REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 29th November, 2022

The House met at the Assembly Chambers at 3.10 p.m.

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

NOTICE OF MOTION

PETITION TO NATIONAL ASSEMBLY FOR COUNTY WARD EQUITABLE DEVELOPMENT FUND

Hon. Daniel Mugweru: Thank you Mr. Speaker. I beg to give notice of the following motion;

THAT, Aware that pursuant to Article 37 and 119 of the Constitution of Kenya, this County Assembly resolves to petition the National Assembly individually and collectively as the County Assemblies Forum (CAF) vide the annexed draft petition for the National Assembly to intervene and ensure;

i. THAT, the County Wards equitable development Fund be incorporated in the proposed Constitutional Amendment Bill before the National Assembly by Hon. Stephen Mule, MP and the Hon. Gichimu Githinji, MP alongside other proposed funds namely the National Government Constituencies Development Fund (NGCDF), the Senate Oversight Fund and the Economic Stimulus and Empowerment Fund either prior to the publication of the said Bill or before it is referred to the Senate in accordance with rules of procedure of Parliament;

ii. THAT, the proposed Constitutional Amendment Bill in amending Article 204 of the Constitution should provide for the following with respect to County wards Equitable Development Fund; -

   a) That, each County Government shall allocate funds compromising of a certain percentage of the respective total county's Annual Budget Estimates or as shall be advised by the Commission of Revenue Allocation (CRA) during the enactment of the County Allocation of Revenue Act to cater for County wards Equitable Development Fund;

   b) That, all monies allocated to County Wards Equitable Development Funds shall be considered as funds allocated to Wards pursuant to Article 206 (2) (c) to be administered in accordance with the provisions of an Act of Parliament; and

   c) That, Parliament shall enact a legislation to provide for the administration of the County Wards Equitable Development Funds.

MOTION

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   c) That, Parliament shall enact a legislation to provide for the administration of the County Wards Equitable Development Funds.

Mr. Speaker, this is one of the big days for this country for Members of County Assembly and for the people of Kenya. When we are talking of the MCA's and the areas they represent, we must take this thing serious. We as Members of County Assembly need to send a very strong message that we are elected leaders and represent people. We know who slept hungry and where criminals come through and what happens in this country since we represent them from grassroots.

Mr. Speaker, the best people to offer services are the people who live with the constituents. That is none other than the MCA. When I say we need to be considered with a lot of seriousness, I mean it. As I have read the motion and Members have gone through the motion, it is clear and simply because we are not supposed to be discriminated.

Development is a collective responsibility. Every leader in this country should provide proper development. Leaders should be assisted to make sure that they honour the promises they made to the people who elected them. Mr. Speaker, you can hear, already the National Assembly through Hon. Stephen Mule and Hon. Gichimu Githinji are talking of having a law that will help MPs to have the National Government Constituency Development Funds.

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Secondly, they are also working on law where the Women-Rep will have their NGAAF-(National Government Affirmative Action Fund) enacted in the law. Thirdly, they are working on having Senate to have money for oversight. It is unfortunate that having the Members of Parliament, Senate and Women Rep, where is the Member of County Assembly yet the Governor has his kitty, the President and the only people left behind are Members of County Assemblies?

Mr. Speaker, we are moving this motion so that we may petition that before they enact this law or publish it, they include MCAs. People who represent the country down at the grassroots. We need to be incorporated and there should be no discrimination in this country because the constitution is very clear. Today, you will hear some other laws coming that MCAs should do oversight. How do you do oversight yet you want to execute on development. That comes to where I am saying discrimination is seen clearly.

Hon. Speaker the work of MP is to Legislate, Represent and Oversight. The work of Women Rep is the same, the work of Senator is the same. Why should the MP, Women rep and the Senate have their money yet when it comes to the MCA, it becomes illegal? I am calling upon Hon. Members to support this motion for our own good.

Hon. Speaker, many might question the petition because we have just gone through the motion and asked where the petition is and how it is. The petition is very clear. We are doing this as Laikipia County Assembly today but the same is happening in all the 47 counties because we are facing the same challenges. We want that synergy, collectiveness and strength through which we will be able to achieve this.

Hon. Speaker, the petition we are having and will be taken to the County Assembly Forum which you Mr. Speaker, Hon. Leila and Hon. Gitahi represent us in; it will be a well-done job. That is what we call representation. You went on our behalf and represented us well. When they had a meeting, that is when they came up with this motion and the idea of petitioning the National Assembly before they publish the law.

Hon. Speaker, as the petition which is well-coordinated among the 47 counties, it is very clear that we have so many complaints. That reference was made to the Executive Committee meeting held on 25th, where it was resolved that CAF petitions the National Assembly for County Wards Development Equitable Funds to be incorporated in the proposed Constitutional Amendment Bill before the National Assembly publishes that law. All we are fighting for is being incorporated and not being side-lined.

[The Speaker (Hon. Lantano Nabaala) left the chair]

[The Temporary Speaker (Hon. Leila Hussein) took the Chair]

We are an arm of Government and work equally just like the Senator. The way the Senator represents the County is the way I represent Umande. The Promises the Senator, Women rep, MP and the Governor made, are the same promises the Hon. Members in this House made. How do you expect the Hon. Members to accomplish their mission of fulfilling the promises they made to their constituents who expect us to perform?

