

COUNTY ASSEMBLY OF NAKURU**THE HANSARD****Wednesday, 30th November 2022***Assembly Building**The House met at 10: 10am**[The Speaker (Hon. Joel Karuri) in the Chair].***PRAYER****MOTION****RESOLUTION TO PETITION THE NATIONAL ASSEMBLY ON COUNTY WARDS****EQUITABLE DEVELOPMENT FUND**

The Speaker (Hon. Joel Karuri): There is a Motion by the Honorable Peter Mwamba Kajwang, the representative Member for the County Assemblies' Forum.

Hon. Peter Kajwang: Thank you Honorable Speaker and Honorable Members. I beg to move a Motion 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:-

1. That, the County Ward Equitable Development Fund be incorporated in the proposed Constitutional Amendment Bill before the National Assembly by the honorable Stephen Mule, MP and the Honorable Gichimu Githinji, MP alongside other proposed funds namely National Government Constituency Development Fund (NGCDF), National government Affirmative Action Fund (NGAF), The Senate Oversight Fund, 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.
2. 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.
 - I. That each County Government shall allocate funds comprising of a certain percentage of the respective total County's Annual Budgets Estimates or as shall be advised by the Commission on Revenue Allocation (CRA) during the enactment of the County Allocation of Revenue Act to cater for County Wards Equitable Development Fund
 - II. That all monies allocated to County Wards Equitable Development Fund 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

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- III. That Parliament shall enact a legislation to provide for the administration of the County Wards Equitable Development Fund.

Honorable Speaker, this is the Motion I just want to reiterate that County Wards Equitable Development Fund, what it means is we are asking as Counties to be able also to be enjoined in the Constitutional Amendment Bill before the National Assembly which is going on so that we are also allocated the County Wards Equitable Development Fund. Equitable is not same to equal, so we are talking of County Equitable Development Fund.

Honorable Members, as you are aware that we have an existing law in the County of Nakuru in regards to Ward Development Fund. However, we are now enjoining the bigger body the rest of the Country in this push so that we enhance our kitty to the effect that whatever is allocated to the County Wards Equitable Development Fund is pegged in the coming Budget not on the previously Audited Budget. What we have right now is pegged on the previously Audited Budget but we want it to be pegged on the coming Budget. I think that is going to boost our kitty to a higher level.

Honorable Members, as we are aware right now, we are entitled to forty-five percent of the Development Fund to the County. We leave a whopping fifty five percent for the Governor and the Executive to execute their Pilots Projects but we insist that forty-five percent goes to our Wards for the development that are prioritised by *Wanjiku* on the ground. Honorable Members I beg you to consider this Motion positively and affirmatively so that we join the rest of the Country in this push for County Wards Equitable Development Fund. Honorable Speaker I do not want to speak so much; I might have finished the words from the mouths of the Honorable Members. I want a robust contribution from the Honorable Members into the positive consideration of this Motion. I beg to move and I call upon honorable Catherine the MCA representative of South Rift Chapter on County Assemblies' Forum to second the Motion, thank you.

The Speaker (Hon. Joel Karuri): Honorable Catherine.

Hon. Catherine Mwangi: I second the Motion but let me say something. About the Ward Fund in the Constitution, the National Parliament were only given mandate and what Honorable Kajwang is saying about the forty five percent should be passed because the MCA are the people who have the mandate on the ground. When it comes to *Mashinani* at least we are the ones who know the projects that are going to be done and to implement these projects. Kindly pass this Motion and I second the Motion.

The Speaker (Hon. Joel Karuri): Thank you honorable Catherine, the Motion is now open for debate. Honorable Mutai.

Hon. William Mutai: I support the Motion. My argument and support is on the interest of the people back there in the village. All along, we have always been trying to find ways of supporting Devolution and Devolution means that trickling down the resources from the National level up to the Ward level. I was a sympathiser of Chama Cha Mashinani Party (CCM) at some point. They had this one in mind that if resources can really be pushed to the Ward level where the representative in the Ward is the MCA who actually knows and they have collected the information on needs and requirements of the local *Mwananchi* it would really

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auger very well. Today if you ask me to talk about a Cattle Dip in Keringet Ward, I will be able to tell you the location and the importance of that cattle dip if it can be improved. When resources are therefore allocated to the Ward level in plenty, the MCA and the Development Committee in the Wards will be able to chart way forward on how to improve this project. We are going to register a lot of speedy development which to me I believe that is actually the essence of a developing Country. We begin from the small unit to the Ward level and we move on developing nationally. I really support this and I want to believe that each Ward in this Country will actually support the same. Thank you.

