

**KITUI COUNTY ASSEMBLY****THIRD COUNTY ASSEMBLY- SECOND SESSION****OFFICIAL REPORT****THE HANSARD****Wednesday, 4<sup>th</sup> October 2023.**

The County Assembly met at 2:47 p.m.

*[The Speaker (Hon. Kevin Kinengo Katisya) in the Chair]***PRAYERS****The Speaker:** Next order**STATEMENTS**

1. SCHEDULE OF PLENARY AND COMMITTEE SITTINGS FOR THE WEEK ENDING ON 20<sup>TH</sup> OCTOBER, 2023 (Hon. (Ms.) Kalenga -Member, County Assembly Business Committee)
2. STATEMENT REQUEST TO THE CHAIRPERSON, COMMITTEE ON ENVIRONMENT, ENERGY AND MINERAL INVESTMENTS ON DEFORESTATION ACTIVITIES AT ENDUI/NDITHI HILLS IN WAITA WARD. (Hon. Joseph Kasungi Kavula- M.C.A Waita Ward)

**Hon. Kasungi:** Thank you Mr. Speaker Sir. I beg to request for the following statement on deforestation activities at Endui/Ndithi hills in Waita ward.

Mr. Speaker, Pursuant to the provisions of the Standing Order No. 41(2)(c), I would like to request for a statement from the Chairperson, Committee on Environment, Energy and Mineral Investments Development on the following: -

If the Chairperson is aware that, serious deforestation activities are taking place in Waita Ward at Endui/Ndithi hills to be precise which include cutting down of trees for charcoal burning, grazing and clearing of forest/bushes for land cultivation/farming.

Whether the Chairperson is further aware that, the deforestation activities at Endui/Ndithi hills have caused serious environmental impact including decreased biodiversity, pollution and decreased forest cover hence posing threat to climate change.

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Whether the Chairperson is cognizant that, the persons involved in deforestation activities have been cautioned by the area chief and ward administrator but have been ignorant. Mr. Speaker, as the representative of people of Waita; I strongly seek a statement from the Chairperson, Committee on Environment, Energy and Mineral Investments Development, in response to the statement the Chair should avail:

- i. Whether the members of Waita ward have been sensitized on environmental conservation programmes and particularly forest conservation.
- ii. Whether the members of Waita ward have benefitted from tree planting programmes financed by county government.
- iii. Names of individuals involved in the said deforestation activities together with statement showing who authorized them to carry out the said activities.
- iv. Whether there exist Climate Change Planning Committee in Waita ward.
- v. The action plan towards restoration of Endui/Ndithi hills.

**The Speaker:** Thank you, Hon.Kasungi for the statement request. I hereby commit the same to the Committee on Environment Energy and Mineral Investments on Deforestation Activities. I can see the Chair of that Committee, Hon.Daniel Muange. The mover has not given a specific timeline but you can do that in the shortest time possible perhaps in the next 21 days and also any other statement which you may have. Thank you very much Members. Next order.

#### MOTION

MOTION ON REMOVAL OF HON. CHRISTOPHER NZILU NZIOKA FROM  
THE POSITION OF DEPUTY SPEAKER OF THE COUNTY ASSEMBLY OF KITUI - PURSUANT TO  
SECTION 11A OF THE COUNTY GOVERNMENTS (AMENDMENT) ACT, 2020, AND KITUI COUNTY  
ASSEMBLY STANDING ORDER NO. 14(6).

*(Hon. Boniface Mukwate Katula, MCA, Kanyangi Ward)*

**The Speaker:** Hon. Boniface Mukwate you may go ahead.

**Hon. Mukwate:** Thank you Mr. Speaker. I beg to move the motion on the removal of Hon. Christopher Nzilu Nzioka from the position of Deputy Speaker of the County Assembly of Kitui - PURSUANT to section 11(a) of the County Governments (amendment) act, 2020, and Kitui County Assembly Standing Order No. 14(6).

Mr. Speaker, **AWARE** that Article 73 and 75 (1) of the Constitution of Kenya, 2010 delineate the duties of leadership and the behaviour expected of state officers, emphasizing the imperative for all state office holders to execute their authority and public trust assigned to the office in a manner that demonstrates and brings- respect for the people; honour to the nation and dignity to the office; promotes public confidence in the integrity of the office and the accountability to the public for decisions and actions, and in a manner that avoids conflict between personal

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interests and public or official duties; comprising any public or official interest in favour of a personal interest; or demeaning the stature of the office that officer holds as a key guiding principles of leadership and integrity;

**FURTHER AWARE** of the letter and the spirit of Standing Order (S.O) No. 14(2) on the Deputy Speaker being the Chairperson of Committees, S.O 191 on the composition and mandate of the Liaison Committee as read together with S.O 160 on Duties of a Committee Chairperson;

**Whereas**, the Deputy Speaker holds a position of significant responsibility and trust within the Assembly,

**Whereas**, it has been observed that the Deputy Speaker, one Hon. Christopher Nzilu Nzioka has engaged in actions and demonstrated conduct contrary to the principles and responsibilities associated with the Office of the Deputy Speaker,

**Whereas**, the Deputy Speaker has demonstrated a consistent lack of leadership and impartiality in the execution of his duties, and

**Whereas**, the Deputy Speaker's conduct has caused disruption and disharmony within the Assembly, hindering the smooth functioning of the Assembly Committees,

Now, therefore, this Assembly **RESOLVES** to remove Hon. Christopher Nzilu Nzioka from the position of the Deputy Speaker of the County Assembly of Kitui, pursuant to Section 11A of the County Governments (Amendment) Act, 2020, and Standing Order No. 14(6) and (8), on the following grounds;

1. Insubordination of the operations of the Assembly.

The Deputy Speaker has worked tirelessly to ensure that he sabotages the operations of the Assembly by employing the divide and rule tactics. He has been a model of disunity in the Assembly and this has been exhibited in various occasions as highlighted below;

- i. He posted in the Kitui County Assembly WhatsApp group that the Honourable Speaker has been making unnecessary adjournments when there were several Motions lying on his table, he could not identify even a single matter which was lying in the Office of the Speaker unattended; this was done on the 13<sup>th</sup> September, 2023 in a WhatsApp group referred to as "Wiper big 13" where he posted "***Budget, Sand bill are reportedly held hostage***". He further went to the local radio stations to report the same. He failed to understand that he is the Deputy to the Speaker and that if there are critics, they should be objective rather than subjective.
- ii. As the chair of the Liaison Committee, he has failed in coordination of the sectoral and select committees and this has majorly derailed the operations of the Assembly. The Liaison Committee, being the one tasked with coordinating the mandates of all Committees of the Assembly should not be chaired by anyone who does not mean well for the Assembly. The said Liaison Committee has not been meeting as the chair, who is the Deputy Speaker has not been convening the meetings. This is a demonstration of high levels of incompetency.

- iii. The Deputy Speaker has been the source of wrangles in the Assembly. He has been holding parallel meetings with intend to incite a section of Members of the County Assembly (MCAs) against others in an attempt to cause havoc and division so as to divide the Assembly.
  2. Abuse of the office
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The Deputy Speaker has consistently abused the Office of the Deputy Speaker;

The Deputy Speaker is only required to assume the role of the Speaker in instances where the Speaker is incapable of dispensing his duties. The Deputy Speaker, Hon. Christopher Nzilu Nzioka has disregarded the due approval process for Assembly activities and programs; On the 19<sup>th</sup> September, 2023, he posted in the Liaison Committee WhatsApp group giving members a notice to attend a briefing on the Annual Development Plan 2024/2025 by the Committee on Finance and Economic Planning at Mwingi when the same had not been administratively approved and communicated.

3. The Deputy Speaker has been extremely unreliable and he hardly attends Assembly Sittings and in the few occasions when he attends, he does it for a short period then leaves the Assembly for his personal engagements.
4. Gross violation of the constitution and other enabling laws: -

The Deputy Speaker has grossly violated Chapter six of the Constitution of Kenya, 2010, Which requires State officers to be guided in their day-to-day conduct by principles of leadership and integrity which, among other requirements, include: being objective and impartial in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives. The conduct of the Deputy Speaker, Hon. Christopher Nzilu Nzioka has been the immediate opposite of the above constitutional requirement, he has been managing and running the office in a manner which does not promote basic principles of integrity of the Office of the Deputy Speaker.

Mr. Speaker, the Deputy Speaker is my friend and due to the reasons highlighted in the motion, I personally feel he should vacate the office and I urge all Hon. Members to support this motion. Now I beg to move the motion and request Hon. Harrison Maluki to second. Thank you, Mr. Speaker.

