



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
1ST ASSEMBLY- 4TH SESSION



OFFICIAL REPORT

(The Hansard)

Wednesday 3rd August, 2016

The Assembly met at the Assembly Chamber (P.C.E.A Hall) at 2.30 P.M.

The Speaker, Hon. Wahome Ndegwa, in the Chair

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

There is quorum as confirmed by the clerk-at-the-table

Speaker: Very well, quorum having been recognized we can proceed with the business of the session.

First order.

COMMUNICATION FROM THE CHAIR

VISIT BY A PRIMARY SCHOOL FROM WANJOHI WARD

Hon. Members, the communication I wish to make is on something that cannot be ignored because it has happened. It is on a visit by a primary school from Wanjohi ward (Ndiara Primary School). It is a delegation of the standard eight pupils led by their teacher Mr Kariithi. I think they have not been able to benefit the way we would have wanted, on a visit to the assembly because there was no communication to the assembly whatsoever but we could not have turned them back.

We had to allow them to sample the little that they could because normally we do live streaming to the committee rooms or the tent so that they are able to see live proceedings from the House but it was not possible. We shall offer them another opportunity when they can come and be able to learn from active proceedings of the House.

Next order

PAPER LAID

LETTER FROM THE TRANSITION AUTHORITY ON TRANSFER OF VOCATIONAL TRAINING AND EARLY CHILDHOOD EDUCATION

Very well. Member for Leshau Pondo and the chairperson, Committee on Education Labour and Social Services, Hon. Josphat Kamau.

Hon. Josphat Kamau: Thank you Mr Speaker, I beg to table the report by the Committee on Education, Labour and Social Services, on a Letter from the Transition Authority on Transfer of Vocational Training and Early Childhood Education, I beg to table.

Speaker: That report is duly tabled and the House business committee shall give directions on how it shall be processed.

NOTICE OF MOTION

LETTER FROM THE TRANSITION AUTHORITY ON TRANSFER OF VOCATIONAL TRAINING AND EARLY CHILDHOOD EDUCATION

Member for Leshau Pondo and the chairperson committee on Education, Labour and Social Services Hon. Josphat Kamau.

Hon. Josphat Kamau: Thank you Mr Speaker, I beg to give notice of the following motion;

That this House does adopt the report by the committee on Education, Labour And Social Services on a Letter from the Transition Authority on Transfer of Vocational Training and Early Childhood Education as a report of this house and the recommendations therein as resolutions of this house

Speaker: The notice is duly given, the House Business Committee shall allocate time for moving the motion on the report thereof.

Next order.

MOTION

EQUALISATION FUND

Yes, member for Murungaru and the leader of majority party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr Speaker, I beg to move the following motion:-
Aware that there are twenty five wards in Nyandarua County whose population, geographical size, terrain and poverty index vary from one ward to another. Further aware that the resources allocated for development in the wards and more particularly funds for ward development project are usually allocated equally for all the wards without due consideration of the different factors aforementioned and that even the National Government has appreciated the need for an equalisation fund and established one;

Concerned that the equity in distribution of resources is resulting in inequities in terms of development in some wards which if encouraged to continue will lead to severe disadvantage in developmental terms and gaps in some wards.

Now therefore I urge that the house does resolve that in accordance with section 116 of the Public Finance Management Act 2012,

1. That the County Executive Committee Member for finance does establish a county equalisation fund.
2. That the county executive with the approval of the county assembly does establish a formula that will be used to allocate the equalisation fund to the wards.

The question we need to ask ourselves is whether we need the equalisation fund. The next issue that we should consider is, if there is need, what would be the criteria to be used to run this fund. What parameters should be put in place?

I want to take a leaf from the national government and make reference to article 204 of the constitution of Kenya; (1) is allowing the establishment of the equalisation fund and (2) is explaining the purpose of the equalisation fund. It is not meant for recurrent expenditure. It is for development only. It should be used to provide basic services. What are these basic services, as enshrined in the constitution? They are provision of water, roads, health facilities electricity among many others.

The National Government found it necessary to have the equalisation fund and thereafter made regulations to govern the equalisation fund. The national government has set apart Kshs 6 billion for the fund. Aware that we are about to start a budget making process for the financial year 2017/2018 and that this money will not be overseen by the first assembly, I am humbly requesting the members of this house to support this motion, not for today but for posterity.

Consultations

Mr Speaker, I know that this motion can generate a lot of heat but if the members of this assembly want to leave a legacy to be felt by generations to come, they should support this motion. If we carefully look at the parameters that the National Government has set, we shall change the way we look at the equalisation fund. How does the National Government go about this when they are doing the allocation? The first parameter was population. I know that Murungaru ward is not the most populated ward in this county. It is either Wanjohi or Central ward.

Consultations

Protect me Mr Speaker.

Speaker: Order members! Member for Nyakio you are causing havoc yet you have just walked in.

Laughter

Member for Murungaru, proceed.

Hon. Kariuki Muchiri: I was saying that the priority number one for that fund is population. It was given 45% consideration. The second parameter was equal share and it was given 25%. The third one was poverty index and it was given 20%. Geographical size was the fourth parameter and it was given 8%. Finally, fiscal responsibility was given 2%. This is the first method that was used. When I say fiscal responsibility I mean how prudently the money is spent. If you use the money that you are given prudently and adhere to the Public Finance Management Act you will be given more money. If you do not follow the Public Finance Management Act you are not given more money.

In the second formula, new parameters were added. Factor like development and personnel emoluments were considered. Population was retained at 45%, equal share 25%, poverty took 18%. Geographical size was left at 8% and fiscal responsibility at 1%. Murungaru is neither the most populated area nor the largest geographically. The other two factors for instance development it depended on how much the counties have developed. In our case we would ask, how much has certain wards developed. And the last factor personal emoluments we would consider the number of county government employees in the ward.

Mr Speaker, if we adopt this motion, then it will be the starting point of the equalisation fund after which we shall make regulations to govern it. We need to do a needs assessment. Let me pick a sub-county like Ndaragwa. If we consider water, Ndaragwa Sub County is the most disadvantaged.

Hon. Mwangi Gichuki rises on a point of order

Speaker: What is it member for Engineer, Hon. Mwangi Gichuki?

Hon. Mwangi Gichuki: I think the mover of the motion should have done due diligence to check some facts. If he is to give any information about differences in the wards, he must substantiate the information such as Ndaragwa being the biggest. These facts are not in the motion and it is good that we know where he is getting those from.

Speaker: Lack of water in Ndaragwa has been said here over and over again. When something has been said over and over again even...

Consultations

Order members! Order member for Central! In law when a fact has been repeated over and over, it acquires such notoriety which has the same force as that of fact and law. What the member for Murungaru is raising is what has been the concept within the county, that Ndaragwa in terms of water is the most marginalized.

