

REPUBLIC OF KENYA

KITUI COUNTY ASSEMBLY

THIRD ASSEMBLY- FIRST SESSION

OFFICIAL REPORT

(THE HANSARD)

Wednesday 30th November, 2022

The House met in the County Assembly Chambers at 3:32 p. m.

[The Speaker (Hon. Kevin K. Katisya)] in the Chair

PRAYERS

COMMUNICATION FROM THE CHAIR

Honorable Members, allow me to issue communication as relates to the Kitui County Annual Development Plan (ADP) 2023/2024. Hon. Members, Section 126(3) of the Public Finance Management Act, 2012 states that:

“The County Executive Committee Member (CECM) responsible for Planning shall not later than 1st September in each year, submit the Annual Development Plan (ADP) to the County Assembly for its approval...”

In adherence to this provision, on 11th October, 2022, the CECM for Finance and Economic Planning submitted the ADP for the next Financial Year 2023/2024 for approval by the County Assembly.

Honorable Members, I hereby commit this ADP to the Committee on Finance and Economic Planning for consideration. The Committee is expected to subject the document to public participation pursuant to Article 196(b) of the Constitution as read together with Section 115 of the County Governments Act 2012.

Honorable Members, Further, the Committee shall consider the recommendations of the Sectoral Committees and incorporate the views of the public in compiling a final report for approval by the House. Thank you.

Again Honorable Members, allow me to issue a communication as relates to the Chairperson and Vice Chairperson to the County Assembly’s Sectoral and Select

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Committees. Allow me to sit for one minute as we allow others (members) to come in because it is a long communication.

(Members who were at the entrance came in and settled in their seats)

The Speaker: Honorable Members, allow me to issue a communication as relates to the Chairperson and Vice Chairperson to the County Assembly's Sectoral and Select Committees. Honorable Members, I wish to notify you that the elections of Chairpersons and vice Chairpersons to various Committees were successfully conducted on 23rd November, 2022 pursuant to the provisions of Standing Order No. 158 (1) (a) and in adherence to the schedule as prepared by the County Assembly Business Committee.

Therefore, the following members were subsequently elected to the respective positions:

A. SECTORAL COMMITTEES

1. COMMITTEE ON FINANCE AND ECONOMIC PLANNING

1. Hon. Munyoki Mwinzi - Chairperson
2. Hon. Waziri Baraka Bakari - Vice Chairperson

2. COMMITTEE ON LANDS INFRASTRUCTURE AND URBAN DEVELOPMENT

1. Hon. Sammy Musili Munyithya - Chairperson
2. Hon. Mary Mbithe Musili - Vice Chairperson

3. COMMITTEE ON BASIC EDUCATION, TRAINING AND SKILLS DEVELOPMENT

1. Hon. Mark Nding'o Kitute - Chair Person
2. Hon. Priscilla Martha Makumi - Vice Chairperson

4. COMMITTEE ON TRADE, ICT. AND CO-OPERATIVE DEVELOPMENT

1. Hon. Daniel Kimanzi Ngoima - Chairperson
2. Hon. Elizabeth Ndunge Peter - Vice Chairperson

5. COMMITTEE ON AGRICULTURE, WATER AND IRRIGATION

1. Hon. Antony Musili Musyoka - Chairperson
2. Hon. Joseph Musyoka Mbite - Vice Chairperson

6. COMMITTEE ON HEALTH AND SANITATION

1. Hon. Bernard Mwangangi Munyasya - Chairperson
2. Hon. Kyalo Kimuli - Vice Chairperson

7. COMMITTEE ON ENVIRONMENT, ENERGY, AND MINERAL INVESTMENTS DEVELOPMENT

1. Hon. Daniel Kimanzi Muange - Chairperson
2. Hon. Fastina Mwendu Solomon - Vice Chairperson

8. COMMITTEE ON TOURISM AND NATURAL RESOURCES

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1. Hon. Titus Munyoki Kasinga - Chairperson.
2. Hon. Mary P. Ndumbu - Vice Chairperson