**The Speaker:** Thank you Hon. Boniface Mukwate Katula. Hon. Harrison Maluki...

*(Hon. Harrison Maluki bowed to second the motion)*

**The Speaker:** Thank you. We acknowledge seconding by way of bowing.

*(Motion proposed)*

I can see attachments of WhatsApp messages and a list of Members who signed. There are 42 Members who signed the motion. Hon. Members, the motion on the impeachment of the Deputy Speaker is provided for under section 11(a) of the County Governments Amendment Act 2020 which reads as follows;

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*The office of the Deputy Speaker shall become vacant if the office holder vacates office Pursuant to Article 194 of the Constitution of Kenya 2010.*

The Constitution of Kenya 2010 provides on how an MCA may leave an office. I will read it;

*Article 194(1) The office of a member of a County Assembly becomes vacant if;*

*a) The Member dies*

*b) If the member is absent from 8 sittings of the Assembly without permission in writing of the Speaker of the Assembly and he is unable to offer satisfactory explanation for the absence*

*c) If the member is removed from office under this Constitution or legislation under Article 80 which says as follows;*

*Parliament shall enact legislation;*

*a) Establishing procedures and mechanisms in administration of this Chapter (On Leadership and Integrity)*

*b) Prescribing the penalties in addition to the penalties referred to in Article 975 that may be posed for contravening this chapter. Article 2075 is about conduct of state officers*

*c) Providing for the application of this chapter with the necessary modification of public officers and*

*d) Making any other provisions necessary for ensuring the promotion of principles of leadership and integrity mentioned in this chapter and the enforcement of this chapter- on Leadership and Integrity.*

*Article 194(1)(d) If the member resigns in writing addressing the Speaker of the Assembly*

*e) If having been elected by Assembly as a member of a political party, the member resigns from the political party or is deemed to have resigned from the political party as determined in accordance with the legislation as an independent candidate or the member joins a political party*

*f) At the end of the term of the County Assembly or*

*g) If the member becomes disqualified for election on grounds in Article 198(2). 193(2) members is a disqualification from being elected member of County Assembly if the person;*

*i) Is a state officer or other officer other than a member of the County Assembly*

*ii) Has attained time within the 5 years immediately before the day of elections held office as a member of the IEBC*

*iii) Has not been a citizen of Kenya for at least 10 years immediately preceding the date of elections*

Article 194(1-2) says that Parliament shall enact legislation providing for the circumstances under which a member of a political party shall be deemed for the purposes of clause 1(e) to have resigned from the party.

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Section 11(a)(1)(b) says that the office of the Deputy Speaker shall become vacant if the County Assembly so resolves by a resolution supported by at least 2/3 of all Members of the County Assembly. Two thirds of sixty members is forty. So, the resolution should be supported by forty members to pass this motion before us. Members, I will now take you to our Standing orders.

*Standing Order No.14(6);*

*The office of the Deputy Speaker shall fall vacant if;*

- a) The office holder vacates office pursuant to Article 194 of the Constitution or*
- b) The County Assembly so resolves supported by at least 2/3 of all members (it repeats what Section 11(b) says). Members this being a motion which needs a specific number of this Assembly to approve, we shall be guided by Standing order No.68(2) which says;*

*'The Speaker shall direct a division to be taken in every instance where the Constitution and any other relevant laws lays down that a fixed majority is necessary to decide any question'.*

It means there be a roll call voting as per Article No.69. which provides how a roll call voting is done. We will read for ourselves but I can read 69(5) which says;

*'When called out each member shall rise upon his/her place and declare assent or dissent in the following manner; 'I vote Yes or I vote No' or I Abstain or use appropriate Kenyan sign language.*

Article 69(3) says;

*'that at the end of ten minutes, the Speaker shall direct the doors to be locked and the Bar drawn and no Member shall thereafter enter or leave the County Assembly until after the roll call vote has been taken.*

Article 69(4) says;

*'When the doors have been locked and the Bar drawn and the names of the tellers have been announced, the Speaker shall put the question again and direct the Clerk to call out the names of Members in alphabetical order in the presence of the tellers'.*

The tellers will be members of this House. The mover will nominate a teller and the Deputy Speaker will also nominate a teller who will be counting the votes. That is the procedure.

When this motion was brought to the House Business Committee after approval by the Speaker, the same was forwarded to the Deputy Speaker via a letter dated 27<sup>th</sup> September 2023. As per the principles of fair hearing, the letter requested him to give his defence and or representation to the motion. On that note Hon. Members because this is a House of procedure and rules and fairness, as I give a chance to every member who wants to give an input to this motion I will start by giving the Deputy Speaker the chance to give his defence or representation to the motion if he so wishes and then I will open the floor to the other members then we shall go straight to the voting. Thank you, Members.

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I therefore take this opportunity to invite the Deputy Speaker, Hon.Christopher Nzilu Nzioka to make his defence and/ representation. Welcome Hon.Christopher Nzilu Nzioka, the Deputy Speaker.

**Hon. Nzioka:** I will firstly start by seeking your guidance in terms of County Governments Act section 11

**The Speaker:** Sorry Deputy Speaker. Do you mind coming up again?

**Hon. Nzioka:** Im seeking your guidance in terms of section 11(7) of the County Governments Act on my right to representation and to what extent should I enjoy that right?

**The Speaker:** Article 11(7)? What does it say? Is it the amended Act or the...

**Hon. Nzioka:** Yes, the amended Act 2020.

**The Speaker:** *Is it* Article 11(7) or 11(a)?

**Hon. Nzioka:** 11(a)(7). Can I read?

**The Speaker:** Yes, please read

**Hon. Nzioka:** It says ‘the Speaker shall have the right to appear and be represented before the County Assembly during its investigations’. In the threshold, it says in 11(a)(1-8) shall be applicable to the process for the Deputy Speaker.

**The Speaker:** Thank you for mentioning that 11(a)(7) applies to the Speaker but if you read 11(a)(2) for the Deputy Speaker there are some key words you have omitted.it says Section 11(2-8) shall with the necessary modifications apply to the removal of the Deputy Speaker under Section 1(b).So the necessary modifications is a key word which you have omitted and in any case when you look at our Standing orders which have heavily borrowed from this particular Act, the Deputy Speaker is a Member of the County Assembly unlike the Speaker who is an ex official member of a County Assembly and that is why even the issue of you being given a chance to give your defence or representation is part of the necessary modification which we have given you. That means that you have the option of giving your defence and presentation.

**Hon. Nzioka:** Hon. Speaker I agree, It says the speaker shall have the right to appear and be represented before the County Assembly and I agree when you go to the section in regard to the deputy Speaker, it says that procedure shall be applicable from sb section 1 to 8 but with the necessary amendments.

**The Speaker:** Not amendments but modifications

**Hon. Nzioka:** Have these modifications been spelt out anywhere because for example the one of the threshold has been spelt out that the Deputy Speaker’s is 2/3.Have they been spelt anywhere taking away my right to be represented? That is my question and if I’m answered I will be good to go.

**The Speaker:** Thank you for the question Hon. Deputy Speaker and I have directed that you give your defence and your representation. This is an Assembly not a court of law and I may not make directions which a judge may make. My duty is to preside over this motion and the

chance you have now is to give your defence and /representation. So please if you have a defence or representation go ahead and do so.

**Hon. Nzioka:** I will not be giving really a defence but a response which according to me that section still applies to me and I have responded in writing and served the County Assembly and yourself with my memorandum of response. In the Memorandum I raised a lot of things but as far as I'm concerned, I still believe that I have served the County Assembly diligently to the best of my ability, The issue of the WhatsApp group that I undermined the office of the Speaker, is neither here nor there because evidence and facts have not been supplied to substantiate that claim. The claim of insubordinating an institution, from where I sit I didn't understand how a person can insubordinate an institution and when the facts when elaborations were done, it was said that that I had insubordinated the Speaker. The truth is that the Speaker has never complained to me about it.

On the issue of gross violation of the Constitution and in regard to the sections of law that quoted (Section 11), it is required that once you allege a ground you also give facts. There are no facts in regard to the same and so I will be sticking and relying on my written response to the Assembly of Kitui.

On the issue that I wrote a message inviting the Committee on Liaison to have a joint meeting on Finance, it was an approval that was communicated to the clerk on Liaison who informed me to communicate to the Members. Hon. Members with all due respect and if we fear God, the question here should be if in accordance with the traditions and customs of this House, this guy here, Christopher Nzilu Nzioka '*Kamwana Ka wia*', is inviting the Committee to go and do what it does, and the same is not approved. The question should be why? Because this person was genuinely and honestly discharging his duties.

Hon. Speaker on that issue there are many letters and other recent ones for this here instructing the clerk on Liaison to write requesting for a meeting to do a very important thing on committees to develop their work plans and budgeting in accordance with our Standing Orders because those are preserves on the Committee on Budget, the same have never been approve Hon. Members and it cannot be turned to whom is not the approver but mine is to request and when time is allocated I go and perform my duties. It is as clear as day and night that I have been writing to you requesting for all correspondences for the committee on Liaison...

**The Speaker:** Hon. Deputy Speaker ,by 'you' you mean who?

**Hon.Nzioka:** I have been writing to the Hon. Speaker.

**The Speaker:** Because you are addressing the whole House you have to specify what you mean by 'you'. You may proceed.

**Hon. Nzioka:** I have been writing to the Speaker to approve of meetings to allow the whole House and all sectoral Committees to deliberate on their budgets and their work plans. Hon. Speaker and Hon. Members, if we mean well for our County and for our Assembly, we must endeavour to do that which is right. I believe and I have trust in the County Assembly of Kitui

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which I believe is not a banana Assembly whereby if I'm removed today or not, the Assembly is more important than a person. If I'm not the Deputy Speaker after today, the County Assembly has a duty and not to endeavour to remove anybody in his position especially a man who has served you wholeheartedly attending all your functions, writing letters to have you retreat do what is required of you. Now you are operating committees without a budget and workplans. The Deputy Speaker who has been pushing for you to do that you are here trying to impeach him; God help the County Assembly of Kitui.

Hon. Members, as I respond to the motion, I must say that it is disheartening to have discovered that the person who is being accused of causing division, the Deputy Speaker, Hon. Christopher Nzilu Nzioka *aka 'Kamwana ka wia'*, has faithfully endeavoured to unite the County Assembly. God sees in the dark and reveals it on the table... You will discover the things I'm accused of have been committed by other people.

Today I was perusing my WhatsApp and I discovered that we also have another Assembly WhatsApp where I'm discussed and a plan to impeach me is discussed intensively. The WhatsApp group is known as *'Team Kinengo reloaded'*. Hon. Members, Mr. Speaker Sir, I think there must be a mistake somewhere, a misunderstanding and the things levelled to me ought not to have been levelled to me but someone else.