Hon. Peter Kairu rises on a point of order

Speaker: What is it member for Githabai?

Hon. Peter Kairu: I want the member to substantiate his statements because Githabai has no tapped water and no river.

Speaker: I think the member for Murungaru, in his submission, will be able to address the issues raised by the member for Githabai because he has not risen on a point of order that I am required to rule on. He has just asked for a clarification on an issue.

(Hon. Githinji Ngumba rises on a point of order)

What is it member for Magumu Hon. Peter Githinji Ngumba?

Hon. Githinji Ngumba: Mr Speaker, I also want it to be noted that Magumu has no water and no rivers...

Consultations

I am speaking at the capacity of the member for Magumu ward. No one else can speak for Magumu. I am glad that the member who is moving the motion schooled in Magumu and he can tell how Magumu is.

Laughter

Speaker: Members, I think there are no valid point of orders being raised and we are not going to allow the debate to take that direction. If the member is out of order, let us address the point of order. If you want clarification, raise them during the debate since you will have an opportunity to do so. Member for Murungaru, proceed.

Hon. Kariuki Muchiri: Thank you Mr Speaker, I was interrupted before I could finish speaking about the issue on water. Ndaragwa Sub County is the driest sub County in this county and no one can deny that. I had the opportunity of attending high school in Magumu. I concur with the member for Magumu because I remember when I was in form four, a student died because we used dirty water and the school had issues with amoeba. He died of amoebic dysentery. That notwithstanding, if you plant kales in Magumu and it rains once, the kales will grow because of the climate. Ndaragwa...

Hon. James Gachomba rises on a point of order

Speaker: What is it member for Njabini Kiburu, Hon. James Gachomba?

Hon. James Gachomba: Mr Speaker, I want clarification on whether the boy survived because there was no water...

Consultations

Speaker: Order members! Let us allow this debate to go on. Member for Njabini Kiburu, surely, what the Leader of Majority is talking about is death and not a person that survived.

Laughter

Leader of majority, proceed.

Hon. Kariuki Muchiri: Mr Speaker, I said in the beginning that this is a very emotive issue. When we are sharing resources that will always be issues. The current formula that is being used by the CRA has issues. The needs of the people of Nyandarua are varied. The needs in Nyandarua North are not the needs in Nyandarua Central or Nyandarua South.

Why did I bring this motion? I take the example of roads. There are some wards that will do very well with the roads because they are small while others will not because they are big. When we go to bursaries, there will be serious disadvantages for the wards that have a high population. When the funds for water are allocated equally to all the wards regardless of whether they are in Nyandarua south, central or north, some of them will be disadvantaged. In health, there are some wards that have four to five health facilities while others have one or two. If this money is allocated equally Mr Speaker, the wards that have many facilities will be more advantaged. The objective of this motion is to bring some equality of some kind. If one ward is benefiting with roads, the ward that has challenges with water should benefit in that way or any other way.

Mr Speaker, I am a worried legislator because we are supposed to be laying the foundation and we are just about to leave in about one year. If we do not lay the foundation now, we shall be judged harshly by the generations to come.

I want to finish by urging the members of this assembly to support this motion not because of 2017 or 2022 but for a hundred or more years to come. The population is growing and it is not growing equally. On drainages, the members can agree that some of the towns in this county require more funds than others. I am saying this knowing very well that I come from a ward that has a very small trading centre, it is not even a town. A town like Ol'kalou requires a sewerage system.

I did not bring this motion so that it can disadvantage members. I brought it so that we can put mechanisms in place. If this motion will be adopted, the committee that will take up this matter is the one that will come up with the parameters to be used in the distribution of the equalisation fund. Let us the researchers do research so that we can come up with the best mechanism that will show that this county had a vision. I call upon Hon. Ndirangu to second.

Speaker: Member for Mirangine, Hon. David Ndirangu Ngigi.

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker, I rise to second this motion that has been brought by our able leader of majority. This motion is important to all the members and it is for the interest of this county. I had talked about equalisation when we first come to this assembly. I also said that this county government ought to have borrowed a leaf from the defunct local authorities. When we were in the county council there was equitability in distribution of resources in this county.

Life is lost because of unequitable distribution of resources. A case scenario is West Pokot and Turkana where they fight because of resources. I want to take this House back to FY2013/2014, the job that was done by the executive in all the wards. We have the analysis of how that work was done during that financial year. Some wards got Ksh. 11 million and others Ksh. 28 million. What kind of executive is this that does not have work plans? After every budget there are those wards that have been having extra funds other than the allocation that every ward has.

Hon. Wambugu King'ori rises on a point of order

Speaker: What is it deputy speaker and the member for North Kinangop, Hon. Wambugu King'ori?

Hon. Wambugu King'ori: The member for Mirangine has said that there are some wards that get extra funding in the budget other than the ones they have been allocated. He is the vice chairperson of the budget committee that sits and looks at the budget to see to it that funds are allocated as per projects. I would like him to substantiate that there are some wards that have extra funds.

Speaker: Hon. Members, you know the Committee on Budget and Appropriations Committee, for which the Member for Mirangine is the vice chair, has no freedom under Article 185 of the Standing Orders to make the budget as anticipated. However skewed, the budget the committee can only change 1% of the same.

Proceed Member for Mirangine

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker...

Hon. Kieru Wambui rises on a point of order

Speaker: What is it Member for Gatimu, Hon. Kieru Wambui?

Hon. Kieru Wambui: Mr. Speaker, I would to understand the spirit behind the contribution by the Member for Mirangine. The Leader of Majority moved a motion on the Equalisation Fund which eventually will occasion an increase of financial allocations to some

wards and reduction in others. That means that some wards will have more financial allocations than others. The Member for Mirangine is talking of equality, which contradicts the intent of the motion at hand.

Murmurs

Speaker: Order Members! The Member for Gatimu should tell us in his contribution to the motion his take on the matter addressed by the motion.

Actually, the Member for Mirangine is on the right track. He said that there should be a formula and structured way of allocating money to the wards even if some wards would get more money than others.

Proceed, Member for Mirangine.

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker and I commend you. You always give directions on...

Hon. Mwangi Gichuki rises on a point of order

Speaker: What is it Member for Engineer, Hon. Mwangi Gichuki?

Hon. Mwangi Gichuki: Mr. Speaker, the intent of the motion is to introduce Equalisation fund. I believe the Member for Mirangine is completely out of order because he has created the impression that there has been equity in the allocation of money in the already passed budgets and that made some wards benefitted more than others.