Mr. Speaker, the petition is good and was done well and I am sure the County assembly Forum will continue following the same. Many might ask why we need this money. In the petition

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it is very clear. When you come to County Government, distribution of resources is not uniform. You will find a ward benefitting 10 times than another ward.

When we get the Ward Development Fund, it will go directly to the people. If the allocation is Kshs. 10,000,000, it will go directly to the people of Umande, Kshs. 50,000,000 to the people of Marmanet and different wards in this county. We will have a uniform distribution of resources in this county. As the Governor will doing his flagship project, the same the area MCA will be doing projects in his ward. Projects will go concurrently. When I am doing a road in Umande, at the same time someone else is doing it at Salama. It will be so simultaneous that development in this county will go concurrently and no ward will be left behind.

Mr. Speaker, before CDF came there are people who grew up without even seeing a tractor or a motor-grader in their area. People used to crack jokes that if you go to Baringo you will find women drying maize along the roads, yet I had not seen even an inch of tarmac in Laikipia in those years. When CDF came, every constituency felt there is government. When we support devolution, we mean devolving from top to down. We need this to devolve from Parliament to the ward level so that we can feel development in the interior.

I am sure the Hon. Members will go through the same and make their contributions being well informed. As the petition reads, Members of County Assemblies which coordinates the 47 County Assemblies whose primary mandate is to promote networking synergy among the 47 counties, coordinate intergovernmental relations and enhance good practice in the legislative development. We as the County Assembly of Laikipia, what we are doing today, we are drawing attention from the National Parliament of Kenya for them to know we really need this Ward Development Fund. Every Member who is here needs that fund.

Hon. Speaker, I really appreciate that Hon. Stephen Mule and Hon. Gichimo Githinji are fighting to have NCDF, NGAAF and Senate to have their money. We as County Assemblies have also stood up to request that MCA's have equitable share in every ward so that we may develop and honour the promises we made to our people.

Hon. Speaker, I call upon Hon. Lekopien to second this motion without forgetting that this issue touches all of us. It is not about political parties, your village or where you come from. It is about the people who brought us to power. I being a Member of UDA Party which is the majority party, I move this motion and I want to be seconded by Hon. Lekopien who happens to come from ODM so that this message can go around the country. There is no division in this, we are working as a team. Nobody is opposing this. We are all fighting for it together. Hon. Lekopien, from Sosian and elected on ODM ticket, second the motion. Thank you.

(Hon. Lekopien seconded the motion)

(Question proposed)

[The Temporary Speaker (Hon. Leila Hussein) left the Chair]

[The Speaker (Hon. Lantano Nabaala) took the Chair]

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika kwa kunipatia hii nafasi na pia asante kwa kuwa mkakamavu kufanya kazi ambayo iko mbele yako. Langu ni kuunga mkono muswada ambao uko mbele yetu ambao umeletwa na Mheshimiwa Mugweru. Yeye ni mwanachama wa UDA. Huu muswada umeafikiwa na mwanachama wa ODM ambaye hata kama hajaongea

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ameinama kwa kukubaliana. Ni vizuri iende kwa HANSARD kwamba ameunga mkono huu muswada mia kwa mia. Anaunga mkono *bottom-up* na yuko ndani kabisa.

Mheshimiwa Spika, huu ni muswada ambao utaweza kusaidia Kaunti na wadi zote kulingana na vile bajeti itakuja. Nafikiri tumekuwa na mwenendo ambao si wa haki. Utapata Mbunge yuko na CDF na anafanya kazi mashinani. Anapatia wananchi kile ambacho wanataka lakini ikifika kwa MCA inakuwa hakuna uwazi wa kuwekwa pamoja.

Tukipitisha huu muswada, itakuwa ni muswada wa kuwasaidia wananchi mashinani. Mheshimiwa, nawakilisha Wadi ya Thingithu na kuna wakati naenda mashinani kisha nakuta wananchi wakiniambia wanataka miradi itekelezwe lakini bajeti yetu inaratibiwa na Serikali ya Utekelezaji. Inakuwa ngumu kwangu kuhakikisha ya kwamba hiyo miradi imefanyika. Tukipitisha huu muswada ambao ni wa *Ward Fund,* nafikiri mwananchi ambaye yuko mashinani ambaye tunawakilisha atapata nafasi ya kutengenezewa mambo ambayo anataka.

Mheshimiwa Spika, huu muswada umekuja kwa wakati ambao unafaa. Nakumbuka wakati tulikuwa na Seneta Kangata ambaye alikuwa mmoja wa wale ambao walisukuma mambo ya *Ward Fund* lakini ilipofika Bunge, ikawa ya kwamba inakandamizwa na Wabunge ambao walikuwa. Kwa hivyo Mheshimiwa Spika, nafikiria wakati huu ambao tumeshikana kuhakikisha ya kwamba *Ward Fund* imepatikana, Wabunge ambao tuliwachagua na kwa sababu walichaguliwa na wananchi, wataweza kuunga mkono na kuhakikisha ya kwamba kabla ya CDF kupita, *Ward Fund* ndio itakuwa ya kwanza.

