters or playing a guitar to the goats and the goats are not dancing. Why am I saying so? I do not see the reason we should appropriate other resources to new projects yet the old projects have not been completed. For us to be able to regulate the use of our resources in a manner that is not benefitting the community, we should ensure that projects put in place are completed. Once they are completed we start new ones. I want to believe that these projects affect all our wards; we have projects that have stalled. I remember the other day we talked about the milk coolers that were provided for by the national government. They are there but they are dormant and are not serving our people and at the end

of the day the absorption rate will be low because we want to begin new projects and starting a new project is a new process; going a new process will take time.

I would urge the Honourable Members as we support the ADP ,that kindly, as an Honourable Member of that area , can you ensure that projects that have started are completed before coming up with new ones.

We are the cause, at the end of the day, because the project identification is as how I presented it as an Honourable Member. I say what I want to be done in my area not considering those projects that are already in existence.

Honourable Members, as we come to interrogate the CECs, let us interrogate ourselves if have come up with the projects before the completion of the old projects.

Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Hosea Korir): Honourable Chair.

Hon. Ngetich: Thank you, Mr. Speaker Sir. I want to thank the Honourable Members for the contributions and the support of this Motion. There are suggestions that have been given by Members that we need to do thorough oversight; I request honourable Members that we do it immediately through respective committees.

I have also noticed that we have typing error in the report. I would request that Honourable Members can go through the document in your respective areas and identify the typos and I will be seated outside with my secretariat so that you can allow us to do some corrections when it comes to typos.

I want to say thank you so much for oversight. There is somewhere we lost direction and we need to go back to our lane and do correct oversight.

Thank you.

The Deputy Speaker (Hon. Hosea Korir): Thank you, Chair. I therefore put the question, Honourable Members.

(Question put and agreed to)

The Deputy Speaker (Hon. Hosea Korir): I hope the committee will proceed to other very important documents as we anticipate the budget for 2020/2021.

The Deputy Speaker (Hon. Hosea Korir): Honourable Chair, Finance and Economic Planning.

BILL

THE UASIN GISHU FINANCE BILL (BILL NO.15), 2019

(Second Reading)

Hon. Leting: Thank you, Mr. Speaker Sir. I beg to move the Motion that the Uasin Gishu Finance Bill No.15, 2019 be read for the second time. Thank you.

Before we go the full House Committee, I want first to put it clear that I personally would want to thank this House because yesterday there was a report we tabled in this House regarding

Finance Bill and by adopting it, I realized yesterday that this County Assembly has its electorates at heart and when they adopted the report that is the time that I saw that the Bill, if bought forward, will go through. Do not forget that we have not had any legal Finance Bill since 2014 and it is good that this House noted that and adopted the report yesterday.

I now want to beg that as we go to pass this Finance Bill, I want to appreciate and beg the House that we pass the Finance Bill. Otherwise I do not have much to say but maybe after deliberations, we shall have a lot to say.

With those many remarks, I want to beg honourable Sang, MCA Megun Ward to second.

The Deputy Speaker (Hon. Hosea Korir): Honourable Member for Megun

Hon. Sang, K (*Seconded*).

The Deputy Speaker (Hon. Hosea Korir): Thank you. A Motion has been moved and seconded, Honourable Members, and I therefore propose the question.

(Question proposed)

(Question put and agreed to)

(The Uasin Gishu County Finance Bill No.15, 2019, 20 was read for the Second Time)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Deputy Speaker (Hon. Hosea Korir) left the chair]

IN THE COMMITTEE

[The Temporary Chairperson (Hon. Sarah Malel) in the Chair]

The Temporary Chairperson (Hon. Sarah Malel): Thank you, Honourable Members, and welcome to the Committee of the Whole House to deliberate the Finance Bill 2019-2020.

Clerk!

Section 1

(Question that Section 1 be part of the Bill proposed)

(Question that Section 1 be part of the Bill put and agreed to)

Section 2 (1)

(Question that Section 2 (1) be part of the Bill proposed)

(Question that Section 2 (1) be part of the Bill put and agreed to)

Section 2 (2)

(Question that Section 2 (2) be part of the Bill proposed)

(Question that Section 2 (2) be part of the Bill put and agreed to)

Section 3 (1)

(Question that Section 3 (1) be part of the Bill proposed)

(Question that Section 3 (1) be part of the Bill put and agreed to)

Section 3 (2)

(Question that Section 3 (2) be part of the Bill proposed)

