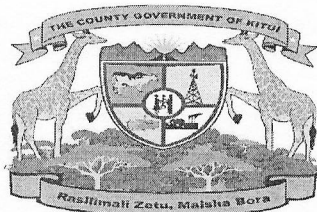


**THIRD ASSEMBLY**  
**(012)**

**FOURTH SESSION**  
**(061)**



**COUNTY GOVERNMENT OF KITUI**  
**THE COUNTY ASSEMBLY**  
**THIRD ASSEMBLY - (FOURTH SESSION)**  
**VOTES AND PROCEEDINGS**  
**WEDNESDAY 5<sup>TH</sup> MARCH, 2025 AT 2.30 P.M**

1. The Assembly convened at Thirty Minutes past Two O'clock.
2. The proceedings were opened with prayer.
3. **PRESIDING** – Honourable Speaker on the Chair.
4. **COMMUNICATION FROM THE CHAIR**

The following communications were made:

**COMMUNICATION AS RELATES TO THE AUDITOR GENERAL'S  
REPORTS FOR THE KITUI COUNTY LEVEL 4 HOSPITALS FOR  
THE YEAR ENDED 30<sup>TH</sup> JUNE 2024- COUNTY GOVERNMENT OF  
KITUI**

**Honourable Members,**

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

**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(063)**

- xiii) Audited accounts of Zombe County hospital for the year ended 30<sup>th</sup> June, 2024.
- xiv) Audited accounts of Katulani Level 4 hospital for the year ended 30<sup>th</sup> June, 2024.

**Honourable Members,**

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

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

**COMMUNICATION FROM THE CHAIR AS RELATES TO THE  
KITUI COUNTY FISCAL STRATEGY PAPER, (CFSP) 2025/2026.**

**Honourable Members.**

Article 224 of the Constitution of Kenya 2010, provides that every County Government shall prepare and adopt its own Annual Budget and Appropriation Bill in the form, and according to the procedure prescribed in an Act of Parliament.

Thus, the County Governments are specifically guided by Part IV (four) of the Public Finance Management Act, 2012 that touches on



**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(065)**

As guided by the provisions of Standing Order 205, I hereby commit this Fiscal Strategy Paper to the Sectoral Committees to deliberate upon as per their respective mandate and subsequently make recommendations to the County Budget and Appropriations Committee.

The County Budget and Appropriations Committee shall thereupon consolidate and table a report together with its recommendations to the County Assembly for consideration.

**COMMUNICATION AS RELATES TO THE COUNTY MEDIUM TERM DEBT MANAGEMENT STRATEGY, 2025.**

**Honourable Members,**

County Governments are specifically guided by part 4 (four) of the Public Finance Management Act, 2012, that touches on County Government Responsibilities with respect to the management and control of Public Finance.

**Honourable Members,**

The Public Finance Management Act, 2012 outlines the procedures to be followed and the relevant statutory instruments required to be passed in approving the County annual Budget.

It is for this reason therefore that the County Executive Committee Member for Finance, Economic Planning and Revenue Management

**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(067)**

Committee member for finance shall publish and publicize the statement and submit a copy to the Commission on Revenue Allocation and the Intergovernmental Budget and Economic Council.

**Honourable Members,**

Section 141(2) of the Public Finance Management Act provides that a County Government may borrow money in accordance with the Act but shall not exceed the limit set by the County Assembly.

Therefore, I hereby commit this County Medium Term Debt Management Strategy, 2025 to the County Budget and Appropriations Committee for consideration and subsequently table a report together with its recommendations to the County Assembly.

**COMMUNICATION AS RELATES TO THE AUDITOR GENERAL'S  
REPORTS FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2024- COUNTY  
GOVERNMENT OF KITUI.**

**Honourable Members,**

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



**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

(012)

(069)

**COMMUNICATION AS RELATES TO COURT ORDER ISSUING  
CONSERVATORY ORDERS ON SELECT AND SECTORAL  
COMMITTEES.**

**Honourable Members,**

On 4<sup>th</sup> March 2025, the County Assembly received a Court Order dated 3<sup>rd</sup> March 2025, issued by the High Court of Kenya at Kitui in Constitutional Petition No. HCCHRPET/E001/2025. The Order grants conservatory measures suspending the reconstitution of Select and Sectoral Committees, which had been reconstituted on 14<sup>th</sup> February, 2025. The Honourable Speaker, the Acting Clerk of Assembly and the Leader of the Majority Party have been named as respondents in this petition.

Following receipt of this Court Order, I sought legal advice from the legal department through the Office of the Clerk on the appropriate course of action. I now present the legal guidance as received.

*"I hereby provide my considered legal opinion on the Petition as follows:*

**A. Facts**

*Hon. Mark K. Nding'o & Thirty-Four Others filed Constitutional Petition No. E001/2025 in the High Court of Kitui, seeking the following interim reliefs:*

**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(071)**

- ***The Annual Development Plan***
- ***The Auditor General Reports***

*The issuance of the conservatory orders effectively stalls the operations of these committees. Consequently, their inability to discharge their statutory mandates within the prescribed timelines may have detrimental effects on governance and service delivery within the County Assembly, ultimately affecting common people.*

**Honourable Members,**

In light of the legal advice received and in relation to my earlier communication committing the County Fiscal Strategy Paper (CFSP), the Debt Management Strategy Paper (DMSP) for the Financial Year 2025/2026, and the Auditor General's Report to the County Budget and Appropriations, and the Public Investments and Accounts Committees respectively, I wish to direct as follows:

1. Consideration of these vital documents shall be deferred pending either:
  - The lifting of the Court Orders, or
  - The Court's ruling on the matter, whichever comes first.
2. The Assembly will expeditiously pursue legal recourse to seek the vacation of the Court Orders to allow statutory committees to proceed with their functions.



