



COUNTY GOVERNMENT OF KITUI
THE COUNTY ASSEMBLY
THIRD ASSEMBLY - (FIRST SESSION)
VOTES AND PROCEEDINGS
WEDNESDAY 30TH NOVEMBER, 2022 AT 9.00 A.M

1. The Assembly convened at Nine O'clock.
2. The proceedings were opened with prayer.
3. **PRESIDING** – Hon. Speaker on the Chair.

4. COMMUNICATION FROM THE CHAIR

The Chair made the following Communication:

FOLLOW UP COMMUNICATION AS RELATES TO POSTPONEMENT OF THE VETTING PROCESS FOR PERSONS NOMINATED FOR APPOINTMENT AS COUNTY EXECUTIVE COMMITTEE MEMBERS.

Honourable Members,

On 23rd November, 2022 on behalf of the Committee on Appointments, I made a communication before this House postponing the vetting process of the nominees to the Kitui County Executive Committee owing to the letter we had received from the Ethics and Anti-Corruption Commission (EACC).

In making this decision, the Committee on Appointments was guided by need for the County Assembly to undertake the vetting process adhering to all legal provisions and particularly the need for the Committee to undertake due diligence and ensure that the persons approved for appointment are not only qualified on the basis of the provisions of the law but they also pass the integrity test.

(027)

Honourable Members,

The Committee through my guidance is doing the best to ensure timely conclusion of the due diligence exercise and as soon as we have all the information, we shall be resuming the vetting process. As at today, we have written letters to the following institutions seeking to get the relevant verifications: -

- i) Various universities - for verification of university degree certificates;
- ii) Ethics and Anti-Corruption Commission (EACC) - for integrity report;
- iii) Office of the registrar of political parties (ORPP) - for confirmation that none of the nominees is an official in a political party;
- iv) Kenya National Examinations Council (KNEC) - for verification of primary and secondary school certificates;
- v) Director of Immigration - for confirmation whether any of the nominees holds dual citizenship; and
- vi) Office of the Official Receiver - for confirmation whether any of the nominees is an adjudged or a discharged bankrupt.

Honourable Members,

We should be appreciative of the fact that challenges like this strengthen our capacity to undertake our mandate and further ensure that we make the County Executive diligently work for the people of Kitui County.

Honourable Members,

It is therefore my clarion call that we all exercise patience as we await to receive all the information from the relevant Government agencies. I am also encouraging all of you to take part in this very crucial exercise and ensure that we help H.E the Governor in constituting a County Executive Committee that is qualified, committed and ready to serve the people of Kitui.

Honourable Members,

I understand the pressure, threats and even intimidations we are facing from the general public who have the perception that we have intentionally refused to vet the County Executive Committee Members. The said group of people are also giving the perception that the Executive and the Assembly are divided and also are trying to divide our united House.

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Honourable Members,

Let us remain strong and focused on our mandate as provided in Section 8 and 9 of the County Government Act, 2012 and Article 174,175,176,177 and 178 of the Constitution.

Honourable Members,

As your leader, I undertake to do my best and offer the necessary leadership in ensuring that we partner with the Executive in efficient service delivery to the great people of Kitui.

5. MOTION ON ADOPTION OF REPORT BY THE COMMITTEE ON BUDGET AND APPROPRIATIONS ON CONSIDERATION OF THE KITUI COUNTY SUPPLEMENTARY BUDGET ESTIMATES 1 FOR THE FINANCIAL YEAR 2022/2023. (Chairperson, Committee on Budget and Appropriations)

Motion Made & Question Proposed;

THAT, pursuant to the provision of Section 135 of the Public Finance and Management Act, 2012 and Standing Orders 179(6) and 186(3)(b), this Assembly hereby adopts the Report by the Committee on Budget and Appropriations the Consideration of the Kitui County Supplementary Budgets Estimate 1 for the Financial Year 2022/23 laid on the table of the House on Tuesday, 29th November, 2022.

(Hon. Zacchaeus Ivutha Syengo- (M.C.A)

Debate Arising;

Rising at her place on appoint of order pursuant to Standing Order 27(3)(a); Hon. Jacquelyne Cate Kalenga claimed to interrupt the debate to move a motion to extent the sitting hours; with the Hon. Speaker acceding to the claim, the Member proceeded to move the motion;

Motion made and Question Proposed;

THAT, pursuant to the provisions of Standing Order No. 27 (3) (a), this Assembly do now extend its sitting time beyond 12.30 p.m. to transact business as allotted in the order paper today the 30th November, 2022.

(Hon. Jacquelyne Cate Kalenga)

(027)

Debate arising;

Question put and agreed to.

Resumption of Debate;

Mover Replied;

Question Put and Agreed to.

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

THAT, pursuant to Articles 37 and 119 of the Constitution of Kenya, this County Assembly resolves to petition the National Assembly individually and collectively as the County Assemblies Forum (CAF) vide the **annexed draft petition** for the National Assembly to intervene and ensure: -

- 1. THAT**, the **COUNTY WARDS EQUITABLE DEVELOPMENT FUND** be incorporated in the proposed Constitutional Amendment Bill before the National Assembly by the **Hon. Stephen Mule, MP** and the **Hon. Gichimu Githinji, MP** alongside other proposed funds namely the National Government Constituencies Development Fund (NGCDF), National Government Affirmative Action Fund (NGAF), the Senate Oversight Fund and the Economic Stimulus and Empowerment Fund either prior to the publication of the said Bill or before it is referred to the Senate in accordance with rules of procedure of Parliament.
- 2. THAT**, the proposed Constitutional Amendment Bill in amending Article 204 of the Constitution should provide for the following with respect to County Wards Equitable Development Fund: -
 - (i) That each County Government shall allocate funds comprising of a certain percentage of the respective total County's Annual Budget Estimates or as shall be advised by the Commission on Revenue Allocation (CRA) during the enactment of the County Allocation of Revenue Act to cater for County Wards Equitable Development Fund;
 - (ii) That all monies allocated to County Wards Equitable Development Fund shall be considered as funds allocated to Wards pursuant to Article 206 (2) (c) to be administered in accordance with the provisions of an Act of Parliament; and

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- (iii) That Parliament shall enact a legislation to provide for the administration of the County Wards Equitable Development Fund.

Hon. Cyrus Kisavi Musyoka- (M.C.A)

Order deferred to afternoon sitting.

7. ADJOURNMENT - and the time being Twenty Minutes to Two O'clock, the Honourable Speaker adjourned the house.

8. ASSEMBLY ROSE - Twenty Minutes to Two O'clock.

MEMORANDUM

*The Honourable Speaker will take the chair on
Wednesday, 30th November, 2022 at 2.30 P.M.*

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