On the issue that I come to the Assembly for a short while then I leave, is shocking because most of the times I have presided over the Assembly. Does it mean that as I presiding Speaker I also leave the Speaker's seat and leave the Assembly? Hon. Members, let us be honest to ourselves because if you were to peruse the attendance register, nobody else has attended more times in this Assembly than the Hon. Christopher Nzilu Nzioka who is being falsely accused of the contrary. Hon. Speaker and Hon Members *be it as it may life must move on*. We must fight for our people of Kitui. We must live to the conviction of our hearts and our consciences. If you are convicted to remove me Hon. Members and you feel it is the right thing to do, you have listened to my response and I know because it is the truth, it has changed many people's hearts here. I will speak no more to the motion. I could have tabled documents here but unfortunately our letters requesting for the documents have never been responded to so we could not have prepared any better than what we have done. Thank you Mr. Speaker Sir and the Hon. Members.

**The Speaker:** Thank you, Hon. Christopher Nzilu Nzioka, the Deputy Speaker for your response. Hon. Members I will now give an opportunity to any member who would like to give an input on this motion before we put the question. The floor is open utmost two minutes per member. The floor is open. Hon. Jeremiah Musee Mutua you may go ahead.

**Hon. Jeremiah:** Thank you, Hon. Speaker. I'm on the floor of this House to debate on a very critical matter that calls for the unity of this County Assembly. I'm an economist by profession, an accountant and if you ask me questions regarding my field and when im defending myself especially on financial matters, I will do so closely and nearly to convince you that whatever I'm saying is the truth. The same applies to when you ask someone to give clarity on the

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things that touching on law. He should try as much as possible to convince people that he is speaking the truth. What the Deputy speaker is saying is not the truth of the matter. I want the people of Kitui County to when they went to the ballot and in many areas there were 11 to 15 contestants seeking for this MCA post and some were nominated. When people of Kitui County went to vote, one thing they looked at was the brilliance; on the leadership they wanted to vote in. Hon. Speaker, the sixty of us were united in this Assembly and God endowed us with great and brilliant minds.

Mr. Speaker, these members are able to differentiate when someone is speaking the truth and when he is speaking lies. During debates whether budgetary debates or any other motion brought to the floor of this House. We have seen great minds debating and therefore, Hon. Speaker, this house without much conviction is able to make decisions without lies and without conviction from anybody.

Mr. Speaker, I want say that, as the Deputy Minority leader and endowed member to the County Assembly of Kitui, the dignity of this House has been reduced, that this County Assembly is been termed as a “banana” County Assembly. Whatever we have been discussing here for the last one year, some of that information is full of secret information that is supposed to be treated with a lot of confidentiality but we found information been leaked outside and therefore the dignity of the house been lowed to a level that you cannot imagine.

Hon. Speaker, to go and ask for votes through campaigns; for you to be nominated or be elected. It calls for a position whereby the rules and procedures of this August house must be respected by everybody who means well to this Assembly.

*(Hon. Deputy Speaker Stood on a point of Order)*

**The Speaker:** Hon. Deputy Speaker, you had your time to ...

**Hon. Christopher Nzioka:** *(Spoke off-record)*

**The Speaker:** Which Standing Order?

**Hon. Christopher Nzioka:** I did not say that County Assembly of Kitui is a banana Assembly. I said, it is not and it is guided by the law, rules and procedures. I ought not to be misquoted because I spoke positively of the Assembly and it is on record.

**The Speaker:** Thank you, Deputy Speaker. Hon. Jeremiah, you may proceed.

**Hon. Jeremiah Mutua:** Hon. Speaker, English is very clear and simple. When someone mentions a banana County Assembly, Hon. Speaker, it is a English word and it is used in all common wealth Assemblies and those who understands English very well. They understand what I am saying.

Hon. Speaker, I want to proceed and say that, there are Hon. Members who have been using the position of the Deputy Speaker to abuse nominated and elected Hon. Members of this August house.

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*(Foot thumbing)*

Hon. Speaker, we have seen when we go to events like Ward Forum and Public Participation, some people being financed to abuse the elected members. Someone who campaigned, used millions of monies to find himself or herself in this August house being abused by people through social media and in social gathering.

Hon. Speaker, the division we have witnessed on mentioning of this motion. We are here united irrespective of the political parties which geared us to this August House. This House us member from Wiper, Jubilee, NARC, Independent members and CCU. We have said that we are not going to allow external forces to govern this August house. These Hon. Members, hon. Speaker and I have said they are very brilliant, wise. They know how to make the right decisions by themselves without being coerced by anybody outside this County Assembly. Hon. Speaker, we are not going to allow not even the Deputy Speaker.

We are not going to allow any County Minister who was vetted for by this County Assembly for the jobs that they are in intimidate, threaten or manage this County from outside cohorts of this County Assembly. We are not going to allow even the chief officers, any blogger or any business person who feels that he can control how we are going to approve motions, bills or Appointments. Hon. Speaker, we are not going to allow that.

Hon. Speaker, as I finish, for us to reinstate the dignity of this House, Christopher Nzilu Nzioka must go! Hon. Speaker, to reinstate the respect of this August house, one Hon. Christopher Nzilu Nzioka must go! For us to reinstate the honor of this August house, one Hon. Christopher Nzilu Nzioka must go! For us to reinstate the glory, the excellence, the authority of this house, the Deputy Speaker, Hon. Christopher Nzilu Nzioka must go! For us to reinstate the autonomy, the balance, the fame and the influence of the big and brilliant house Hon. Speaker, the Deputy Speaker, Hon. Christopher Nzilu Nzioka must go!

Hon. Speaker, we are not here to play hide and seek games. We are on a very serious business. Hon. Speaker, I want to tell you one thing that, these Hon. Members sitting here whether nominated or elected they are future political careers. Some of them are going to be members of parliament in future. Hon. Speaker, some of us sited here are going to be the senators in future, some of us sited here are going to the governor of this great County of Kitui.

Hon. Speaker, we have seen the top people in the leadership who have accomplished and succeeded in political career, they want to kill the careers of the young people. Hon. Speaker, I am 34 years of age, I will not allow anybody to kill my political dream using a position which has been given by the County Assembly of Kitui like this one of the Deputy Speaker. If this house wants to restore their dignity and respect be reinstated. I want to ask the Hon. Members, let us support the motion, remove the Deputy Speaker. And I want to say this categorically and I'm on record. I don't have any personal differences with the Deputy Speaker. One, Hon. Christopher

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Nzilu is my friend, I don't have any personal grudge but I have an issue with the position he is holding. Hon. Speaker, once he is kicked out with will continue eating "nyama choma" together.

Hon. Speaker, we want someone who is going to unite this August house, put us together, assist you and respects the rule of law, rules and procedures of this August house. Hon. Speaker, I support the motion on removal of Hon. Christopher Nzilu Nzioka.

**The Speaker:** Thank you, Hon. Jeremiah. Someone to assist him with a glass of water. You have taken more than the two minutes which I gave you. I believe some members donated their minutes to you. The other contributors, please let try to take less time, so that we can be able to finish this motion on time. Hon. Paul Maluki, MCA for Kithumula/ Kwa Mutonga. Everybody who want to give an input will get a chance. Hon. Mary Ndumbu don't worry, you will get a chance.

**Hon. Paul Maluki:** Thank you Mr. Speaker, for giving me this opportunity to contribute on the motion that has been brought before this house. Mr. Speaker this House today, is a point of recon. We are here to make our voice very clear. Hon. Christopher Nzilu is my friend and my neighbor. We have done so many things together with him but Mr. Speaker, personally I was shocked when I watched a video that was saying "The Deputy is being targeted to be removed so that now the Assembly can go to the Executive and start removing the County Executive Committee Members.

Mr. Speaker, we have no issues with anyone from the Executive and in any case my good friend must come out clearly and maybe tell this house whether he is the extension of the Executive in the Assembly. Mr. Speaker. When someone says if you remove Christopher Nzilu Nzioka, now there will be a room to remove the CECMs.

We were elected to perform three major roles i.e. legislation, representation and oversight. Executive have their own mandate. We work together but we don't work for the Executive Mr. Speaker. That statement alone made me change my mind and resolve that this house must be respected and Mr. Speaker without much undo I support the motion.

**The Speaker:** Thank you Hon. Paul for being brief. Hon. Mary Ndumbu.

**Hon. (Ms.) Ndumbu:** Thank you Hon. Speaker, this is a very sad day when we continue seeing fighting going on in this house. Mr. Speaker, you have many times...

*(Hon. Munyalo stood on a point of Order)*

**The Speaker:** What is your point of Order Hon. Sylvester and which Standing Order are you referring to?

**Hon. Munyalo:** Mr. Speaker, I stand in regard to Standing Order No. 79

**The Speaker:** What is the issue?

**Hon. Munyalo:** Mr. Speaker my issue is that Hon. Ndumbu has said there is fighting in this Assembly. I may wish to know the kind of fighting in this Assembly because that is making

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this house to be turned into another Ukraine which is very wrong. Mr. Speaker guide her to withdraw that we are not in war with anybody and therefore, we are not fighting. We are debating, in this Assembly we debate issues, we don't fight. It is about numbers and debates, there is no war.

Mr. Speaker, the Hon. Member is a raging member, having been in this house for three times and someone stands on a point of Order she should sit down to hear the point of Order Mr. Speaker. The authority must be respected, she is not respecting the authority because she is standing while I am still standing on a point of Order.

*(Hon. Mary Ndumbu sat down)*

That's means she is the one who is in war with us not us who are in war with her. Thank you, Mr. Speaker.

**The Speaker:** Thank you, Hon. Sylvester. You have really harassed Hon. Mary Ndumbu but I am sure she was not standing in bad faith. So, Hon. Ndumbu, please proceed.

**Hon. (Ms.) Ndumbu:** Mr. Speaker, Hon. Muniyalo is not the speaker of this house, so he should not order me to sit down.