Speaker: I am unable to understand that argument. The principal of financial allocations to the wards is that the same should be done equally, yet that, in actual sense, is not what happens. The Member for Mirangine said that there should be a structure that informs why some wards should get more money than others. He said that what happens is not right.

Proceed, Member for Mirangine.

Hon. David Ndirangu (Mirangine): Mr. Speaker, the beneficiaries of the illegal things that have been happening are the ones who are rising on points of order. I wish to say that...

Hon. Suleiman Kimani rises on a point of information

Speaker: Do you need the information Member for Mirangine?

Hon. David Ndirangu (Mirangine): Yes, I do.

Speaker: Proceed, Member for Kanjuiri.

Hon. Suleiman Kimani: Mr. Speaker, I wish to inform the Member for Mirangine that the wards which were supposed to be benefitting with financial allocations more than others are not the ones which have been benefitting.

Murmurs

Speaker: Order Members! Order! That was information that was purely meant for the Member for Mirangine and the House.

So proceed Member for Mirangine.

Hon. Michael Kirumba rises on a point of order

What is it Member for Kipipiri and the Deputy Leader for Majority, Hon. Michael Kirumba?

Hon. Michael Kirumba: Mr. Speaker, it is good to have things on record. The point of information that has been raised is misplaced. The wards have been benefitting from resources equally; that has been the situation. The motion at hand intends to avert that. It has been said on the floor of this House that even the Budget and Appropriations Committee has not been changing the 1% of the budget. The Ward Development Fund, for example, was shared equally among all the twenty five wards.

Speaker: The issues that the Member for Kipipiri is raising are the issues he should be raising when he gets a chance to contribute on the motion. At the moment, I do not know what I am supposed to do with what he has said.

So proceed, Member for Mirangine.

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker. There are wards that have been marginalized. I do not want to mention the wards that have not been marginalized. But I wish to ask which criterion was used in giving...

Murmurs

Speaker: Order Members! Order! Proceed Member for Mirangine.

Hon. David Ndirangu (Mirangine): Mr. Speaker. Those Members who are smart secretly sneak to the Executive and knowing their doings are being uncovered, they are now charging and ...

Hon. Mwangi Gichuki rises on a point of order

Speaker: What is it Member for Engineer?

Hon. Mwangi Gichuki: Mr. Speaker, is the Member trying to insinuate that in this House there are some Members who are smarter than others? I believe every Member of this House is smart.

Speaker: The Member for Mirangine has raised a valid issue. I can affirm that I have very smart Members in this House.

Proceed, Member for Mirangine.

Hon. David Ndirangu (Mirangine): Mr. Speaker is talking in terms of clothes and dressing.

Laughter

Some areas in our county are populous, with more than 30,000 residents, while others have a population of less than twenty thousand people. With regard to this, equality should be adhered to in issuance of bursaries.

Mr. Speaker, since my fellow Members would wish to contribute to the motion, I rest my case.

I beg to second. Thank you Mr. Speaker.

Question proposed

Speaker: Yes, the Deputy Leader of Majority, Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Mr. Speaker for giving me this chance and also for applying the pecking order. I support the motion. The motion does not digress from the status quo as it were. The motion does not interfere with the Ward Development Fund. The motion seeks to introduce Equalisation Fund. If the Kshs. 12 million allocated for roads will not be enough to upgrade roads in Kipipiri Ward, the County Government would get more money from the Equalisation Fund to cater for the same. That is the essence of the Equalisation Fund. We are not re-inventing the wheel. We are trying to establish what the National Government has already established.

One would wonder why lives of the people of Turkana County have changed.

Consultations

Mr. Speaker, the consultations are so high.

Speaker: Order Members! Order!

Hon. Michael Kirumba: Mr. Speaker, if I take Members down the memory lane, this issue we have been dealing with for the last fifty years was pegged on Sessional Paper No. 10 which in this county tried to enhance development in the highly populated areas. This created problems because people in less populated areas felt neglected. The perception created by the said paper was that development should not be done in places like Marsabit and Turkana. But the current government is addressing these problems and people are continually getting enlightened on their rights.

We are now trying to establish the Equalisation Fund although it is the eleventh hour, since our term is coming to an end. I hope all of us in this House will reap the fruits of the banana suckers we are planting now.

The formula for allocation of national Equalisation Fund is already in place as applied by the National Government. We need to domesticate the same in our county. Once we do that...

Hon. Mwangi Gichuki rises and switched off one of the microphones

Hon. Samuel Thuita rises on a point of order

Speaker: What is it Member for Gathanji, Hon. Samuel Thuita?

Hon. Samuel Thuita: Mr. Speaker, is it in order for the Member for Engineer to rise and switch off the microphone when the member for Kipipiri is contributing?

Speaker: I just hope that it never happened; because it should never happen. If it so happens, it would lead to very serious issues which I would not wish to disclose. With regard to this, you can read Standing Order 109. Unfortunately, I have seen the Member for Gathanji putting off the microphone that was being used by Hon. Michael Kirumba when he walked to the dispatch desk. I never saw the said microphone off before he switched it off and therefore Standing Order 109 may not come into play.

Proceed, Member for Kipipiri

Hon. Mwangi Gichuki rises on a point of order

Member for Engineer, I think that issue is settled.

Hon. Michael Kirumba: Mr. Speaker, it was due to the loud consultations that I could not be heard on microphone. It is important for what we do now to go on record. We are borrowing a leaf from the National Government. We are devolving practices from the national level to the county level.

There could be challenges arising from ward sizes. Even IEBC had challenges in demarcating regions. As we speak, there are those wards, for example, whose roads were fully upgraded because their road network is not elaborate. I urge my fellow Members to support this motion considering that the already established vote on wards allocations should remain intact. I would resist the proposal to review allocation, for example, for roads upgrading from Kshs 12 million down to Kshs. 4 million.

If this motion sails through, resolutions emanating from it will not be implemented tomorrow. A committee of this House would be required to come up with a report on the matter it addresses.

The motion itself is likely to cure some developmental challenges we have been having in the past. I beg my fellow Members to support this motion. Thank you Mr. Speaker.

Speaker: Yes, Member for Wanjohi, Hon. Mumba Gichini.

Hon. Mumba Gichini: Thank you Mr. Speaker. I rise to support the motion as it was moved by the able Leader of Majority. The motion is very important and I think God has heard my prayers. I have been wondering whether Wanjohi is in Samburu.

With thirty two thousand residents, Wanjohi ward has the largest population in Nyandarua County and it is 199.4 square kilometres in size. Yet Wanjohi is allocated the same resources with a ward whose furthest corners are not more than 24 kilometers apart. It is just like giving two families, one with five children and the other with twelve children, a 2-kg packet of unga each to prepare ugali. The family with twelve children will not be satisfied. That is what has been happening in the allocation of resources in our county yet some wards are bigger than others in terms of size and population.

