



COUNTY GOVERNMENT OF KITUI
THE COUNTY ASSEMBLY
THIRD ASSEMBLY- (THIRD SESSION)
VOTES AND PROCEEDINGS
TUESDAY 7TH MAY, 2024 AT 9:00 A.M

1. The House convened at Nine O'clock.
2. The proceedings were opened with a prayer.
3. **PRESIDING** – Honourable Speaker on the chair.
4. **COMMUNICATION FROM THE CHAIR**

Hon. Speaker made the following Communications;

- i. **COMMUNICATION AS RELATES TO RESUMPTION FROM APRIL RECESS, 2024.**

Honourable Members,

Good morning!

I am greatly pleased to welcome each and every one of you back to this August House, as we reconvene here today from the April short recess. I trust that the break provided an opportunity for you to rest, reflect, and interact with your electorates.

More so, I am certain that each of us has been actively engaged in serving our communities, listening to their needs, and advocating

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for their interests during the entire recess period. As representatives of the people, our commitment to their welfare remains unwavering.

Honourable Members,

As we resume our legislative duties today, let us remember the solemn responsibility entrusted to us by the great people of this County. Our work here is not merely a duty, but a sacred obligation to uphold the principles of democracy, justice, and development progress for our people. Therefore, let us endeavor to carry out our mandate as enshrined in Article 185 of the Constitution of Kenya, 2010 with dignity and openness to those we represent.

Honourable Members,

As you may recall, our Assembly was engaged in significant activities during the recess period. You can all remember that our recess started with a three-day consultative meeting between the County Assembly and the County Executive in Mutomo, spearheaded by H.E the Governor, Dr. Julius Makau Malombe. This crucial meeting gave us an opportunity to jointly reflect and agree on various issues especially on the proposed Annual Budget Estimates for the Financial Year 2024/2025. It also provided us with an opportunity to reflect on the successes achieved so far in our County for the last 12 months. Additionally, the meeting gave us an opportunity to explore areas of improvement as the two arms of Kitui County Government strive to enhance service delivery to

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the people who entrusted us with the leadership responsibilities. I am therefore convinced that we are all ready to serve our electorates through meaningful engagements and projects executions.

Honourable Members,

Equally, we were fortunate to participate in a two-day workshop held at Mutomo, led by the Centre for Human Rights and Civic Education (CHRCE) in collaboration with the United Nations Development Programme (UNDP) and Amkeni wa Kenya. The primary objective of this workshop was to enhance the capacity of Members of the County Assembly in advancing human rights through their legislative and oversight responsibilities across all sectors of the County. The presence of Professor Kivutha Kibwana as the keynote speaker undoubtedly enriched our learning experience. It was a valuable opportunity to deepen our understanding and commitment to promoting human rights within the context of governance.

Honourable Members,

Recently, the Assembly conducted a successful five-day report writing retreat in Nairobi at PrideInn Azure from 23rd to 26th April 2024. During this retreat, several House committees made significant progress, finalizing their pending committee reports and addressing statement requests as follows: -

A. Reports

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1. Report by the Committee on Environment, Energy and Minerals Investments on the inspection of solar flood lights and street lighting in Kitui County.
2. Report by the Committee on Trade, Industry, ICT & Cooperatives on inspection of market sheds, slaughter houses & livestock yard across the county carried out on 7th -11th August 2023.
3. Report by the Committee on Basic Education, Training and Skills Development on inspection of County Vocational Centre in Kitui.
4. Report by the Committee on Basic Education, Training and Skills Development on inspection of Early Childhood Development Centres (ECDE) in Kitui County.
5. Report by the Committee on Agriculture, Water & Irrigation on inspection exercise of sand dams constructed across the County in the FY 2022/2023 carried out on 4th to 8th March, 2024.
6. Report by the Committee on Tourism and Natural Resources on the inspection exercise of tourism projects funded by the County Government of Kitui for the period 2013-2022 conducted from 24th -28th July, 2023.
7. Report by the Committee on Justice and Legal Affairs on assessment of the implementation status of South Eastern Kenya Economic Bloc (SEKEB) Act, 2022.
8. Report by the Implementation Committee on implementation of House resolutions.

