

KITUI COUNTY ASSEMBLY

SECOND COUNTY ASSEMBLY- FIRST SESSION

OFFICIAL REPORT (HANSARD)

Thursday, 7th September 2017.

Second Assembly – First Sitting - First Day

(Convened by notification vide Legal Notice No.1 (Kitui County Legislative Supplement No.1) in the special issue of 30th August 2017).

(The County Assembly met at 9.00 a.m. at the Kenya Forestry Research Institute Offices (Kitui Regional Branch), on Thursday, 7th September 2017, it being the first sitting of the County Assembly)

(The proceedings were opened with a prayer read by the Clerk of the County Assembly (Mr. Elijah Mutambuki)

COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY

WELCOME TO HON. MEMBERS AND NOTIFICATION OF PLACE AND TIME
OF FIRST SITTING OF THE COUNTY ASSEMBLY

The Clerk of the County Assembly (Mr. Mutambuki): Good morning Hon. Members and congratulations for your election as Members of the County Assembly. It is my pleasure and privilege to welcome you to this first sitting of the Second County Assembly of Kitui.

Hon. Members, County Assembly Standing Order No.3(2) (a) provides that “On the first sitting of a new County Assembly after the general election, the Clerk shall read the notification of convening the County Assembly as published in the Kenya Gazette.

Hon. Members, pursuant to this provision of the Standing Orders, I now proceed to read the notification from Her Excellency the Governor of Kitui County Hon. Charity Kaluki Ngilu.

SPECIAL ISSUE

Kenya Gazette Supplement No. 1

(Kitui County Legislative Supplementary No.1)

LEGAL NOTICE NO. 1

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THE CONSTITUTION OF KENYA,

THE COUNTY GOVERNMENT ACT (No. 17 of 2012)

THE COUNTY ASSEMBLY OF KITUI STANDING ORDERS

NOTIFICATION OF THE FIRST SITTING OF KITUI COUNTY ASSEMBLY

“Notice is given that, pursuant to Standing Order No. 3(1) of the County Assembly of Kitui Standing Orders, the Governor gives notice that the first sitting of the County Assembly of Kitui shall be held at the Kenya Forestry Research Institute Offices (Kitui Regional Branch), on Thursday, 7th September 2017 met at 9.00 a.m.”

The Legal Notice is dated 30th August, 2017, and is signed by Her Excellency the Governor of Kitui County.

Next Order.

PAPERS LAID

LISTS OF GAZETTED MEMBERS OF THE COUNTY ASSEMBLY

The Clerk of the County Assembly (Mr. Mutambuki): Hon. Members, Standing Order No.3 (2) (b)) further requires that on the first sitting of a new County Assembly, pursuant to the notification under Standing Order No. 3(1) which I have just read, the Clerk shall:-

“Lay a list of the names of the persons elected as Members on the Table of the County Assembly;”

Hon. Members, it is also important to observe that Section 7(a) (1) of the County Governments Act, (revised edition) provides that a County Assembly shall not be fully and dully constituted for the first sitting after the general election unless all the members provided for under paragraph (b) and (c) of Article 177(1) of the Constitution have been dully nominated and their names published in the gazette.

Hon. Members, I will now read and thereafter proceed to lay the gazette notices on the Table of the Assembly. Notice No. 8239 and dated 22nd August 2017 lists the names of persons elected as Members of the County Assembly from all the County’s 40 wards while No. 8380 is for Members nominated by political parties to represent different interests in the County Assembly.

*(The Clerk of the County Assembly (Mr. Mutambuki)
having read the full list of elected Members)*

Hon. Members, I now read the names of the persons nominated by political parties in the different categories as listed in the special issue of the Kenya gazette No. 8380.

*(The Clerk of the County Assembly (Mr. Mutambuki)
having read the full list of nominated Members)*

Hon. Members, I now proceed to lay the two Gazette notices on the Table of the Assembly.

*(The Clerk of the County Assembly (Mr. Mutambuki)
laid the gazette notices on the Table)*

Next order.

COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY

PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH OR AFFIRMATION OF OFFICE

The Clerk of the County Assembly (Mr. Mutambuki) Hon. Members, Standing Order No. 3(2)(c) requires that on the first sitting of a new County Assembly, pursuant to the Governor's notification under Standing Order 3(1), the Clerk shall administer the Oath or Affirmation of Office provided for in the first schedule of the County Governments Act, No. 17, of 2012 to all Members present in the County Assembly, in the order set out in Standing Order No. 3(3).

Standing Order No.3 (3) provides as follows:-

“The Clerk shall administer the Oath or Affirmation of Office to Members in Alphabetical order using the following order of precedence-

- (a) Members with the longest cumulative period of service in the Assembly;
- (b) Members with the longest cumulative period of service in the County Assembly and any local authority existing prior to the final announcement of all the results of Parliament as contemplated under section 2 of the Sixth Schedule to Constitution
- (c) Members with the longest cumulative period of service in any local authority existing prior to the final announcement of all the results of Parliament as contemplated under Section 2 of the Sixth Schedule to the Constitution.

Hon. Members, I also bring to your attention the provision of Standing Order No.3 (4) which states that “Pursuant to Article 74 of the Constitution, no person shall assume or perform any functions of the office of a Member before taking and subscribing to the Oath or Affirmation of Office provided for under paragraph (1).”