The Speaker (Hon. Joel Karuri): Thank you. Honorable Karanja.

Hon. Stanley Karanja: Thank you Honorable Speaker; let me first thank Honorable Kajwang and CAF Leadership. I think for the first time you have rediscovered yourselves and you have known the mandate we pay for you to be in existence therefore...

The Speaker (Hon. Joel Karuri): What is it Honorable Kajwang?

Hon. Peter Kajwang: I Think Honorable Karanja is out of order to say that it is the first time that I am rediscovering myself. I beg Honorable Karanja to withdraw and apologise.

Hon. Stanley Karanja: Honorable Speaker I did not say Honorable Kajwang, I talked about an Institution called CAF that it is for the first time this Institution has rediscovered that it does exist although it is not constitutionally in the Constitution. Honorable Kajwang you are just and appendage for that Body and that is why we are thanking you. I do not know why you are jumping the gun; we are just thanking you for knowing that you are existing. We thank you for knowing that your cardinal objective is to defend the Devolved Units, that one we thank the whole administration and the leadership of CAF for that. I do agree with the Motion because last there was what was called the Kang'ata Bill, before Kang'ata became the Governor. When he was a Senator he brought a Motion that was killed by the same Assembly and therefore we are asking that the Bill that is currently underway that it does anchor whatever CAF is asking into law.

Why I am suggesting that and why I am in the same footing with the Honorable Member, it is the very bad scenario and I know the Members know what is ailing Meru County and I think Members have seen that the Meru Governor is under siege. The reason being the Members want facts because you cannot operate as if you are operating in a vacuum as Members of County Assemblies. We want such scenarios to end and end completely such that it is not the prerogative of the Governor to know how much poison he or she should give to the rat in order for that rat to die; it should be prescribed that you give certain percentage and the rat will die.

The Speaker (Hon. Joel Karuri): Honorable Karanja are you a sadist? Do you have another way of framing it apart from introducing death and poison in this debate?

Hon. Stanley Karanja: As a student of Literature sometimes, you juxtapose so that you are able to explain your scenario correctly, that it is not always...let me put it in a language that is palatable to you.

(Laughter)

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Honorable Speaker, what I am saying is this; it is not the prerogative of the Governors after the resources have come all the way from the National Government to know how much he or she should give to a Ward. One ward can get less the other one gets more but when there is a fund that MCAs will be able to know exactly what, how and where he or she should place the money because the smallest unit for development should be the Ward. I know Members will concur with that but there has been a scenario and that is what I want to disabuse that an MCA is so small that he or she should not be given money and there was... when you relook at the ...

Hon. Stanley Karanja: and That is why I am also worried that we are giving some people who have not been safe to save us the assembly because if you look at the scenario that the Kang'ata bill was I know honorable Murkomen is listening, because he is now a CS. he was the engineer and the catalyst of killing the motion.

Mr. Speaker, if you look at what now we are saying that MPs should first of all distance themselves from the MCA phobia, that if you give development money to MCA, then automatically that the MCA will overthrow you. you know very well that there was an MCA here, Hon. Mutai who had nothing other than the height who he is now an MP, he defeated a Deputy Speaker of the National Assembly without money leadership is given by God not by people.

Mr. Speaker, I do urge the MCAS here that because we are the devolved unit, we do urge parliament that they should not unite when they are fighting for their own welfare. Right now, they are together they do not know ... because they are fighting for CDF. Now when it comes to the issue of MCAS and the ward development but you will see some of them detaching themselves from the.

Also, CAF I thank God that you have seen the Light to Damascus, CAF should first of all fight to be integrated in the law. This issues of being beggars is the one that has made the devolved units to die. and I know Honorable Kajwang has a bigger mind. He has the focus just like these brothers. Are we asking that we use what we have here so that we can urge the National Assembly and our assemblies the 47 of them that when we pass this bill, what happens when we pass this law? And then the National Assembly takes up what happens?

Honorable Kajwang when you bring a problem definitely you must have an answer, what will happen because now you are you are using the assemblies as a pipe to take you to the other side, and what CAF intends to do.