(Question that Section 3 (2) be part of the Bill put and agreed to)

Section 4 (1)

(Question that Section 4 (1) be part of the Bill proposed)

(Question that Section 4 (1) be part of the Bill put and agreed to)

Section 4 (2)

(Question that Section 4 (2) be part of the Bill proposed)

(Question that Section 4 (2) be part of the Bill put and agreed to)

Section 4 (3)

(Question that Section 4 (3) be part of the Bill proposed)

(Question that Section 4 (3) be part of the Bill put and agreed to)

Section 5

(Question that Section 5 be part of the Bill proposed)

(Question that Section 5 be part of the Bill put and agreed to)

Schedule 1, 2.10 (a,b,c,d)

The Temporary Chairperson (Hon. Sarah Malel): Mover!

Hon. Leting: Members, in the Finance Bill, there is Schedule 1, Section 2.0 in Agriculture Livestock and that is how we will proceed.

(Question that Schedule 1, 2.10 (a,b,c,d)as amended be part of the Bill proposed)

(Question that Schedule 1, 2.10 (a,b,c,d)as amended be part of the Bill put and agreed to)

Schedule 1; 3.1(c, y), 3.6 (a, c, I, n) and 3.8(e)

(Question that Schedule 1; 3.1(c, y), 3.6 (a, c, I, n) and 3.8(e) as amended be part of the Bill proposed)

(Question that Schedule 1; 3.1(c, y), 3.6 (a, c, I, n) and 3.8(e) as amended be part of the Bill put and agreed to)

Schedule 1, 4.1(II, V)

(Question that Schedule 1, 4.1(II, V) as amended be part of the Bill proposed)

(Question that Schedule 1, 4.1(II, V) as amended be part of the Bill put and agreed to)

Schedule 1; 4.3(c,d,e,f,g,I,j,k,l,m,n,o,p,q,r,s,t,w,y,z)

(Question that Schedule 1, 4.3(c,d,e,f,g,I,j,k,l,m,n,o,p,q,r,s,t,w,y,z)as amended be part of the Bill proposed)

(Question that Schedule 1, 4.3(c,d,e,f,g,I,j,k,l,m,n,o,p,q,r,s,t,w,y,z)as amended be part of the Bill put and agreed to)

Schedule 1; 4.4(d,f,h,I,u)

(Question that Schedule 1, 4.4(d,f,h,I,u)as amended be part of the Bill proposed)

(Question that Schedule 1, 4.4(d,f,h,I,u)as amended be part of the Bill put and agreed to)

Schedule 1; 4.4(d,f,h,I,u)

(Question that Schedule 1, 4.4(d,f,h,I,u)as amended be part of the Bill proposed)

(Question that Schedule 1, 4.4(d,f,h,I,u)as amended be part of the Bill put and agreed to)

Schedule 1; 4.6 (c)

(Question that Schedule 1, 4.6 (c) as amended be part of the Bill proposed)

(Question that Schedule 1, 4.6 (c) as amended be part of the Bill put and agreed to)

Schedule 1; 4.7 (I,j,k,l,m,n,o)

(Question that Schedule 1, 4.7 (I,j,k,l,m,n,o)as amended be part of the Bill proposed)

(Question that Schedule 1, 4.7 (I,j,k,l,m,n,o)as amended be part of the Bill put and agreed to)

Schedule 1; 4.9, 4:11

(Question that Schedule 1; 4.9, 4.11 as amended be part of the Bill proposed)

(Question that Schedule 1; 4.9, 4.11 as amended be part of the Bill put and agreed to)

Schedule 1, 6.0 (g)

(Question that Schedule 1, 6.0 (g) as amended be part of the Bill proposed)

(Question that Schedule 1, 6.0 (g) as amended be part of the Bill put and agreed to)

Schedule 1, 6.3 a (iv), b(ii),f,g,h,I,o

(Question that Schedule 1, 6.3 a (iv), b(ii),f,g,h,I,o as amended be part of the Bill proposed)

(Question that Schedule 1, 6.3 a (iv), b(ii),f,g,h,I,o as amended be part of the Bill put and agreed to)

Schedule 1, 6.5(o)

(Question that Schedule 1, 6.5(o) as amended be part of the Bill proposed)

(Question that Schedule 1, 6.5(o) as amended be part of the Bill put and agreed to)

Schedule 1, 7.5(g)

(Question that Schedule 1, 7.5(g) as amended be part of the Bill proposed)