Ward Fund itaweza kusaidia mwananchi mashinani. Nimesikia Mheshimiwa Mugweru akielezea huu muswada na nikaona kwa kweli wakilishi wa wadi ndio wanafaa kuwa na pesa nyingi kuliko CDF. Tumekuwa tukisema tunataka maendeleo mashinani, lakini yule ambaye anawakilisha wananchi mashinani hana uwezo na pesa ambayo inaweza ratibiwa kupitia ofisi yake inaweza kuwasaidia hao wananchi.

Mheshimiwa Spika, leo nilipokuwa natoka kwangu nyumbani, nilikutana na wananchi kwa barabara na wakaniambia barabara zao ni mbovu na hazipitiki, wanataka darasa na maji. Kwa hivyo, tunakuta kuna wakati mwingine MCA yuko na shida ya kusukuma maendeleo. Tukiwa na *Ward Fund* ambayo itakuwa na Afisa Mhasibu, Mwakilishi wa wadi ataelekeza mahali maendeleo itapelekwa na tutakuwa tumemsaidia mwananchi na tutapeleka maendeleo mashinani.

Mheshimiwa Spika, naomba Waheshimiwa wote ambao wako hapa waunge huu muswada mkono. Sisi wote tulienda kwa debe kama Gavana na wako na mamlaka ya kuhakikisha ya kwamba mwananchi amepata huduma ambazo anafaa kupata. Mbunge pia alipata kura na anafaa kuwa na fedha ambazo zinahakikisha ya kwamba maendeleo inapatikana.

Juzi korti ilisimamisha CDF na wakati ilisimamishwa, nilisikia wananchi wakilalamika kwamba hawatapata pesa za kufadhili masomo, hawatajengewa madarasa na kwa hivyo naomba wakati wanasukuma CDF wasukume pia *Ward Development Fund*. Kama hakutakuwa na *Ward Development Fund*, itabidi sisi wote tuandamane mpaka Bunge ili tuhakikishe sheria ambayo inaguza mwananchi imetekelezwa.

Kama kuna sheria ambayo inafaa kuwa ya kwanza ni sheria ya *Ward Fund,* Hii ni maendeleo kwa mlango na kijiji. Hii ndio ilikuwa sera yetu sisi kama watu wa UDA. Tulikuwa tunasema ya kwamba tunataka kuleta maendeleo ya *bottom-up*. Mheshimiwa Spika, ndio maana

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unaona Mheshimiwa Lempaira akitabasamu kwa sababu roho yake ilikuwa kwa *bottom-up*. Anataka haya maendeleo.

Kwa hivyo nafikiri huu ni wakati mwafaka wa kuungana ili tuhakikishe ya kwamba huu muswada umepita. Mheshimiwa Spika...

Speaker: Order Hon. Ndiritu! What is it Hon. Lempaira?

Hon. Nicholas Lempaira: Thank you, Mr. Speaker. It is wrong for the Hon. Member for Thingithu to mislead the House that I support bottom-up. I do not support UDA's bottom-up scam. If they do, they should not have set Kshs.50,000 as a maximum amount to give a hustler. When you are given Kshs.50,000 right now, you cannot take it to your house in the evening. Mr. Speaker, the Member should withdraw that. I support the motion but not the bottom-up scam.

Hon. Joseph Gitahi: Mr. Speaker, I seek your guidance on whether I should respond to Hon. Lempaira and also contribute.

Speaker: Hon. Stephen Ndiritu is on the floor. Let him finish then I will give you time.

Hon. Joseph Gitahi: I would seek the Hon. Member for Mukogodo West to be compelled to withdraw by saying that UDA is a scam. That is unparliamentary. I think he should withdraw and apologize. Thank you, Mr. Speaker.

Speaker: Hon. Nicholas Lempaira, I would like you to respond to what the Hon. Member said then we close and allow the Members to continue on the floor.

Hon. Nicholas Lempaira: Mr. Speaker, I think it is good that the UDA battalion know that it is not the UDA or the Members that are a scam, but some of the ideology is a scam especially the bottom-up. Mr. Speaker, I have no apologies for that and if they want me to withdraw, let them actualise it.

Speaker: Hon. Member, I want to issue direction after give two Members.

Hon. George Karuiru: Thank you, Mr. Speaker. I rise on a point of order. The Hon. Member is calling UDA scam. UDA is a party and the most respected party in this Assembly. We should have a decorum when we are appreciating and not appreciating our parties. It is bad for an Hon. Member to say that what has brought us in this House is not the party but something else. The Hon. Member, Lekopien should apologise and withdraw. Thank you.

Speaker: For just clarification, it was Hon. Lempaira and not Hon. Lekopien. I would like to give one more Member after Hon. Karuiru. Hon. John Gichuki.

Hon. John Gichuki: Thank you, Mr. Speaker. Mr. Speaker, I am the Leader of the Majority Party. The Party that brought me here is UDA and UDA is not a scam. I request Hon. Lempaira to withdraw that statement.

Speaker: Hon. Lempaira, I hope you are willing to withdraw or agree that the party is not a scam.

Hon. Nicholas Lempaira: Mr. Speaker, I think UDA Members are happy to hear the word UDA. They need to differentiate between a party and party ideologies. I said the party is not a

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scam but some of their ideologies are actually a scam. I have just mentioned a few and I have no apologies for that.