9. COMMITTEE ON LABOUR AND SOCIAL WELFARE

1. Hon. Joseph Kasungi Kavula - Chairperson
2. Hon. Charity Kathathi Musyoka - Vice Chairperson

10. COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

1. Hon. Cyrus Kisavi Musyoka - Chairperson
2. Hon. Mercy Muliwa Muema - Vice Chairperson

11. COMMITTEE ON ADMINISTRATION AND COORDINATION OF COUNTY AFFAIRS

1. Hon. Peter Kitonyo Mwanza - Chairperson
2. Hon. Dominic Isumail Mwamisi - Vice Chairperson

12. COMMITTEE ON CULTURE, YOUTH, SPORTS, GENDER AND SOCIAL SERVICES

1. Hon. Judith Wanza John - Chairperson
2. Hon. Immaculate Wanza John - Vice Chairperson

A. SELECT COMMITTEES

1. COMMITTEE ON IMPLEMENTATION

1. Hon. Mathew Vuthi Ngovi - Chairperson
2. Hon. Malinga Munyao - Vice Chairperson

2. COMMITTEE ON DELEGATED COUNTY LEGISLATION.

1. Hon. Cornelius Muthami Kiteme - Chairperson
2. Hon. Rose Kasyoka Kathoka - Vice Chairperson

Honorable Members, I congratulate the Members for their appointments to the said positions and I wish them all the best in the discharge of their duties. Thank you

MOTION

MOTION ON RESOLUTION TO PETITION THE NATIONAL ASSEMBLY ON
COUNTY WARDS EQUITABLE DEVELOPMENT FUND
(Hon. Cyrus Kisavi Musyoka, Chairperson-Committee on Justice and Legal Affairs)

The Speaker: Chairperson, Committee on Justice and Legal Affairs Hon. Cyrus Musyoka.

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Hon. Musyoka: Hon. Speaker Sir, I beg to move the following Motion; Motion on resolution to petition the National Assembly on County Wards Equitable Development Fund.

THAT, pursuant to Articles 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 WARDS EQUITABLE DEVELOPMENT FUND** be incorporated in the proposed Constitutional Amendment Bill before the National Assembly by the **Hon. Stephen Mule, MP** and the **Hon. Gichimu Githinji, MP** alongside other proposed funds namely the National Government Constituencies Development Fund (NG-CDF), National Government Affirmative Action Fund (NGAF), 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.
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 Budget 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
 - (iii) That Parliament shall enact a legislation to provide for the administration of the County Wards Equitable Development Fund.

I beg to move the Motion Mr. Speaker.

The Speaker: Thank you. Somebody must second...

(The Speaker consulted with the Clerks -at -the Table and allowed Hon. Musyoka to continue)

Hon. Musyoka: Hon. Speaker Sir and Hon. Members, I want to start by sincerely thanking all of you for conferring on me the scope to represent this Hon. August House at the County Assemblies Forum governing council.

It is indeed an honour and privilege to represent you. I don't take the responsibility lightly. I also wish to thank the first, second and third CAF leaderships for their tremendous servitude towards the welfare of us Hon. Members.

Hon. Speaker Sir, I am tasked with representing and ventilating your welfare grievances and importantly, arming you with the information from the CAF executive council on steps and endeavours being made towards members welfare. Our welfare is very key towards delivery of our mandates. Let's always remember that.

Hon. Speaker, Sir, the CAF executive council passed a resolution to have all County Assemblies consider a motion to resolve that the Ward development Fund be enjoined in a Bill that seeks to amend the constitution to factor in the NGCDF, National Government Constituency Development Fund, NGAF, senate oversight fund, e.t.c said to be presented to the two Houses of parliament.

Consequently, as your representative, I have to see that the motion is moved, debated and a resolution arrived at by close of plenary this week. The passed motions accompanied by Hansard report of the debates and a signed petition by all Hon. Members must be returned back to CAF as of 3rd December 2022 so that we can advance to the National Assembly.

Hon. Members, let us exhibit unity of purpose and do as required of us.

As I conclude Hon. Speaker, I want to remind you that a subdued Hon. Member with empowerment sporadically delivers on their mandate.

Hon. Members, for those who were in the House yesterday, I think you saw the petition and for those who didn't sign, I request you to do so by close of business today.

Mr. Speaker Sir, I beg to move and request Hon. Munyoki Mwinzi to second the motion.

Hon. Mwinzi: Thank you Mr. Speaker Sir. First of all, I start by congratulating CAF for seeing it important to look into the welfare of the MCAs.

Mr. Speaker Sir, when you look at the spirit of the national Government, the slogan of the president was bottom up. When you look at the hierarchy of leadership from the MCA to the president, it is the MCA who represents the real bottom. MCAs interact with the common *mwananchi* on a daily basis and yet the MCA is not empowered Mr. Speaker.

Mr. Speaker Sir, you will find that some members especially MPs and some other members claiming that it is not the mandate of the MCAs to implement projects but when you look at the MPs, you will find them implementing. It is very well known that the roles of MPs are the same with those of the MCAs.

Therefore Mr. Speaker Sir, the laws they are using to implement the CDF can be used on us to have the Ward Fund.