(Question that Schedule 1, 7.5(g) as amended be part of the Bill put and agreed to)

Schedule 1, 7.14 a,b (iv)

(Question that Schedule 1, 7.14 a,b (iv)as amended be part of the Bill proposed)

(Question that Schedule 1, 7.14 a,b (iv)as amended be part of the Bill put and agreed to)

Schedule 2, 3.0

(Question that Schedule 2, 3.0 as amended be part of the Bill proposed)

(Question that Schedule 2, 3.0 as amended be part of the Bill put and agreed to)

Schedule 2, 6.0

(Question that Schedule 2, 6.0 as amended be part of the Bill proposed)

(Question that Schedule 2, 6.0 as amended be part of the Bill put and agreed to)

Schedule 2; 103,104,109,113,205,210,295,315,325,330,335,433,506,509

(Question that Schedule 2; 103,104,109,113,205,210,295,315,325,330,335,433,506,509 as amended be part of the Bill proposed)

(Question that Schedule 2; 103,104,109,113,205,210,295,315,325,330,335,433,506,509 as amended be part of the Bill put and agreed to)

Schedule 2; 512,515,518,595,704,705,710,713,720,723,822,823

(Question that Schedule 2; 512,515,518,595,704,705,710,713,720,723,822,823as amended be part of the Bill proposed)

(Question that Schedule 2; 512,515,518,595,704,705,710,713,720,723,822,823 as amended be part of the Bill put and agreed to)

Schedule 2, 3.5 z (i), (ii) and (iii)

The Temporary Chairperson (Hon. Sarah Malel): Mover!

Hon. Leting: Honourable Members, as you can see as per yesterday's report, there were new clauses that were introduced for the private parking that we introduced as per the chart. I propose the new Clauses; 3.5 z (i), (ii) and (iii) be part of the Bill.

(Question that Schedule 2, 3.5 z (i), (ii) and (iii) be part of the Bill proposed)

(Question that Schedule 2, 3.5 z (i), (ii) and (iii) be part of the Bill put and agreed to)

Schedule 2, 7.15 (a) (b) and (c)

The Temporary Chairperson (Hon. Sarah Malel): Mover!

Hon. Leting: I propose that clause 7.15 (a) (b) and (c) be part of the schedule. Honourable Members, that is for the quarries. You remember the County Government used to charge them as per the certificate but now they have classified as; small, medium and large quarries.

At the CBD the proposal is Ksh300, 000, for Townships is Ksh500, 000 and sub-counties is Ksh400, 000 for small quarries. For medium quarries we have; Ksh500, 000, Ksh800, 000 Ksh700, 000 for CBD, Townships and sub-counties respectively. For large quarries: Ksh800, 000, Ksh1, 200,000 and Ksh1, 000,000 for CBD, Townships and sub-counties respectively. That is the new clause.

(Question that Schedule 2, 7.15 (a) (b) and (c) be part of the Bill proposed)

(Question that Schedule 2, 7.15 (a) (b) and (c) be part of the Bill put and agreed to)

Short Title

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

(Question that the Short Title be part of the Bill put and agreed to)

Long Title

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

(Question that the Long Title be part of the Bill put and agreed to)

The Temporary Chairperson (Hon. Sarah Malel): Mover!

PROGRESS REPORT

Hon. Leting: Honourable Chair, I beg to move that the committee do report to the Assembly its considerations of The Uasin Gishu County Finance Bill (Bill No. 15), 2019 and its approval thereof without amendments.

(Question Proposed)

(Question put and agreed)

(The Full House Resumed)

[The Deputy Speaker (Hon. Hosea Korir) in the Chair]

REPORT

The Deputy Speaker (Hon. Hosea Korir): Chairperson.

The Temporary Chairperson (Hon. Sarah Malel): Hon. Speaker, I beg to report that the Committee of the Whole House has considered The Uasin Gishu County Finance Bill (Bill No. 15), 2019 and its approval thereof with amendments.

The Deputy Speaker (Hon. Hosea Korir): Can you cite those amendments quickly?

The Temporary Chairperson (Hon. Sarah Malel): Section 1, Section 2 (1) (2), Section 3 (1) (2), Section 4 (1) (2) (3) and Section.

