

**THIRD ASSEMBLY  
(001)**

**FIRST SESSION  
(001)**



**COUNTY GOVERNMENT OF KITUI**  
**THE COUNTY ASSEMBLY**  
**THIRD COUNTY ASSEMBLY – (FIRST SESSION)**  
**VOTES AND PROCEEDINGS**  
**WEDNESDAY 21<sup>ST</sup> SEPTEMBER, 2022 AT 9:00 A.M.**

1. The House convened at Nine O'clock.
2. The Proceedings were opened with Prayer.
3. **COMMUNICATION FROM THE CHAIR - WELCOME ADDRESS BY THE CLERK TO THE HONOURABLE MEMBERS ELECT TO THE FIRST SITTING OF THE THIRD ASSEMBLY**

The Clerk of Assembly made the following Communication;

**Hon. Members**, Good morning.

It is with utmost pleasure that I welcome you to this first sitting of this County Assembly and congratulate you for being elected as members of this august house.

**Hon. Members** sitting has been preceded by several activities, some of which involved you and all of which were geared at making this day a success.

**Hon. Members**, Section 7B of the County Governments Act provides that whenever a new County Assembly is duly constituted, the Governor, by notice in the Gazette, shall appoint the place and date of the first sitting of the new County Assembly,

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which shall not be later than Thirty days from the date when the County Assembly is fully constituted.

**Hon. Members,** in line with the above referenced legal provisions therefore, H.E. the Governor, Kitui County through the Kenya Gazette No.11013 dated 14<sup>th</sup> September, 2022, appointed today to be the date of this first sitting of the County Assembly of Kitui. We shall thus proceed with the business of the day as provided in today's order paper.

**4. PAPER LAID**

**COMMUNICATION BY THE CLERK AS RELATES TO GAZETTE NOTICE FOR LIST OF THE NAMES OF PERSONS ELECTED AS MEMBERS OF THE COUNTY ASSEMBLY OF KITUI.**

The Clerk of Assembly made the following Communication;

**Hon. Members,**

Standing Order 3(2)(b) provides that on the first sitting of a new County Assembly after a general election, the Clerk shall-

"lay a list of the names of the persons elected as Members on the Table of the County Assembly."

**Hon. Members,**

I will now direct the Deputy Clerk of Assembly Madam L. Waema to proceed and lay on the Table the following papers:-

- i. Kenya Gazette No. 11013 dated 14th September, 2022, convening the First Sitting,

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- ii. Kenya Gazette No. 9956 dated 24th August, 2022, containing the names of persons elected as Members of the County Assembly; and
- iii. Kenya Gazette No.10712 dated 9th September, 2022 containing the names of persons specially elected as Members of the County Assembly.

**5. COMMUNICATION FROM THE CLERK PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH OR AFFIRMATION OF OFFICE.**

**Hon. Members,** the Constitution of Kenya under Article 74 provides that;-

*"Before assuming a state office, acting in a state office, or performing any functions of a state office, a person shall take and subscribe the oath or affirmation of office, in the manner and form prescribed by the Third Schedule or under an Act of Parliament."*

**Hon. Members,** the Office of a Member of County Assembly is among those defined as a state office under Article 260 of the Constitution and it is therefore important that you take oath of office to allow you to perform any duties related to that office.

**Hon. Members,** the said Oath or Affirmation of office that you will subscribe to is prescribed under the First Schedule to the County Governments Act, 2012 and we urge you to read it the way it is and do not add or omit any words thereto.

Further, **Hon. Members,** Standing Order 3 (2) (c) requires that on the first sitting of a new County Assembly after a general election, pursuant to the Governor's notification under Standing Order 3 (1) of the County Assembly of Kitui Standing Orders, the Clerk shall administer the Oath or Affirmation of office provided for in the First Schedule of the County Government Acts, 2012 to all Members present in the County Assembly in the order set out in Standing Order 3 (3).

Specifically, Standing Order No. 3 (3) provides that;-

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*"The Clerk shall administer the Oath or Affirmation of office to Members of the County Assembly in alphabetical order using the following order of precedence-*

- a) Members with the longest cumulative period of service in the County Assembly;*
- b) Members with the longest cumulative period of service in the County Assembly and any local authority existing prior to the final announcement of all the results of parliament as contemplated under Section 2 of the sixth Schedule to the Constitution;*
- c) Members with the longest cumulative period of service in any local authority existing prior to the final announcement of all the results of parliament as contemplated under Section 2 of the Sixth Schedule to the Constitution;*
- d) All other Members."*

We shall follow the above order in administering the oath and we urge you to look at the order of precedence that has been issued to you so you can get ready to take your oath when the name is about to be called.