**The Speaker:** Please proceed.

**Hon. (Ms.) Ndumbu:** Mr. Speaker, I was saying that you have many times talked of peace in this house and bringing the members together but what I am seeing today is fight after fight, none stop. Mr. Speaker, we had another motion and... Mr. Speaker, we need order in this house, we need order amongst ourselves, we need harmony in this house but what we have here is enmity. Mr. Speaker, what we are doing here is revenge, whereby because Hon. Mukwate was removed as the Majority Whip he has brought this motion to remove someone else and supported...

*(Hon. Muniyalo stood on a point of order)*

Hon. Yaamu (Hon. Muniyalo) you are not Kitui County Assembly. Let other people speak and ask for your time to speak.

**The Speaker:** Hon. Mary Ndumbu, it is a point of order. Please take your sit. Let me hear Hon. Grace Mulandi first Hon. Sylvester, if you don't mind. What is your point of Order?

**Hon. (Ms.) G.S. Mulandi:** Thank you Mr. Speaker Sir, I would like to inform Hon. Mary Ndumbu...

**The Speaker:** Is it a point of Order?

**Hon. (Ms.) G.S. Mulandi:** It is a point of Order. We are not fighting, when we are here to resolve things, we are not fighting. Kindly withdraw that statement of fighting. We are not fighting. Nobody is fighting in the Assembly; can you see any war here? Kindly, withdraw it.

**The Speaker:** Thank you, Hon. Sylvester, what is your point of Order? Hon. Ndumbu, let us hear Hon. Sylvester. I hope it is a point of Order Hon. Sylvester?

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**Hon. Munyalo:** Yes, Mr. Speaker I am standing on Standing Order No. 75 and I read “If two or more Members request to speak at the same time, the Member called upon by the Speaker shall be entitled to speak” that is Standing Order No. 75.

Mr. Speaker, I am standing here putting a point of Order with my authority as Hon. Ndumbu has said whom I respect so much as a ranking Member of this House. Mr. Speaker is it in Order for the Hon. Member to continue insinuating that, this Assembly is in war so as to portray this Assembly which represents the people of Kitui that we are in war. We need your guidance Mr. Speaker to know whether we came here to fight or we are debating for the welfare of this Assembly, for the respect Assembly and for the honor of this Assembly.

Mr. Speaker, we need your guidance concerning this, this statement portrays us to our electorates as people who were elected to this house to fight for position, revenge mission. We are not on revenge mission. Mr. Speaker, we need your guidance, stand firm and guide us because is portraying our name negatively. The people of Matinyani Ward, who elected me are feeling that I came to this Assembly to fight. Let the Hon. Member withdraw the statement. Thank you, Mr. Speaker.

**The Speaker:** Thank you, Hon. Sylvester, Hon. Mary Ndumbu, you may proceed. However, kindly be careful on the words you are using. If you use a big word like war please substantiate. I also heard you say that there was another motion, maybe you can tell us which motion which was here because you are referring to a motion similar to this one. So, kindly if you say something substantiate it because we are on record.

**Hon. (Ms.) Ndumbu:** Mr. Speaker, I correct my statement. It was the removal of our Majority Leader and our Majority whip.

**The Speaker:** Was there a motion of that nature?

**Hon. (Ms.) Ndumbu:** It was not a motion, I correct.

**The Speaker:** Thank you.

**Hon. (Ms.) Ndumbu:** And that’s why I said it looks like a revenge, it doesn’t look, it’s actually a revenge.

**The Speaker:** How is it revenge while there was no such a motion? But please continue.

**Hon. (Ms.) Ndumbu:** Mr. Speaker, as I was sited here, I heard that Hon. Nzilu is the one who orchestrated the motion for your removal. Mr. Speaker, I am surprised because...

*(The Speaker interjected)*

**The Speaker:** Hon. Ndumbu, please take your seat. I have not seen in this motion, where there is a motion for the removal of the Speaker. So, please let us restrict ourselves to the motion before us, kindly if you don’t mind because I have not seen such a thing. Let us restrict ourselves to this motion before us. Please, Hon. Ndumbu, proceed.

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**Hon. (Ms.) Ndumbu:** Mr. Speaker, Hon. Nzilu, us not done anything wrong in regard to his communication on invitation of the committee’s chairpersons to Mwingi because we agreed in our Committee that the chairs should be invited and Hon. Nzilu was not there. I wonder how he received the message if it not confirmed that chairpersons should attend the meeting!

Mr. Speaker, I don’t want to talk much but the trend we are taking, it is a dangerous trend. Mr. Speaker, let us not fight one, let us not revenge. Assembly businesses or differences, we leave them inside this Chamber and when we go out there is always a reason why something is happening. When I differ with a Member here I don’t expect him/her go and start arranging how I should be removed, this is not about leadership,

Mr. Speaker, I stand to oppose this motion and ask for leniency for every member in this house. Let us be brothers and sister’s keeper, after four years we will leave this house and meet outside there. We are Kenyans and we will stop being Kituans and let these people not say that there is no fight in this house because it is known in Kitui. I blame all the members because they are the ones who talk with the outsiders. I never use bloggers but all these things are coming from this house Mr. Speaker. Let them not pretend, grow-up, let us grow-up as leaders.

*(Hon. Munyalo stood on a point of order)*

**The Speaker:** What is your point of order Hon. Sylvester? Hon. Mary Ndumbu, take your seat.

**Hon. Munyalo:** Again, Mr. Speaker, I stand on Standing Order No. 79. Mr. Speaker, as I stand the people of Kitui are listening. Our electorates never elected kids. Mr. Speaker, we are elected because of our capabilities. I am a second term MCA having being re-elected by the people of Matinyani.

Hon. Speaker, through your guidance, we want the Hon. Member to withdraw. The words she is using here are unparliamentally. Having been here for three terms and having been a councilor for one term totaling to twenty-five good years. Making laws for this Kitui County, the same person who has been here for twenty-five years, having aged gracefully in Kitui County Assembly, in Kitui township, she can use unparliamentally words.

Mr. Speaker, this is uncalled for, uncouth and uncivilized, we will not stand here to abused like kids. Mr. Speaker, this is wrong, there is no kid in this Assembly. We stand to be guided let her withdraw those words. Thank you, Mr. Speaker.

**The Speaker:** Thank you. Hon. Mary Ndumbu, I am sure you have heard that point which was raised by Hon. Sylvester and you used “let us” so you are also putting yourself in that category but perhaps, you can use a politer language because we are on record hon. Mary Ndumbu. I know this is a matter which is very emotive. So please try to use a language which doesn’t attack any one of us. So please, kindly proceed.

**Hon. (Ms.) Ndumbu:** Mr. Speaker, if I am attacking anybody, I have included myself because we are not keeping the secrecy of this House for ourselves.

**The Speaker:** Do you have evidence for that, Hon. Mary Ndumbu? Because if you are not able to substantiate, please stick to the motion before us.

**Hon. (Ms.) Ndumbu:** Thank you, Mr. Speaker I was saying, let's be lenient to one another, let's not look for quarrels where they are not there. Let's not look for fights from outside because we have differed. Mr. Speaker, we are all here to represent those who send us here and what has been going on even the people who elected us are worried because we don't seem to be doing what is supposed to be done or what they expected us to do. So, Mr. Speaker, as our father in this house, lets take care of one another because these people were elected here and Hon. Nzilu doesn't have to be crucified because even when we were doing your impeachment, I never saw him because he had signed the motion, even when we were removing these two (Majority leader and Majority Whip) hon. Nzilu never participated...

*(The Speaker interjects)*

**The Speaker:** Order! Hon. Members.

**Hon. (Ms.) Ndumbu:** Hon. Nzilu never participated, yes listen to me very carefully, we tried to impeach our Speaker...

*(Hon. C. K Musyoka stood on a point of order)*

**The Speaker:** Hon. Musyoka, do you have a point of order? Hon. Mary please take your sit. What is it Hon. Musyoka.

**Hon. C. K. Musyoka:** Mr. Speaker, my point of Order is just to request my dear mother, hon. Mather Ndumbu ...

**The Speaker:** It is Mary Ndumbu not Mather Ndumbu.

**Hon. C. K. Musyoka:** Mary Ndumbu and I plead with her so that at least you can protect her from the hon. Members, to be just moderate and brief. Thank you.

**The Speaker:** Thank you. Hon. Mary Ndumbu, once again I am requesting you, please, I gave you two minutes but you have taken more than ten minutes. Please stick to this motion don't open other issues which are not part of the motion. I plead with you, stick to this motion.

**Hon. (Ms.) Ndumbu:** Thank you Mr. Speaker. I will finish by saying that I don't support this motion and let's be together for our future. It is very important. Thank you.

**The Speaker:** Thank you, Hon. Deborah Mutuku, then hon. Grace, hon. Mulandi. Two minutes please.

**Hon. (Ms.) Deborah Mutuku:** Thank very much, Mr. Speaker Sir. I will try to be brief. I have listened to the motion as moved by one hon. Mukwate. Mr. Speaker, hon. Christopher Nzilu

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is one of us and we as hon. Members we elected him. And whatever have been read, we have all listened to it and everyone knows the truth. Everything which has been read there, each one of us knows whether it is true or not because we have all been in this Assembly.

Everyone knows how many times Nzilu has been on the chair, everyone knows how many times Nzilu has come to this house and walked out. Everyone knows how many times Nzilu has come to this house and stays here until the end of the session.

So, Mr. Speaker, I don't think whether there is need to debate much on this motion since we have time to vote. Hon. Nzilu was elected by majority in this Assembly and Mr. Speaker, the majority will vote him in or out.

So, Mr. Speaker, I beg you if it is right you lead us to a way of voting and to my friend Mr. Nzilu Nzioka, I would like to tell you this, if this Assembly agrees to vote you out just know that you have failed as a Deputy Speaker but you have not failed as the MCA for Kyangwithya West. Therefore, I wish you all the best; whatever the outcome. Thank Mr. Speaker for the chance.