As you have now seen in Damascus now fight for the welfare of all members, you cannot give an Honorable Member a 90 kg sack to carry when the member is only two kilograms of weight. you will be suffocated the member. So, what we are saying as we fight for this one, let us also fight for the welfare of members. We cannot just be members of a society, just the way we have been relegated.

Mr. Speaker, I know you are also a member. And I know you are listening, because you are good, because you were also an MCAs and it goes also you are in charge. as we fight for this, also fight for the downtrodden, fight for those people who have no say. And I know that when

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you do so, because Hon. Kajwang is here and our dear sister is here. And we thank her because she was elected, when you elected just do something that you should also be seen.

Therefore, I am asking members, can we support this one, and then we put an annexure that what happens when they do not what they told us.

Thank you Hon. Kajwang for bringing it I can see you have the spirit of your brother. Thank you.

The Speaker (Hon. Joel Karuri): Thank you, The majority whip, and then Mheshimiwa Mwangi.

Hon. Fadhili Msuri: Thank you Mr. Speaker. Mine is just to support these timely interventions and to urge and ask my fellow members to unanimously endorse this. But just to echo what my brother, the Honorable Karanja has said, which will also be alive to the reality that this initiative might not find favor with a section of maybe politicians like he has mentioned maybe the MPs. So, we also need to start scratching our heads and find ways that the caf in case this initiative goes to that level. And it finds a very serious blockage from our MPs. What is the way forward because we do not want this a very important agenda. And I was just seeing the page we have a page of majorities in the entire country. And the whole discussion from yesterday until today in the morning was that each house in the counties is passing the document today. So we just want representatives to assure us that they have put enough very good strategies that in case it reaches Nairobi to that level and a few people here and there decide to speak otherwise, against this document what happens to it? Thank you Mr. Speaker I support it.

The speaker (Hon. Joel Karuri): Mheshimiwa Mwangi

Hon. Mwangi: Thank you, Mr. Speaker, for giving me this opportunity. I stand here to support the motion, and also to congratulate our brothers in CAF for a very commendable job that you are doing. Thank you, honorable Kajwang. And our sister here, Mr. Speaker, to be very honest, that Members of County Assemblies are the first officers in the line of response to logical queries in all manners of things.

So, by having such a ward kitty, it will solve a lot of problems. Because like now being followed by our people. Mr. Speaker, if you had walked into the governor's office this morning, you would have seen that people are really in need of work, the tender box is already full. Tenders are there in a heap. it means we shall be able to reach to our people at our ward level, not by coming to county or to the national level.

So yes, I am here to support this motion. And also, to urge members of the National Assembly please do not fail us by not adopting the motion or the good bill that is going to be brought to your attention. So, I support the motion in totality.

The speaker (Hon. Joel Karuri): the Honorable John Martin from Kamara then honorable Alex Mbugua.

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Hon. John Maritim: Okay, thank you, Mr. Speaker. I stand here to support the motion, and also to congratulate Honorable Kajwang and Catherine for doing a good job at CAF. One is that I believe that it men of our words, we have rampant stalled projects that are rampant across all the wards, because the county allocation sometimes is not enough, given an example that you can give another 30 million new you have given project that needs to be done in a ward are almost of 60 million. You see that there is still insufficiency of funds to complete it. So, I think that is the best.

The second thing I think also our members is MACs our MPs are also representative they have voted for and many of us did a lot of job to see our MPs Were given that position. What if we come with talk our MPs to accept this bill, I think it can work well. Because like Kuresoi North we have Mheshimiwa Mutai and I believe he also understands because he was one an MCA.

Finally, to CAF members. I think that the next thing you will do is that we need the increment of salaries in that 40% of the basic salary of a governor. A Governor takes like 866 000, 40% Visit like 346 000 Honorable Kajwang and Hon. Catherine next time you are in CAF that is the next proposal. Thank you very much. I stand support.

The speaker (Hon. Joel Karuri): Thank you Mheshimiwa, I know Honorable Kajwang is noting taking and of course at the closure of this motion he will be responding much more. Mheshimiwa Alex.

Hon. Alex Mbugua: Thank you very much, Mr. Speaker, I rise to support this motion and first congratulate the member and those from CAF body for this noble task that they have seen fit.