With those remarks Mr. Speaker Sir, I second the motion.

The Speaker: Thank you Mheshimiwa.

Hon. Members, allow me now to propose the question.

(Question Proposed)

Hon. Members, allow me now to give you a chance to give your input to the motion and to debate it before I can put the question. Hon. Ngoima.

Hon. Ngoima: Thank you Mr. Speaker. Mr. Speaker. I rise to support this motion. Mr. Speaker, if there is anything good the CAF, the County Assemblies Forum has done since its inception in 2013, it is fighting for this fund.

This fund we have been crying for it so that our people can get development direct from us so that we can together develop our Wards.

Mr. Speaker it is a good thing for us to join hands and support so that we get something out of this so-called bottom-up government. For us MCAs, we have been longing to get this

kitty; the Ward equitable development fund. And so, we join other Counties to resolve that we be given this fund so that our people will know that we are equal to the task just like the MPs.

Mr. Speaker Sir, we ask earnestly and kindly to our National Government so that they find space as they fight for their national CDF kit, to add up this other kit for their Wards. Actually, like one has said here, we have equal tasks. We execute similar mandates but we look like we are lesser Hon. Members because we don't have any funds to give our people, we only request from the executive to do this or that for us yet we are the members who are nearer to our people, the voters. I will not say much in my support to this good initial initiative. I submit that this be discussed by the National Assembly and we be allocated these funds. We will be very okay with it since we will be able to execute our mandate efficiently.

Mr. Speaker Sir, I support this motion without any amendment. Thank you.

The Speaker: Thank you Hon. Ngoima. Any other member with a contribution? Yes Hon. Jeremiah Musee Mutua.

Hon. Mutua: Thank you Hon. Speaker. I want to congratulate my good friend, honourable Cyrus Musyoka, the member for Ikanga/Kyatune Ward for his immense contribution as a member of the CAF and again, as a mover of this motion. It is something that we have been waiting for some time now.

Honourable Speaker, I've just joined politics, and God and people of Nguni Ward gave me the opportunity to serve in this Assembly. It is a new role and I'm learning how to do this job. But I've realized that this political role that the people of Nguni Ward and God have given me is a challenging one. I was thinking how do we go about it in the next five years or maybe develop our careers in this path of politics.

Honourable Speaker, I have watched the area MP, how he operates when he is at the grassroots. This Kitty that goes by the name CDF, which has been there for some good years, it has really helped him as a legislator in the National Assembly by providing bursaries and more so importantly, by promoting the education sector, improving the level of primary schools' infrastructure, the level of central secondary school infrastructure, and not only him alone but all the MPs in the Country. They have been elevated by this CDF thing. Sometimes it makes them even to win elections for a re-election. Most of the MPs right now are serving in their second or maybe third terms because of this CDF.

Honourable Speaker, the level at which the members for County Assemblies in short, the MCAs fail to get re-elected is because this role for an MCA is a role whereby in most cases we use our salaries, we use our resources that we have amassed when we got employed somewhere and before the end of the 5th term, you will be able to see an MCA who was very well established in terms of assets getting poor. The MCA actually is not even able to do a campaign to come back to the Assembly because he all his resources to help people.

Honourable Speaker, I'm very happy to see this motion coming up. That is if God allows, and our good brothers at the National Assembly will be able to adopt this petition, then this position for MCA is going to be a juicy one going forward. Because honourable Speaker, with equitable Ward development fund, we will be able now to increase our experience and our presence at the grassroots level. Maybe Honourable Speaker, while the MPs are doing infrastructural development in the primary schools, and secondary schools, the MCAs can decide now to go on another field, maybe now to improve on the provision of water.

Where I come from honourable speaker, the problem for water is a perennial one since so many years ago. So, if the equitable development fund comes in now, and I'm able to do as many boreholes as possible, then this one gives me another mileage, another opportunity for me now to talk to my people and tell them, look, this is what we have done for five years. And I seek my re-election. At the same bit Honourable Speaker, we will be able now to increase and enhance the spirit of devolution to that grassroot level.

As Honourable Members have said, this issue of bottom-up; Honourable Speaker all these MCAs you see here, as the Senate termed them as walking ATMs, while we go home, everybody wants to have a cup of tea, there are burials, there are many harambees. The MCA stays and lives with these people day in day out, and you must attend those functions. The MP will maybe come once or twice in a week.

Therefore Hon. Speaker, this petition, through this motion that we are going to contribute today, and if we pass it, and if God allows our brothers and sisters at National Assembly to adopt the same, because now Honourable Speaker, the MPs wants to have it legislated, the Senator, the Woman rep. Why not us? I hope they're not going to be very selfish when this one reaches their desk. And they're going to combine together with the other prayers that they have at the National Assembly and pass it unanimously.