Further, **Hon. Members**, Standing Order 3(5) provides that;-

*"when the Clerk is administering the Oath or Affirmation of office to Members and before the Clerk has administered the Oath or Affirmation of office to the Speaker, any question arising in the County Assembly shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker."*

**Hon. Members**, I wish to inform you that as the person presiding over the house before the election of the speaker, you are at liberty to direct all your concerns to me and I will address them to the best of my knowledge. I wish to however kindly

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and respectfully remind you to ensure that the concerns are related to the issue(s) before the house at the time.

**Hon. Members,** unless a person elected to this Assembly takes and subscribes to the Oath or Affirmation prescribed by the First Schedule of the County Governments Act, 2012, he or she shall not assume or perform any functions associated with the office of a Member of the County Assembly including the exercise of electing the Speaker of the County Assembly.

**Hon. Members,** the swearing-in shall proceed in line with the provisions of Standing Order No. 3 (3), earlier highlighted. More particularly, these are the steps that we shall follow in the swearing in process;-

1. The clerk-at-the-Table shall call the names of Members for purposes of swearing-in in the order outlined.
2. The Member so called shall walk to the bar, bow and proceed to the podium to my right and subscribe to the Oath or Affirmation of Office.
3. Once sworn-in, a Member shall then pass to the table on my left, sign the Oath book and Code of Integrity and through the walkway to my left, proceed to the bar, bow and then resume his/her seat.

***(That process shall be repeated until the last member has taken their oath)***

**Hon. Members,** having laid out the procedure to be followed in this exercise, I will now order the Deputy Clerk to read out the names of Members for swearing-in.

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**6. ADMINISTRATION OF OATH/ AFFIRMATION OF OFFICE**

The Clerk administered the Oath/ Affirmation of Office to Members of the County Assembly in alphabetical order in line with Standing Order 3(3) as indicated below:

S/NO	NAME	WARD
1.	NDUMBU MARY MBITHI	NOMINATED MCA
2.	MUTAMBU ALEX NGANGA	MIAMBANI
3.	MWANDIA HUSSEIN	IKUTHA
4.	KASINGA TITUS MUNYOKI	MUMONI
5.	KATANA STEPHEN ILEVE	NGUUTANI
6.	KATUMBI BONIFACE MAUNDU	KYANGWITHYA EAST
7.	KIMANZI DANIEL NGOIMA	KITUI TOWNSHIP
8.	MOHAMMED MUNIRA	NOMINATED MCA
9.	MUNYALO SYLVESTER KITHEKA	MATINYANI
10.	MUNYASYA BENARD MWANGANGI	MWINGI CENTRAL
11.	MUNYAU DAVID MASAKU	MUTOMO/ KIBWEA
12.	MWANGANGI CHARITY	NOMINATED MCA
13.	MWINZI MUNYOKI	KYUSO
14.	NGWELE JOSEPH NZUNGI	NGOMENI
15.	PETER ELIZABETH NDUNGE	NOMINATED MCA
16.	KIETI MUTHAMA MUSYOKA	ATHI
17.	CIAMBUTRA KARIGI	NOMINATED MCA
18.	ISUMAIL DOMINIC MWAMISI	MUTHA
19.	JOHN IMMACULATE WANZA	NOMINATED MCA
20.	KALENGA JACQUELYNE CATE	NOMINATED MCA
21.	KASELE ARON KILONZI	MUTITU/KALIKU
22.	KASYOKA JUDITH WANZA	NUU
23.	KATULA BONIFACE MUKWATE	KANYANGI
24.	KATUNGWA DEBORAH MUTUKU	NOMINATED MCA
25.	KAVULA JOSEPH KASUNGI	WAITA
26.	KIMULI KYALO	KANZIKO
27.	KITONYO PETER MWANZA	MULANGO