Speaker: Hon. Member we are here to debate honourably and we may not refer to party ideologies as scam without justifiable reason. I therefore direct that you withdraw that officially.

Hon. Nicholas Lempaira: Mr. Speaker, for the respect of your Chair, I withdraw but deep down my heart…

Speaker: It is withdrawn and accepted. Hon. Ndiritu, you were on the floor.

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Nafikiri leo umetoa mwongozo ambao unafaa. Nakupongeza sana kwa sababu tungepelekwa vibaya na wenzetu. Bwana Spika, naomba sisi wote tuunge huu muswada ili tuweze kuleta maendeleo mashinani. Maendeleo inapokuja mashinani, haina ukabila, chama wala jinsia. Maendeleo ni maendeleo. Kwa hivyo ningewaomba Waheshimiwa katika Bunge hili la Kaunti, kwa hili jambo tuwe na umoja.

Mr. Speaker, if we want transparency the ward fund must be there, if we want equity in all wards, the ward fund must be there. If we want MCA's to be respected by the nation and the people, then Ward Fund must be there. Mr. Speaker, I rest my case and I urge all the Members to support this motion with all their heart. Thank you.

Hon. Joseph Gitahi: Thank you, Mr. Speaker. I rise to support the motion on the institution of the ward fund as a permanent distribution for the development of our wards. Mr. Speaker, I have interacted with the work of our governance philosopher who has written a book on the mind in making by James Harvey Robinson. The author *states "it is only prudent that we develop principles subject to their evaluation and examination"*

Mr. Speaker, I mean all offices that have had a fund for development have contributed to good governance in this country and also have contributed to the good distribution of resources. Mr. Speaker, I support this motion because of three reasons. Number one is that as responsible legislators, we must legislate for prosperity. It has come a time whereby all Members of County Assemblies in this Country must identify that we are not legislating for political experience.

We are legislating so that the next generations that will come, might find a good place to do business and also to exist. Mr. Speaker, I also support this motion based on the philosophy of law. The philosophy of law stands that law must also be curative. It must cure a certain defect in a system. We have all seen the disagreements between MCA's and the Executive and how this disagreement has affected the respective wards that these MCA's come from.

We are legislating to ensure that the ward fund and the development of wards is not under the mercy of Executive but it is rightly given to the Members of the County Assembly who are real time interactors on the ground. Mr. Speaker, the third reason as to why I support this motion is that an MCA is the most realistic leader on the ground.

There are emergencies and issues for instance, I might be seated here and maybe rainfall could have destroyed a bridge in Githiga Ward. It will take months or one year for me to ensure that it is in the budget so that the people of Githiga might enjoy that service. Let MCA's be given the Ward Development Fund to ensure that they are able to effectively respond to real time issues.

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Mr. Speaker, as I end I would like to add this input that if we have governments that are so relevant to the people, one of the factions that will benefit at large of which I am the representative of them in this House is the youth. Mr. Speaker, you realize that for every economic uplift that is happening in the rural side of this country, the youth are being inherited to a place where they can earn and have a livelihood of their own so that they can develop their own families.

Mr. Speaker, I have no much to add because I did not want to mix politics in such an issue so I beg to lay my case. I join all the members without division to support this motion so that we develop the offices that we are seated for the future leaders of this country and this county. Thank you, Mr. Speaker.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I would like to support this motion and congratulate Hon. Daniel Mugweru for tabling it. This is a timely motion because it is time the Members of the County Assemblies this country and these 47 counties, enjoy the privileges that are being enjoyed by the Members of the National Assembly and the Senate.

Mr. Speaker, we as the Members of the County Assembly of Laikipia encounter issues on a daily basis. These issues concerns development in our wards. We need timely interventions on issues so that we can be able to solve them for our electorates. Also, there is a need for the county and the nation to know that as elected Members, you should also enjoy the privileges given to other elected Members, either the Senate or Members of the National Assembly or the Women Representatives of this nation.

This is because as an elected Member, you are the responsibility of the electorates or the people who elected you in this nation. Mr. Speaker, we want to solve the problems of our people with these funds. These funds must be allocated by the County Assembly and the fund should be allocated to each and every ward in this county and in this nation. If at all we do not have laws guiding this and it is passed by the National Assembly, then we are underprivileged and affected as MCA's of this nation to serve our people in the right manner.

When it comes to solving of the problems of our people, before the Members of the Parliament come in touch or solve a problem of a resident in Tigithi Ward, I will be the first person who will be pushed by the residents of my ward to solve that issue. As I stand here as an MCA representing the people of Tigithi Ward, I request everybody in this House to support this motion so that we can bring development to our people at ward level. If at all we were elected…

Speaker: Just a minute. What is it Hon. Leila? Okay. Continue Honourable Member.

Hon. Nicholas Mwaniki: Also, as we were elected as Members of Laikipia County Assembly on UDA, the philosophy was of the bottom-up spirit so that we can devolve money to the ward level.