In Schedule 1 we have: 2.10 (a, b, c, d), 3.1(c, y), 3.6 (a, c, I, n) and 3.8 (e), 4.1(II,V), 4.3(c, d, e, f, g, I, j, k, l, m, n, o, p, q, r, s, t, w, y, z), 4.4(d, f, h, I, u) 1; 4.6 (c) 4.7 (I, j, k, l, m, n, o) 4.9, 4:11, 6.0 (g), 6.3 a (iv), b(ii), f, g, h, I, o; 6.5 (o), 7.5(g) and 7.14 a, b (iv).

In Schedule 2 we have 3.0 and 6.0. We also have the new clauses in Schedule 2 as 3.5 z (i), (ii) and (iii), and 7.15 (a) (b) and (c)

Thank you, Hon. Speaker.

The Deputy Speaker (Hon. Hosea Korir): Thank you. Mover!

Hon. Leting: Thank you, Hon. Speaker. I beg to move that the House do agree with the Committee on the said Report. Thank you.

The Deputy Speaker (Hon. Hosea Korir): Thank you.

Honourable Members, I will now propose the question.

(Question Proposed)

(Question put and agreed to)

The Deputy Speaker (Hon. Hosea Korir): The Third Reading.

BILL

THE UASIN GISHU COUNTY FINANCE BILL (BILL NO. 15), 2019

(Third Reading)

The Deputy Speaker (Hon. Hosea Korir): Mover.

Hon. Leting: Thank you, Mr. Speaker Sir. I beg to move that The Uasin Gishu County Finance Bill (Bill No. 15), 2019 be now read a third time.

The Deputy Speaker (Hon. Hosea Korir): Do a bit of contribution on that.

Hon. Leting: Hon. Speaker, truly speaking this document; the Finance Bill of 2019, No. 15 is really a document which I am very sure that everybody will support me that it has been a consultative document. I would like to thank the Hon. Members for all the stages the Bill has taken: the first reading, second and now to the third reading. I appreciate all the Hon. Members who contributed to this, the Committee and ---

The Deputy Speaker (Hon. Hosea Korir): Order, Hon. Member! We are not yet in that stage.

Hon. Leting: I really wanted to appreciate as it is good to do so ---

The Deputy Speaker (Hon. Hosea Korir): You will still get that time, Hon. Member.

Hon. Leting: Hon. Speaker, truly speaking the County of Uasin Gishu has been without a Finance Bill and yet we have been collecting revenue illegally. Now that we have a Finance Bill it will assist us in collecting and especially towards achieving our target that is about a Billion and this time I am very sure that we are going to collect Ksh1.5 Billion. What I would do is just push the executive or direct them to carry out the revenue collection so that this County will go far. Otherwise, I really thank you.

The Deputy Speaker (Hon. Hosea Korir): Who is seconding you, Hon. Chair?

Hon. Leting: Hon. Jonathan Ngetich, Chair Budget and Appropriation Committee.

The Deputy Speaker (Hon. Hosea Korir): Proceed, Hon. Chair.

Hon. Ngetich: Thank you, Mr. Speaker. I do hereby second and thank the committee because we now have the first Finance Bill since the 2014/2015 Financial Year.

I urge this Hon. House since we are in the budgeting season and together with the Finance team, the next Finance Bill should be out in June this year. I urge that this time we do it as soon as possible since we are done with this so that by September of this year we will also have another Finance Bill. The challenge of not having a Finance Bill is that the executive takes advantage of it especially when they give us a memorandum. This is because it will give them a leeway and power to charge any amount of levy unlike when we have a substantive document like this. We have provided them a leeway for them to decide on what to charge since that time because they give us memorandum.

Mr. Speaker, I urge this House that as we approve this, let us also move with speed while doing the budgeting cycle as well as this so that by June we shall move with maximum speed so that we can have another Finance Bill by September of this year. Thanks to the Committee and I second.

The Deputy Speaker (Hon. Hosea Korir): I will now propose the question.

(Question proposed)

You can now congratulate your Members, Hon. Chair.

Hon. Leting: Thank you, Hon. Speaker

As the Chair of Finance and Economic Planning Committee today, I will be and remain the happiest person till we get another Finance Bill. You are all aware that all these other years we have not had the Finance Bill especially last year when there was one we passed but the Governor gave us a memorandum and later they took advantage of us not deliberating on it. Now I really want to appreciate the Committee because they burned the midnight oil and personally, on behalf of the Committee, I want to thank the full House for supporting us during that time. This Bill took about 24 days of deliberations on the Committee and another six or seven days when the full House deliberated on it. Now that it is a Law I would also want to urge our constituents of Uasin Gishu that if they are charged outside this Bill, they can also take the executive or the county to court for being charged contrary. I am very sure that those who had not been issued with licenses will get them.