**The Speaker:** Thank you, taking lead on what Hon. Deborah has said whoever has something to say, please make it short, let's not repeat what another person has said. Hon. Grace Mulandi, then hon. Benjamin Mulandi and then I come to this other side.

**Hon. Grace Mulandi:** Thank you Mr. Speaker Sir, first and foremost I would like to acknowledge the fact that Christopher Nzilu Nzioka is my MCA from Kyangwithya West. He is a man who was elected unopposed and when we came to this house, he was also elected with a majority of votes. Changing the method of cooking in the house does not mean that the other method was bad. It means that we need a change so that we can get the direction. Nzilu is a brother to me, he is a friend to me.

Mr. Speaker, supporting this motion today does not mean that we create a rift, no, no Nzilu. We will always eat "nyama choma" where we normally eat and you will always be my MCA forever and ever but I stand to support this motion.

*(Applause)*

**The Speaker:** Thank you, hon. Grace Mulandi. Hon. Benjamin Mulandi.

**Hon. Benjamin Mulandi:** Thank you Mr. Speaker Sir, for giving me this chance to nourish the motion before the house this afternoon. Mr. Speaker Sir, for there to be peace dignity and epoch, for this house to be respected, for there to be dignity in this Chambers, my friend, the MCA for Kyangwithya West, hon. Christopher Nzioka Nzilu must go!

Mr. Speaker Sir, this house is a house of rules, procedures, norms and traditions. We are Members elected from various Wards to represent our people in this house. When there is disrespect to this house, it is a disrespect to the people who elected us.

Mr. Speaker Sir, for us to restore sanity in this Chambers, hon. Nzioka Nzilu must go! It is time for us to redeem this Assembly from the external forces. It is time for us to stand as an

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Assembly and speak with one voice, agitate and fight for what is right to us as an Assembly of Kitui County.

Mr. Speaker Sir, I urge the hon. Members of this Assembly to fully support the motion before us. Hon. Christopher Nzilu, MCA for Kyangwithya West, we loved you but we have loved this house mower. So, as a representative of Mutonguni Ward and my voice been the voice of Mutonguni Ward I stand to support this motion that we make changes in this Chambers for us to be respected, for us to move forward and serve our people well. Thank you, Mr. Speaker Sir.

**The Speaker:** Thank you, hon. Benjamin for being brief. Hon. Munira Muhammed.

**Hon. Munira Muhammed:** Thank you Mr. Speaker Sir, for the opportunity. Mr. Speaker Sir, I have read, I have understood and for the sake of peace, respect and sanity of this house. I stand to motion on removal of Deputy Speaker, hon. Christopher Nzilu Nzioka. Thank you, Mr. Speaker.

**The Speaker:** Thank you, I don't know whether it was the micro-phone of hon. Peter or hon. Katana which was on. If it is for both, you can both contribute and then I come to this other side.

**Hon. Peter Kitonyo:** Thank you, Mr. Speaker Sir, for giving this opportunity to contribute on the motion brought by hon. Katula, my classmate. Mr. Speaker last time I spoke about stamping authority and as I can see, the way things are moving. We have started the process of stamping the authority.

Mr. Speaker, as we stamp the authority, it is not only going to happen in this Assembly alone. We have been receiving a lot of calls from the side of the Executive and I would to urge the Members that after this we need to keep on toes those chief offices and the county ministers because we have never agreed to go to bed with the Executive.

So, this is not the fight that it is going to end here as we stamp the authority of the County Assembly of Kitui. We need also to stamp the authority on the side of the Executive.

Secondly, Mr. Speaker, hon. Christopher Nzilu, he is also my friend, he is my neighbor, we share the same Sub-County and as hon. Mulandi has said, we loved you so much but as a person he has failed the office of the Deputy Speaker in which way Mr. Speaker.

Mr. Speaker, I was in Mwingi attending the committee on finance and I am also the chairperson, Committee on Administration and Christopher Nzilu is one of my committee Member. Mr. Speaker, sometimes we ignore the Standing Orders, in remember in a committee reading that, any Member who fails to attend the committee sittings four times should be removed from the Committee.

Without any fear, in so many occasions, my brother has not been attending my committee; more than four times. Secondly, I was reading this "kindly take notice that the liaison committee has been invited by the Committee on finance and economic planning for briefing on the proposed County Annual develop plan.

Mr. Speaker, I received this message since I am a Member of the Liaison Committee and what surprised me is to hear that the office of the Speaker did not confirm it officially. Mr. Speaker, we need to respect our bosses and on that one we don't have an option. And Mr. Speaker, when you read in the book of Ephesians 6: 6-4, it talks about respect to your boss, never outshine your boss. So, it is about respecting your boss.

Mr. Speaker, I am supporting a motion because first I am a Christian, your office has been disrespected. This is because there is no way as the chairperson, Committee on Administration, I will text the Members, to tell them; lets meet in Mombasa without your authority. It has to come from you and hon. Members, the people who elected us are really looking at what we are doing in the Assembly and outside.

Mr. Speaker, I have been seeing so many things in the social media, some may not come from the Assembly but bloggers are creating their own stories from the social media. Members we need to be very careful on this, remember 2027 is not very far, especially the elected. It is not far. If we don't stamp the authority as from now the County Assembly of Kitui will remain disrespected. Whatever we will do today, I have said and I will repeat it. Lets also do to the Executive so that we can respected. Thank you, Mr. Speaker.

**The Speaker:** Thank you Hon. Peter Mwanza. Hon. Stephen Katana and then hon. Mbuno.

**Hon. Stephen Katana:** Thank you, Mr. Speaker for this opportunity. I can see Members want to contribute to this motion and therefore, I will be very brief. I have much to say but since Members also want to contribute on this motion I will only take one minute.

It is not the eleventh hour of this House, it is very important time and it is not a sad moment. Mr. Speake, when we were sworn-in here and proceeded to training. We were all taking through the roles of Members of County Assembly. Where, we have oversight, legislation and representation. We were also trained on how we should conduct ourselves within the Assembly and outside the Assembly.

After that we went to form committee and did elections, Members were given responsibilities, where they are supposed to control the business of this Assembly. Mr. Speaker, I stand here to support that we need unity in our Assembly so that we can have effective oversight to the work being done by the County Executive to our people.

Mr. Speaker respect is very important and for this unity to be achieved I want Members to understand. If you don't perform your duties well, we are here for season and a reason and you know we cannot pretend to be asleep to watch you taking the Assembly in the wrong direction. Mr. Speaker, it is very important, these members are very many here. We were elected by giving our manifestos which was examined by our people and we were voted to come and serve the people of Kitui County.

So, Mr. Speaker I support, so that the external forces won't find its way to this house. This is a house of honor; respect and we need to work for our people in a very harmonies' manner. So,

Mr. speaker I stand to support the motion and it's not by anything, we are all friends and we work together for the people of Kitui County. Thank you, Mr. Speaker, I support the motion.

**The Speaker:** Thank you Hon. Stephen Katana. Hon. Erastus Mbuno and then Hon. Ndangara.

**Hon. Mbuno** (*The Deputy Majority Leader*): Thank you Mr. Speaker, for giving me this very opportunity to contribute on this very important motion. First and foremost, before I make my contributions. I want to say to my brothers and sisters, the hon. Members that the issues leveled against one Deputy Speaker, MCA for Kyangwithya West Ward, after I have read them. I think they don't hold water for him to be dismissed from the position he is holding today.

First, the issue of maybe absenteeism, none of us here is a saint. We are all victims, sometimes we got held-up by other duties, where we stay and we attend to them. So, I think that one is a factor that we should take it off from the accusations.

Secondly, the last time that I checked, the symbol for unity in the Assembly was not the office of the Speaker. I have read the County Government Act and I have read the Standing Order, I have not seen anywhere that says that the office of the Deputy Speaker is the office that is symbol of unity.

Finally, I would request this Hon. House, kindly, even if the current Deputy Speaker has committed anything wrong. I kindly, request this hon. House to give him a second chance, talk to him, tell him on this and that, you have not been doing us good, so correct.

In conclusion, as a person I request you hon. Members, let us be human enough to our Deputy Speaker. So that tomorrow we can be having something to smile about. I oppose this motion as a person and I oppose as the Deputy Majority Leader of my party because he is one of my own. I would wish and request once more, members of this house, kindly, give hon. Nzilu Nzioka a chance once more. We will be able to talk with him at a personal level, at the office level so that he can be to correct and in case there is something which is behold, then we will come and tell you hon. Members. Thank you very much, I oppose.

**The Speaker:** Thank you, Hon. Erastus Mbuno. I can see some microphones on maybe if we give those three. I am sure we can able to finish in the shortest time possible. Let me allow the Minority leader and the Jubilee whip.

**Hon. Nganga** (*The Minority Leader*): Thank you, Mr. Speaker. Mr. Speaker, I first want to agree with hon. Mary Ndumbu. It is a sad day in this Assembly. Mr. Speaker, we should not have been here discussing one of us to the negative but we are here doing so because the circumstances demand we do so.

Hon. Speaker, as much as people has said many things about hon. Nganga. Mr. Speaker, I am a peace maker and as a peace maker even on the matter before the Assembly today. My Minority Whip can confirm, I spoke to him on Thursday and told him "I know, you are in agriculture committee somewhere with the Deputy Speaker. kindly, I have seen in the order paper,

he will be discussed to the negative the coming week. Can ask my good friend before then to find peace with this Assembly.

Mr. Speaker, my Whip spoke to my brother but that didn't happen. Mr. Speaker, when my brother, my neighbor and my good friend here hon. Nzilu stood here against all the allegations leveled against him. I listened very intensively and what did I expect, I expected as one of us to understand forty-two members cannot all be driven by hatred to sign a motion against him. It cannot happen Mr. Speaker.