Honourable members I can tell you, if we are going to have this ward Development Fund, the equitable one, majority of us are going to come back to this Assembly and majority of us are going to grow politically, even to higher levels of leadership. Tomorrow, you can be an MP, a senator, or even a governor and therefore, this motion is very important.

So therefore the Hon. Members, let us support it. Personally, I support it with my full heart. Thank you.

The Speaker: Thank you Hon. Jeremiah. Yes Hon. Peter Mwanza.

Hon. Mwanza: Thank you Mr. Speaker Sir for giving me this opportunity at least I can give my views on the same. I also rise to support this motion because this is something we have been waiting for too long as alluded by Hon. Ngoima.

Mr. Speaker Sir, the question I have been asking myself about the Ward fund is, if it is agreed that we will have this Ward fund, who will be managing the fund? Is it the MCAs or the Executive? This is because when I recall what the Court of Appeal ruled on the issue of Constituency development Fund (CDF), it was ruled that the main responsibility of the Member of Parliament is to legislate. And it also applies to the Members of County Assembly. Our responsibility is to legislate, oversight and to represent.

Therefore I don't know who I will direct that question to; is it the Chairperson, Committee on Legal Affairs? Because I would like to know, in case it is allowed that we will have these Ward Equitable Development Fund. Is it the MCA or the Executive who will manage it? Otherwise, if it is not clear, it will still bring wrangles between the two Arms of the County Government but I stand to support. Thank you.

The Speaker: Thank you. Hon. Sammy Muniyithya.

Hon. Muniyithya: Thank you Mr. Speaker Sir. First and fore most I want to thank the mover of the motion, Hon. Musyoka for the good work he has done.

I stand to support this motion because I know as a Member of the County Assembly and personally for the first few days, I have experienced a lot as pertains to movement within my

ward. I have realised that even the Governor, Member of Parliament and even the Senators, there are those areas which they cannot reach but we as MCAs, are able to move from one village to another. Even to other areas where these other leaders do not know.

Therefore, according to me if the MCA is rewarded with these funds, it will be a great help to our community because I know service will reach to all the villages. So, I support this motion and I know it's something which can touch the lives of our people.

Secondly, all MCAs have been invited to so many functions in a day and due to lack of proper services in our villages, a lot of things have been happening. So, if we are able to get these funds, we will be able to prioritise the needs of our people.

I beseech you to pray and also ask the Members of Parliament to push this agenda as the County Assemblies Forum also works on it so that we can reach somewhere and once it is passed. I know things will be good. So I stand to support, thank you.

The Speaker: *Asante Mheshimiwa Sammy Muniyithya. Mheshimiwa Waziri.*

Hon. Waziri: *Asante sana Mheshimiwa Spika. Kwanza nataka kumshukuru Mheshimiwa Cyrus Musyoka, Mwakilishi wa Ikanga na ambaye pia ndiye Mwakilishi wetu katika baraza la Mabunge ya Kaunti.*

Mheshimiwa Spika, huu in msawaada wa maana sana na kutokana na historia na mahitaji ya watu katika yale maeneo yanawakilisha. Mahitaji ni mengi sana kutoka kwa wananchi, wanataka kufanyiwa miradi mbambali kama vile miradi ya elimu, barabara na pia kupeleka madawa hospitalini na mengine mengi. Hilo halingewezekana katika bunge la pili kwa sababu kazi yetu ilikuwa kuithinisha bajeti. Ukiangalia Kaunti nyingi katika Jamhuri ya Kenya. Gavana ndiye anatekeleza mambo mengi sana katika eneo zetu na kama hamuelewani na Gavana kwa sababu ya tofauti za kisiasa au mambo mengine hakuna miradi itafanywa kwa eneo lako.

Lakini katika serikali kuu, wajumbe hawahitaji kuwa kwenye serikali ndio wapate pesa za maeneo bunge. Hiyo ni haki yenu kama wabunge, wanapewa hizo pesa hili kusaidia watu wao.

Mheshimiwa Spika, itakuwa ni jambo la busara kama kutakuwa na njia ambayo itakuwa na mwelekeo mzuri wa kuangalia vile hizi pesa zitalindwa na pia vile zitasaidia mwanachi wa kawaida. Kwa sababu kazi ya viongozi ni kuwakilisha watu wao na pia kuboresha maisha yao.

Kwa hivyo Mheshimiwa Spika nataka kusema hili ni jambo la busara na pia ni jambo ambalo litasaidia nchi kwa jumla na pia mwananchi wa kawaida atapata manufaa. Asante sana Mheshimiwa Spika.