**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(073)**

**THAT**, pursuant to the provisions of section 12(2A) and 18 of the County Government (Amendment) Act, 0202 as read together with section 5(1) of the Office of the County Attorney Act, 2020 and Standing Order No. 184 and 179(6), this Assembly hereby adopts the report by the Committee on Appointments on Vetting of Nominees to the Selection Panel for selecting suitable candidates for Appointment as County Secretary, County Attorney and Secretary to the County Public Service Board.

*(Hon. Harrison Maluki Mawia)*

***(Business deferred to a later date, with the leave of the Speaker)***

**7. MOTION ON APPROVAL OF THE COUNTY ASSEMBLY ANNUAL CALENDAR, FOURTH SESSION (2025)**

*(Designated Member, County Assembly Business Committee)*

Motion made and question proposed;

**THAT**, pursuant to the provisions of Standing Orders 25(1) and 15(5)(a), this Assembly hereby approves the County Assembly Annual Calendar for the Third Assembly, Fourth Session (2025) attached to the Motion.

*(Hon. Alphonse Mu)*

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**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

(012)

(075)

Wednesday, 26 <sup>th</sup> February, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 04</b>	
Tuesday, 4 <sup>th</sup> March, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 4 <sup>th</sup> March, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 5 <sup>th</sup> March, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 5 <sup>th</sup> March, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 05</b>	
Tuesday, 11 <sup>th</sup> March, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 11 <sup>th</sup> March, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 12 <sup>th</sup> March, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 12 <sup>th</sup> March, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 06</b>	
Tuesday, 18 <sup>th</sup> March, 2024 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee



**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(077)**

<b>WEEK 09</b>	
Tuesday, 8 <sup>th</sup> April, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 8 <sup>th</sup> April, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 9 <sup>th</sup> April, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 9 <sup>th</sup> April, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>APRIL RECESS (26 DAYS)</b>	
<b>WEEK 10</b>	
Tuesday, 6 <sup>th</sup> May, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 6 <sup>th</sup> May, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 7 <sup>th</sup> May, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 7 <sup>th</sup> May, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 11</b>	
Tuesday, 13 <sup>th</sup> May, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee

**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

(012)

(079)

<b>WEEK 14</b>	
Tuesday, 3 <sup>rd</sup> June, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 3 <sup>rd</sup> June, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 4 <sup>th</sup> June, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 4 <sup>th</sup> June, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 15</b>	
Tuesday, 10 <sup>th</sup> June, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 10 <sup>th</sup> June, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 11 <sup>th</sup> June, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 11 <sup>th</sup> June, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 16</b>	
Tuesday, 17 <sup>th</sup> June, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee



**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(081)**

Tuesday, 8 <sup>th</sup> July, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 8 <sup>th</sup> July, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 9 <sup>th</sup> July, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 9 <sup>th</sup> July, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 20</b>	
Tuesday, 15 <sup>th</sup> July, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 15 <sup>th</sup> July, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 16 <sup>th</sup> July, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 16 <sup>th</sup> July, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 21</b>	
Tuesday, 22 <sup>nd</sup> July, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 22 <sup>nd</sup> July, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 23 <sup>rd</sup> July, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business

**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

**(012)**

**(083)**

Wednesday, 24 <sup>th</sup> September, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 24 <sup>th</sup> September, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 28</b>	
Tuesday, 30 <sup>th</sup> September, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 30 <sup>th</sup> September, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 1 <sup>st</sup> October, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 1 <sup>st</sup> October, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 29</b>	
Tuesday, 7 <sup>th</sup> October, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 7 <sup>th</sup> October, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 8 <sup>th</sup> October, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 8 <sup>th</sup> October, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 30</b>	
Tuesday, 14 <sup>th</sup> October, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 14 <sup>th</sup> October, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business



**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

(012)

(085)

Wednesday, 5 <sup>th</sup> November, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 5 <sup>th</sup> November, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 34</b>	
Tuesday, 11 <sup>th</sup> November, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 11 <sup>th</sup> November, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 12 <sup>th</sup> November, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 12 <sup>th</sup> November, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 35</b>	
Tuesday, 18 <sup>th</sup> November, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 18 <sup>th</sup> November, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 19 <sup>th</sup> November, 2025 (Morning Sitting)	Precedence for Majority, Minority and Committee Business
Wednesday, 19 <sup>th</sup> November, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business
<b>WEEK 36</b>	
Tuesday, 25 <sup>th</sup> November, 2025 (Morning Sitting)	Precedence for Business <b>not</b> sponsored by Majority/Minority parties or Committee
Tuesday, 25 <sup>th</sup> November, 2025 (Afternoon Sitting)	Precedence for Majority, Minority and Committee Business

**WEDNESDAY 5<sup>TH</sup> MARCH, 2025**

(012)

(087)

Debate Arising;

No question put pursuant to Standing Order 25(3).

9. **ADJOURNMENT** - And the time being Twelve minutes to Five O'clock, the Honourable Speaker adjourned the Assembly without question.

**ASSEMBLY ROSE** - Twelve Minutes to Five O'clock.

**MEMORANDUM**

*The Honourable Speaker will take the chair on*

*Tuesday, 25<sup>th</sup> March, 2025 at 9.00 A.M.*

--X--