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28.	MAKUMI PRISCILLA MARTHA	NOMINATED MCA
29.	MALUKI PAUL	KWA MUTONGA/ KITHUMULA
30.	MAUA MUTINDA FRIDA	NOMINATED MCA
31.	MAWIA HARRISON MALUKI	MIGWANI
32.	MBITE JOSEPH MUSYOKA	NZAMBANI
33.	MBUNO ERASTUS MUSYOKA	ENDAU/ MALALANI
34.	MUANGE DANIEL KIMANZI	TSEIKURU
35.	MUEMA MERCY MULIWA	NOMINATED MCA
36.	MULANDI BENJAMIN NDAMBU	MUTONGUNI
37.	MULANDI GRACE SYOINDO	NOMINATED MCA
38.	MUNYAO MALINGA	ZOMBE /MWITIKA
39.	MUNYITHYA SAMMY MUSILI	KIVOU
40.	MUSAU KALAMBA	NOMINATED MCA
41.	MUSILI MARY MBITHE	NOMINATED MCA
42.	MUSYOKA ANTHONY MUSYIMI	KIOMO /KYETHANI
43.	MUSYOKA CHARITY KATHATHI	NOMINATED MCA
44.	MUSYOKA CYRUS KISAVI	IKANGA/ KYATUNE
45.	MUTEMI NICHOLAS MUEMA	KISASI
46.	MUTHAMI CORNELIUS NGUMBAU	MUI
47.	MUTUA JEREMIAH MUSEE	NGUNI
48.	MUTUNE MARY MWENDE	NOMINATED MCA
49.	MUTUNGA GABRIEL MUNYAO	KAUWI
50.	MWANZIA NZAVU	MBITINI
51.	MWONI JACINTA MARY	NOMINATED MCA
52.	NDAGARA GODFREY MUTHENGI	THARAKA
53.	NDING'O MARK KITUTE	YATTA /KWA VONZA
54.	NZIOKA CHRISTOPHER NZILU	KYANGWITHYA WEST
55.	SOLOMON FASTINA MWENDE	NOMINATED
56.	SYENGO ZACCHAEUS IVUTHA	VOO/KYAMATU
57.	VUTHI MATHEW NGOVI	CHULUNI

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**7. COMMUNICATION FROM THE CLERK AS RELATES TO THE ELECTION OF THE SPEAKER**

The Clerk of Assembly made the following Communication:

**Hon. Members,** Allow me to congratulate you once more and welcome you to this first sitting of the County Assembly.

**Hon. Members,** the Constitution of Kenya under Article 178 provides that each County Assembly shall have a speaker elected by the County Assembly from amongst persons who are not members of the County Assembly.

**Hon. Members,** by operation of law and particularly the provisions of Section 11 of the County Governments (Amendment) Act No. 11 of 2020 as read with Section 21 of the Elections Act and Standing Orders 4 of the Kitui County Assembly Standing Orders provides that the office of the speaker shall fall vacant upon the County Assembly's first sitting.

**Hon. Members,** particularly, let me draw your attention to the provisions of Standing order 4(1) which *inter alia* provides that;

*"A Speaker shall be elected when the County Assembly first meets after a General Election and before the County Assembly proceeds with the dispatch of any other business, except the administration of the Oath or Affirmation of Office to Members present".*

**Hon. Members,** in compliance with the above provisions of the law, please allow me to take you through the sequence of events that have led us to this auspicious occasion.

- i. Upon notifying of the first sitting of the County Assembly of Kitui by H.E. the Governor, Kitui County, we notified this fact through gazette notice number 11013 of September, 14<sup>th</sup> 2022 and invited interested parties to collect from the Office of the Clerk and resubmit their nomination papers for election to the office of the Speaker of County Assembly of Kitui.



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The notification for vacancy was also published in two newspapers with national circulation these being the Star Daily and Nation newspapers dated 15<sup>th</sup> September, 2022. It is important to note that the office of the Speaker in line with the above referenced legal provision fell vacant today.

- ii. That a total number of twelve (12) nomination papers were returned to the office of the Clerk of Assembly duly completed by respective candidates.
- iii. That we maintained a register of the applications which register was closed 48 hours to the date of election of the Speaker pursuant to the provisions of standing order 5(2).
- iv. That we went through the nomination papers after which we prepared a list of the qualified candidates and put together their *curriculum vitae*. The qualifications for a person to be elected to the office of the Speaker are provided for under Article 193 of the Constitution of Kenya.
- v. That the list of the qualified candidates together with their credentials were distributed to all the members and publicized through the County Assembly website.