It is good that we establish an Equalisation Fund just like the National Government. Some wards lack access to water while others lack health facilities but with the said fund, every ward will benefit needfully. So it is my humble request that this House does adopt the motion.

Hon. Michael Kirumba rises on a point of information

Speaker: Member for Wanjohi, do you require the information from the Member for Kipipiri?

Hon. Mumba Gichini: Yes, I will appreciate the information.

Speaker: Proceed Member for Kipipiri, Hon. Michael Kirumba.

Hon. Michael Kirumba: It should go on record that Wanjohi Ward has about 32,000 people. It is about 199 square kilometres. That is food for thought with reference to the motion at hand.

Speaker: Yes Member for Njabini/Kiburu, Hon. James Gachomba.

Hon. James Gachomba: Thank you Mr. Speaker. I rise to support the motion. I do not agree with the content of the motion but we need to have an Equalisation Fund. It will help in curbing developmental challenges based on demographical factors.

My worry is how the fund will be administered. Nyandarua County has never been mentioned by the National Government as one of the marginalized counties. I would like to know which criterion was followed to exclude Nyandarua County from the list of marginalized counties. We would like to know whether there shall be a board that would conduct demographical and geographical survey of the wards. Hon. Silvester Kagiri would be very happy. We should not forget that one could be representing trees and cattle in his ward.

Hon. Silvester Kagiri rises on a point of order

Speaker: What is it member for Githioro, Hon. Silvester Kagiri?

Hon. Silvester Kagiri: Mr. Speaker, does the Member for Njabini Kiburu insinuate that there are some members representing trees and cattle in this House? I think that portrays disrespect to our people.

Speaker: I noted that and I know that the cattle have owners who must have elected members to this House.

Proceed, member for Njabini Kiburu

Hon. James Gachomba: Mr. Speaker, I did not say that in bad faith. I meant that a ward may be large but with a small population of people and many cattle and trees.

For the wards to maximally benefit from the Equalisation Fund, there must be formed a committee to establish population, poverty and even health indices. There is no one who can convince me that Wanjohi ward has more problems than Njabini Kiburu. If the money is going to be administered by the Department of Finance and Economic Planning, a committee of this House should be mandated to come up with regulations on how to administer the fund.

The Commission for Revenue Allocation allocates more money to Turkana County than it does to Nyandarua County. What criterion did the commission follow to arrive at this? The Executive must develop a formula for allocation of the money from this fund to the wards. The formula would guide this House in approving allocations from the fund. Thank you Mr. Speaker.

Speaker: Yes Member for Gatimu, Hon. Kieru Wambui.

Hon. Kieru Wambui: Thank you Mr. Speaker. I appreciate the spirit of the mover of the motion. But I read mischief in the spirit behind the motion. The member for Mirangine said that the defunct councils were equally allocating money to the wards. But we all know the wards that developed more out of the resources allocated by the councils. One the wards ward is Murungaru. The Member for Murungaru knows that himself. We all know...

Hon. David Ndirangu rises on a point of order

Speaker: What is it Member for Mirangine?

Hon. David Ndirangu (Mirangine): Mr. Speaker, is the Member in order to say that the ward that was most developed during the times of the county council was Murungaru yet it was not? Where did he get this information from? There was equitable distribution of resources by the county council.

Speaker: Member for Gatimu, you are out of order unless you have statistics to support your position.

Hon. Kieru Wambui: Mr. Speaker, I was just giving an example. I took a budget of the former county council to know where I would start in scrutinizing the budget for this financial year. We know the ward that benefited with Kshs. 28 million from the last budget of the county council; it was not Mirangine.

We should understand the spirit behind this motion.

Consultations

Hon. Silvester Kagiri rises on a point of order

Speaker: What is it Member for Githioro, Hon. Silvester Kagiri?

Hon. Silvester Kagiri: Mr. Speaker, is the Member for Gatimu in order to mislead the House in saying that Murungaru got Kshs. 28 million out of the last budget of the county council? We know that the Kshs. 28 million he is talking about was the money used to upgrade roads in Murungaru ward during the financial year 2013/2014.

Speaker: I agree with the position taken by the Member for Githioro. So Member for Gatimu, you should either clarify your position or withdraw.

Hon. Kieru Wambui: Mr. Speaker, I am not out of order; it is only that I do not have the records here with me.

Speaker: Member for Gatimu, it is either you withdraw or support your position when you have the records.

Consultations

This is a House of rules and procedures. The Member for Gatimu has a matter either to withdraw or substantiate when he has the records.

Proceed, Member for Gatimu.

Hon. Kieru Wambui: Thank you Mr. Speaker. Paragraph two of the motion recommends that:

The County Executive, with approval of the County Assembly, does establish a formula that will be used to allocate the Equalisation Fund to the wards.

We have had several kitties established by the County Government. How have they been managed? The best way to manage a fund is through a law. The mover of the motion Mr. Speaker, through your office, has authority to amend the terms of the motion. Instead of a formula, there should be drafted a Bill outlining how the fund shall be administered.

The mover was talking of management and administration of the fund. He also talked of feasibility study. Who should do the feasibility study? The motion is very good. But I find it difficult to support it unless Mr. Speaker, with your authority, you allow me to move an amendment to the same.

Speaker: If you wish to move an amendment to the motion you have to give notice of the same. But this motion was approved just yesterday; therefore there was no time for a one day's notice. Since the Members have to vote for the amendment, I would grant leave to the Member for Gatimu to draft the amendment. Then the Members will have their say on whether the proposed amendment fits into the scheme of the motion. Proceed Member for Gatimu.

Hon. Kieru Wambui: Thank you Mr. Speaker. I rise to support this motion although with an amendment. I wish to propose an amendment that the resolution in the second paragraph of the resolutions be replaced with, 'that the Executive processes a Bill...

Speaker: I think a fund can both be initiated through a fund or regulations. More so, through regulations. I am not aware of a fund that has been created through an Act of parliament. What I am aware of is that there is the Disaster Management Bill which was developed from funds. For the House to be safe therefore, if the members agree with the amendments, it is important to process a bill/regulations to implement the same.

Member for Engineer, you will contribute to the amendments being proposed by Member for Gatimu....

Hon. Mwangi Gichuki rises on a point of clarification

What is it Member for Engineer?

Hon. Mwangi Gichuki: Thank you Mr. Speaker. I rise seeking some clarifications. Recommendation number one is that, in line with section 116 of the PFMA, the CECM for Finance establishes a County Equalization Fund. In my understanding, this requires the CECM for finance to establish the fund through a Bill that will be brought to this House for adoption. Recommendation number two...