The Speaker: Thank you Hon. Waziri, any other Member who wants to contribute?

(Hon. Cornelius Muthami stood to contribute)

Hon. Muthami: Thank you Hon. Speaker. I also rise to congratulate and thank our representative to CAF for coming up with this motion which in essence will enhance the delivery of service of these Hon. Members to the people who entrusted them with leadership this term in the Assembly. As leaders who are close in direct touch with the electorates, the MCAs have on daily basis engaged with issues that affect our people in every day's activities. So Mr. Speaker

I don't think the National Assembly and the Senate will have questions or challenges in passing or in enjoining this motion in the already tabled motion by the Hon. Member for Matungulu, the Hon. Charles Mule. So Mr. Speaker I rise to support the motion and also try to strengthen the argument by saying that we are at the bottom of that pyramid of leadership. It is prudent for us to have this Kitty which will go a long way in transforming the lives of our people. Thank you Mr. Speaker and I support.

The Speaker: Thank you. Hon. Deborah Mutuku

Hon. (Ms) Mutuku: Thank you Mr. Speaker. I stand to support the motion before us. I can say that this is one of the important motions that we have ever had in this House having in mind that this issue does not only affect Kitui County and if I can give some information, as we speak right now, 33 other Counties have already passed the motion. This shows how important it is to all the MCAs in the whole Country and not only in Kitui County. It is the MCAs who are mostly affected and as a Nominated MCA I have tried to walk around the wards with the other MCAs and Mr. Speaker if these Members don't have any other money apart from their salaries it is so hard for us to handle the common *Mwananchi*. So Mr. Speaker, I stand to support the motion. Thank you.

The Speaker: Thankyou Hon. Deborah. Hon. Titus Kasinga.

Hon. Kasinga: Thank you Hon. Speaker. I stand to support the motion that has been presented to this Assembly by the Hon. MCA for Ikanga Kyatune. I want to thank the members of CAF (County Assemblies Forum) from this Assembly for their contribution in CAF because I believe CAF must have found a good team that is actually contributing to the wellbeing of the 47 County Assemblies. Hon. Speaker I was just trying to go through Article 256 of the Constitution just to ensure because it is also good to look at some of these things with two eyes to see actually where we are headed to when it comes to such matters. Firstly, I want to say that we are where we are today as it regards the issue of the Ward Development Fund because of the dillydallying of the National Assembly and the Senate. Looking at when Devolution came into play and where it started being practiced in 2013, of course after the enactment of the 2010 Constitution, it was clear that Members of the County Assemblies were going to be disadvantaged in terms of discharging their mandate. Hon. Members it is unfortunate that CDF continued indeed to be under the Members of the National Assembly whereas for us, the song of separation of powers continued to be sang that you cannot exercise oversight at the same time be involved in development matters that is through implementation of any funds.

Still the law remains the same. We know our roles; our role is oversight. legislation and representation. But the same mechanism that was being used by MPs through CDF could have actually been used for MCAs. I know this does not go down well. I want to draw your attention Hon. Members that the road is long. CAF has taken the initiative though of course the mandate that we have given them to ensure that we have a Ward Development Fund. But look at the people or the elected leaders who are raising this matter in the national Assembly, the avenue we want to use. It is the Members of the National Assembly not the Senators. When you look at how the law is this Bill that has been raised in the National Assembly, must of course go to the Senate.

What we need to do Hon. Members as we support this motion is to ensure that we also add the heat; fire on the feet of our Senators so that they can wake up because we have been

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crying about Development Fund for a long time but our Senate has continued to sleep on the job because they are our immediate helpers and I believe, had they taken the initiative of our appeal to have the Ward Development Fund, we would have had it long time ago. So, I want to draw your attention Hon. Members that this Bill will still have to go through the Senate, it has to be passed by two thirds of each House and the end of the day it has also to be subjected to public participation. So, I want to appeal to you Hon. Members that we remain vigilant so that when they say they are bringing this Bill for public participation (that is the National Assembly), because don't think it is going to be easy. I don't think Members of Parliament have good will for us to have a Kitty that we are controlling. It boils down even to politics where someone thinks that if you have a mandate of a certain kitty you are going to get empowered and tomorrow you will challenge him for that seat that he is sitting on. But yes, it is. When time comes for God to do things that need to be done, it happens anyway.

My brother Hon. Musyoka, the Speaker and entire House leadership, my take is that when the Bill is publicized for public participation, the 47 counties should find time to mobilize the public so that we can be able to have an input and even talk to members of the public because they are the ones to be most likely incited by the National or County Executives to reject the Bill.

