

COUNTY ASSEMBLY OF TAITA TAVETA

THIRD ASSEMBLY - THIRD SESSION

THE HANSARD

Sitting no. 043

Tuesday, July 2, 2024

The House met at 3:12 p.m. in the County Assembly Chamber

[The Temporary Speaker (Hon. Nancy Mwakio) in the Chair]

PRAYER

QUORUM

The Temporary Speaker: Hon. Members, I confirm that we have quorum to proceed with this Sitting. Clerks, read the Orders of the day.

COMMUNICATION FROM THE CHAIR

NOTIFICATION OF THE SITTING'S BUSINESS

The Temporary Speaker: Hon. Members, following the Notice of Motion on removal from office of the Speaker of the Taita Taveta County Assembly, Hon. Wisdom Kazungu Mwamburi, by way of impeachment, notified by Hon. Rose Shingira during the Tuesday, 2nd July 2024, Morning Sitting no. 042 and pursuant to the provision of Standing Order no. 61(3) which stipulates that, a Motion for a resolution to remove the Speaker shall be presided over by a Member of the County Assembly elected to act as Speaker as contemplated under Article 178(2)(b) of the Constitution of Kenya (CoK), 2010, as read together with Section 11(4) of the County Governments Act (no. 17 of 2012), that stipulates that; the Speaker shall not perform any of the functions of the Office of the Speaker pending the resolution of the County Assembly. The business of this Afternoon Sitting is electing an Acting Speaker.

Next Order.

ELECTION OF AN ACTING SPEAKER

The Temporary Speaker: Hon. Members, for the position of the Acting Speaker of the County Assembly, the following candidate was nominated:

1. Hon. Anselm Mwadime

I will now proceed to give direction on the procedure for voting in of the Acting Speaker. I have consulted both the Majority and Minority Parties and they have agreed that voting be done manually by way of a roll call vote pursuant to Standing Order no.72(1), which stipulates that, when the Speaker directs a roll call voting to be taken, the Division Bell shall be rang for five minutes.

Standing Order no. 72(2) also stipulates that, the names of one Teller for the Ayes and one Teller for the Nays shall be submitted to the Speaker and the Speaker shall direct the tellers to take seats at a designated place.

Standing Order no. 72(3) states that, at the end of five 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.

Standing Order no. 72(4) states that, 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.

Standing Order no. 72(5) states that, when called out, each Member shall thereupon rise in his or her place and declare assent or dissent to the question in the following manner: I vote Yes or I vote No or I Abstain, or use appropriate Kenyan sign language.

Standing Order no. 72(6) states that, after the Clerk has read the last name in the Division list, the Tellers shall present the results of the roll call vote to the Speaker, who shall thereupon announce the results of the vote to the County Assembly.

Standing Order no. 73 states that, in case of confusion or error occurring in the course of a roll call voting concerning the numbers or names recorded, which cannot otherwise be corrected, the Speaker shall direct the County Assembly to proceed to another roll call vote.

Standing Order no. 74 states that, if, after a roll call vote has been made, it is discovered that the number has been inaccurately reported or that an error has occurred in the names on the Division lists, the fact shall be reported to the County Assembly and the Speaker shall direct that the necessary corrections be made.

Standing Order no. 75 stipulates that, no Member shall be obliged to vote in a Division, but those present and not voting shall record their abstention with the Clerk. It further states that, it shall be disorderly conduct for a Member to fail to record his/her own abstention in a Division and a Member shall not vote on any question in which the Member has pecuniary interest. That, during Division, Members shall maintain order in the County Assembly and shall be in the designated seat and must remain seated until the result is announced.

In view of the foregoing, I now direct the Serjeant-at-Arms to ring the Bell for five minutes and Hon. Anselm Mwadime, the nominee for the position of the Acting Speaker to leave the Chambers.

(The Division Bell was rung)

DIVISION

(Loud consultations)

The Temporary Speaker: Order Members, let us resume our seats.