Mr. Speaker, in the year 2003 When the Quebec administration started, in fact, you find that the ninth parliament will be remembered for the enactment of the CDF act. that is the time that we saw the people and the Republic of Kenya getting the benefits of a government. a government that we saw had so had had worked for so many years.

When you go to the previous regimes before the ninth parliament that came in 2003, you realize that most of the counties and constituencies had lagged behind, the main cause of this was if you are not in touch with the president of the country, you will not get any service to your people. And hence it made Members of Parliament to be beggars in statehouse and even the intelligence services were surrounding members. If you are heard not communicating well or whether or not in good terms with the presidency or the executive, you will not get any of the services from the government.

However, when this happened in the year 2003 you find that the ninth Parliament became like a Bible to many other countries within the world, India, fast tracked its legislature and they took the example of Kenya, being the first parliament to adopt the CDF within their country, South Africa and Ghana within Africa took it.

Mr. Speaker, I look at a situation whereby the CDF has changed so many lives within this country. It has since evolved from CDF to NGCDF within the past years. I have had the opportunity to represent the people of Naivasha as the chairperson CDF within the last regime

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from 2017 to 2022. And within that span of time, if this is the dream that has been envisaged by the great people who will represent us in the CAF, I would say that we as a Country and as Nakuru County, we are headed to great things. It is time we saw such Motions being moved and passed by this Assembly. The meaning of this would mean that today, the person living in Visoi Ward and Lakeview Ward in Naivasha will not depend on the mercies of the Governor for execution of their mandate. Today, we have a Governor who listens to the people. What if one day, we have a Governor who will be drunk with power and will ensure that such programs will not happen to the people? We must secure our own Wards and I feel like by us stating that, we shall get enough money for our Wards. We shall ensure that the service to *mwanaanchi* is well felt. Most of these Hon. Members came from their homes this morning because they do not reside anywhere else. When you go to Mheshimiwa from Elementaita, you will find that he has an area that is so vast but he comes from an area where he feels the needs of the people. If he is given a privilege to run a Ward kitty whereby, he will be able to secure the needs of those people, it will be good.

In the past one month, we have had darkness in our streets within Nakuru County and more so within Lakeview Ward in Naivasha where I come from and we have had instances where school going children are being attacked and when you come back to the County where you try to get electricity poles fixed, it is nearly impossible because there is no framework. All you are told is that we shall wait for a centralised kind of procurement and we do not have materials at the moment which means that the big man is in control. We need an approach whereby development in Kenya will surely be a bottom-up approach whereby we will start development from down here going up. I second this Motion. Thank you.

The Speaker (Hon. Joel Karuri): thank you Hon. Alex. Mheshimiwa Rose.

Hon. Rose Chepkoech: Thank you Mr. Speaker sir. I rise to support and congratulate our Honorable Members who are in the County Assemblies Forum team because of County Equitable Development Fund which will promote growth in our Wards and our representation will be well. We will do oversight very well. Again, each Ward shall identify development projects for implementation in our Wards and it will be so easy. Again, duplication of any project in National and County Government will not be there because we will be consulting with our MPs. Thank you.

The Speaker (Hon. Joel Karuri): Thank you Mheshimiwa. Hon. Majority Leader.

Hon. Alex Lang'at: Thank you Mr. Speaker sir. I rise to support this Motion and also to give it a little bit of understanding for the sake of some of our Members so that they can participate in debating this particular Motion. Members, I think we are aware that the CDF which has been a kitty for the Members of Parliament at some point was declared illegal. When the Members of Parliament went back to Parliament, they have introduced a Bill that will try to legalise and legitimize the presence of CDF and also be able to entrench it in the Constitution so that it will not be something that you beg or someone wakes up in the morning and decides to remove it. It will be part of the Constitution and that is why there is this Bill already in Parliament to try and amend the Constitution to entrench CDF.

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The County Assemblies in the same way will remain orphaned because if the CDF will be removed and declared illegal, our Ward Fund will also appear to be illegal in one way or another. What the Members of Parliament have gone ahead to do, they introduced their own security for CDF funds. We as MCAs did not have a framework or a way in which we can also have our own Ward Funds. I do not want to underscore the importance of our Ward Funds because we all know its importance. As you meet *wananchi*, you know where the shoe pinches and without such fundings, it becomes hard if you are only to rely on the Executive to be able to assist you to do development in your own Ward.