Otherwise I thank your Office, Mr. Speaker Sir, for facilitating us in order to work on this document. May the Uasin Gishu County Assembly be blessed, the County and its people. God bless you. Thank you.

The Deputy Speaker (Hon. Hosea Korir): I will now put the question Hon. Members.

(Question put and agreed to)

Clerk, you can proceed. Thank you, congratulations, Hon. Members, for making and participating to make this Bill a success. Be blessed as you execute your legislation mandate. Hon. Member for Megun as the Deputy Leader of Majority!

PROCEDURAL MOTION

MOTION OF ADJOURNMENT

Hon. Sang, K: Thank you, Mr. Speaker, for giving me this opportunity to move this procedural Motion. I beg to move that this House do adjourn its sittings in terms of Standing Order No.25(3) and its adopted calendar for a period of 10 days starting from 28th February 2020 to 9th March 2020 both days inclusive as indicated in the Uasin Gishu County Assembly calendar.

Mr. Speaker, this is a procedural Motion and I beg to request the House to approve the adjournment for 10 days. This is because we have quite a number of activities that are ahead of us. I know that this is a House of order, rules and procedures and therefore I am moving this Motion in that light. I request that the Hon. Members will have opportunities to carry out the various activities ahead of us since we have a number of Members who will travel overseas for official duties and we have the Liaison committee Chaired by the Deputy Speaker who will be having their sitting to plan the various activities of the County Assembly. I request that this House do adopt the adjournment so that we can be able to carry out those activities. With those remarks I request the Hon. Gilbert Tenai to second. Thank you.

The Deputy Speaker (Hon. Hosea Korir): Hon. Tenai.

Hon. Tenai: Thank you, Mr. Speaker Sir. I second the Motion moved by the Deputy Leader of Majority that we adjourn our sitting for 10 days from 28th February. It is important to note that the Uasin Gishu County Government will be hosting the Agricultural Show of Kenya from 6th to

9th and this is a very important part that we also need as Hon. Members to know what is being showcased in the ASK. This is also an opportunity to offer assistance; in the social media I saw a video of the Leader of Majority trying to chase locusts and if they can be moved by chasing we can join him to get rid of the locust in the entire Moiben.

Otherwise, I second the Motion.

The Deputy Speaker (Hon. Hosea Korir): Thank you, I now propose the question.

(Question proposed)

Hon. Member for Soy.

Hon. Talam: Thank you very much, Mr. Speaker. I join my colleagues that this House adjourns

The Deputy Speaker (Hon. Hosea Korir): Honourable Member for Soy.

Hon. Talam: Thank you very much, Mr. Speaker.

I also join my colleagues that this House do adjourn its sitting to give Members time to participate in other activities in committees and also most of these Members are farmers. They need also time to visit the Eldoret Agricultural Show to showcase and to acquire new knowledge and technology as far as farming is concerned.

I do support that we adjourn. Thank you.

The Deputy Speaker (Hon. Hosea Korir): Honourable Member for Tembelio.

Hon. Kigen: Thank you, Honourable Speaker. I want to take this opportunity to support the Procedural Motion brought by the Leader of Majority. This is our calendar that we approved in this House and we should adhere to it. We support the programme and the agenda as we have heard most of the Members will be going to various committee meetings and others will be travelling; we do wish them the best. We shall also be having the BBI rally in Meru; we shall therefore get enough time to attend to and submit our proposals.

I do support the adjournment.

The Deputy Speaker (Hon. Hosea Korir): Honourable Member for Kimumu.

Hon. Malel: Thank you, Honourable Speaker. you will realize from the long recess that when we arrived, we came back with reports from our areas of jurisdiction and a short time we have we have got answers and we shall have some to take home as we inform our electorates on the plan on the County Government to implement projects. It is also the time that we shall visit the ASK show within our area here and we shall learn more on farming.

Thank you, Honourable Speaker. I do support.

ADJOURNMENT

The Deputy Speaker (Hon. Hosea Korir): Honourable Members, you understand that this is a Procedural Motion and our Standing Orders part three gives us direction so that in future we do

not anticipate a question or a voting over this. We were supposed to have deliberated this and I know in future we might be going for almost three hours over this adjournment.

And the County Assembly shall adjourn without question being put.

Honourable Members, we don't put a question over this and now I declare that the House stands adjourned until 9th March 2020 at 2.30pm.

The House rose at 5.05PM