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9. Report by the Committee on Procedure and Rules on formulation of the Speakers' Rules.
10. Report by the Committee on Culture, Sports, Youth, Gender and Social Services on the inspection of Resources Centers and Social Halls carried out from 8th- 12th May, 2023.
11. Report by the Committee on Culture, Sports, Youth, Gender and Social Services on the inspection of play grounds funded by the County Government of Kitui in FY 2022/2023 carried out from 18th to 22nd March, 2024.
12. Report by the Committee on Health and Sanitation on the status of health facilities in Kitui County conducted from 17th to 20th April, 2023.
13. Report by the Committee on Finance and Economic Planning on the inspection exercise on the status of revenue collection in Kitui County.
14. Report by the Committee on Labour and Social Welfare on the oversight exercise carried out to access the welfare of workers in the County Corporations.
15. Report by the Committee on Labour and Social Welfare on the oversight exercise carried out to access the welfare of workers in the County Vocational Training Centres.
16. Report by the Committee on Powers and Privileges on its inquiry in its own motion into the conduct of Hon. Munyoki Mwinzi, Hon. Daniel Ngoima Kimanzi, Hon. Priscillah Martha Makumi and Hon. Mary Ndumbu and to

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establish whether their conduct constitutes a breach of privilege.

17. Report by the Committee on Lands, Infrastructure and Urban Development on the oversight exercise to inspect projects undertaken by the Ministry of Roads, Public Works and Transport from May 2023 to February 2024 across the County, carried out from 4th to 8th March, 2024.

B. Statements

1. Response to statement request to the Chairperson Committee on Agriculture, Water and Irrigation by Hon. Cornelius Muthami and Hon. Bernard Munyasya on shortage of water in Kitui and Mwingi towns respectively.
2. Response to statement request to the Joint Committees on Health and Sanitation, and Labour and Social Welfare by Hon. Munyoki Mwinzi on non-payment of casuals working in the county dispensaries and health centres.
3. Response to statement request to Chairperson Committee on Administration and Coordination of County Affairs by Hon. Boniface Maundu Katumbi on animals loitering in Mwingi and Kitui towns.
4. Response to statement request to the Joint Committees on Health and Sanitation, and Labour and Social Welfare by Hon. Jeremiah Musee Mutua on transfer of health workers and creation of a new position of a health coordinator and the status of Nguni Health centre and Ivuusya dispensary.

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5. Response to statement request to the Chairperson Committee on Environment Energy and Minerals Investments by Hon. Kasungi Kavula on deforestation activities at Ndithi/Endui Hills in Waita Ward.
6. Response to statement request to the Chairperson Committee on Health and Sanitation by Hon. Dominic Isumail Mwamisi on the deplorable state of Mutha Health centre and other health facilities in Mutha ward.
7. Response to statement request to the Chairperson Committee on Culture, Sports, Youth, Gender and Social Services by Hon. Hussein Mwandia on the concluded Youth International Day held in Kauwi, Kitui west Sub County.

Honourable Members,

As we proceeded for the April recess, I urged committees with pending work to expedite the process of finalizing their reports for tabling before this House. As your Speaker, I am happy because this has been executed and I commend you for your good work.

However, I am reliably informed that the following reports are yet to be finalized.

1. Report by Public Investments and Accounts Committee Audited accounts of the County Executive of Kitui for the Financial Years 2019/2020; 2020/2021 and 2021/2022.
2. Report by Public Investments and Accounts Committee

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Audited accounts of the Kitui County Assembly for the Financial Years 2019/2020; 2020/2021 and 2021/2022.

3. Report by Public Investments and Accounts Committee
Audited accounts of the Kitui Water & Sanitation Company (KITWASCO) for the Financial Years 2019/2020; 2020/2021 and 2021/2022.
4. Report by Public Investments and Accounts Committee
Audited accounts of the Kiambere Mwingi Water & Sanitation Company (KIMWASCO) for the Financial Years 2018/2019; 2019/2020; 2020/2021 and 2021/2022.
5. Report by Public Investments and Accounts Committee
Audited accounts of the Kitui County Textile Centre (KICOTEC) for the Financial Years 2019/2020; 2020/2021 and 2021/2022.

I challenge the Public Investments and Accounts Committee to expedite the finalization of these crucial reports, which provide invaluable insights into the expenditures of various departments and institutions within our County. Your diligent efforts in completing these reports promptly will contribute significantly to transparency, accountability, and effective governance. Let us prioritize this task to ensure that we have comprehensive and accurate information to guide our decision-making processes.

C. Oversight

Honourable Members, the Committee on Trade, Industry, ICT and Cooperatives had an opportunity to carry out her oversight role by

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carrying out an inspection exercise on the Kitui County Corporations as from 2nd to 4th May, 2024.

Honourable Members,

The County Assembly Committee on Appointments was able to vet 2 (two) persons nominated to the Mwingi Municipality Board and later the committee retreated to write the report on the suitability of the nominees. This report will be tabled before this House for consideration and approval. Equally, Justice and Legal Affairs Committee retreated to Mwingi from 2nd to 4th May, 2024 to review both the Kitui County Ward Forums Act, 2019 and the Kitui County Ward Public Forums (Implementation) Guidelines, 2020.