This Motion is to ensure that the Ward Funds is also entrenched in the Constitution. It will not be something that you need to beg or to request the Executive to help us. It is something that while the National Assembly is entrenching their own CDF there, we as County Assemblies also seek to have the Ward Funds be part of the Constitution which is being amended in the National Assembly. We would wish to request the Members from where we come from and the various Constituencies that we seek to talk to our various Members of Parliament and I am glad that while this activity is going on here in Nakuru, it is also going on in most Counties and we thank a few Counties which have already gone ahead to pass this Motion to implore the National Government to consider us as the basic unit within the County. It is our duty also to go and solicit and ask for help from our various Members of Parliament and this one is a message that we have passed to all MCAs and all Counties that they should speak to the Members of Parliament that as we pass this Bill in our various County Assemblies and when it reaches Parliament, it can get the support that as much as they consider themselves for CDF, let them consider our Ward Development Funds. I know most Assemblies are going to move this and accept it and adapt it and the task is ahead there.

It is also upon us as Nakuru County Assembly that let us see the importance of entrenching this particular part of amendment of Article 204 of the Constitution. We are asking that this Ward Development Funds of ours should now be entrenched in law so that it is anchored like CDF and nobody will wake up one morning and remove it. Otherwise, I wish to end by congratulating Hon. Kajwang' and Hon. Catherine for representing us in County Assemblies Forum. We know you are equal to the task and when this House sent you there, we are seeing the fruits. I beg to support this Motion on understanding and on an assignment and as Members, let us go back and talk to our Members of Parliament and request them that when this consideration is done in the amendment of Article 204 of the Constitution of the Republic of Kenya, they also consider us. Thank you.

The Speaker (Hon. Joel Karuri): Thank you Hon. Majority Leader. Mheshimiwa Robert Ruto and then I would come on my left.

Hon. Robert Ruto: Thank you Mr. Speaker sir. I stand to support this noble idea from CAF Members, Hon. Peter Kajwang' and Hon. Catherine Wanjeri for this idea. It will promote the growth in our Wards and it will be felt. As you know, the MCA is the one who knows more where the rubber meets the road and that is why by empowering MCAs, *Wanjiku* will definitely be empowered. I only urge my fellow Hon. Members to go and task their Members of

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Parliament in order for them to own this idea and support it. I therefore beg to support. Thank you.

The Speaker (Hon. Joel Karuri): Mheshimiwa Nene and then Mheshimiwa Anthony Kamau

Hon. George Nene: Thank you Mr. Speaker sir. I think that Devolution was meant to move decision making closer to the citizens. Devolution was also meant to bring resources closer to the common *mwanaanchi*. The MCAs are closer to the challenges affecting the people because every day, we interact with the people and therefore with the equalization fund we shall be able to address some of the challenges affecting our people. If you look at the scenario of Meru, that scenario should not have happened if the MCAs had funds. The MPs have been able to achieve a lot because they had funds that they could use to address the challenges of their people. Therefore Mr. Speaker I rise to support this Motion and also congratulate Hon. Kajwang and Hon. Catherine for this noble Motion before this House. I support this Motion with my body and soul. Thank you.

Hon. Anthony Kanyere: *Asante sana Bwana Spika, mimi nasimama kuunga Mswada huu mkono na niseme ya kwamba hili ni wazo ambalo wakati wake umefika. Pia nipatie kongole wenzetu ambao wanatuwakilisha katika shirika la CAF kwa kazi nzuri ambayo wamefanya. Mwenzangu ameongelea kuhusu mambo ya CDF. Ukiangalia kiini cha CDF, ilianzishwa mwaka wa 2003 na wakati huo hatukuwa na Ugatuzi. Wakati huu tuko na Ugatuzi na Wadi ndio kitengo cha chini cha ugatuzi. Kwa hivyo ningependa kusema ya kwamba ni wazo ambalo limekuwa la muhimu sana. Ukituangalia sisi kama wa wakilishi wa wananchi pale chini, wengine wetu inatupasa tutoke asubuhi na mapema kwa sababu hatuwezi angalia zile shida wananchi wako nazo kwa sababu zimekuwa nyingi sana. Bila pesa kuwekwa kwa Ward itakuwa ni vigumu sana kuongea na wananchi na mahitaji yao ni mengi.*