I expected hon. Nzilu to look at these allegations and say I realize I might have been making mistakes, give me a chance I will reform. What does he go ahead to do? He says "those accusations should have been leveled to someone else" who is that someone else? Mr. Speaker, expressing remorse, Mr. Speaker saying I am sorry does not reduce you from being a gentleman, actually it makes a you a gentleman.

Mr. Speaker, it is very painful that this has to happen. Let my brother go out there and reflect, realize as all leaders here whether elected or nominated. We deserve to respect each other and we are collectively responsible for well-being of this Assembly.

Mr. Speaker, I want to report and underscore this, forty-two Members out of sixty cannot all just be guided or driven by hatred to say hon. Christopher Nzilu, my friend they don't want him to be their Deputy Speaker, it can't happen.

Mr. Speaker, as I conclude, I also want it to on record because yesterday at one point I was with my Deputy Minority Whip. The matter might not be relating to what we are discussing here today but let it go to the Hansard of this County Assembly. Hon. Katumbi, the MCA for Kyangwithya East has been untraceable even with a confirmation from her wife that nobody knows where he is. It might not be relating to this case Mr. Speaker but let it be on record.

Mr. Speaker, I wind up by saying my brother, we are not removing you as a Deputy Speaker because of hatred, we just want you to go out there, reflect and see how you can become a better leader even for a bigger position because as we are today, Mr. Speaker, hon. Christopher Nzilu is a shame because of course the people of Kyangwithya East never went the ballot to elect a shame but he is a disappointment to the County Assembly of Kitui.

Again, Mr. Speaker, as a leader in this Assembly I have listen read and I am never scared or influenced by social media post. I do what I believe in within the laws which guide me on what I should do but Mr. Speaker, you know someone can write and say, I was misquoted but Mr. Speaker when you are captured on a video speaking by your mouth; you cannot say that you were misquoted.

I want to beg and beseech my good brother, the Deputy Majority Leader, Hon. Dr. Mbuno, I heard you threatening to commit suicide. Please don't commit suicide because this one is going to happen. I beech you, you are a doctor, you should be one who is supposed to be counselling and guiding me but for once let me wear your shoes, counsel you and guide you. Don't commit suicide. Thank you, Mr. Speaker.

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**The Speaker:** Thank you, Members, I think I tried to give each one of you, who wanted to say something on this motion an opportunity to do so. Allow me now to put the question on the motion.

*(Question put)*

Hon. Members, this been a motion which requires a specific number of this Assembly and Standing order No. 68 (2) requires the Speaker to direct a division to be taken in every instance where the Constitution lays down that a fixed majority is necessary to decide any question.

The law here is County Governments Amendments Act, section 11 (a) 1(b), which specify that, the County Assembly so resolves by a resolution supported by at least two thirds of all the members of the County Assembly in order to remove the Deputy Speaker from the office.

Therefore, Hon. Members we shall do a roll call voting on this motion and as I earlier communicated as per Standing Orders No. 69(5) when each member is called, they will either say “I vote Yes” when in support of the motion or a member can say “I vote No” when not in support of the motion or a member can say “I Abstain” or use appropriate Kenyan sign language. Any member who may want to use Kenyan sign language, we shall agree on which sign language means, “I vote Yes” and which one will mean “I vote No” or which one will mean “I Abstain” that one we shall determine.

So, Members allow me to direct the Deputy Clerk as per Standing Order No. 69 (1) to ring the division bell upon which the roll call voting will begin and as per the Standing Order No. 69 (3) At the end of ten minutes, the Speaker shall direct the doors to be locked and the Bar drawn and no Member shall thereafter enter or leave the County Assembly until after the roll call vote has been taken.

I will also direct that, the mover to appoint and person to be the teller and also the Deputy Speaker to appoint one person to be teller. The Deputy Clerk will make the necessary arrangements on how that will be done. Thank you. Yes Hon. Nganga.

**Hon. Nganga** *(The Minority Leader)*: Thank you, Mr. Speaker, I am not contributing to the motion but I am seeking your guidance; having guided us very well on the procedure on how to make this decision. My concern is on the two thirds because, this is a motion which is specified that there should be two thirds. It is applicable but I also want guidance, does the two third include the Deputy Speaker, who today is a subject of discussion and who does not have a right to vote?

**The Speaker:** Thank you, I will give a ruling on that...

*(The Speaker consulted with the Clerk- at- the table)*

Hon. Members, allow me to issue a quick ruling on the concerns and input by hon. Alex Nganga, the County Government Acts and our Standing Orders strictly says two third of the Members of the County Assembly. The Deputy Speaker is a Member of this County Assembly.

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So, the two thirds is forty, so allow me to make that ruling and the Deputy Clerk do the necessary. Let the bell be rung.

*(The bell was rung for ten minutes)*

*(The Speaker left the House as Hon. Paul Maluki took over the Chair)*

*(The Speaker re-entered the House and took the Chair)*

*(Prolonged loud consultations)*

**The Speaker (Hon. K. Katisya):** The clerk, are the ten minutes are over?

*(The Deputy Clerk confirmed ten minutes were over)*

**The Speaker (Hon. K. Katisya):** Thank you. Hon. Members, may we have some order please. I hereby direct the Serjeant-at Arms to lock the door and roll the bar. Anybody from outside will not be able to enter neither will anybody from inside be able to leave the Chambers.

*(Some Hon. Members walked into the Chamber)*

I am still on my feet.

*(Laughter)*

Deputy Clerk you may now call the Division. Hon. Members Order please! Order as we settle.

Hon. Members allow me remind you again that the mover of the motion Hon. Boniface Katula Mukwate will appoint one person to be his teller. Who will be your teller Hon. Katula?

**Hon. Mukwate:** *Mheshimiwa* Ndagara Muthengi.

**The Speaker (Hon. K. Katisya):** Thank you Hon. Muthengi Ndagara. Hon. Deputy Speaker appoint one Hon. Member to be your teller.

**Hon. Christopher Nzioka:** Am I allowed to do it?

**The Speaker (Hon. K. Katisya):** Yes, you can do it yourself if you so wish. But the Standing Order no. 69 (2) says that, “the names of one teller for the “Ayes” and one teller for “Noes” shall be submitted to the Speaker and the Speaker shall direct the tellers to take seats at the designated place.” It doesn’t say that you cannot. You can if you so wish or nominate one person to be your teller. So who is your teller Deputy Speaker?

**Hon. Christopher Nzioka:** Let me nominate Hon. Dr. Mbuno.

*(Applause)*

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**The Speaker (Hon. K. Katisya):** Thank you. Hon. Dr. Mbuno you are nominated. You can take a seat. Thank you.

Hon. Members, when we start the voting, let me remind you again, if you are in support of the motion you say “I vote yes”. The Deputy Clerk will have called your name. You don’t have to repeat your name. If you are not in support just say, “I vote no”. If you don’t want to vote you just say “I abstain”. Is that okay Members?

**Hon. Members (off record):** Yes.

**The Speaker (Hon. K. Katisya):** Is there a Member who wants to use the Kenya Sign Language? None. Hon. Muange?

**Hon. Muange:** We are new to these things, I wanted to know, will the tellers vote?

**The Speaker (Hon. K. Katisya):** Thank you. That is a very good question. The tellers including the Deputy Speaker will vote. That is how we will do the voting. But before we do the voting I will request the Clerk to confirm whether we have quorum. Let me make it easier by say one... that way for the record. Serjeant-at-Arms give out the microphone.

*(Quorum confirmed through physical head count)*

Hon. Members as per Standing Orders no. 69 (5) I am obliged to put the Question again.

*(Question Put)*

I therefore, call the Deputy Clerk to call out the roll call.

*(Division vote started)*

**The Deputy Clerk (Lucy Waema):** Hon. Alex Mutambu Nganga, Miambani Ward.

**Hon. Nganga:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Alphonse Musyimi Mukwayu, Kyome/Thaana Ward.

**Hon. Mukwayu:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Anthony Musyimi Musyoka, Kiomo/Kyethani Ward.

**Hon. A.M. Musyoka:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Aron Kilonzi Kasele, Mutitu/Kaliku Ward.

**Hon. Kasele:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Bernard Mwangangi Munyasya, Mwingi Central Ward.

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**Hon. Munyasya:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Benjamin Ndambu Mulandi.

**Hon. B.N. Mulandi:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Boniface Maundu Katumbi, Kyangwithya East East Ward.

*(Hon. Member called was Absent)*

Hon. Boniface Mukwate Katula, Kanyangi Ward.

**Hon. Mukwate:** I strongly vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Charity Kathathi Musyoka, Nominated MCA

**Hon. (Ms)Kathathi:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Charity Mwangangi, Nominated MCA

**Hon. (Ms.) Mwangangi:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Christopher Nzilu Nzioka, Kyangwithya West.

**Hon. Nzilu:** I vote no.

**The Deputy Clerk (Lucy Waema):** Hon. Cornelius Ngumbau Muthami, Mui Ward.

**Hon.Muthami:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Cyrus Kisavi Musyoka, Ikanga Kyatune Ward.

**Hon. C.K. Musyoka:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Daniel Kimanzi Muange, Tseikuru Ward

**Hon. Muange:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Daniel Ngoima Kimanzi, Kitui Township Ward.

*(Hon. Member called was Absent)*

Hon. David Masaku Munyau, Mutomo/Kibwea Ward.

**Hon. Masaku:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Deborah Katungwa Mutuku, Nominated MCA.

**Hon. (Ms.) Deborah:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Dominic Mwamisi Isumail, Mutha Ward.

**Hon. Mwamisi:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Elizabeth Ndunge Peter, Nominated MCA.

*(Hon. Member called was Absent)*

Hon. Erastus Musyoka Mbuno.