Honourable Members,

County budgets are indispensable instruments for managing finances, prioritizing expenditures, and fulfilling civic obligations while advancing the well-being and prosperity of our community. As we prepare to delve into the deliberation of the Kitui County Annual Budget Estimates for the Financial Year 2024/2025, it is imperative that we all recognize the paramount importance of this endeavor.

I urge each one of you to actively engage in every stage of this critical exercise, commencing from the forthcoming public participation forums to the meticulous sector considerations by the Sectoral Committees, and eventually culminating in the approval and subsequent implementation of the budget. Your participation and input are key in ensuring that the budget

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accurately reflects the aspirations and needs of our constituents. Let us collectively endeavor to craft a budget that serves the best interests of Kitui County and its residents.

Honourable Members,

As we embark on the second part of the third session, I implore each of you to approach our upcoming tasks with diligence, dedication, and unwavering integrity. Let the guiding principles of transparency, accountability, and inclusivity be our compass in all our undertakings.

To sustain the spirit of collaboration and unity within this esteemed House, let us commit to engaging in constructive dialogue, respectful debate, and principled decision-making. Together, we possess the collective strength to surmount challenges, attain significant milestones, and contribute meaningfully to the development of our County.

I am immensely pleased with the service and dedication displayed thus far in fulfilling our constitutional duties. I encourage you to persist in serving our constituents with the same dedication and commitment you have consistently demonstrated. Moreover, let us prioritize the drafting of Bills and Motions aimed at enhancing the well-being of the people we represent. Through these legislative efforts, we can effect positive transformation in the lives of our electorates.

Honourable Members,

In conclusion, I extend my heartfelt best wishes to every Member

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of this esteemed Assembly as we embark on our upcoming engagements. May our collective efforts continue to serve the best interests of our constituents and advance the common good of our County.

As your Speaker, I reaffirm my unwavering support and dedication to fostering a conducive and productive environment for deliberations and discourse within this esteemed House. My office is always open to your ideas, concerns, and suggestions as we navigate through the legislative agenda set before us.

Thank you and God bless you all.

ii. COMMUNICATION AS RELATES TO THE AUDITOR GENERAL'S REPORTS FOR THE KITUI COUNTY EXECUTIVE, KITUI COUNTY ASSEMBLY, KITUI COUNTY WATER COMPANIES, KITUI COUNTY EMPOWERMENT FUND, KITUI COUNTY REVENUE FUND, KITUI COUNTY ASSEMBLY CAR AND MORTGAGE FUNDS, RECEIVER OF REVENUE-REVENUE STATEMENTS AND KITUI COUNTY TEXTILE CENTRE (KICOTEC) FOR THE FINANCIAL YEAR 2022/2023

Honourable Members,

Pursuant to the provisions of Article 229(7) of the Constitution of Kenya, 2010 and Section 35 of the Public Audit Act 2015, my office is in receipt of the following audited reports:

- i) Audited accounts of the Kitui County Executive for the Financial Year 2022/2023
- ii) Audited accounts of the Kitui County Assembly for the

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Financial Year 2022/2023

- iii) Audited accounts of the Kitui Water & Sanitation Company (KITWASCO) for the Financial Year 2022/2023
- iv) Audited accounts of the Kiambere Mwingi Water & Sanitation Company (KIMWASCO) for the Financial Year 2022/2023
- v) Audited accounts of the Kitui County Textile Centre (KICOTEC) for the Financial Year 2022/2023
- vi) Audited accounts of Receiver of Revenue -Revenue statements for the financial year 2022/2023
- vii) Audited accounts of Kitui County Empowerment Fund for the financial year 2022/2023
- viii) Audited accounts of the Kitui County Assembly Car and Mortgage (Members) Scheme Fund for the financial year 2022/2023
- ix) Audited accounts of the Kitui County Assembly Service Board Employees' Car and Mortgage Fund for the financial year 2022/2023
- x) Audited accounts of the Kitui County Revenue Fund for the financial year 2022/2023

Honourable Members,

Article 229(8) of the Constitution provides that the County Assembly shall within three (3) months upon receiving an audit report, debate and consider the report and take appropriate action.

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I therefore commit the said Auditor General's reports to the committee on County Public Investments and Accounts for consideration.