Mr. Speaker, Sir, I thank the CAF, for sitting down and listening to what we have been desiring for. At least in Kitui, we have something akin to a Ward Development Fund- CLIDP- although we don't control it. But at least we derived some lessons from the kitty.

Fear has been expressed as to who will be in charge of the fund if it is established. This has emanated from my colleague for Mulango ward Hon. Mwanza. But I am asking him to let the child be born. And after that we will get clothes that actually fit him. Otherwise, Parliament will legislate on how the kitty will be managed. With those few remarks I support. Thank you.

The Speaker: Thank you Hon. Member. Hon. Maluki, I can see you, but why can't you sit where the microphones are working? Why are you avoiding your colleague Hon. Fridah and your next to her? Do we need Hon. Katumbi to mediate if there is any issue? Any way on a lighter note! Hon. Maluki you can continue. Is the microphone working?

Hon. P. Maluki: Yes, Mr Speaker, Sir.

The Speaker: Okay, thank you, continue.

Hon. P. Maluki: Thank you Mr. Speaker, Sir. I rise to support the Motion presented to this House by Hon. Cyrus Musyoka. Sometimes it becomes challenging when we intermingle with the electorate in our wards. They imagine we receive allocations to cater for their welfare just the way MPs receive cash through the NG-CDF.

We will assist the most in the case the County Wards Equitable Development Fund is approved because we are at the grassroots. The Member for Kyuso ward who is my good friend expressed similar sentiments. We interact with voters every hour and day. Voters know MPs operate from Nairobi. Our people always flock at our homes every morning in need of bursaries and of course their concerns are valid. At times we end up straining financially for spending our own money to help our people.

I therefore, support the petition hoping that the National Assembly will approve it to help our people. The kitty will have a positive impact by ensuring effective service delivery to our people. It thus should not be viewed as a political tool aimed at helping us to be re-elected. It

will ease our financial strains which results from spending our cash on social functions. I pray that this House unanimously endorses the Motion.

The Speaker: Thank you. Hon. Katumbi

Hon. Katumbi: Thank you Mr. Speaker Sir for giving me an opportunity to add my voice to the Motion. I start by thanking the Hon. Member for Ikanga/Kyatune ward for moving the good Motion that the County Ward Equitable Development Fund be incorporated in the proposed Constitutional Amendment Bill before the National Assembly.

Mr. Speaker, Sir, the fund will enable the Hon. Members to deliver on their manifesto. As you are aware, during the campaigns Members of the County Assemblies normally present their manifesto to the electorate but have no fund to execute their declaration of intentions. When given a fund like this one, the people we represent will be able to gauge whether we mean good for them. This is because according to their priorities of development if we don't deliver, they will know we are not doing well for them.

As you know, MPs have been receiving allocations through the NG-CDF. If given the fund, we will be able to have enough time to sit with the electorates and discuss on their development priorities.

By doing that, they will view us as effective leaders representing them. Before the promulgation of the 2010 Constitution which ushered in the County Governments, we used to have councillors who used to give needy students bursaries.

They used to give money to the electorates when they fell sick or in any other need or emergency. But the reason most of Members of County Assemblies from 2013, were not re-elected. Three quarters of the MCAs in the Country were not re-elected. But if you look At the MPs, you will find that three quarters are re-elected every election cycle. Why? This is because of the power of the purse, the NG-CDF which they use to deliver services to the electorate. Through NG-CDF, the electorate feel well and ably represented. We are very much challenged as MCAs because we can't respond effectively to the financial needs of our electorates.

Mr. Speaker Sir, I support that the petition and other guidelines be put in the Amendment Bill. My friend Hon. Peter Mwanza, do not fear. We should wait for the guidelines. Those who will not follow the guidelines will be taken to court and be prosecuted.

Once again Mr. Speaker, Sir, I support the Motion and appeal that we wait for the guidelines because I know the fund will be passed. I am ready to use it in the right way to deliver to my people of Kyangwithya East ward.

(Applause)

The Speaker: Thank you. Hon Masaku. Please be very brief.

Hon. Masaku: Thank you Mr. Speaker, Sir. I rise to support the Motion moved by the Member for Ikanga/ Kyatune ward Hon. Cyrus Musyoka. I think every Member is eager to get the County Wards Equitable Development Fund and use it well as Hon. Katumbi has said. But as Hon. Kasinga has said, we have a long way to go. You know that the MPs might not be willing to give us the fund for reasons well known to them. What we should do is to lobby our MPs and Senators so that we can get the fund.