Kwa hivyo Mimi naunga mkono Mswada huu kwa sababu ukiangalia wakati huu watoto wetu wengi wamefukuzwa shuleni na hatuna pesa za CDF ambazo zilikuwa zinatumika kama bursary. Pia bursary yetu ambayo tulikuwa tunapewa kama milioni moja ama mbili ni pesa kidogo sana. Tukiweka mswada huu katika sheria itakuwa ni jambo la muhimu sana kwa sababu kama vile mwenzangu amesema wakati huu tunaweza kuwa na Gavana ambaye anatusikiza lakini itafika wakati ambao yule ambaye atakuwa pale kama Gavana itakuwa lazima uimbe wimbo wake ndio uweze kupata maendeleo.

Kama vile tunajua pale ambapo tumetoka, kitambo ilikuwa ni siasa mbaya maisha mbaya. Kwa hivyo hili jambo likiwekwa katika sheria itatuwezesha sisi kama wa wakilishi wa Wadi kutekeleza wajibu wetu kwa wananchi. Nina unga mkono huu Mswada na asante sana kwa wakilishi wetu. Nasihi wenzangu tuunge mkono suala hili ilituweze kuendelea mbele. Asante sana.

The Speaker (Hon. Joel Karuri): Asante. Hon Murage from Waseges.

Hon Elijah Murage: Thank you Mr. Speaker for giving me this opportunity. Let me start by congratulating Hon. Kajwang; this Motion is a game changer. We are going to have more

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resources in our Wards and our residents will be able to identify priority projects in our Wards. The equitable sharing of resources will mean that the resources will be decentralised. I can see the spirit of “*Bado Mapambano*” in Hon. Kajwang. Let us support this Motion and our Wards will be great. Thank you.

The Speaker (Hon. Joel Karuri): Thank you Hon. Murage. Hon Gathuita from Dundori Ward.

Hon. James Gathuita: Thank you Mr. Speaker. I rise to support the Motion by Hon. Member on three bases. First is the empowerment of County Assembly Members in all Wards. If you look at the criteria of leadership, it comes with responsibility and responsibility comes with management. If you are given a responsibility, it is up to you to take it to the management level. Responsibility comes with financial burden. It is only in this level that a Member of the County Assembly has responsibility but they do not have the financial muscle to drive those responsibilities. I would like to support the equitable share for every Ward so that MCAs can have that fund to drive their agenda.

Secondly, it will create a scenario where some projects are stalled and do not come to conclusion due to lack of funds. I come from Bahati Constituency where the management of CDF was very well utilised and we were positioned as the County where the CDF was well managed. I want to support this Motion on a scenario where the Member of County Assembly will have a say and take responsibility of every project that is done so that we can have projects done to completion anytime anywhere. I rise to support and beg all the Members of County Assembly to support the same. Thank you.

The Speaker (Hon. Joel Karuri): Thank you Hon. Hon Degaulle then we put to question.

Hon. Degaulle Naburuki: Thank you Mr. Speaker sir. I stand to support this Motion. I want to thank our honorable Members, Hon. Catherine and Hon Kajwang for this Motion. This Motion is going to actualise the meaning of Devolution because this Motion will help us in the ground since we are always with the people at home. This Kshs 30 million given to a Ward representative is just peanuts compared to what the MPs get. At times it is very shameful for an MCA to give bursary of less than Kshs 600 000 for the entire Ward. It is so embarrassing to divide only Kshs 600 000 to the entire Ward where people are very needy. I see it is very important for us to have more funds in the ground. Recently before schools closed, we have been receiving so many calls and visitors at home in the morning or evening that their children have been sent home from school that every school needs what is known as zero balance so it is a problem. When we have more funds, we shall have to increase the amount to be given as bursary because *Wanjiku* always feels that when you give him or her bursary for their children, they value it even more than all infrastructure in the school. I know of previous MCAs *ambao wamekuwa na shida sana wanalalamika ya kwamba hawajapatiwa bursary kwa sababu pesa ni kidogo*. I support this Motion because I know when we have more funds in our Wards every Member of the Ward will have a share and they will be satisfied. Thank you.

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The Speaker (Hon. Joel Karuri): Thank Hon. Degaulle. I want to give the mover but then it looks like there are Members who want to air their views. Hon Wathiai from Shabab then Hon Kamau then the mover Hon Kajwang.