THANK YOU

iii. COMMUNICATION AS RELATES TO THE NOMINATION OF MEMBERS TO THE SOUTH EASTERN KENYA ECONOMIC BLOC (SEKEB) JOINT ASSEMBLIES COMMITTEE

Honourable Members,

The Kitui County South Eastern Kenya Economic Bloc Act, 2022, is an Act of the County Assembly of Kitui to provide for the ratification and implementation of the South Eastern Kenya Economic Bloc agreement.

Section 8 of the Act provides for the creation of the organs of the Bloc comprising of;

- a) The Summit;
- b) Governing Council;
- c) General Assembly;
- d) Joint Assemblies Committee;
- e) The Panel of Experts and Eminent Persons; and
- f) The Secretariat.

Section 15 of the Act establishes the Joint Assemblies Committee mandated to act as a link between SEKEB and their respective County assemblies among many other functions.

The Joint Assemblies Committee shall comprise of;

- a) The Speakers;
- b) Majority leader;

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- c) Minority leader;
- d) One man and one woman from each Member County Assemblies nominated from members of the County Assemblies who are not part of the assemblies' leadership; and
- e) Chairpersons of the budget committee from each member County Assembly.

Honourable Members,

Therefore, pursuant to the provisions of Section 15 (1) (d) of the Act, I hereby nominate the following honourable members, to be members of the Joint Assemblies Committee;

- i. Hon. Cyrus Kisavi Musyoka
- ii. Hon. Grace Mulandi

I Congratulate the two honourable members for their appointment and wish them the very best as they represent our County Assembly.

THANK YOU

iv. COMMUNICATION AS RELATES TO THE PROPOSED KITUI COUNTY ANNUAL BUDGET ESTIMATES FY 2024/ 2025

Honourable Members,

Article 224 of the Constitution provides that each county shall prepare and adopt its own annual budget in the form and according to the procedure prescribed in an Act of parliament. Additionally, Section 130 of the Public Finance Management Act, 2012 states that the County Executive Committee Member for

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Finance shall submit budget documents to the County Assembly for every Financial Year.

Honourable Members,

In view of the above, the County Executive Committee Member for Finance, Economic Planning and Revenue Management submitted to the Assembly the Budget Estimates for the Financial Year 2024/2025 on 30th April, 2024 for approval in accordance with the law.

Honourable Members,

Pursuant to the provisions of Section 131 of the Public Finance Management Act, 2012 as read together with Standing Order No. 186, I hereby commit the Annual Budget Estimates for the Financial Year 2024/2025 to the County Budget and Appropriations Committee for Consideration. The Committee is expected to subject the estimates for public participation pursuant to Article 196(b) of the Constitution as read together with Section 115 of the County Governments Act, 2012.

Honorable Members,

As I conclude, I kindly direct your attention to the provisions of Section 131 of the Public Finance Management Act, 2012 and those of the Standing Orders No. 206. Pursuant to these provisions, I further direct that the Sectoral Committees to scrutinize their sector budgets and make their recommendations to the County Budget and Appropriations Committee.

THANK YOU.

5. PAPERS.

The following papers were laid on the table of the County Assembly;

- i. Report by the Committee on Implementation on the implementation of House Resolutions. (*Chairperson, Committee on Implementation*)
- ii. Report by the Committee on Health and Sanitation on the Status of Health Facilities within Kitui County. (*Chairperson, Committee on Health and Sanitation*)
- iii. Report by the Committee on Lands, Infrastructure and Urban Development on the Oversight Exercise to Inspect Projects undertaken by the Ministry of Roads, Public Works and Transport from May, 2023 – February 2024 across the County. (*Chairperson, Committee on Lands, Infrastructure and Urban Development*)

5. NOTICES OF MOTIONS

The following notices of motion were given;

- i. Motion on adoption of the Report by the Committee on Implementation on the implementation of House Resolutions (*Chairperson, Committee on Implementation*).
- ii. Motion on adoption of the Report by the Committee on Health and Sanitation on the Status of Health Facilities within Kitui County. (*Chairperson, Committee on Health and Sanitation*).
- iii. Motion on adoption of the Report by the Committee on Lands, Infrastructure and Urban Development on the

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Oversight Exercise to Inspect Projects undertaken by the Ministry of Roads, Public Works and Transport from May, 2023 – February 2024 across the County. (*Chairperson, Committee on Lands, Infrastructure and Urban Development*)

6. ADJOURNMENT- And the time being Ten minutes to Noon, the Honourable Speaker adjourned the House.

7. ASSEMBLY ROSE- At Ten minutes to Noon.

M E M O R A N D U M

*The Honorable Speaker will take the chair on
Tuesday, 7th May, 2024 at 2.30 P.M.*

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