We as leaders of this nation we want to realize change in this country. We need to support this so that we can devolve monies to the ward level so that our electorates, the people who elected us, can enjoy the privileges of electing a Member at the ward level. As I stand here to support this motion, I request each and every Member to support it so that we can be able to establish this fund. I know that all the elected Members here will be able to secure their positions come 2027 because of this fund. Thank you very much.

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Speaker: Thank you. Hon. Members, I would like to refer the Hon. Lempaira to Standing Order 79 which says:

1. *No Member shall speak more than once to a question except in Committee of the Whole Assembly.*

2. *Despite paragraph (1)* (which I have just read),

   (a) A Member who has spoken on a question may again be heard to offer explanation of some material part of the Member's speech which has been misunderstood but must not introduce new matter;

In that strength, I would like to give Hon. Lempaira a chance to let this House know if he is standing up on a point of explanation. Is it so, Hon. Member?

Hon. Nicholas Lempaira: Mr. Speaker, I just want to give information. I was standing on a point of order for Hon. Stephen - that is why he was on the floor. I have not yet been given an opportunity to support the motion myself.

Speaker: Then you have the floor.

Hon. Nicholas Lempaira: Thank you, Mr. Speaker. Indeed, this is a great day and afternoon that we have an opportunity as Members of County Assembly across the country to debate on why we need the Ward Development Fund. What the Members are asking is actually a little percentage of the annual county budget to come to our wards. The essence of devolution was to have *maendeleo mashinani*. For us to realize that or to devolve development to various counties, it should start from the ward level. If we want to realize that we have enough ECDE's and hospitals around the county which are running very well, that we have road connectivity in our wards, this Ward Development Fund is very necessary.

Mr. Speaker, just in giving an example of what happened from the last regimes for most of us who were outside there watching what was happening. If you are not in good terms with the Governor, development in your ward will be under his mercy. He can decide to shift programs, he can decide not to, he can decide to frustrate suppliers or not to pay them. But if we have these funds, it will be directly and specifically dealing with wards and ward representatives. We are not asking for this money so that it comes straight to our pockets, we are simply saying, devolve more funds to the community level. Devolve more funds to the *wananchi* so that they can see the importance of devolution.

I want to be counted this afternoon as one Member who has supported this motion and one who seriously supports it. I am supporting it because it will bring a lot of benefits to the people. Every day when you wake up, you will find people lining up at your doorstep or gate wanting to know the next thing that you are going to do for them. Some things you do not have answers for, sometimes you lie and what you promise depends on the Governor or the Executive. They can decide to give you or not to do it. When we get these funds we will now do exactly according to the people's priorities or needs on the ground. If it is a road that needs to be done, you will know exactly that it is done or needed. If it is a dispensary, you will know that it is needed. If it is an ECDE class you will know that it is needed.

We have MPs, women reps and the senators. They have these funds and are also legislators just like us. What is the difference between an MCA and an MP? It is only the title, and the one

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who is mostly with *Wananchi* every day is the MCA. Most of them stay in Nairobi and only come once in a blue moon to the ground but for me, whether I want to go home or not, it is a walking distance from my ward to the Assembly. They will come and fetch me here if I do not go. But for them to go to Nairobi, it will require a lot of logistic preparations before they go there.

We are saying that when we get these funds we will also have the same process. The same legislations put in place to make sure there is proper accountability to make sure there is proper transparency when we are dealing with these funds. So, I want to urge other Members across the country and in this House to support the motion so that we can also be counted as part of the people who bring development straight to the doorsteps of our people. Thank you.

Speaker: Thank you. I would like to give the floor to Hon. Kanyutu.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I stand to support this motion. I was a bit concerned because we have started the motion at quarter past three rather than 2.30. I was a bit concerned because that is one of our roles. We are the ones who make orders and we have the Standing Orders that guide us. What has made it a bit bitter is that there was no other explanation. It is good to give a report that we have delayed due to some issues. That is not the thing I am contributing, though. What I can support is, the ward fund is an important aspect. If we have the funding that is devolved to the ground…

Speaker: What is it, Hon. Karuiru?

Hon. George Karuiru: Thank you, Mr. Speaker. I stand to guide my fellow Hon. Member, Hon. Kanyutu that we have, constitutionally, what are called important county matters. As long as we have the Cohesion Committee that deals with matters of security or insecurity; Hon. Nyokabi complained of her area being insecure and he knows that we went there. Yes, we were to raise it because this is a House of procedural, but when it arose we had to rush to Ngobit as the Cohesion, Justice and Legal Matters Committee to unfold the things that befell one of our Hon. Members. So, despite the communication being made by you, actually we were late because of that and I appreciate you because you did not adjourn the House but went on and we said that despite the delay, we will go on.

Speaker: Thank you, Hon. Member. That will still have to be elaborated a little bit later but let us give the Hon. Member the floor to complete. It shall be responded to appropriately.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I am also a bit happy because I have gotten a clue of what had transpired. But it is unfortunate for a Hon. Member to be here at the right time and you just wait hanging not knowing what is happening. Being an Honourable House, that is the information that we require to know whenever we have such an issue.

Mr. Speaker, I am supporting this motion because I represent a ward that is so much diverse. With the devolved funding coming to the ward level, I am sure equal distribution to each and every corner will be possible. My ward consists of 14 sub-locations, 7 locations and 3 divisions. In most cases, you get to see that we share the allocation equally. Maybe when we were passing the budget we allocated a single class in the whole ward. You just try to imagine how you can devolve this money to a certain sub-location which is at the far end and the others will start claiming that the person who was elected is not intending to ensure that development is equally distributed.

