

Wednesday 30<sup>th</sup> November, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

## REPUBLIC OF KENYA

### THE COUNTY ASSEMBLY

#### THE HANSARD

##### Third Assembly-First Session

**Wednesday 30th November, 2022**

The House met at the County Assembly Chamber at 9.30 a.m.

*[The Temporary Speaker (Hon. Cynthia Akinyi) in the chair]*

#### PRAYERS

#### NOTICE OF MOTION

##### COUNTY WARDS EQUITABLE DEVELOPMENT FUND

**Hon. Okwiry:** Thank you, Madam Temporary Speaker. I wish to give Notice of Motion; resolution to petition the National Assembly on County Wards Equitable Development Fund.

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 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 (NGCDF), 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 the rules of the procedure of the 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:

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- (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 the 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 off an Act of Parliament and
- (iii) That Parliament shall enact a legislation to provide for the administration of the County Wards Equitable Development Fund. Thank you.

*(Question proposed)*

### **MOTION**

#### **COUNTY WARDS EQUITABLE DEVELOPMENT FUND**

**Hon. Okwiry:** Thank you, Madam Temporary Speaker. I rise to move a Motion, resolution to petition the National Assembly on County Wards Equitable Development Fund. 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;

- 3. 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 (NGCDF), 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 the rules of the procedure of the parliament.
- 4. 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:
  - (iv) 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 the County Wards Equitable Development Fund.

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- (v) 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 off an Act of Parliament and
- (vi) That Parliament shall enact a legislation to provide for the administration of the County Wards Equitable Development Fund. Thank you.

I will really beg the House to join other 47 Counties so that we walk together. I think it is within our mandate as Kenyans and able citizens according to the Kenya Constitution 2010, Article 37 and 119 and Standing Order of the National Assembly, Order No. 219, provides the rights of citizens to petition the authorities and the parliament. I think we are within the law.

On 1<sup>st</sup> November, we visited National Assembly, we went to be in solidarity with them so that the Ward Fund can also be included in the amendment. I really thank the two Hon. Members who welcomed us well and they want to work for the people.

I beg the Hon. Members to adopt this report, it is the only way we will deliver to the people. There are other Counties that have the Ward Development Fund. I call upon the Majority Leader to second.

**Hon. Otieno:** I second.

**Hon. Booker:** Thank you very much, Madam Temporary Speaker. I take this opportunity to applause the CAF membership for having brought this noble idea of trying to give the County membership Ward allocation fund. I believe if this is done, it will help us at least to solve some problems in the Wards.

I come from a community where togetherness helps and brings a lot of hope to the people. We as Hon. Members of the County Assembly, we are in the first line of consultation and everything that comes across in the Wards points at the MCAs. If CAF fraternity has thought it wise to petition the National Assembly to give us something that can at least solve some of our problems, we will really appreciate.

We have always cried covertly because we always feel our sister legislators have taken us as second hand. I urge them that if this comes to the Floor of the National Assembly, let them embrace it and support it. With the few remarks, I support and as the Whip of the Majority party I urge all Members to support this Motion so that it can help us now and in future. Thank you.

**Hon. Member:** Thank you, Madam Temporary Speaker. I want to take this opportunity to congratulate the CAF through our Hon. Member, Hon. Susan Okwiry, for the good job they have done.

I want to use the words of my fellow Member who has just spoken because down at the village there is a very big misunderstanding because we as the legislators are mistaken for not properly working whereas the implementation lies with the Executive. I think if this is done, it will give us easy time and coordinate with the people at the ground so that the projects can be done on time, I support.

**Hon. Omoro:** Thank you, Madam Temporary Speaker. I also support the proposal of the County Wards Equitable Fund. This is a job well done by our leaders in the CAF. This is an idea that has always been in our minds. When a Fund is put to legislation to that extent, then I

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think we will have a wider scope of now doing our proper planning, implementation of the projects as envisaged by wanainchi. With the Fund, there will be no stigmatization by the governor.

We shall be at liberty to control the Fund and bring development to our various Wards. Through the Fund, we will be able to meet the needs of education in our areas, through the Fund we will be able to meet the needs of women, youths, and people living with disability. With the few remarks I applaud the CAF fraternity and support them to continue in the same way. I support.

**Hon. Angule:** Thank you, Madam Temporary Speaker. Although I arrived late, I have seen the direction of the Motion. I am supporting this Motion because my only difference what I may add on top is, if we were to be given the monies into our accounts so that we manage the money, it would be better.

On the contrary, if we are given the money and it's under some people I don't think we are going to do the right job. Thank you and I support the Motion.

**Hon. Arika:** Thank you, Madam Temporary Speaker. I rise to support the Motion. First let me give gratitude to the CAF Member for having made a bold step to ensure that the issue of Ward Development Fund is introduced. This has been long overdue and for sure let me give you an example of all the Members of Parliament within Siaya County.

I think the least is serving a second term courtesy of CDF. If you were to remove CDF from the Members of Parliament, then probably they will have nothing. While we were campaigning we promised a lot of things, we promised water, school fees, good roads etc. and we knew that that is the responsibility of the Executive.

It will be proper that the Ward Development Fund is introduced because we are the leaders who interact with the villagers. If you look at our Wards, they consists of various villages, the Constituencies consists of various Wards and County Government consists of various constituencies. Those who need the service are those people available at the village. We receive all manner of requests from our people every morning.

At the end of the presidential elections, a constituent came to me and told me that they had lost hope now that they have lost the presidency and there hope was now on me. That was a very good statement directed to me but, however, I have nothing in my hands.

If this kitty is introduced to us then I am very sure that issues of drugs, issues of feeder roads, issues of bursaries are going to be taken care of. How I wish that this Motion goes through as quick as possible.

The other thing that we need to stress on is the amount that is going to be allocated to each and every Ward which should also be looked into. We are the people who bear the most responsibility from our people. I therefore rise that this Motion should go through.

**Hon. Rabinya:** Thank you, Madam Temporary Speaker. I also stand to support the Motion. The MCAs are the people on the ground and they know where the problem is. If this petition goes through, MCAs are going to be in a better position and the people they are serving

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will not be suffering. Therefore I am saying that this petition should be supported and I support the Motion. Thank you.

*(Question put and agreed to)*

### **MOTION**

### **ADJOURNMENT**

**The Temporary Speaker** (Hon. Akinyi): There being no other Business, this House adjourns until today Wednesday 30<sup>th</sup> November, 2022 at 2.30 p.m. in the Chamber.

The House rose at 10.58 a.m.