Speaker: I agree with the Member for Engineer and therefore an amendment is not necessary because that issue has already been taken care of in number one. It speaks for itself when the Majority Leader has proposed in the motion that the CECM works in accordance with section 116 of the PFMA, which gives him power to operationalize the fund either through a Bill or regulations. Therefore, amending clause 2 will be repetitive. Proceed Member for Gatimu.

Hon. Kieru Wambui: I didn't know that the PFMA has the processes for operationalizing such funds as equalization fund....

Speaker: No, what it says is that the County can create a fund which can be operationalized through a Bill or regulations. We have done that already with our Car and Mortgage Loan Fund for the staff, members of the Assembly and the Executive. All these were

established under section 116 of the PFMA and operationalized through regulations. You can remember that the Bursary Fund was operationalized through a Bill but also created under section 116 of the PFMA.

Hon. Kieru Wambui: Therefore, in the effect that we have section 116 of the PFMA, don't we need the regulations to bring in the formulae proposed in the bill?

Speaker: Section 116 of the PFMA takes both into account. I have told you that the Bursary Fund was operationalized through a Bill and was created under section 116 of the PFMA. The Car and Mortgage Loan Fund was established under the same law but operationalized through regulations. Therefore, it is well taken care of.

Hon. Kieru Wambui: Then, I stand in support of this motion. It is very important that from the word go to domesticate the national law as aforementioned by the previous contributor. This is in terms of sharing resources. Of course, some of these things might not work for us since this is one government and not 47 as per the counties or 25 as per our wards. We cannot really say how much in terms of personal emoluments the residents of Gatimu get. I don't think we shall take that route but with the responsibility of overseeing the regulations, the team that will be put in place will have an enormous task.

Actually this fund if passed may not start working for us today. It might start working in approximately four years from now because, how do you establish the poverty index of the residents of Gatimu for instance? How much money is provided in the budget for feasibility study of the fund? Ultimately, we need to decide on how long it will take us to know the exact population of our people. We may also decide to go by the national statistics. This are some of the things that I am foreseeing because a feasibility study on its own will be very expensive and it might end up spending more money than we intend to allocate the fund.

Mr. Speaker, I was trying to say that the Member for Mirangine highlighted very grievous issue on how this county has been sharing resources. It is in public domain that his ward has benefited to a tune of Ksh. 34 Million unlike others...

Hon. David Ndirangu rises on a point of order

Speaker: What is it Member for Mirangine?

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker. Is the Member in order to insinuate that my ward has benefited from over Ksh. 34 Million yet he has not provided documents to prove his allegations? He should substantiate.

Speaker: Member for Gatimu, I don't want us to take the route where we cause conflict when we don't have the statistics to substantiate that particular position we are assuming. Let us confine our debate to the bill before us and interrogate it if you have facts or evidence to

support a particular position. Proceed Member and withdraw because I obviously know that you don't have those facts.

Hon. Kieru Wambui: Mr. Speaker, the Standing Order no. 89 allows a member to substantiate. It states,

- (1) A Member shall be responsible for the accuracy of any facts which the Member alleges to be true and may be required to substantiate any such facts instantly.
- (2) If a Member has sufficient reason to convince the Speaker that the Member is unable to substantiate the allegations instantly, the Speaker shall require that such a Member substantiates the allegations not later than the next sitting day, failure to which the Member shall be deemed to be disorderly within the meaning of Standing Order 107 (Grave Disorder) unless the Member withdraws the allegations and gives a suitable apology, if the Speaker so requires.

If you need me to substantiate, I will because it is an open fact. The Member has been complaining about being neglected but it is one of the biggest beneficiary...

Speaker: You know I will not grant you leave because the assertion is not relevant to the debate before us.

Laughter

So, I cannot see why that issue should be brought into this debate and I will not give you more time to substantiate. I would not like this House to take that route in terms of debates. I am not convinced and therefore, do what is necessary.

Hon. Kieru Wambui: Mr. Speaker, I withdraw. With those remarks, I support.

Speaker: Yes Member for Githioro, Hon. Silvester Kagiri.

Hon. Silvester Kagiri: Thank you Mr. Speaker. I rise to support this motion. I would like to refresh the minds of the Hon. Members. At the onset of devolution, there were some equalization funds that were set aside by the government and Nyandarua County was to benefit from the kitty.

Consultations

Please protect me Mr Speaker.

Speaker: Order Members! Let us give the member time so that we can effectively and expeditiously conclude this matter. You know we have another motion awaiting us. Please proceed.

Hon. Silvester Kagiri: Thank you Mr. Speaker, I am saying that the equalization fund is very necessary. You know there are some wards or some areas whose geographical size is very small despite being very populous. I don't want to zero in to my ward because the existing

topography is inaccurate. Just as a by the way, I am grateful that this House decided to allocate Ksh. 20 Million for construction of a bridge.

Mr. Speaker, if we establish an equalization fund, then, we shall have catered to the needs of the wards with special needs. I would like to mention something about what Hon. Member for Gatimu highlighted about statistics and data. I know these statistics regarding the poverty index, land mass, climate and others are available if needed. The data has been used in the Ministry of Planning and their offices still exist. We can therefore access this data if need arises.

I am reminding the Hon. Members that even though we might not benefit directly from fund, we should consider the coming term. Some of us might come back while others might not. If we come up with an equalization fund, it will be remembered because this is a very good idea.

Mr. Speaker, some of the wards like Wanjohi are very huge in terms of geographical size or land mass and relatively populated. If you go to the statistics and the money that we allocate to various wards, you will find that the amount given to Wanjohi is very little. This problem is not only unique to Wanjohi but it cross cuts other big wards including Githioro which I represent.

I want to tell the members that the fund will not reduce the usual allocation. It is a matter adding some funds to various wards given the needs and also informed by other parameters and factors mentioned in the bill. The factors including their actual data will be gathered by the special committee that will be created by this House together with the Executive.

With those remarks, I support. Thank you.

Speaker: Yes Member for Engineer, Hon. James Mwangi Gichuki.

Hon. Mwangi Gichuki: Thank you Mr. Speaker. I rise to oppose the motion. My position is informed by various factors. At the outset, it is the mover's quotation that, 'this motion was informed by the marginalization fund that was established by the national government'.

Mr. Speaker, it is important to look at an issue from the position of how people have benefitted. I wish to look into the marginalization fund in respect to Nyandarua. How has the Nyandarua County benefitted from the marginalization and equalization fund? We have constantly been saying that Ndaragwa has been marginalized for quite some time now. Now, we have had the equalization/marginalization fund and my question is; did the people of Ndaragwa benefit? The answer is a resounding no.