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So, I wholly support this issue of devolved funding whereby even the MCA will be able to pinpoint which project should be given priority in his area. In most cases, we just receive whatever has been earmarked by the Executive. For our part sometimes, we even have conflicts because maybe the Executive had earmarked to do development in a certain corner but on my part, I am being pushed by members of the public who come to my home on a daily basis. So, once I relocate the money, maybe the Executive will start seeing as though I am not supporting whatever their intentions are.

I wholly support this motion and I am happy because I have heard people are talking about the bottom-up while others are opposing but for me, I am independent. So I wholly support it, there is no other party that I belong to but previously before I became independent, I was in UDA, so my votes were few. I wholly support the idea and I support that we ensure the bottom-up issue is properly instilled and on the ground for our people. Thank you. I wholly support.

Speaker: Thank you. I would like to give this opportunity to Hon. Lekopien.

Hon. Parleto Lekopien: Thank you, Mr. Speaker. I rise in support of the motion. As we all know, most of us here come from different wards. We also have the MPs who get the CDF money. What I am trying to say is that a lot of times, you never get an equal distribution of the money in each of the wards. Sometimes, you even get an MP who is not in the same political party as you and a lot of times he will try to side-line you to make sure there is no proper development in your area.

In support of this, it is probably a good time, though it is a little late now because we should have had it like five or ten years ago, that each ward gets a ward fund. One, we all have equal rights with the MPs and we represent the people. Actually, we as the MCA's of Laikipia are in touch with the people every day. We see the people every day while the MPs are in Nairobi and only come once in a while to the people. Being an MCA, you are always on the ground. So I think the ward fund will really help us and will also help to develop the areas.

I feel that most of the MPs look at us and feel like we are children from lesser gods. What is happening is that the CDF money that they get and representing the same people that we represent, is never equally distributed. So, in support of the motion, I think the most important thing is that we get the ward fund so that the people on the ground will feel the impact of the money unlike the CDF money of the MPs which is never equally distributed.

So, I rise in support of the motion and would actually urge all the Members in the Laikipia County Assembly to support the motion. By the end of it, once the ward fund has been given to us, Laikipia will be a better place to live in. The people of the wards will be happy and will feel the developments on the ground. Thank you and I support the motion.

Hon. Samuel Mugambi: Thank you, Mr. Speaker for giving me this chance. I rise in support of this useful, effective, most efficient motion ever brought here. I want to thank the Speaker and the two Members representing us in CAF. I also want to thank Hon. Mugweru, the Umande representative for bringing up this motion. For me, I also want to go on record in support of this motion. My views in this support are that we have our abled President, Hon. William Ruto who is the chief hustler. Whenever he was going on campaigns around the country, he was talking about bottom-up which to me is a very relevant thing that I think will work for the benefit of uplifting those people who were in lower ranges.

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Being MCA's, we are now the smallest hustlers. Also, in another perspective, I want to say that when we want to introduce County Ward Equitable Development Fund, it is like we are enhancing devolution. In 2010, devolution was passed by our late President Mwai Kibaki and everyone can see the benefits that devolution has brought about. Then, we had the former President, Uhuru Kenyatta who had the Big Four agenda.

I want to ask the President H.E William Ruto from Laikipia County Assembly; we have Mwai Kibaki who has a legacy of devolution, we have Uhuru Kenyatta who has a legacy of the Big Four agenda. We are asking you from Laikipia County Assembly to have your legacy of enhancing devolution more by putting up the County Ward Equitable Development Fund. If H.E William Ruto, the President of the Republic of Kenya does it, it will be the biggest legacy he will ever leave in Kenya.

Mr. Speaker, we only get 15% of the national cake which goes to the 47 counties, so we have a very big percentage left to the National Government, which is around 85%. So by putting up this County Ward Equitable Development Fund we shall only increase the percentage that goes to devolution. In my own opinion, I think this will be the biggest legacy of William Ruto. William Ruto cannot do it alone, we have to go through the National Assembly. That is why we want to conjoin the amendment being done by Parliament by increasing their National Government Constituency Development Fund, the Affirmative Action Fund and the Senate Oversight Fund.

Devolution was born in 2010 and is now like a baby who is ten years old. I can now see that devolution is soaring to higher heights. By doing so, the people of Salama who I represent will feel the fruits of devolution. So this is history being made and I want to represent the Members who are representing us in CAF. Continue in the same spirit and be vigilant, be more aggressive and I think it will happen. God bless Kenya and God bless Laikipia.

Speaker: Thank you, Hon. Gatati. I want to give the opportunity to Hon. Paul Shuel.

Hon. Paul Leshuel: Thank you, Mr. Speaker. I stand to support this motion and before I give the reason why I support it, I want to take Members back to two documents of this country. One, we have a constitution. The reason why we fought for this constitution of 2010 is because of devolution. The second reason is because of the rights. If you read the rights of the citizen, it clearly stipulates that every Kenyan must have access to clean water, every Kenyan must have access to health and have a quality education, among other things.