**Hon. (Dr.) Mbuno:** I vote no.

**The Deputy Clerk (Lucy Waema):** Hon. Fastina Mwendu Solomon, Nominated MCA.

**Hon. (Ms.) Fastina:** I vote yes.

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**The Deputy Clerk (Lucy Waema):** Hon. Frida Maua Mutinda, Nominated MCA.

**Hon. (Ms) Maua:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Gabriel Munyao Mutunga.

**Hon. Munyao:** I vote yes.

**The Deputy Clerk (Lucy Waema):** Hon. Godfrey Muthengi Ndagara, Tharaka Ward.

**Hon. Ndagara:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Grace Syoindo Mulandi, Nominated MCA.

**Hon. (Ms) G.S. Mulandi:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Harrison Maluki Mawia, Migwani Ward.

**Hon. H. Maluki:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Hussein Mwandia, Ikutha Ward.

**Hon. Mwandia:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Immaculate Wanza John, Nominated MCA.

**Hon. (Ms) Wanza:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Jacinta Mary Mwoni, Nominated MCA.

*(Hon. Member called was absent)*

Hon. Jacqueline Cate Kalenga.

**Hon. (Ms) Kalenga:** *Napiga Ndio.*

**Clerk at the Table (Mulandi Kavali):** Hon. Jeremiah Musee Mutua.

**Hon. Jeremiah Mutua:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Joseph Kasungi Kavula, Waita Ward.

**Hon. Kasungi:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Joseph Musyoka Mbite, Nzambani Ward.

**Hon. J. Musyoka:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Joseph Nzungi Ngwele, Ngomeni Ward.

*(Hon. Member called was absent)*

Hon. Judith Wanza Kasyoka, Nuu Ward.

**Hon. (Ms) J. W. Kasyoka:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Kalamba Musau, Nominated MCA.

**Hon. (Ms) Kalamba:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Karigi Ciambutra, Nominated MCA.

**Hon. (Ms) Ciambutra:** I vote yes.

*(Applause)*

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**Clerk at the Table (Mulandi Kavali):** Hon. Kyalo Kimuli, Kanziko Ward.

**Hon. Kimuli:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Malinga Munyao, Zombe/Mwitika Ward.

**Hon. Malinga:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Mark Kitute Nding'o, Yatta/Kwa Vonza Ward.

*(Hon. Member called was absent)*

Hon. Mary Mbithe Musili, Nominated MCA.

*(Hon. Member called was absent)*

Hon. Mary Mbithi Ndumbu, Nominated MCA.

**Hon. (Ms) Ndumbu:** I vote No.

**Clerk at the Table (Mulandi Kavali):** Hon. Hon. Mary Mwendu Mutune, Nominated MCA.

*(Hon. Member called was absent)*

**Clerk at the Table (Mulandi Kavali):** Hon. Mathew Ngovi Vuthi, Chuluni Ward.

**Hon. Vuthi:** I vote yes.

*(Applause)*

**(Clerk at the Table (Mulandi Kavali):** Hon. Mercy Muliwa Muema, Nominated MCA.

*(Hon. Member called was absent)*

Hon. Munira Mohammed, Nominated MCA.

**Hon. (Ms.) Munira:** Mr Speaker, I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Munyoki Mwinzi, Kyuso Ward.

*(Hon. Member called was absent)*

Hon. Muthama Musyoka Kieti, Athi Ward.

**Hon. Kieti:** I vote yes.

*(Applause)*

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**Clerk at the Table (Mulandi Kavali):** Hon. Nicholas Muema Mutemi, Kisasi Ward.

*(Hon. Member called was absent)*

**Clerk at the Table (Mulandi Kavali):** Hon. Nzavu Mwanzia, Mbitini Ward.

**Hon. Nzavu:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Paul Maluki, Kwa Mutonga/ Kithumula Ward.

**Hon. P. Maluki:** I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Peter Mwanza Kitonyo, Mulango Ward.

**Hon. Kitonyo:** Mr. Speaker, I vote yes.

**Clerk at the Table (Mulandi Kavali):** Hon. Priscilla Martha Makumi, Nominated MCA.

*(Hon. Member called was absent)*

Hon. Rose Kasyoka Kathoka, Nominated MCA.

*(Hon. Member called was absent)*

Hon. Sammy Musili Munyithya, Kivou Ward.

*(Hon. Member called was absent)*

Hon. Stephen Ileve Katana, Nguutani Ward.

**Hon. Katana:** I vote yes.

*(Applause)*

**Clerk at the Table (Mulandi Kavali):** Hon. Sylvester Kitheka Munyalo, Matinyani Ward.

**Hon. Munyalo:** I strongly vote yes.

*(Applause)*

**Clerk at the Table (Mulandi Kavali):** Hon. Titus Munyoki Kasinga, Mumoni Ward.

*(Hon. Member called was absent)*

Hon. Waziri Bakari Baraka, Nominated MCA.

*(Hon. Member called was absent)*

Hon. Zacchaeus Ivutha Syengo, Voo/ Kyamatu Ward.

**Hon. Syengo:** I vote yes

*(Prolonged Applause)*

**The Speaker (Hon. K. Katisya):** Thank you. Deputy Clerk has everybody voted?

**The Deputy Clerk (Lucy Waema):** Hon. Speaker, every Hon. Member in the House has voted.

**The Speaker (Hon. K. Katisya):** Thank you. Kindly do the tallying and bring forth the results. Liaise with the two tellers.

Make sure the two tellers sign the results and as per Standing Order no. 69 (6), it is the two who bring the result to the Speaker. Let me read, “After the Clerk has read the last name in the Division list, the tellers shall present the result of the roll call vote to the Speaker who shall thereupon announce the result of the vote to the County Assembly.”

*(Prolonged loud consultations)*

Order Hon. Members! Order please! Order Hon. Members! As per Standing Order no. 69 (6) the result of the roll call voting has been submitted to the Speaker and are as follows:

Those in support of the motion, with a YES vote are Forty One (41)

*(Loud Applause)*

Those not in support of the motion with a NO vote are Three (3).

*(Loud Applause)*

Absent are Sixteen (16)

Abstinance, Zero (0).

The tellers were Hon. Muthengi Ndagara for the “Yes”, ID. NO. 24211279 and he has signed the results. The teller for the “Nos” was Hon. Erastus Mbuno, ID. NO. 31239054 and he has signed in support and the same has also been signed by the Deputy Clerk Madam Lucy Waema. These are the results on the removal from office of the Deputy Speaker Hon. Christopher Nzilu Nzioka.

Hon. Members, that marks the end of the voting and the motion to approve the motion on removal of Hon. Christopher Nzilu Nzioka as the Deputy Speaker has been approved by the House.

*(Applause)*

I humbly request the Deputy Speaker to vacate the Seat and sit on any other seat. I also direct the Serjeant-at Arms lowers the bar and open the door.

*(The bar was lowered and doors unlocked)  
(Hon. Christopher Nzilu Nzioka left the Chamber)*

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Thank you very much.  
Clerk, Next Order!

### MOTION ON ADJOURNMENT OF THE COUNTY ASSEMBLY

Thank you. Leader of the Majority Party. Please go ahead.

**Hon. H. Maluki:** Thank you Mr. Speaker, Sir for giving this opportunity. I seek leave to move motion on Adjournment of the County Assembly.

That, pursuant to the provisions of Standing Order No. 25 (3), this Assembly do now adjourn its Sittings from today Wednesday, 4<sup>th</sup> October, 2023, to allow Members of the County Assembly to take part in Public Participation on the Kitui County Finance Bill 2023, (C/A Bill No. 4 of 2023) and other Assembly Oversight business and resume its Sittings on Tuesday, 17<sup>th</sup> October, 2023 at 9:00 A.M.

Mr. Speaker, Sir, I want to urge the Hon. Members, my colleagues in this Assembly to support this motion; that we adjourn our Sittings from today 4<sup>th</sup> to 17<sup>th</sup> and as you can see in the motion there are several activities which we are going to carry out during the adjournment where by one of them is a very important activity to take part in the public participation on the Kitui County Finance Bill 2023 which you committed into this House and also Committee business which is oversight before we resume our business on 17<sup>th</sup> October. With those few remarks I want to request Hon. Alex Nganga, the Minority Leader to second this motion. Thank you.

**The Speaker (Hon. K. Katisya):** Thank you Majority Leader, Hon. Harrison Maluki Mawia for moving the motion. Hon. Alex Nganga you may go ahead.

**Hon. Nganga:** Thank you Mr. Speaker, Sir. I stand to second the motion because as highlighted by the Majority Leader, we need to expedite some businesses. One; to facilitate our county executive to continue working for the people of Kitui. Again, to also give Members of this House an opportunity to engage with the electorates, seek their views on the decisions being made so that we can always make sure our county progresses. I stand to second.

**The Speaker (Hon. K. Katisya):** Thank you Hon. Alex Nganga.

*(Question Proposed)*

Hon. Members, this being a procedural motion, there will be no Question Put, but I will give Hon. Members to give an opportunity to give their input before we proceed. Thank you.

Hon. Masaku, are you saying something? Hon. Members remember we said it is not a banana republic! Remember we agreed. What are you saying Hon. Masaku?

**Hon. Masaku:** Mr. Speaker, I was saying you proceed.

**The Speaker (Hon. K. Katisya):** You want me proceed?

**Hon. Masaku:** Yes.

**The Speaker (Hon. K. Katisya):** Thank you Hon. Masaku.

**Hon. Masaku:** And it is good we are adjourning for a business of the Finance Bill because without the Bill it is illegal for the government to collect money. So, we are breaking for a very important business. It is also good to know that some of the Hon. Members who are not here don't

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differentiate between an adjournment and recess. They say that the Speaker has told us to go for a recess... I just wanted to pass this information that we are adjourning to go and do business for this Assembly.