Let us take Turkana and Mandera Counties in terms of development. You will find that the equalization fund they receive has enabled them to undertake mega projects which our county cannot. This is because of the misleading assumption that Nyandarua has more resources and thus, it does not qualify for the equalization fund. What does that tell you? It only tells you that we will be creating inequalities in the process of creating an equalization fund. This is because the rate at which a county like Turkana will grow will surpass Nyandarua in a few years to come. What will we have created?

Mr. Speaker, I am fearful of one thing. By creating an equalization fund and regulations that will guide the allocation and distribution of the fund, I am sure there will be some ulterior efforts to ensure that some wards benefit more than others. For instance, we have the emergency fund. A house burns in Kipipiri and money is channelled without any delays. However, if another house burns elsewhere or in another ward, funds are not released immediately or even not at all. The fund should take care of these emergency issues but since the responsibility of managing the fund rests in another body, fairness is not guaranteed. In other words, we shall be creating another ‘*Shamba la Wanyama*’ (Animal farm) where survival is dependent on who knows whom, where and how.

We have had these issues. People would like to benefit because they hold certain positions. I don’t want to quote names but these people know themselves. We will be creating a fund whereby people who hold various positions and titles will be using them to access it. Initially, the Chairman of Budget and Appropriations was opposing the motion until I made a mistake of mentioning to him that this fund will only benefit four people. He started thinking and changed his mind.

Sometimes, it is important to look at the intention of the mover of the motion. Murungaru ward has a population 26,920 and an area of 164.8 Km². It is the largest in terms of land mass and only Engineer has a larger population. What is the mover’s intention? Let us be objective and see where the intent of the mover lies. You move a motion and the immediate beneficiary of that motion is the Member for Murungaru.

Loud consultations

You may disagree with me but I am quoting facts here...

Speaker: Order members! Let the member for Engineer contribute effectively. You cannot afford to interrupt him regardless of what he says. Proceed.

Hon. Mwangi Gichuki: For purposes of removing doubts and equipping some members with information. I would wish to give some brief statistics of Kinangop. Engineer has a population of 25,977 and Magumu has 25,638. Njabini, Gathaara, Murungaru, North

Kinangop, Githabai and Nyakio have populations of 20,655, 26,000, 26,920, 20,398, 19,485, and 25,140 respectively.

When you look into the area or the land mass, Engineer has an area of 118 Km² and Magumu has 53Km². Njabini has 98Km² and the member is here talking and supporting...

Laughter

Gathaara, Murungaru, North Kinangop, Githabai and Nyakio have areas of 109Km², 164Km², 134Km², 107Km² and 146Km² respectively. Mr. Speaker, the point I am making is that the mover has done his research and knows that if this motion passes, his people will be the first beneficiaries. He is introducing an equalization fund that intends to marginalize others.

Mr. Speaker, I would like to wind up by saying that issues of equity, and I refer to paragraph two of the motion that says, “further aware that the resources allocated for development in the wards, and more particularly that funds for ward development projects are usually allocated equally for all the wards without due consideration...”

Mr Speaker, underscore the phrase, ‘due consideration’. This is being said by the Leader of Majority Party who represents the government in this House. He admits that some factors are not taken into account when allocating funds to the wards. The amount of funds are allocated equally include Ward Development Fund which has been specific. All the other money is allocated by the government because it has the policy stipulated in the Governor’s manifesto because he is the one who told the people how he was going to work. The Governor is left with a huge amount of money so that he can apportion development in his own discretion.

Mr. Speaker, did we create an equalization fund to construct a bridge in Githioro worth Ksh. 20 million? It is the government’s role to know that there is a bridge that requires around Ksh. 40 Million and it goes and gives the first disbursement of Ksh. 20 Million. No equalization fund was required to make that decision. For Ndaragwa residents, some money was allocated for specific dams. Similarly, no equalization fund was required.

Mr. Speaker, my point therefore is that we don’t want to create a fund which will be controlled by specific people and as the Member for Mirangine would put it, ‘who will be sneaking into the Governor’s Office at night’ to have an allocation from this kitty. The most important thing we should remember is that all budgets are brought into this House for approval after discussions. If a member feels that his ward has a unique case, it is good to come and present the case in this House and it can be heard also by the Committee on Budget and Appropriations and other sectoral committees from where it is tabled in the House for approval.

Mr Speaker, I believe that by creating this fund of Kshs 50 Million, we shall have made a terrible mistake. Let us rethink this issue with a lot of sobriety. Every time we create a general

fund for the roads, do we ensure that every ward benefits from the aforementioned fund? This fund has been used to ‘arm-twist’ people and thus, it rarely achieves its intended purpose.

It is fair that you remember that my title is, ‘Former Majority Leader’ so when it comes to the pecking order of leadership and when lobbying for this equalization fund, I can use the title. I can assure you that this fund is not for the people seated here. To the contrary, it is meant for people who hold various offices and have titles.

Applause

Therefore, I urge Hon. Members that you oppose this fund so that titles and positions will not be used to get an allocation of this fund and that way, we shall all be equal.

Loud Consultations

Speaker: Order Hon. Members!

Hon. Mwangi Gichuki: As I oppose this motion, I urge my fellow members to do the same. I think by now we have seen what has happened to the Bursary Fund although I will leave that matter to Hon. Josphat Kamau. Who did the Bursary Fund assist? It benefitted some specific individuals. The budget has been effective and we should not introduce any other fund. I therefore oppose.

Speaker: Yes, Member for Kaimbaga, Hon. Samuel Kimani Njiraini.

Hon. Kimani Njiraini: Thank you Mr. Speaker. Today we have noted some secretive agenda of the Majority Leader. I therefore rise to oppose this motion.

Applause

The reason I oppose the motion is that it is inclining towards a specific direction. If you speak of allocating funds based on population, Kaimbaga will be left behind because it has a population of 17 thousand residents according to the census conducted in 2009. The population has undoubtedly increased owing to the number of people who have bought land and now reside in Kaimbaga...

Loud consultations

Speaker: Order members!

Hon. Kimani Njiraini: If we look at the issue of marginalization, the most marginalized area in this county is lower Kaimbaga. No one has ever done any research to establish the number of IDPs who settled there and the poverty index in the entire ward. This motion only considers population as the main factor upon which the determination will be made on the allocation of funds from the kitty. It does not consider the poverty levels.

Mr. Speaker, we have had so many flagship projects in the county. As aforementioned by the former Majority Leader, some people have been ‘seeing’ the Executive privately and ensuring that some of projects have been undertaken in their wards.

The equalization fund that the mover wants established cannot benefit our wards. The Executive needs to conduct a very good research to identify the needs of different wards. This will ensure a specific project is picked and done to completion. For the last three financial years, we have been talking about roads within our counties. Now we should pick other projects like provision of water so that we can now move towards that issue.