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There was a debate in the morning at one of the Kamba radio stations – County FM, where the public were giving their views on whether MCAs should be awarded the fund. Some were for it and others not. That shows that we should widely engage our voters and explain to them the importance of having the kitty. There is high chance of being awarded the kitty if we lobby from Parliament down to our voters. Thank you so much.

The Speaker: Thank you. Hon. Gabriel Munyao.

Hon. Munyao: Thank you Mr. Speaker, Sir. I rise to support the Motion on establishment of County Wards Equitable Development Fund introduced in the House by Hon. Cyrus Musyoka. First, I thank CAF for coming up with this very important petition.

Mr. Speaker, I won't dwell so much on this matter for a lot has been said about it. I will only say two or three things and end my speech. All said and done, the Wards Equitable Development Fund will make county assemblies independent from the County Executives. The fund, Mr. Speaker, will help in improving financial reporting and accountability of public funds. It will enable us serve our people better through various community projects in the water, education (bursaries) and road sectors.

It pains us Mr. Speaker to watch helplessly as our people suffer from minor problems due to lack of funding. For instance, repair of a small stretch of dilapidated road in our areas for which the public call on us to do something yet we are financially incapacitated forcing us to turn to the MPs and Governors for help.

But relief is looming with the County Wards Equitable Development Fund for it will provide monies to cater for emergencies and other problems in our wards.

I conclude by saying, if the kitty is approved the by National Assembly, it will also bring Government services closer to our people. Therefore, with those remarks, Mr. Speaker, I wish to stop at that point. Thank you

The Speaker: Hon. Members, allow me to now put the question.

(Question put and agreed to)

The Speaker: Next Order

MOTION ON THE PROPOSED CONSTRUCTION OF THE HIGH GRAND
FALLS DAM IN THARAKA AND TSEIKURU WARDS, KITUI COUNTY-

The Speaker: Hon. Members, I think we have had enough time to debate this motion. I am sure you debated the same yesterday and even last week on Wednesday. But if there is any member who wants to add something can do so. But make sure you are not among the ones who contributed on the motion in the other sittings. I have the list of those who contributed. So, if you never contributed, the floor is yours.

(Off-record: A member requested the speaker to put the question)

I put the question? Thank you.

Hon. Members, allow me now to put the question on this motion.

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(Question Put and agreed to)

Hon. Members allow me to introduce a supplementary order paper. I request the Clerk to ensure the copies are supplied to all the members before I begin.

(Copies of the Supplementary order paper were distributed to members)

The Speaker: Next Order.

COMMUNICATION FROM THE CHAIR

The Speaker: Let that order be deferred until we finish everything, please.
Next Order.

STATEMENTS

The Speaker: Let that order as well be deferred.
Next Order.

MOTION ON ADDITIONAL COUNTY ASSEMBLY SITTING DAY

(Designated Member, County Assembly Business Committee)

The Speaker: Yes Hon. Daniel Kamanzi Ngoima.

Hon. Ngoima: Mr. Speaker Sir, I rise to move this motion on additional County Assembly sitting day.

THAT, pursuant to the provisions of Standing Order no. 27 (3c), this Assembly hereby resolves to hold additional two sittings on Monday 5th December 2022, from 9 a.m. to 12.30 p.m. and 2.30 p.m. to 6.30 p.m. to allow the House consider and approve pending plenary business.

Mr. Speaker Sir, the Assembly is proceeding on a recess from the 7th of December 2022 and therefore we have only two sitting days remaining. We have too much backlog that we cant handle in those two days. I therefore do urge the House to consider approving this additional day so that we try and clear the backlog.

Mr. Speaker Sir, we have pending businesses like the motion on the budget among other motions before the House. If we don't approve this additional sitting day, we may not clear the pending business. The expectations from our people is high as they are gauging our work for the first session. It will therefore be wise and prudent of us to come here and try to finish all the pending businesses. We have a commitment to serve our people and this is the reason I urge this Hon. House to approve of this Motion so that we get extra sitting days to finish up the pending business before we break for our long recess.

With those remarks Mr. Speaker Sir, I request Hon. Jeremiah Mutua of Kivou Ward to second the motion. Thank you.

Hon. Mutua: Thank you Mr. Speaker Sir. I stand here to second the motion and say a few things to the Hon. Members.

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Hon. Members, today we have passed the motion on Supplementary Budget and out of the trainings that we have just had, the subsequent session that we are going to have should constitute of crucial business like the Appropriations Bill which we expect anytime.

With all this business, we wouldn't like to see the House break for recess without having left money in use for this great County of Kitui.