Hon. Members, Standing Order No.3 (5) further provides:-

“When the Clerk is administering the Oath or Affirmation of Office to Members and before the Clerk has administered the Oath or Affirmation of Office to the Speaker, any question arising in the Assembly shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker.”

Hon. Members, in line with the Standing Order No. 3(1)(2)(c) I shall now proceed to administer the Oath or Affirmation of office to all Members here present in the order of precedence that is set out in the Standing Order No. 3 (2). In order to facilitate this process, I will give directions on how you will undertake the exercise.

Hon. Members, the name of each Member of the Assembly shall be called out and when called the Member shall come to the podium where I am standing and hereupon shall have the option to take the Oath or Affirmation of Office either in English or Kiswahili as they may

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choose and in accordance with their respective religious persuasions.

Hon. Members, after taking the Oath or Affirmation of Office, the Member shall proceed to subscribe to the same by signing the Oath or Affirmation Book at the Table on the left side of where I am standing. I am sure you are ready and we can start the exercise now. I ask the Clerks-at-the-Table call out the first name.

ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Members:

<u>Name</u>	<u>Ward</u>
1. Alex Mutambu Nganga	Miambani
2. Annastacia Mwathi Mutunga	Mutitu/ Kaliku
3. Beatrice Velesi Musyoka	Nominated
4. Colleta K Kimanzi	Nominated
5. Deiys Maithya Mukalaa	Waita
6. Eunice Mwathi Katheke	Zombe/Mwitika
7. James Mutunga Munuve	Kanziku
8. Jane Mutua	Kauwi
9. Mary P. Ndumbu	Nominated
10. Peter Mwikya Kilonzo	Athi
11. Eliud Muteti Nding'uri	Ngomeni
12. James Musyoka	Kiomo/Kyethani
13. Alex Ngau James Musili	Nuu
14. Alex Wambua Mwangangi	Kyome/Thaana
15. Alexander Munuve Mbili	Kyangwithya East
16. Andrew Ndisya Lusa	Kanyangi
17. Anne Mwendu Mumo	Nominated
18. Anthonny John	Mutha
19. Anthony Kyusya Mbiti	Ikanga/Kyatune
20. Anthony Ndooh Mwanzia	Township
21. Baridi Felix Daudi Mbevo	Mutonguni
22. Boniface Kilaa Kasina	Tseikuru
23. Boniface Kilungya Katumo	Kyangwithya West
24. Charity Syomiti Mwangangi	Nominated
25. Charles Muthui Kilonzi Maema	Kivou
26. David Masaku Munyau	Mutomo
27. David Thuvi	Kwa Mutonga/Kithumula
28. Elizabeth Ndunge Peter	Nominated
29. Emeratus Kasee Musya	Kisasi
30. Esther Kalunda Ndile	Nominated
31. Florence M Singi	Nominated
32. Frederick Kithome Nthuri	Tharaka
33. Geoffrey Muli Mwalimu	Ikutha

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34. Grace Mutua	Nominated
35. Grace Mwikali Sammy	Endau/Malalani
36. Jacob Mbaya Kavolanza Musyoka	Mui
37. James Mbuvi Wanguze Kula	Chuluni
38. Jefason Ngui Kiruru	Nguni
39. Jehoshaphat Nzamba James	Mulango
40. John Mutuku Mbaki Kisangau	Kwa Vonza/Yatta
41. Johnson Mutua Kanandu	Mumoni
42. Josephine Kavivi Mutie	Nominated
43. Mary Kanini Philip	Central
44. Munira Mohamed	Nominated
45. Munyoki Mwizi	Nominated
46. Nelson Kivali Musyoka	Voo/Kyamatu
47. Nicholas Nzomo Mwalili	Mbitini
48. Philip Nguli	Migwani
49. Regina Mueni Ishmail Musyoki	Nominated
50. Ruth Kyene	Nzambani
51. Stephen Ileve Katana	Nguutani
52. Stephen Makau Musili	Kyuso
53. Sylvester Munyalo Kitheka	Matinyani
54. Waziri Bakari Baraka	Nominated

The Deputy Clerk of the County Assembly (Ms. Lucy Waema): Hon. Members, could we be having any elected or nominated Member who has not been sworn-into office?

(Silence)

Then, if all of you have taken the Oath of office, the exercise is over now and I kindly urge you to hold on in the Chamber as we do some consultation. Thank you.

(The Clerks-at the-Table consulted as the Swearing-in ceremony ended)

The Clerk of the County Assembly (Mr. Mutambuki): Hon. Members, allow me to further confirm whether we have any member either elected or nominated who has not been sworn-in or taken affirmation of oath of office.

(The Clerks-at the-Table consulted)

Hon. Members, we were doing some consultations and now we are going to proceed. Next order.

ELECTION OF THE SPEAKER

The Clerk of the County Assembly (Mr. Mutambuki): Hon. Members, due to emerging

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technicalities, the order remains deferred and I request you to stand up as we adjourn the house.

(Members stood in their places)

ADJOURNMENT

Hon. Members this House remains adjourn sine die until further notice.

The County Assembly rose at 10.58 a.m.