**Hon. Members,** the following are the candidates that met the qualifications in this case: -

1. Hon. George Mutua Ndotto.
2. Hon. Kevin Kinengo Katisya.
3. Hon. Andrew Ndisya Lusa.
4. Hon. Benjamin Mwikya Musyoki.
5. Hon. Augustus Kyalo Muli.
6. Hon. Boniface Kilaa Kasina.

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7. Hon. Paul Ngula Kitungu.
8. Hon. Victor Kyalo Mutua.
9. Hon. Samson Nyamai Masila.

**Hon. Members,** Standing Order No. 6 provides that the election of the Speaker shall be by secret ballot.

Further, Standing Order Nos. 6 through to 11 lay down the procedure for election of the Speaker which I hereby highlight: -

- i. That the Clerk shall at the commencement of each ballot: -
  - cause the ballot box, empty and unlocked, to be displayed to the County Assembly and in the presence of the candidates' agents; and
  - in the presence of the County Assembly and the candidates' agents, lock the box, which shall thereafter be kept in the full view of the County Assembly until the conclusion of the ballot.
- ii. That the Clerk shall issue not more than one ballot paper to each Member who wishes to vote.
- iii. The member shall proceed to a booth or designated area provided by the Clerk for that purpose and while there, mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote.
- iv. The member shall fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box.
- v. A Member who, before the conclusion of a ballot has marked a paper in error may, by returning it to the Clerk, obtain another in its place and the Clerk shall immediately cancel and destroy the paper so returned.

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- vi. At the close of the voting process, the Clerk shall unlock the box, examine the ballot papers and, having rejected those unmarked or spoilt, report the results of the ballot; and no Member who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box.
- vii. A ballot paper is spoilt, if in the Clerk's opinion, it does not identify the candidate purported to be selected by the Member voting. The Clerk shall declare a ballot paper to be invalid in the presence of and after inspection by the Members representing each of the candidates in the election.

**Hon. Members,** a person shall not be elected as Speaker, in the first ballot, unless that person is supported in a ballot by two-thirds of all Members, which in our case is 38 Members.

**Hon. Members,** if no candidate is supported by two-thirds of all Members, the candidate or candidates who received the highest number of votes in the first ballot and the candidate or candidates who received the second highest number of votes shall stand for election in a further ballot until one candidate obtains more votes than the others.

The candidate who receives the highest numbers of votes in the further ballot shall be elected Speaker.

**Hon. Members,** at the conclusion of the ballot, the Clerk together with the agents of the respective candidates shall sign the Vote Confirmation Form after which the Clerk shall proceed and announce the winner. If the threshold shall not have been achieved, the Assembly shall proceed for a further ballot and that process shall be repeated until a Speaker is elected.

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**Hon. Members,** as I conclude, I wish to remind you that this is a legal process and it is important that you adhere to the procedures spelt out. In the event that any of you requires any clarification, do not hesitate to consult me or any staff of the County Assembly within the chamber. Honourable members, on that note, I wish all the candidates best of luck.

**8. ELECTION OF THE SPEAKER**

The Ballot Box was opened in view of the Assembled House and voting commenced thereon.

At the conclusion of the voting, the Clerks counted the votes at the Table of the House and announced the results of the first ballot as follows:-

Hon. George Ndotto Mutua- 9

Hon. Kevin Kinengo Katisya- 25

Hon. Benjamin Mwikya Musyoki- 08

Hon. Augustus Kyalo Muli- 07

Hon. Boniface Kilaa Kasina- 06

Hon. Paul Nguli Kitungi- 01

Hon. Victor Kyalo Mutua- 00

Hon. Andrew Ndisya Lusa- 00

Hon. Samson Nyamai Masila- 01

Spoilt Ballot Paper- Nil

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And there being no candidate obtaining the required two-thirds majority;

Honourable Members proceeded to cast a second ballot;

And after the closing of the ballot box and the count being taken;

The Clerk announced the votes cast as follows:-

Hon. George Mutua Ndotto - 06 votes

Hon. Kevin Kinengo Katisya - 51 votes

Spoilt ballot paper - Nil

He thereupon declared Hon. Kevin Kinengo Katisya duly elected Speaker by majority votes.