Mr. Speaker, I know that there were some money set aside....

Loud consultations

Please protect me Mr. Speaker.

Speaker: Order members!

Hon. Kimani Njiraini: Thank you. I was saying that some money was set aside for road construction. I was severely affected because most of the stones and other roads maintenance materials come from Kaimbaga. All my roads were damaged and not a shilling was used to repair them.

So, I cannot support a fund being established without benefitting my people because other people will go to the Executive and lobby to have more funds in their wards than others. The cake should be placed on the table and we share it out equally.

Mr. Speaker, I was of the opinion that the money be divided according to the current five sub counties in the County. Kinangop has eight wards while Kipipiri and Ol’kalou have four and five wards respectively. Both Ndaragwa and Ol-Joro-Orok have four wards each. We want all areas to develop. People from meteorological department ought to know the shortage of rains in Kaimbaga and Ndaragwa and also the plenty of rain in Njabini. This way, they can come up with a good yardstick of what is the shortage of water and the marginalization we are talking about.

Mr. Speaker, when you talk about an equalization fund, the money set aside specifically for towns should be used for that purpose. It is upon the county government to erect structures to ensure all other areas in Nyandarua with needs are assessed and funded appropriately. I therefore don’t see the need for establishment of another fund. Some members access these funds and do developmental projects in their wards at the expense of other wards. I think this fund is intended to be used to propel other people’s careers.

If you look at the geographical size or the land mass as a factor to consider when allocating the equalization fund, I agree it is a major factor because some wards are bigger than

others. A small ward in terms of area might have a higher population than a ward with bigger landmass. Therefore, if you do not look into these variables, the fund won't be beneficial to *wanjiku*.

Mr. Speaker, I listened to Hon. Ndirangu and my opinion is that I will oppose any form of a fund that will not be shared equally for all the 25 wards. With those few remarks, I oppose this motion. Thank you.

Speaker: Yes Member for Kanjuiri Ridge ward, Hon. Suleiman Kimani Kihika.

Hon. Suleiman Kimani: Thank you Mr. Speaker. I rise to support this motion with some reservations. My worry is ...

Loud consultations

Please protect me Mr Speaker.

Speaker: Order members. Please allow the Member for Kanjuiri to make his presentation.

Hon. Suleiman Kimani: I support the motion but my worry is...

Hon. Mwangi Gichuki rises on a point of order

Speaker: What is it Member for Engineer?

Hon. Mwangi Gichuki: Is it in order for the Hon. Member to support the motion when he is concern and worried.

Speaker: Any Hon. Member can contribute in the best way he or she deems fit. Actually, debate is very adventurous. There is nothing in the Standing Orders that will stop a Member for Kanjuiri ward from being worried.

Laughter

Proceed.

Hon. Suleiman Kimani: Thank you. What I mean is that I support this motion but we need to come up with a very elaborate and clear formula on how to identify the wards that are marginalized. Such factors as access to healthcare, road networks and other developmental issues should be considered. The reason is that we can have a committee from this House given the mandate to identify the marginalized wards but we still end up with the wrong wards.

I therefore support the motion and reiterate that we need a good formula because I am sure that my ward is among the most marginalized wards in this county. It is located very far from the county headquarters. You crosscut Nakuru County before you get there. In fact, many residents say that we are in Nakuru County. We need to look into all those factors when establishing the formulae of allocating the equalization fund if this motion passes.

Thank you, I support.

Speaker: Yes, Member for Kiriita, Hon. Paul Maina Ndiritu

Hon. Paul Maina Ndiritu: Thank you Mr. Speaker, I rise to oppose the motion. This is not the first kitty brought here, Hon. Members. I remember there was an El'nino kitty and the Hon. Members will bear me witness that only a few wards benefitted from it. It is impossible to compare the 25 wards we have in this county because they are extremely different, both geographically and population wise. The challenges my ward faces are not the same as the challenges Leshau Pondo faces. We cannot create another fund, which in essence is creating a bank for a few people in this county.

If we create this fund of 12 million per ward, Kinangop Sub County with 8 wards will take home over 96 million while Ndaragwa Sub County, which is actually marginalized, takes home 48 million shillings. Before we allocate these funds to every ward, let us allocate per Sub County. Secondly, Mr. Speaker, if we create this fund, we will most definitely, have to create a committee which will be charged with the responsibility of identifying the wards that are in dire need of the fund. What happens when they visit Ndaragwa and find that only two wards need it but in Kinangop over four wards are allocated these funds; bearing in mind that every ward has, in addition, the Ward Development Fund? Mr. Speaker, I oppose this motion.

Speaker: Yes Member for Ndaragwa Central, Hon. Peter Maina Mwangi

Hon. Peter Maina: Thank you Mr. Speaker, I rise to oppose the motion.

Consultations

Speaker: Order Members.

Hon. Peter Maina: I oppose this motion with this major reason; what is the definition of marginalization? What are the parameters used to classify some wards as being marginalized? We created a trade development fund that has been in existence since 2013, we have an emergency fund that only benefits a few wards in this county. This, I feel, is not the best time for this motion. Let the member for majority go back and reintroduce this motion. The Hon. Member for Mirangine has stated how during the defunct county council's era, they would allocate the funds by looking at individual wards. That, Mr. Speaker, is why most of the former councillors, like the one who represented my ward previously, could not get the MCAs seat this time round. We never ever saw a grader come to our ward!

Hon. Mwangi Gichuki rises on a point of information

Speaker: Do you require the information from the Member for Engineer?

Hon. Peter Maina: Yes Mr. Speaker.

Speaker: Proceed Member for Engineer.

Hon. Mwangi Gichuki: Thank you Mr. Speaker, I would like to inform the Member for Central that even when the county council introduced an equalisation fund, only the member for Murungaru, who was the chairman of the fund then, benefitted.

Speaker: Proceed member for Central.

Hon. Peter Maina: Thank you Mr. Speaker that is clearly why the chairman came back. With those remarks, I oppose the motion.

Speaker: Yes member for Leshau Pondo, Hon. Josphat Kamau

Hon. Josphat Kamau: Thank you Mr. Speaker, I oppose this motion. I want us to first revisit what informed the creation of the equalisation fund by the national government: the Census. Mr. Speaker, the most recent census was conducted in the year 2009. Now, following the last elections in 2013, we all remember what happened; people were displaced all over the country and as a result, several wards became home to IDPS. My ward included. Remember the issue of IDPs had neither been foreseen nor factored in the 2009 census. Now, you expect me to support this motion and agree that Leshau Pondo has a population 'x' whereas there has been a constant 'k' that has not been considered. For this motion to sail through, we must first conduct a census in Nyandarua, which I know is quite expensive and the money we are setting aside for the fund could end up being used, in its entirety for the census. The issue of ward sizes and population will easily be resolved by the political boundaries review process which I believe is in the pipeline. Let us place Nyandarua on the table and divide it into 25 equal wards. If your ward is too big, let it be slashed, if your population is too high, let it be slashed and we can start doing things equally.