Hon David Wathiai: Thank you Mr. Speaker sir I stand to support this Motion because the County Ward equitable development fund is exactly what we need as MCAs. We need it because we are closer to *Wanjiku* than other leaders in our society and we will be able to implement the need of *Wanjiku* as per their wants including the projects. We will be able to work diligently for our people because we have direct access of funds. We also need to look for other ways to reach out either the President, either through CAF or some other ways; old MCAs maybe look for an appointment with the President and try and talk to him so that he can also try and lobby for us and also assist us lobbying to the Members of Parliament. With the support of the President, I believe we can lobby our MPs to support the Bill. I support this Motion and I also want to congratulate Hon. Catherine and Hon. Kajwang for being elected to represent us at CAF. Thank you.

Hon. Eliud Kamau: *Asante sana Bwana Spika kwa kunipatia hii nafasi. Ningependa kuwashukuru Mheshimiwa Kajwang na Mheshimiwa Catherine kwa kutuwakilisha CAF. Huu ni Mswada wa wakati kwa sababu sisi kama wawakilishi wa Wadi tuko kama askari ametumwa kwa vita akiwa amefungwa mikono kwa sababu bila hizi pesa na umeambiwa uende kwa mwananchi ulete mahitaji yao yote na hauna uwezo wowote wa kutekeleza wajibu wako. Kwa kweli tumefungwa mikono kwa hivyo mimi nimesimama niunge mkono huu mjadala na niseme ya kwamba utakuwa wa maana na utakuwa kwa faida kwa Wanjiku. Ombi langu kubwa ni ya kwamba hata kwa wabunge watushike mkono na watuunge pamoja ndiposa huu mjadala uweze kupata na mimi nina amini ya kwamba hii ikipita, naweza kuwa na uhakika nikiimba kusema ya kwamba our freedom is coming. Asante sana sana.*

The Speaker (Hon. Joel Karuri): Thank you Hon. Member; now the mover Hon. Kajwang.

Hon. Peter Kajwang: Thank you Mr. Speaker sir and Hon. Members and I want to thank you in a special way Hon. Members for having given a very positive contribution to this Motion. There is no one single contributor who has spoken contrary to what the Motion proposes and I am very sure that we are going to sail 100 % in affirmative for this Motion.

Hon. Speaker I just want to reiterate what our Members have talked in details, just in summary because this is now as one Member has said that is where the rubber meets the road. People will gauge your performance in this House with the development that you have initiated on the ground through public participation and this is the time that now we are going to get very good opportunity to get priorities on issues of development from our people and be able and stand a very good ground to implement them.

Mr. Speaker we are aware that there are several arms of devolved units of the government and mostly these devolved units are being sorted at the County level. Issues of infrastructure, drainage in our various Wards, roads, lighting, these are issues that we are able to resolve once we get this Ward Development Fund entrenched into the law. We have issues of capacity

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building and we know that issues of our youth and the vulnerable people in the society like our women, we also have People Living with Disabilities; we are able to reach these people with development agenda when we have these funds and I am very sure that the little we can do, we going to make very positive changes. Issues of bursary kitty and a Member has stated here with a lot of sympathy that we usually have very little to give to our people in terms of trying to help them to meet their bursary needs and now I can tell Hon. Members that we will be able to boost even that bursary kitty by using the funds that emanate from this Ward Development Fund. Issues of service delivery, ECDs, our young children going to school, we will be able to build infrastructure for them using this kind of funds from the ward Development Fund.

Therefore, I want to appreciate the Members for giving this Motion a very positive look, and I now want to ask all Members that as we leave the chambers, I know and have the confidence that Members are going to vote in affirmative of this Motion and once this is done, as we leave the chambers, kindly all Members let us sign the affidavit at the Sargent -At-Arms desk. We do not want to present a Petition from Nakuru Assembly that has been signed by maybe 20 Members. I want to give a challenge and urge our Whips, the Majority Whip and the Minority Whip, Hon. Fadhili and Hon. Virginia, to kindly whip all the Members so that we append our signatures into that affidavit so that we stand to be counted among all the Counties that have passed this Motion positively. A number of Counties as we speak right now have already passed it and this was a very important Motion that has been addressed since yesterday in all the 47 Counties and I will be very privileged also to report to the rest of the Membership of CAF that we as Nakuru County Assembly have passed that Motion positively and now we push it to another level.