Thereupon, Mr. Kevin Kinengo Katisya was escorted to the Bar of the House by the Serjeant-at-Arms.

The Honourable Kevin Kinengo Katisya was introduced and escorted to the Clerk by Honourable Munyao Malinga and Honourable Mbite Joseph Musyoka;

Thereupon the Clerk administered the Oath of Allegiance to the Speaker.

The Speaker thereupon submitted himself to the will of the House and gave the following Communication from the Chair;-

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**9. COMMUNICATION FROM THE CHAIR- SUBMISSION TO THE WILL OF THE HOUSE**

The Speaker, having been sworn in, submitted to the will of the House as follows:

*Honorable Members,*

*Members of the Kitui County Assembly Service Board*

*The Clerk of the County Assembly,*

*Members of the Service present,*

*Distinguished guests,*

*Ladies and gentlemen,*

*Good afternoon.*

First and foremost, allow me to thank the Almighty God for this moment and say that I am truly honored and privileged to stand before you and address you as the newly elected Speaker of the County Assembly of Kitui. I thank you all for making this possible through the just concluded electoral process.

I wish to also take this opportunity to most sincerely congratulate all of you for being elected and being sworn-in as members of this August House to represent your respective constituents.

**Hon. Members,** I am sincerely grateful to you for believing in me and entrusting this very important duty to me, I promise and undertake to uphold the dignity of this honorable House at all times.

**Hon. Members,** I must also take this opportunity to most sincerely thank my family without whose support I would not have had the courage to go through the just concluded gruesome process. My family's prayers kept me focused and grounded and

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I am very elated to stand before you this beautiful afternoon after emerging victorious.

**Hon. Members,** allow me to also most sincerely and humbly thank Hon. George M. Ndotto, EGH, my immediate predecessor, for his immense contribution to the County Assembly throughout his tenure. Most notably, I acknowledge that it was through his remarkable leadership that the County Assembly of Kitui was able to take off successfully after the coming into force of our Constitution, 2010. His tenure was also marked by outstanding projects that put Kitui County as a whole on the national map for instance this beautiful County Assembly chamber.

**Hon. Members,** I would also like to recognize the Hon. members who have been re-elected after a 5 years' hiatus, welcome back Members:

- 1. Hon. Mwandia Hussein**
- 2. Hon. Kasinga Titus Munyoki**
- 3. Hon. Munyasya Benard Mwangangi**
- 4. Hon. Ngwele Joseph Nzungi**
- 5. Hon. Katumbi Boniface Maundu**
- 6. Hon. Kimanzi Daniel Ngoima**

I am convinced that this County Assembly will benefit immensely from your experience.

**Hon. Members,** we also have;

- 1. Hon. Mutambu Alex Nganga**
- 2. Hon. Katana Stephen Ileve**
- 3. Hon. Mohammed Munira**

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- 4. Hon. Ndumbu Mary Mbithi**
- 5. Hon. Munyalo Sylvester Kitheka**
- 6. Hon. Munyau David Masaku**
- 7. Hon. Mwangangi Charity**
- 8. Hon. Mwinzi Munyoki**
- 9. Hon. Peter Elizabeth Ndunge**

who were Members of the 2<sup>nd</sup> Assembly and who have yet again been given the mandate to continue serving the people of Kitui. Notably to observe is that the **Hon. Mwinzi Munyoki** who was a nominated member in the 2<sup>nd</sup> Assembly is now an elected member. Congratulations.

**Hon. Members,**

I also wish to recognize **Hon. Kasyoka Judith Wanza** being the only female member of this County Assembly who was elected through universal suffrage on the 9<sup>th</sup> August, 2022, I believe her election speaks volume to the society that we should all endeavor to have and that is a society that sees capacity in all persons regardless of gender.

**Hon. Members,** I am reminded that in life, the only thing that is as good as rest is change, I want to recognize **Hon. Mwoni Jacinta Mary**, a Hon. Member who was until recently a member of the County Assembly of Kitui Service, this promotion is a manifestation that we should never be afraid to dream and by all means like Dr. Ben Carson once wrote, 'DREAM BIG'.