**The Speaker (Hon. K. Katisya):** Thank you Hon. Masaku. Hon. Jeremiah Musee Mutua.

**Hon. Jeremiah Mutua:** Hon. Speaker, mine is that I am privileged to sit close to a reknown prestigious man of God, PIAC Chair and the MCA for Kauwi, one Hon. Gabriel Munyao. I have his blessings to communicate to the Hon. Members that as we adjourn to for public participation on Finance Bill and other activities given to us by the electorate, you have a lot of respect, a lot of dignity and a lot of God's blessings from the Man of God here...

*(Laughter)*

And going forward, Hon. Members who were here today are people to be respected not only in Kenya but in the entire world.

*(Laughter)*

Let that be recorded on Hansard by saying that God will bless these people. Why? We have already passed the Appropriations Bill. That is what the people of Kitui County want. Hon. Member for Mutomo has said it some people mistake us, the word adjournment for recess. I will immediately see people say we have gone for recess. This is an adjournment to partake public participation. We want our people to report the correct things on what is happening at the County Assembly. It is not a recess but an adjournment for us to do public participation on a public Bill which is also a job for the people of Kitui County.

This House and the Hon. Members who are seated here, because the Deputy Majority Leader, Hon. Mbuno says, when he last checked... I want to use his paraphrasing. When I last checked I found that there are Hon. Members who were no here when we were passing the Appropriations Bill which is a key thing to the electorate. Where were they?

Hon. Speaker, I wanted to say that I have a blessing from the man of God here. Hon. Members, may you receive the blessings of God as you walk to partake your duties given to you by the electorate. I support the motion.

**The Speaker (Hon. K. Katisya):** Thank you Hon. Jeremiah. Can the man of God give the blessings himself because he is next to you. But thank you. On a light note... Oh, the man of God has arisen? Okay... Is it Hon. Gabriel, Hon. Member for Kauwi?

**Hon. Munyao:** Thank you Mr. Speaker for the opportunity to Speak to these gallant soldiers. They have resisted intimidation, bribery not to attend this House to pass very important Bill.

Mr. Speaker, Sir, we really support the government in fulfilling its mandate to the people of Kitui County. Many Members were calling us for money even when I was seated here we were receiving M-PESA messages, others calling us out to leave the Appropriations Bill. But we resisted. So Members may God bless you so much because you have refused money and chose to serve the people of the great Kitui County.

*(Applause)*

**The Speaker (Hon. K. Katisya):** Thank you Hon. Gabriel. Sorry Hon. Gabriel Munyao do you have more to say?

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**Hon. Munyao:** I bless you in the name of the Father, the Son and the Holy Spirit.

**The Speaker (Hon. K. Katisya):** Amen. Thank. Hon. Mbuno what are you saying?

**Hon. (Dr.) Mbuno:** I don't need his blessings.

*(Laughter)*

**The Speaker (Hon. K. Katisya):** Hon. Dominic Mwamisi then Hon. Mwandia.

**Hon. Mwamisi:** Thank you very much for the opportunity to say something briefly on this. But before I do that, there is a day we were working with Hon. Jeremiah, Hon. Member for Nguni. He mentioned to the crowd that while he is not in the Assembly his other duties are on the pulpit. I don't know why he is not giving us his own blessings.

Mr. Speaker, Sir, I stand to support this motion. Oversight is one of the duties we the Members of the County Assembly have to carry out. And it is also good for us to go and engage the people at the ward level to get to know how the executive is working. Again on the Finance Bill, it is very good for us to go and do the public participation. Today I want to thank the Members of the Fourth Estate, today they came in big numbers. How I wish they would do the same when we are discussing other important motions. Thank you.

**The Speaker (Hon. K. Katisya):** Hon. Dominic Mwamisi. Hon. Hussein Mwandia.

**Hon. Mwandia:** Thank you Mr. Speaker Sir. Long time ago people said, "Too much work without play made Mamen a dull boy." It is a quote.

There was a politician in the National Assembly by the name Njenga... Is it Njenga who said, 'if you rattle a snake be ready to be bitten'. That was Michuki.

I am supporting the adjournment because it will make us give parental care to our kids. Some Members here are suffering from fixation. Some missed being breastfed by their mothers and that's why you can see them behaving in a funny way.

Mr. Speaker, we have been very busy today and of course we need a rest. This adjournment will serve the purpose. We have also made a change and change is as good as a rest. It will also make us not to interact with those... In the just passed business we made a head count and we were forty - four. Of course the vote were obvious, the opposition side was three. I didn't see why there was so much time taken to compile the result. It means there is somebody who was resisting.

Mr. Speaker, if you allow me to quote something very small

*(Played an inaudible sound clip)*

End of quote. Thank you.

*(Prolonged laughter)*

*(Applause)*

**The Speaker (Hon. K. Katisya):** Hon. Mwandia, I don't know what you have quoted. But you may have to withdraw it. Please withdraw it.

**Hon. Mwandia:** Mr. Speaker, it was not a quote. I could have sought leave so that I can play...

**The Speaker (Hon. K. Katisya):** It is not difficult to use the word withdraw

**Hon. Mwandia:** I have withdrawn Mr. Speaker.

**The Speaker (Hon. K. Katisya):** Thank you Hon. Hussein Mwandia. Hon. Katana. Then Hon. Mathew. I can see your microphone is on.

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**Hon. Katana:** I can say something. Thank you, Mr. Speaker for the opportunity. Members we are proceeding for the business. We will be meeting our people during the Public participation on the Finance Bill. There is a question which should be asked so much, “What are you doing in the Assembly?” It is now on the walls. What we have done today will show the solidarity that we will be cultivated in the Assembly. What we have done today will be counted when we are on the ground.

Let me say this. It is good to now leave the relationship and make new ones that can make you to grow. Thank you. God bless you.

**The Speaker (Hon. K. Katisya):** Thank you very much Hon. Katana for your words of wisdom. Hon. Mathew Thuvi, I don’t know whether you are able to stand. The last time I checked you had a fractured leg. It is happy to see you back Hon. Mathew. How are you doing?

**Hon. Thuvi:** Thank you. I am doing great and I just want to thank God for this time and the opportunity He has given me. I am healing. Most of Members know I got an accident when we football for this County Assembly. I just want to thank all the Members especially my brother Hon. Hussein Mwandia. He has been very useful to me. I have made him like my driver. Wherever I am going he picks me from the House. I want to thank him on behalf of my family for the help he has accorded me.

*(Applause)*

Hon. Speaker, the other thing I want to recommend to the Hon. Members. We are given the opportunity by God. Please you are, may be you are a Chair of a Committee, let us keep working. Let us be serious to work for the people of Kitui. God bless you.

*(Applause)*

**The Speaker (Hon. K. Katisya):** Thank you very much. Hon. Members before I adjourn the House, allow me to say that the motion which we have just passed is of course a motion one of us, the Deputy Speaker. We have tried to ensure the due process. We have followed the law. I want to encourage you that, let this not divide the House. Let us be united as Hon. Members regardless of our political party affiliations. That is why always when I interact with you, when I serve, I don’t look at your political party. When you were voting yes or no, and even when the Deputy Clerk was reading the names, the part of nominated was read, and I want to use “Hon. Munira Mohammed, nominated”, there was no word “Narc”. “Fastina Mwendu Solomon Salu, Nominated”. There was no word “Wiper”. “Hon. Alphonse Musyimi Mukwayu, Kyome/Thaana Ward”. “Hon. Muthama Kieti, Athi Ward”. There was no “Narc”, There was no “Jubilee”, there was no “Independent”, there was no “GITAP”, there was no “Muungano”, there was no “UDA”, there was no “CPK”. What does that mean? That, when you are here the law defines you as an MCA, elected or nominated regardless of your political party. When I am here, I am the Speaker, regardless of my political party. This is because under Article 38 of the Constitution everybody has a right to belong to whichever political party and you cannot be discriminated because of your political party affiliation.

Hon. Members, as your leader I want to encourage you to be united. Let us be united amongst ourselves. Let us partner with the executive. We have a noble duty ahead of us Hon. Colleagues, to serve the people who elected us. To serve the people whom we were nominated to serve. And God has given us a noble duty. Please, one year is down. We have three years and ten

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months. Not even four years. Please let us have unity of purpose. I know we can have personal differences, we can have political differences, but when we come here please let us unity of purpose.

Chairs of committees, the Assembly runs through committees. Let us make sure we have unity, let the Chairs take leadership. I know tomorrow in the schedule committees have been allocated time to meet. Please meet. You will generate business by having the committee sittings.

In the absence of the Deputy Speaker, the First Chair of the Speaker's Panel becomes the Chair of Chairs. So, I direct you Hon. Paul Maluki to convene an urgent meeting of the Liaison Committee for the Chairs to meet and discuss committee work because we have to work. We have to represent our people. We have to legislate. We have to oversight. Let us not complain when things are being done in the executive. Our work is not to complain. Our work is to oversight and issue the necessary directives to the Executive. That is our work as Hon. House. So please Chairs let us try to do our work. Let us work on the statutory documents and I am sure we shall be an Assembly to be emulated. We have a future all of us. Let us not destroy our future by what we do now.

Let what we discuss in official groups as Hon. Colleagues be, there is no need of exposing this Assembly out there. And I think the Speaker's rules should come very fast because, we need to discuss how we are going to engage because we are rebuking our House out there. So, Members I urge you, let us remain united, let us work together as a team and the sky will be the limit for all of us. Thank you very much and may God bless you.

Let us now be upstanding so that we adjourn the House.

### ADJOURNMENT

Hon. Members, this House now stands adjourned until Tuesday, 17<sup>th</sup> October, 2023 at 9:00 a.m.

**The House rose at 5:57 p.m.**

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