Mr. Speaker, I wanted to address just a small thing on the issue of what if we pass it and then it goes to the National Assembly and then they reject it. Right now we have to appreciate the fact that there is a Bill that is now on the floor of the National Assembly that was done by *huyu* MP *wa* Matungulu and then the MP for Gichugu in regard to this Bill and we are just putting as affidavit ; we are putting a Petition that our agenda gets enjoined in that Bill and because if we remove the issue of Ward Development Fund for the Counties that will be suicidal and Mr. Speaker, as Members have reiterated, we are the primary level of development in this County. Therefore Hon. Karanja, I think this will be well received by the National Assembly and also by the movers of this Bill in the National Assembly. Apart from this Mr. Speaker, I want to reiterate for the benefit of those who were not there yesterday, I gave a brief of a number of agendas we are following as CAF for the benefit of the welfare of the Members and also for the welfare of *Wanjiku* at the ground. Ward Development Fund has been a big issue and now it has been escalated to very positive levels we are also at a very advanced stages of entrenching CAF into the Constitution.

Hon. Karanja be well assured that we are on this squarely because this is the only way that we will make sure that whatever we pass at CAF level is implementable. We are also talking of financial autonomy for the Assemblies, we do not want to go with the old system and beg the Governor, so that when we make requisition to facilitate Members for their program, then we have to make requisition through the Executive. Now we want total financial autonomy as it is

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in other levels of Legislation, the National Assembly and also the Senate. We are also following up on the issue of pension which also is at a very advanced level and I am proud to say that it has not met any controversies and as things develop, I am sure that I will inform Members of the positive development in that issue. We are saying that we are equal also to the other Members who are representatives in other Countries *kwa sababu tulichaguliwa na Wanjiku*. Another thing that we are also following up is the issue of Car Grant; it is called reimbursement. Last time the Members of Assembly who were here, we really rejected that after we had been offered the reimbursement, the taxman came and said now we have to pay tax in regard to that reimbursement. We found that one was quite unfair because it only happened in County Assemblies. In National Assembly and the Senate these benefits are never taxed.

Therefore, we are also working closely with KRA and SRC so that we iron out these issues so that Members are not caught up in shock that they need to pay tax in regard to car reimbursement. The issue of salaries, this is now very important and we have a very positive argument to it that we want our salaries to be pegged as a percentage of the Governors salary. It is happening at the National level where MPs and Senators are being paid salaries equivalent to 40 per cent of the President and we also feel the same should trickle down here; we should also be given the same as a percentage of the Governor's salary. Members if you work out 40 percent of the Governor's salary, I think most of you will be very motivated to work for *Wanjiku*. Another thing that we are also looking at which should not even elicit so much controversy is the issue of plenary allowances; the same argument is being advanced in the National Assembly and also in the Senate and we think and believe that we Members need to be given the plenary allowances and the main argument here is that when you are revising the benefit of a Member or an employee, it can never be to his disadvantage. *Hauwezi kuanza kusema huyu alikuwa anapata mshahara ya Kshs 20,000 sasa tumpatie shilingi 15,000; haiwezekani, si ndio?* So *tunasema* let all these things come back and we in CAF, we are very dedicated following up these issues with all the relevant authorities and I can assure you Members we are going to get very positive results in our pursuit.

Hon. Speaker before I sit, I just want to congratulate or I want to say thank you to Hon. Ruto of Kapkures who has addressed me as the Right Hon. Peter Kajwang. I do not take that one for granted. He is my neighbor on the other side of the river and I know when he says that he has a very positive preview for the Member of County Assembly for Kaptembwa Ward. Thank you, Mr. Speaker sir.

The Speaker (Hon. Joel Karuri): Thank you Hon. Kajwang; thank you for your input and points you have put across. I now want to put question on what we have been discussing the whole of the morning session, and because the Motion is quite lengthy, it has two parts, we are going to just have those of the same opinion and those of contrary opinion. I may not read through the Motion as it is because as you realise it is a lengthy Motion.

(Question proposed)

(Question put and agreed to)

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ADJOURNMENT

Hon. Members the House stands adjourned until 2.30 in the afternoon.

(The House rose at 11.20pm)

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