**Hon. Members,** looking at the membership of this County Assembly, I am in awe that finally the capability of the young people in Kitui County is being seen, recognized and given an opportunity, I wish to recognize all the young elected and nominated



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members of this House, I am confident that the future continues to be justly shaped as young people make their voices heard through active leadership roles. I wish to assure all members in this house, young in age and young at heart, that this County Assembly is a house of equals and we shall endeavor to support every member in the fulfilment of their constitutional mandate, collectively and severally.

**Hon. Members,** as I assume the responsibilities of the office of the Speaker of this County Assembly, I promise to serve with utmost integrity and offer transparent, unbiased and firm leadership to the members of this august house noting to always be guided by the Constitution of Kenya, 2010, Kitui County Assembly Standing Orders and the rule of law.

**Hon. Members,** in fulfilment of my promise to serve, I also undertake to work in collaboration with the Executive Arm of our County Government, the National Government, government agencies and all our partners to ensure that the mandate of this house is achieved.

**Hon. Members,** the mandate of this County Assembly is spelt out in the Constitution of Kenya, 2010 as well as Statutes and more specifically, Article 185 as read with Section 8 of the County Governments Act, 2012, vests the legislative authority of a County Government in its County Assembly. This House therefore has the responsibility of ensuring that it enacts laws that will assist in the management of County Government of Kitui affairs.

**Hon. Members,** I am also reminded that this County Assembly is the check that assures that any excesses by the County Executive and its agencies are dealt with, I promise to remain steadfast and assist this house in keeping vigilance to ensure that

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the County Executive remains administratively sound and balanced in the manner in which it operates.

**Hon. Members,** I am alive and fully aware that the responsibilities ahead of us are enormous but not in any way insurmountable and as I stand before you today, I have faith and trust that we are all up to the task and that we shall deliver our mandate to the people of Kitui.

**Hon. Members,** I am a servant of this house, and as a servant, my voice, my action and my authority shall only be exercised with authority from this house and only to the extent permitted by this house and I shall fully and without question or condition submit to the will of this august house.

As I conclude, **Hon. Members,** I also wish to thank the County Assembly Service under the leadership of the Clerk of the County Assembly, Mr. Elijah Mutambuki, for a job well done and for making this day a success. It is my sincere hope that greatness lies ahead and that we shall endeavor to always and in unison reach for it.

God bless you.

God bless Kitui County Assembly.

God Bless Kitui County.

**10. COMMUNICATION BY THE CLERK AS RELATES TO THE ELECTION OF THE DEPUTY SPEAKER**

The Clerk issued the following Communication, with leave of the Speaker;

**Hon. Members,** allow me to guide you through our next business which is the election of the Deputy Speaker.

**Hon. Members,** the County Governments Act under Section 9A provides that each County Assembly shall have a Deputy Speaker elected by the County Assembly from

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amongst persons who are members of the county assembly in accordance with the respective County Assembly's Standing Orders.

**Hon. Members**, pursuant to the provisions of Article 194 of the Constitution of Kenya, 2010, as read with Section 11A of the County Governments Act the office of the Deputy Speaker falls vacant by operation of law.

**Hon. Members**, Standing Order 14(1) and 14(4) in guiding the process of the election of the Deputy Speaker provide the following:

Standing order 14(1) provides that;

*"As soon as practicable after the election of the Speaker following a General Election, a Deputy Speaker shall be elected."*

And Standing order 14(4) on the other hand provides that;

*"The procedure for electing a Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker."*

**Hon. Members**, in compliance with the above provisions of the law, please allow me to take you through the sequence of events that have led us to today's event.

- i. Upon notifying of the first sitting of the County Assembly of Kitui by H.E. the Governor, Kitui County, we notified this fact through newspapers and invited interested parties to collect from the Office of the Clerk and resubmit their nomination papers for election to the office of the Deputy Speaker of County Assembly of Kitui.
- ii. That a total number of two (2) nomination papers were returned to the office of the Clerk of Assembly duly completed by respective candidates.

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- iii. That we maintained a register of the applications which register was closed 48 hours to the date of election of the Deputy Speaker pursuant to the provisions of standing order 5(2).
- iv. That we went through the nomination papers after which we prepared a list of the qualified candidates and put together their *curriculum vitae*. The threshold for shortlisting candidates was based on the filling and completing of the Nomination Paper.
- v. That the list of the qualified candidates together with their credentials were distributed to all the members and publicized through the County Assembly website.