Mr. Speaker, we also have Vision 2030 which gives us a guideline of what we are intending to achieve by 2030. For us to realize all this, we need to start development from bottom-up. The reason why we have devolution; even though we could have had 40% of the national budget going to devolution; unfortunately, we have only 15%. With the 15%, we are now ten years down the line with devolution. It is not my wish to see in some areas, especially pastoralist areas, people dying because of hunger yet in most of the other areas we have more than Kshs.7 billion annually.

The reason why all this is happening is because we have a central place that is being controlled by the Governor. The moment we have allocation for MCA's they will be very realistic and give priority to the areas.

If I am given Kshs.15 million Mr. Speaker, I will realize the areas that need bridges and other things. We are ten years into devolution and we still have some areas where the children learn under the trees because somebody seated here in Nanyuki cannot know what is happening in

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Sieku or beyond Doldol Town. The moment I am given an allocation which I can give priorities, even if it is not about me to implement, it is about me to prioritize and whatever I give as a priority will happen.

What we are going to approve here as budget Mr. Speaker, we all clearly know that it is a programme budget based. So, when it goes to the Executive side, it is now the CECM concerned to give specifications on the project. So, I am supporting because of all this. If the government is really concerned with the bottom up manifesto, I think they will support us on this.

Mr. Speaker, I want to say that this motion is very important and any Member of the National Assembly who will oppose this, we will mobilize the 47 counties and probably, we will make that person to give us a reason as to why he/she is opposing this yet they are supporting the CDF. This will take us forward as a country. Thank you.

Hon. George Karuiru: Thank you, Mr. Speaker. I would want first congratulate the Hon. Member from Umande, Hon. Mugweru for this noble motion and I support the motion as well. Despite of the six of us being reelected just like any other elected person including the MCA, the MP, the Women Rep, Senator, Governor and the President, I think that the only disadvantaged people in the whole system is maybe the Senator and the MCA.

Mr. Speaker, it is very noble for us to have our projects because as long as we have devolution, this being the 3rd term; we have had the Governors with their flagship projects. Sometimes, when the Governors come to the ground they rarely quote us but only talk on what and how they have done the factories and big roads. For the MCAs, as my fellow Hon. Members have indicated, it has been very hurting that when somebody wants to access the Governor, the Senator, the Women Rep and others, the only accessible person by the citizens is the MCA.

I must appreciate you because when I had the thanksgiving ceremony at my home, you also had your respect to the church which you adore and you did not attend and therefore, I must appreciate that 90% of the Hon. Members actually appeared at my home. Out of what they experienced, most of the people from my locality who came addressed issues to do with access. I am not very good, but I must appreciate God that this is my 2nd term when I am serving my Olmoran Ward. Personally, I have not done much because I had to relent most of my powers to deal with their matters.

Mr. Speaker, the issue of every elected Members and I know that even some of the nominated Members have started appreciating that their homes must be accessed by the locals, the *Wanjiku* always comes to our homes. Sometimes, the cases which they bring about are actually wanting to an extent that if you have left chicken for your spouses, you find that we are left with nothing. If we would have the Ward Development Fund, we can actually have at least out of how they elected us, despite of helping them through our means, show a project of our own. That this is an ECDE Class, like in my ward sometime in 2020 during Covid; an ECD class namely Sipili Primary was blown away and after trying to access an emergency fund, it was not accessible.

Sometimes back when we came back to this 3rd Assembly, I tried to complain about some boreholes which were not in place and we are experiencing a dry spell. In my Olmoran Ward, we are experiencing fights among the communities which actually do graze herds of cattle. What if we would have our own Ward Development Fund? The individual MCA's would be creating their

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own robust initiatives by trying to salvage their livestock by putting up boreholes with their own budgets.

Mr. Speaker, I am not saying that the flagship projects from the Governors are actually bad, but they cannot be able to sustain the whole county. I must appreciate Stephen Mule, the MP and Gichumu Muriithi for this initiative; Irungu Kangata who also brought up this issue on board. Personally, if I am asked to say what we need, we actually do not need the Kshs.15.20 million but Kshs.100 million for us to execute the resources so that we can also be felt on the ground.

Mr. Speaker, an Article in the 2010 constitution clearly stipulated about the powers delegated to us. In our families leave alone the County Governments, one of our core mandates is coming to this Assembly on Tuesdays, Wednesdays and Thursdays. For example, if Hon. Stephen Ndiritu always leaves money to his wife to pay school fees, shopping and everything the kids would want, if the wife is not trustworthy although I know that his wife is trustworthy. If the wife does not tell the kids that I am paying this school fees, because your father left it for me to pay, if the wife usually tells the kids that I am paying for you because I cannot access your Dad, therefore the Dad will not be recognized. In this case, that is the first breakdown of this family.

Therefore, Mr. Speaker, we need to have our own projects that if I leave this Assembly or I cease to be an MCA of Olmoran Ward, there would be something that I would always be saying wherever I go around, that this borehole is a Karuiru Project or this Road was made using CDF. We should all embrace and I urge in the case of this HANSARD Report from this Assembly, all the 47 counties should embrace this Ward Development Fund because it is also part of job creation because there will be a board which will be formed to also manage this fund.