Hon. Members, a know it is a new norm to have sittings on Monday. Although we usually travel on Friday or may be on Thursdays to engage in different functions at our Wards over the weekend then travel back on Monday for Monday and Tuesday sittings. We plead with you so that you can reschedule your weekend and come to this August House on Monday as per the motion so that we can deal with these businesses before we proceed for recess.

Thank you, Mr. Speaker Sir, I second the motion.

(Question Proposed)

The Speaker: Hon. Members I want to open the floor for anyone who may want to give their input before I put the question.

Yes Hon. Munyoki Titus Kasinga.

Hon. Kasinga: Thank you Mr. Speaker Sir. I rise to support the motion. The reason I support this motion is because the business that is pending is much. Just for record purposes, we have passed the supplementary budget this afternoon but Hon. Members it is good to understand that the executive and the Assembly cannot spend this money unless you appropriate it by law. The appropriation Bill must be somewhere on the way, I can see the chairperson of Budget Committee nodding, and I am sure if we were to leave things as they are, we will go on recess, you will not have your car re-imburement funds, you will not have the extra money which we have been given as an Assembly, almost 2 million shillings and also the other money the executive is expecting like the CLIDP money and the rest. In short, that budget cannot work if we don't pass the appropriation Bill and I am sure we will have the experience on the Committee of the whole House when we meet that particular Monday.

Mr. Speaker Sir, without much ado, I do support the motion and urge my Hon. Colleagues to support it as well. Thank you.

The Speaker: Thank you. Any other member with a comment? Alright, Hon. Members allow me now to put the question.

(Question put and agreed to)

Next order.

STATEMENTS

SCHEDULE OF PLENARY BUSINESS FOR THE WEEK COMMENCING ON 5TH
DECEMBER 2022 AND ENDING ON 7TH DECEMBER 2022.

(Designated Member, County Assembly Business Committee)

The Speaker: Hon. Bernard Sila Munyasya.

Hon. Sila: Thank you Mr. Speaker Sir. I wish to lay a statement to the floor of the House;

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THAT, pursuant to the provisions of Standing Orders 36 and 41 (2), I beg to lay on the table a statement to inform the County Assembly of the business coming before the House in the week commencing on 5th of December 2022 and ending on 7th of December 2022.

(Hon. Sila read the statement and proceeded to lay it on the table of the Assembly)

The Speaker: What is your concern Hon. Katumbi?

Hon. Katumbi: Mr. Speaker Sir, I am standing on a point of concern. Aware that committees have been constituted and I thank you for reading the names of the chairpersons both for sectoral and select committees, Mr. Speaker Sir, I have not seen the schedule for committee sittings and I was requesting for your guidance because committee sittings are of great importance to this Assembly.

The Speaker: Thank you. That is a very good concern. In fact, I was about to announce to the House that the committee sittings will officially start tomorrow Thursday 1st December 2022 and then the 2nd of December 2022, that is on Friday as per the schedule placed pinned on our notice board. So, you will see the schedule of committee sittings from the notice board.
next order.

COMMUNICATION FROM THE CHAIR

COMMUNICATION AS RELATES TO CHANGE OF
LEADERSHIP IN THE MAJORITY PARTY-DEPUTY
(Leader of the Majority Party)

Hon. Members, the County Assembly leadership of the third Assembly was constituted and communicated to the Assembly on 12th October, 2022. This exercise was undertaken as provided for in Section 10 of the County Governments Act, 2012 and County Assembly Standing Orders Nos.15 and 16.

Honourable Members, Standing Order Nos. 15(8) and (9) provides for the procedure for removal of a Member from the Assembly Leadership. In line with these provisions, the Whip for the Majority Party via a letter dated 30th November, 2022 addressed to my office Communicated a decision made by the Party in regard to the position of the Deputy Leader of the Majority Party a position held by Hon. Erastus Musyoka Mbuno.

Honourable Members, the letter referred above informed my office of the decision made in regard to the office of the deputy majority leader that I wish to communicate to you as follows;

That the Hon. Erastus Musyoka Mbuno has ceased to be the Deputy leader of the Majority Party with immediate effect and has been forthwith replaced with Hon. Jacquelyne Cate Kalenga.

Honourable members, I wish to thank Hon. Erastus Musyoka Mbuno for his service to this House. I further wish to congratulate Hon. Jacquelyne Cate Kalenga for her appointment and I wish her all the best in the discharge of her duties. Thank you.

Hon. Members, let us now be upstanding to adjourn the House.

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ADJOURNMENT

Hon. Members the House now stands adjourned until Monday 5th December 2022 at 9 a.m.

The County Assembly rose at 5.04 p.m.