



**COUNTY GOVERNMENT OF KITUI**  
**THE COUNTY ASSEMBLY**  
**THIRD ASSEMBLY – (THIRD SESSION)**  
**VOTES AND PROCEEDINGS**

**WEDNESDAY 28<sup>TH</sup> FEBRUARY, 2024 AT 9.00 A.M.**

1. The House convened at Nine O'clock.
2. Proceedings were opened with a word of prayer.
3. **PRESIDING**- Honorable Speaker on the Chair.
4. **MOTION ON RECONSTITUTION OF MEMBERSHIP TO THE COUNTY ASSEMBLY SELECTION COMMITTEE**

*(Leader of Majority Party)*

Motion Made & Question Proposed;

**THAT**, pursuant to the provisions of standing order No. 152(1), this Assembly hereby approves the reconstitution of membership to the Country Assembly Selection Committee as follows;

- |                                   |             |
|-----------------------------------|-------------|
| 1. Hon. Harrison Maluki Mawia     | Chairperson |
| 2. Hon. Bonface Mukwate Katula    | - Member    |
| 3. Hon. Godfrey Muthengi Ndagara  | "           |
| 4. Hon. Matthew Ngovi Vuthi       | "           |
| 5. Hon. Daniel Kimanzi Muange     | "           |
| 6. Hon. Benard Mwangangi Munyasya | "           |
| 7. Hon. Munyoki Mwinzi            | "           |
| 8. Hon. Zacchaeus Ivutha Syengo   | "           |
| 9. Hon. Anthony Musyoka           | "           |
| 10. Hon. Jacquelyne Cate Kalenga  | "           |

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**(034)**

**(012)**

- 11.Hon. Alex Mutambu Nganga                    "  
12.Hon. Sylvester Kitheka Munyalo            "  
13.Hon. Hon. Jeremiah Musee Mutua         "  
14.Hon. Munira Mohamed                        "  
15.Hon. Kalamba Musau                         "  
16.Hon. David Masaku Munyau                 "  
17.Hon. Malinga Munyao                        "  
18.Hon. Deborah Mutuku                        "  
19.Hon. Judith Wanza                            "  
20.Hon. Joseph Musyoka Mbite                 "  
21.Hon. Peter Mwanza                            "

*(Hon. Harrison Maluki Mawia)*

*Debate arising;*

Mover replied, Question put & **AGREED TO**

5. THE KITUI COUNTY RIVER BASINS SAND UTILIZATION AND CONSERVATION BILL, 2023.  
(C/ ASSEMBLY BILL NO. 6, 2023) - **SECOND READING.**

*(Chairperson, Committee on Environment, Energy and Minerals Investments Development)*

Motion Made & Question Proposed;

**THAT**, pursuant to the provisions of Standing Order no.121 (1), the Kitui County River Basins Sand Utilization and Conservation Bill, 2023. (C/ Assembly Bill No. 6, 2023) be now read a **Second Time.**

*(Hon. Daniel Kimanzi Muange- MCA)*

*Debate arising;*

Mover replied, Question put & **AGREED TO**

6. COMMITTEE OF THE WHOLE COUNTY ASSEMBLY

Order of the committee read;

**IN COMMITTEE**

(Presiding-Chairperson of the Committee of the Whole County Assembly)

The Kitui County River Basins Sand Utilization and Conservation Bill, 2023. (C/ Assembly Bill No. 6, 2023)

CLAUSE 15

WEDNESDAY 28<sup>TH</sup> FEBRUARY, 2024

(012)

(035)

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 15 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

**CLAUSES WITHOUT AMENDMENTS**

CLAUSE 3,8,9,10,11,13,14,17,19,20,21,29,30,31,35,40 and 41

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 8 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

**CLAUSES WITH AMENDMENTS.**

CLAUSE 2

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 2 as amended be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 4

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 4 as amended be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 5

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 5 as amended be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 6

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 6 as amended be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 7

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 7 as amended be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 12

**WEDNESDAY 28<sup>TH</sup> FEBRUARY, 2024**

**(036)**

**(012)**

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 12 as amended be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 15

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 15 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 16

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 16 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 18

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 18 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 22

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 22 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 23

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 23 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 24

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 24 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 25

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 25 as printed be part of the Bill.