**Hon. Members,** the following are the candidates that met the qualifications in this case: -

- 1. Hon. Nzioka Christopher Nzilu
- 2. Hon. Mulandi Benjamin Ndambu

**Hon. Members,** Standing Order No. 6 provides that the election of the Deputy Speaker shall be by secret ballot.

**Hon. Members,** Further, Standing Order Nos. 6 through to 11 lay down the procedure for election of the Deputy Speaker which I hereby highlight: -

- i. That the Clerk shall at the commencement of each ballot: -
  - cause the ballot box, empty and unlocked, to be displayed to the County Assembly and in the presence of the candidates' agents; and
  - in the presence of the County Assembly and the candidates' agents, lock the box, which shall thereafter be kept in the full view of the County Assembly until the conclusion of the ballot.

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- ii. That the Clerk shall issue not more than one ballot paper to each Member who wishes to vote.
- iii. The member shall proceed to the booth on the Speaker's right for that purpose and while there, mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote.
- iv. The member shall fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box.
- v. A Member who, before the conclusion of a ballot has marked a paper in error may, by returning it to the Clerk, obtain another in its place and the Clerk shall immediately cancel and destroy the paper so returned.
- vi. At the close of the voting process, the Clerk shall unlock the box, examine the ballot papers and, having rejected those unmarked or spoilt, report the results of the ballot; and no Member who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box.
- vii. A ballot paper is spoilt, if in the Clerk's opinion, it does not identify the candidate purported to be selected by the Member voting. The Clerk shall declare a ballot paper to be invalid in the presence of and after inspection by the Members representing each of the candidates in the election.

**Hon. Members,** a person shall not be elected as Deputy Speaker, in the first ballot, unless that person is supported in a ballot by two-thirds of all Members, which in our case is 38 Members.

**WEDNESDAY 21<sup>ST</sup> SEPTEMBER, 2022**

**(001)**

**(022)**

**Hon. Members,** if no candidate is supported by two-thirds of all Members, the candidate or candidates who received the highest number of votes in the first ballot and the candidate or candidates who received the second highest number of votes shall stand for election in a further ballot until one candidate obtains more votes than the others.

The candidate who receives the highest numbers of votes in the further ballot shall be elected Deputy Speaker.

**Hon. Members,** at the conclusion of the ballot, the Clerk together with the agents of the respective candidates shall sign the Vote Confirmation Form after which the Clerk shall proceed and announce the winner. If the threshold shall not have been achieved, the Assembly shall proceed for a further ballot and that process shall be repeated until a Deputy Speaker is elected.

**Hon. Members,** in the event that any of you requires any clarification, do not hesitate to consult me or any staff of the County Assembly within the chamber.

**11. ELECTION OF THE DEPUTY SPEAKER**

The Ballot Box was opened in view of the assembled House and voting commenced thereon.

At the conclusion of the voting, the Clerks counted the votes at the Table of the House and announced the results of the first ballot as follows:-

Hon. Nzioka Christopher Nzilu- 45

Hon. Mulandi Benjamin Ndambu- 11

The Clerk declared Hon. Nzioka Christopher Nzilu duly elected Deputy Speaker by two third votes of all the Members pursuant to standing Order No. 7 (1).

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**(001)**

**(023)**

Thereupon, Hon. Nzioka Christopher Nzili was escorted to the Bar of the House by the Serjeant-at-Arms

The Hon. Nzioka Christopher Nzili was introduced and escorted to the Speaker by Honourable Mawia Harrison Maluki and Honourable Katula Boniface Mukwate;

Thereupon the Speaker administered the Oath of Allegiance to the Deputy Speaker.

The Deputy Speaker thereupon submitted himself to the will of the House and thanked the honorable Members for entrusting him with the office of the Deputy Speaker upon being given audience by the Speaker.

**12. ADJOURNMENT** - and the time being Twelve Minutes past Four O'clock, the Honorable Speaker adjourned the house.

**13. ASSEMBLY ROSE** - Twelve Minutes past Four O'clock.

**MEMORANDUM**

*The Honorable Speaker will take the chair on*

*Tuesday, 11<sup>th</sup> October, 2022 at 9.00 A.M.*

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