



Third County Assembly  
(No. 032)



Third Session  
(051)

REPUBLIC OF KENYA.  
COUNTY ASSEMBLY OF MARSABIT  
THIRD COUNTY ASSEMBLY — (THIRD SESSION)  
ORDERS OF THE DAY  
TUESDAY 14<sup>TH</sup> MAY, 2024 AT 2.30 P.M

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. **\*Notices of motion**
7. Statements
8. Motions and Bills

**\*6\*NOTICE OF MOTION—RECONSIDERATION OF THE ANNUAL DEVELOPMENT  
PLAN,2024**

**AWARE THAT,** the budget and appropriation committee tabled its report on County Annual Development Plan 2024 for consideration and subsequent adoption by the Assembly, however the House resolved to reject the report citing the following reasons-;

- (a) Section 125 (2) of the Public Finance Management Act, 2012 (PFMA) requires that CEC-M for finance ensure that there is public participation in the budget process. The public participation conducted for the C-ADP 2024/25 submitted and subsequent analysis of the ward projects, proves that there was no comprehensive public participation conducted. The communities disowned the list of projects presented as their priorities. Members observed that the list of projects presented as ward priorities are projects that were previously budgeted for and implemented and some are in the current budget.
- (b) Section 126(3) of the Public Finance Management Act 2012, states that: "The County Executive Committee member responsible for planning shall, not later than the 1st September in each year, submit the development plan to the county

assembly for its approval, and send a copy to the Commission on Revenue Allocation and the National Treasury. Additionally, the C-ADP 2024/25 was submitted on 6<sup>th</sup> December 2023.

- (c) Submitted C-ADP 2024/25 does not contain revenue sources intended to finance the projects in the financial year 2024/25. Any Plan needs to be supported by the source of finance giving a breakdown of equitable share, local revenue, and conditional grants expected to fund the plan. This results in an over-ambitious projection in the planned C-ADP 2024/25 to a tune of 6.95B for development expenditure.
- (d) Ward priority projects from Public participation were presented as a list of projects without any monetary value attached to them. From this, it is hard to establish whether projects listed under a ward can amount to the 30 Million allocated to the wards.
- (e) Departmental priorities proposed project had no project location and ward sites, had project lumped together, and projects previously abandoned still feature in the plan.

**FURTHER AWARE THAT,** the office of the Clerk vide letter MCA/HB/BUDG/VOL.1/049 dated 25<sup>th</sup> March,2024, to the CECM Finance and Economic Planning for rectification of the highlighted areas and subsequently resubmitted for approval.

**CONCERNED THAT,** the Annual Development Plan is the basis of the Annual budget of the County and acknowledging Section 104(1) of the County Governments Act,2012 A County government shall plan for the County and no public funds shall be appropriated outside of planning framework developed by the County Executive Committee member for finance and approved by the County Assembly.

**FURTHER CONCERNED THAT,** pursuant to Standing Order 46 and 46(2)(a) of Marsabit County Assembly Standing order.

*Standing Order 46 "No motion may be moved which is the same in substance as any question which has been resolved (either in the affirmative or in the negative) during preceding six months in the same Session."*

Standing Order 46(2)(a) *"a Motion to rescind the decision on such question may be moved with the permission of the Speaker."*

**Now therefore,** I urge the County Assembly of Marsabit to reconsider the resubmitted ADP by the department of Finance and Economic Planning on 13<sup>th</sup> May,2024.

Once reconsidered, the Committee on Budget and Appropriation will have an ample time on the Budget process before the end of the Financial Year.

**(SORA RARE- V/CHAIR BUDGET AND APPROPRIATION COMMITTEE)**

**\*7\* NOTICE OF MOTION—REPORT OF THE WARD EQUITABLE DEVELOPMENT BILL,2024**

**THAT,** this County Assembly adopts the report of Administration, Coordination and ICT Committee on the Ward Equitable Development Bill, 2024.

**(HON.JOSEPH LERUK – CHAIRPERSON, ADMINISTRATION, COORDINATION AND  
ICT COMMITTEE.)**

**SALIM N. KATO  
FOR: CLERK/SECRETARY (COUNTY ASSEMBLY SERVICE BOARD)**