I would urge my fellow Hon. Members to appreciate and embrace this. They should also get this in mind that these cars which we normally get, Mr. Speaker, because I did not know the motion which was on the table today. If you would send one of the Serjeant at Arms to go to my vehicle, because I have about 40 cards in my vehicle for *harambees* and other initiatives coming Sunday. I have got a lot of applications that the youth need to be employed. If we would have this project and we mandate, it because it is actually constitutional, we must follow the BQs and the other things like we are going to make a culvert locally and employ the youths, some of my cards would reduce.

I think that this motion is very noble to be assented to so that when we go to our locals, they can actually realize that despite of the welfare we are approaching them with, there are projects which we have done with our own budgets. Mr. Speaker, I was thinking, why is the Governor and the President limited? I would request the Hon. Mugweru who brought this motion to hear this. The Governors and Presidents are limited to their tenure of office of two terms but we are not limited. It is better we be limited but have our own funds to manage. It is not a must we get limited, but even if you die as an MCA, you die. Yes, we will die but what legacy shall we leave behind?

When we die because one day we shall die, there will be all those issues that I gave you time, you are not a father but a clergy man. How many kids did you bring to this earth and you are not barren? Mr. Speaker, the fathers will be asked, how many people did you transfer to the other world knowing God? So, I embrace this motion and I know that my fellow Hon. Members from the 47 counties will embrace this. Once it is passed and we get the resources, it is when Kenya is going to realize that *mbele iko sawa.* Thank you, I join hands and support the motion.

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Hon. Leila Hussein: Thank you, Mr. Speaker. I support this motion by Hon. Mugweru because in my belief, the ward is the point of impact for devolution. If it is not happening in the wards, then it is not devolution. If we look at it this way, all Members here who are representatives of their wards, the common citizen out there cannot access the MP or the Governor and the Women Rep easily, but come to the MCAs as Hon. Karuiru has said. You have said that you have got almost 30 cards in your car, where are you getting that money from? Your salary? That is very wrong.

With the Ward Development Fund, you are able to keep track of what you are spending in your ward and helping the community at the same time. I also urge the Members here that there is a petition that is to be signed for us to take back to the CAF offices for all the 47 counties. So, it is not just for Laikipia County, but for all counties. I urge all the Members to sign it to show their support for this motion. Thank you.

Speaker: Hon. Members, I would like to take this opportunity to call upon the mover to give a reply.

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I wish to thank all the Hon. Members for making their contributions towards this motion. It is one of the best for us all, the whole country and the people we represent. Hon. Members, you have made your contributions very well and I am sure that everybody who will be able to listen to what you said, will also be able to understand the pain that we are going through and how soon we need this bill passed. How soon we need it to be incorporated.

They will understand how discriminated we are, and all these things which we are saying will be captured and help us push for the petition so that we may be included in the amending the bill. Secondly, as I was listening to the contribution of the Members, I am so much impressed by because they have mentioned the issue of Kang'ata and it is so important to understand the importance of bottom up.

Why Kang'ata was so passionate on this issue, it is because he was elected as a councillor for five years and in the following election, he vied as an MP and the next he vied as a Senator and in this one he had vied as a Governor. Therefore, he understands the role of MCA's, he understands what entails on the ground. We need the Hon. Members to understand this even in the National Assembly, so that they may get to learn from somebody like Kang'ata who once was a councillor, who understand the importance of having Ward Development Fund.

Hon. Speaker, as I was listening, the Ward Development Fund that we are fighting for, as the name indicates, is for development. It might not solve the problems of cards for Hon. Karuiru directly unless maybe indirectly because this money is not for harambees, but it is specifically for development. The good thing is that if we have the Ward Development Fund, at least we will engage some young people and therefore they will earn. The church youth who are bringing cards for harambees will now reduce because they will be having their money.

As we are doing developments, maybe we will engage women and men in the same and probably when they have money, they will reduce that hunger of bringing thousands of cards for harambees in our offices. The bottom line is that we really need it as soon as possible and us as the County Assembly of Laikipia, we stand to be counted among the County Assemblies which really support the petition to the National Assembly to be included in the Amending Bill. We

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should be included before publication. So, I thank the Hon. Members for that support and still believe that you will support the motion to the end.

We have not finished since it has not been approved, we still have another stage where the Speaker will put the question. So, I kindly call upon you so that we may support the motion. It is for the good of us all. Thank you.

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

SECURITY MEETING

Speaker: Hon. Members, a question was asked and it was the purpose of the Chair to pass the information after the motion had been passed.

The delay of the House today was necessitated by the insecurity that has been happening within one of the Members area of jurisdiction, whereby we all had to go and give our input and also stand in solidarity with our Member and the citizens of that ward.

COUNTY ASSEMBLIES FORUM MOTION

Having accepted, approved this motion and adopted it fully on behalf of ourselves and all the Assemblies, the CAF requires that all the Members append their signatures to this petition. Therefore, I will require that by tomorrow morning the document shall be ready for the appending signatures for submission to the National Assembly.

ADJOURNMENT

Speaker: The sittings of this House now stands adjourned until tomorrow Wednesday, 30th November, 2022 at 9.00 a.m.

The House rose at 4.40 p.m.

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