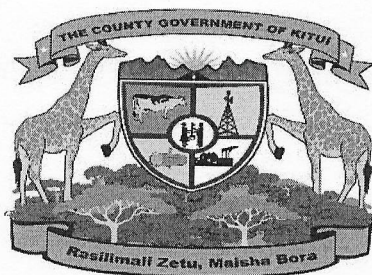


**THIRD ASSEMBLY
(205)**

**THIRD SESSION
(444)**



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

WEDNESDAY 4TH DECEMBER, 2024 AT 2.30 P.M

1. The Assembly convened at Thirty minutes past Two O'clock.
2. The proceedings were opened with a prayer.
3. **PRESIDING** – Honourable Speaker on the Chair.
4. **MESSAGE FROM H.E. THE GOVERNOR AS RELATES TO THE MEMORANDUM ON THE KITUI COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2024 (KITUI COUNTY BILL NO. 5)**

Honourable Members,

As you all may recall, the Kitui County Supplementary Appropriation Bill, 2024 was passed by this House on 27th November, 2024 and subsequently forwarded to His Excellency the Governor for assent in accordance with the provisions of Section 24(2)(a) of the County Governments Act, 2012 and Standing Order No. 134 (1).

Honourable Members,

According to Section 24 (2) of the County Governments Act, 2012, the Governor has a window of fourteen (14) days from the receipt of a Bill to either:

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- (a) Assent to the Bill; or
- (b) Refer the Bill back to the County Assembly with a Memorandum outlining reasons for the referral.

In this instance, however, His Excellency the Governor opted for the latter, and submitted a memorandum to the Office of the Speaker on 29th November, 2024, in accordance with Section 24(2)(b) of the County Governments Act, 2012 expressing reservations and declining to assent to the Kitui County Supplementary Appropriation Bill, 2024.

Honourable Members,

Upon such a referral and as provided for under Section 24(3) of the County Governments Act, 2012, the County Assembly may, following the appropriate procedures under this section;

- (a) amend the Bill taking into account the issues raised by the Governor; or
- (b) pass the Bill without amendments.

Honourable Members,

In the event of an amendment, it is crucial to note the following provisions of the law pertaining the passage of the Bill a second time;

- (a) Section 24(4) of the County Governments Act, 2012 as read together with Standing Order No. 134(7) envisages that:
“if the County Assembly amends the Bill taking into consideration the issues raised by the Governor, the Speaker shall within fourteen days submit the Bill to the Governor for assent”, and
- (b) On the other hand, as stipulated in Section 24(5) of the County Governments Act, 2012 as read together with Standing Order No. 134(8):

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“if the County Assembly passes the Bill a second time without amendments or with amendments which do not accommodate the Governor’s concerns by a vote supported by **two-thirds** of the Members of the County Assembly, the Speaker shall within seven days re-submit the Bill to the Governor and the Governor shall within seven days assent to the Bill”.

Honourable Members,

In accordance with Standing Order No. 134(4) and in order to ensure a comprehensive review and thoughtful deliberation of the Governor’s memorandum, I hereby commit it to the County Budget and Appropriations Committee for thorough examination and subsequent report to the Assembly. I subsequently direct that the Committee retreats with immediate effect to undertake this noble task.

Thank you all.

5. STATEMENTS;

The following statements were given before the House;

- i. Schedule of Plenary Business for the week ending on 13th December, 2024. *(Designated Member of the County Assembly Business Committee)*
- ii. Statement Request to the Chairperson, Committee on Agriculture, Water and Irrigation on the status of water projects in Tharaka Ward. *(Hon. Godfrey Muthengi Ndagara- M.C.A Tharaka Ward)*
- iii. Statement request to the chairperson, Committee on Agriculture, Water and Irrigation on the status of the proposed construction of 100M³ Masonry tank at Misewani village in Kyangwithya East and other water

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projects. (*Hon. Boniface Maundu Katumbi- M.C.A Kyangwithya East Ward*)

- iv. Response to statement request by Hon. Cyrus Musyoka Kisavi on layoff of Community Health Promoters (*Chairperson, Committee on Labour and Social Welfare*)

6. MOTION ON ADOPTION OF MEMBERSHIP TO THE SPECIAL COMMITTEE ON THE PROPOSED REMOVAL FROM OFFICE OF THE COUNTY EXECUTIVE COMMITTEE MEMBER (CECM) FOR FINANCE, ECONOMIC PLANNING AND REVENUE MANAGEMENT – MR. PETER MWIKYA KILONZO.- (*Chairperson, Committee on Selection*)

Motion Made and Question proposed;

THAT, pursuant to the provisions of Section 40 (3)(a) of the County Governments Act, 2012, this Assembly hereby approves the motion on the membership to the Special Committee on the removal from office of the County Executive Committee Member (CECM) for Finance, Economic Planning and Revenue Management – Mr. Peter Mwikya Kilonzo, as follows;

- i. Hon. Jeremiah Musee Mutua
- ii. Hon. David Masaku Munyau
- iii. Hon. Jacquelyne Cate Kalenga
- iv. Hon. Frida Maua Mutinda
- v. Hon. Peter Kitonyo Mwanza

THAT, Further the mandate of the Committee shall be to investigate the matter and report to the Assembly within a period of ten (10) days.

Hon. Harrison Maluki Mawia (M.C.A)

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Debate arising;

Question put and **agreed to.**

7. ADJOURNMENT - And the time being Five minutes past Five O'clock, the Honourable Speaker adjourned the Assembly.

8. ASSEMBLY ROSE - At Five minutes to five O'clock.

MEMORANDUM

*The Honourable Speaker will take the chair on
Wednesday, 10th December, 2024 at 9.00 A.M.*

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