These members may not be aware but the ministry of education has an equalisation fund of around Kshs 3 million to cater for the less privileged. How many members here can attest to the fact that these funds actually go to the needy children of our county? Nobody. This is proof enough that this fund cannot work. The member for Keriita has indicated that should this fund be created, Kinangop Sub County will take home twice what Ndaragwa Sub County gets. Remember, the former also has an additional 8 million for the specially elected members

while Ndaragwa only gets 1 million shillings. While every ward in Kinangop can take home one million each, the wards in Ndaragwa can only get Kshs 250,000; clearly, there is equitable distribution of resources in Nyandarua.

I want to take you through what happens in the national government. Before the establishment of the equalisation fund, there was what was called hardship allowances given to some districts. Consequently, we had teachers migrating from Nyandarua to Laikipia so as benefit from this fund. I would also like to know how a ward is categorized as marginalized. Some wards like Magumu are very small but with a very big population but it is also very productive. Nature has a way of balancing itself out. That is why you will find, in the jungle, the number of lions is much smaller than the number of gazelles. You cannot say that every lion must be matched with an equal number of gazelles.

We have seen how our MPs are now being fought because they are unable to influence the revenue allocation. If today the member for Central was given Kshs 5M from the equalisation fund kitty and I only got Kshs 1 million. What would stop him from saying that he was the only one who fought for his people and all we did here is clap for him? I would like to urge the members of this Hon. House, if they have any plans to come back here, to oppose this motion. The reason why most members of the defunct county council did not make it back here was because of such kind of a fund. Those that did come back are the only ones that benefitted...

Hon. David Ndirangu (Mirangine) rises on a point of information

Speaker: What is it member for Mirangine?

Hon. David Ndirangu (Mirangine): Mr. Speaker, I would like to inform the member that during our tenure, resources were distributed equitably. The needs of every ward were taken care of.

Speaker: Proceed member for Leshau Pondo

Hon. Josphat Kamau: Thank you Mr. Speaker, those who came back must defend their positions. What I want to say is that those who know Leshau Pondo remember how it was affected by the El'nino rains and it is only now that we are trying to refill the granaries that were depleted. Mr. Speaker I will not say much more but I oppose this motion.

Speaker: Yes member for Charagita, Hon. Paul Kiruka Mburu.

Hon. Kiruka Mburu: Thank you Mr. Speaker. I rise to support this motion. Some wards are too big, In Charagita, for example, we have 342 kilometres of road while other wards only have 250 or 100 kilometres. However, my ward never benefitted from the fuel levy fund. In fact, Charagita has never benefitted from any kind of fund. The entire Charagita ward is served by only one health centre.

Hon. Kieru Wambui rises on a point of order

Speaker: What is it member for Gatimu?

Hon. Kieru Wambui: Thank you Mr. Speaker, I would like the Member to clarify this, is he dissatisfied with the fuel levy fund; specifically the way it was shared, yet he is supporting the creation of another fund which he still has little or no say on how it is going to be shared? Is he not confusing himself?

Speaker: The member for Charagita is making his own submissions, how is he out of order? Proceed member for Charagita.

Hon. Kiruka Mburu: Thank you Mr. Speaker, I have no apologies. I don't know if the member for Gatimu benefitted from this fund. The reason I am supporting the creation of this fund is because, hopefully, Charagita will get another health centre from it. Some wards are lucky they have access to water that flows freely but Charagita wholly depends on boreholes. Counties and sub counties have been benefitting from equalisation funds and it would be unfair if we also do not allow our wards to benefit. I can assure the members of this Hon. House that if we do not pass this law, the future generations will not judge us kindly. Thank you Mr. Speaker, I support the motion.

Speaker: Yes member for Gathanji, Hon. Sam Mwangi Thuita.

Hon. Samuel Thuita: Thank you Mr. Speaker, I support the creation of an equalisation fund. It is unfortunate that the members are quick to oppose this motion but if you look at the intent of this fund, there were no rules regulating how the money would be distributed. Ksh. 100 million set aside for the general maintenance of roads but there are no regulations as to how much each of the wards will benefit with. The creation of this fund will see the formulation of regulations that will govern how this money is allocated. The committee in charge of the fund will visit every ward and establish which ones are in dire need of roads repair, for example. Currently, there are wards that will benefit from a repeat in the roads maintenance while there are wards whose roads are in deplorable conditions, roads that have

for over fifty years, remained closed. Some people here only want to see their wards develop at the expense of other wards so that it is said some members are not representing the people that sent them here. Thank you Mr. Speaker, I support and call the mover to respond.

Speaker: Very well; yes mover and leader of the majority party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker, before I thank the members for their contributions, I wish to state the following; that this is a legislative House and the legislations we make are to be implemented by the executive. The reason I brought this motion here since 1963, some areas have remained systematically marginalized and seriously disadvantaged. The problem this motion is trying to cure today may not be seen today but it will be seen in fifty years to come. If we continue sharing resources the way we do today, some wards will be left very far behind. This motion is not for this assembly or the next. It will take time for the issues that plague us to be addressed.

The parameters that inform this motion cannot be assessed overnight. It is unfortunate that some members feel that this motion was geared towards benefitting the leader of the Majority party or the people of Kinangop. This is a motion for the entire Nyandarua County and those that have stated otherwise only want to lobby the members to oppose the motion. This is a good motion and it will eventually benefit our people. I thank the members for their contributions and urge them to support the motion. Thank you Mr. Speaker, I beg to move.

Question put and negatived.

Speaker: Next order

MOTION TO BE MOVED

REPORT ON GATONDO DISPENSARY ADMINISTRATIVE POLICE ISSUE

Speaker: Yes member for Githabai and chairperson committee on Health services, Hon. Peter Njoroge Kairu.

Hon. Peter Kairu: Mr. Speaker Sir, I humbly wish to seek leave not to move this motion today because members are seemingly exhausted.

Speaker: The members do seem quite eager, but following the vote on the previous motion, members may need to consult further. I don't think we are squeezed of time and the motion can be slotted for tomorrow in the afternoon.

Next order

ADJOURNMENT

Speaker: Having exhausted the business for this session, this House stands adjourned to tomorrow, Thursday, the 4th day of August 2016 at 2.30 p.m.

(The House rose at 5.00 p.m.)