(012)

(037)

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 26

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 26 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 27

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 27 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 28

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 28 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 32

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 32 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 33

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 33 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 34

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 34 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 36

Question Proposed, Put & **Agreed to;**

**THAT**, CLAUSE 36 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

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CLAUSE 37

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 37 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 38

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 38 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 39

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 39 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 42

Question Proposed, Put & **Agreed to;**

**THAT,** CLAUSE 43 as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

**NEW CLAUSES**

**CLAUSE 15**

**SECOND READING - (Chairperson, Committee on Environment, Energy and Minerals Investments Development)**

Motion Made & question Proposed

**THAT,** pursuant to the provisions of Standing Order 125 (11), the new clause 4 (A) be read a second time.

*(Hon. Daniel Kimanzi Muange - MCA)*

*Debate arising;*

Question put & **AGREED TO**

**MOTION TO AMEND THE KITUI COUNTY RIVER BASINS SAND UTILIZATION AND**

**CONSERVATION BILL, 2023. (C/ ASSEMBLY BILL NO. 6, 2023) (Chairperson, Committee on Environment, Energy and Minerals Investments Development)**

(012)

(039)

Motion Made & Question Proposed;

**THAT**, pursuant to the provisions of Standing Order 123 (b), the Kitui County River Basins Sand Utilization and Conservation Bill, 2023 (C/A Bill No. 6 Of 2023) be amended by inserting CLAUSE 15 immediately after CLAUSE 14 as follows: -

**THAT** the Bill be amended by inserting the following new Clause immediately after Clause 14  
**Ad-hoc Committee on Environment (NEW CLAUSE)**

**15. (1)** There is established an Ad-hoc Committee on Environment Protection, Conservation and Rehabilitation, set up and elected from the general membership of the Cooperative Societies.

(2) The functions of this committee shall be to;

- (a) Develop Site Based Environmental protection, conservation, and rehabilitation work plans.
- (b) Identify degraded riparian sites.
- (c) Identify measures for conservation and individuals/groups responsible for implementing the conservation measures with the group management to identify resources to facilitate rehabilitation.
- (d) Liaise with the group management to identify resources to facilitate rehabilitation.
- (e) Identify sites needing closure/opening to harvesting.
- (f) Implement plans/ work assigned in conjunction with the Basin Based Cooperatives.
- (g) Coordinate rehabilitation of degraded sites in conjunction with the management.
- (h) Generate an annual environmental management report to be shared at the AGM and with the Kitui County River Basins Sand Utilization and Conservation Committee.

*(Hon. Daniel Kimanzi Muange- M.C.A)*

*Debate arising;*

Mover replied, Question put & **AGREED TO**

LONG TITLE

Question Proposed, Put & **Agreed to;**

**THAT**, the long title as printed be the Title to the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

CLAUSE 1 – SHORT TITLE

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**(012)**

**(040)**

Question Proposed, Put & **Agreed to;**

**THAT**, Clause as printed be part of the Bill.

*(Hon. Daniel Kimanzi Muange- MCA)*

**ASSEMBLY RESUMES**

7. REPORT TO THE COUNTY ASSEMBLY

*(Chairperson, Committee of the Whole County Assembly)*

**Hon. Speaker Sir,**

I wish to report,

**THAT**, the committee of the Whole County Assembly has considered the Kitui County River Basins Sand Utilization and Conservation Bill, 2023 (County Assembly Bill No 6, 2023) and its approval thereof **with** amendments.

8. MOTION ON APPROVAL OF THE REPORT BY THE COMMITTEE OF

THE WHOLE COUNTY ASSEMBLY.

*(Chairperson, Committee on Environment, Energy and Minerals Investments Development)*

**Hon. speaker Sir, I wish to move,**

Motion made, Question Proposed & **Agreed to;**

**THAT**, the house do agree with the committee in the said report.

*(Hon. Daniel Kimanzi Muange)*

9. THE KITUI COUNTY RIVER BASINS SAND UTILIZATION AND CONSERVATION BILL, 2023 (COUNTY ASSEMBLY BILL NO 6, 2023)– THIRD READING

**(With the leave of the Speaker)**

*(Chairperson, Committee on Environment, Energy and Minerals Investments Development)*

**Hon. Speaker Sir, I beg to move,**

Motion made, Question Proposed & **Agreed to;**

**THAT**, pursuant to the provisions of Standing Order no.131 (1) the Kitui County Finance Bill, 2022. (County Assembly Bill No.1, 2022) be now read a **Third Time**.

*(Hon. Daniel Kimanzi Muange- MCA)*

**Third reading**

**A Bill for**

**AN ACT of the County Assembly of Kitui to regulate sand utilization and conservation in the County while ensuring sustainable exploitation of sand resources,**



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**environmental conservation, equitable sharing of accruing benefits and for connected purposes.**

10. **ADJOURNMENT** - and the time being Nine Minutes to two O'clock, the Honorable Speaker adjourned the house.

11. **ASSEMBLY ROSE** - Nine Minutes to Two O'clock.

**MEMORANDUM**

*The Honorable Speaker will take the chair on  
Wednesday, 28<sup>th</sup> February, 2024 at 2.30 P.M.*

--X--