Hon. Members, I now order that the doors be locked as the Tellers of ayes and nays submit their names.

(The doors were locked and the Bar was drawn)

Hon. Members, I have received the name of one Teller for the Ayes, being Hon. Stephen Nzai. I request a name for Teller of the Nays, I have not received any. Any Member willing to give us their name for Nays can do so now. Tellers, take your positions at the Clerk's Table. We shall now proceed to vote, Clerks-at-the-Table, proceed to call out the names of Hon. Members.

(Question put and the House divided)

(Question carried by 28 votes to 0)

Ayes: Hon. Amos Makalo, Hon. Anthony Kinyili, Hon. Anthony Warighe, Hon. Azhar Din, Hon. Brayson Mwambi, Hon. Crispus Tondoo, Hon. Sakina Kusania, Hon. Kimuyu Daniel, Hon. Duncan Wangama, Hon. Genard Mwandau, Hon. Halifa Taraya, Hon. Anisa Mwakio, Hon. Isaac Matolo, Hon. Jimmy Mwamidi, Hon. Jones Solomon, Hon. Joseph Kennedy, Hon. Mabishi Kirubai, Hon. Peter Shambi, Hon. Lawrence Mzugha, Hon. Lilian Kidali, Hon. Lillian Mwangoi, Hon. Margaret Kawuki, Hon. Mohamed Omar, Hon. Newton Salim, Hon. Patricia Mwashighadi, Hon. Rose Sariki, Hon. Rose Shingira, Hon. Stephen Nzai.

Teller of the Ayes: Hon. Stephen Nzai.

Nays: None.

Teller of the Nays: None.

Abstention: Hon. Dorcas Mlughu.

The Temporary Speaker: Hon. Members, I declare that Hon. Anselm Mwadime has been validly elected as the Acting Speaker of the County Assembly. Article 74 of the CoK, 2010, states that, before assuming a State office acting in a state office or performing any functions of a

State office, a person shall take and subscribe the oath of office or affirmation of office in the manner and form prescribed by the Third Schedule or under an Act of Parliament. Hon. Members, I now direct the Serjeant-at-Arms to draw the bar and open the door.

(The bar was drawn and the doors opened)

The Temporary Speaker: Hon. Members, I now direct the Leader of Majority and the Leader of Minority to escort Hon. Anselm Mwadime to the Chamber to take oath.

(Hon. Anselm Mwadime was escorted into the Chamber)

ADMINISTRATION OF OATH

(The oath of allegiance was administered to Hon. Anselm Mwadime)

(Applause)

[The Temporary Speaker (Hon. Nancy Mwakio) left the Chair]

[The Acting Speaker (Hon. Anselm Mwadime) took the Chair]

COMMUNICATIONS FROM THE CHAIR

ACCEPTANCE SPEECH

The Acting Speaker: The Leader of Majority Party, The Leader of Minority Party, the Majority and Minority Whips, The Honorable House Leadership and all Hon. Members, I take this unprecedented opportunity to express my special gratitude to you all for demonstrating confidence in me to take over stewardship of this Third Taita Taveta County Assembly. Hon. Members, as prescribed in the Oath I have sworn a short while ago, I pledge to remain steadfast to the true calling of stewardship, to the mandate of this Honorable Assembly for the betterment and greatness of our County of Taita Taveta. Hon. Members, we are all reminded of our primary duty of representing, legislating and oversight for the best interest of the citizens of Taita Taveta and the generations to come. Let us once again put our best foot forward in answering the call to serve the good citizenry of Taita Taveta.

Hon. Members, may I also take this opportunity to assure our counterparts in the County Executive that, we shall work in collaboration and in consultation while within the tenets of our mandates. With this, it is my belief that our citizens shall experience expedited sustainable development and service delivery for their current needs and that of generations to come. Hon. Members, once again, I thank you; may God bless you. May God bless Taita Taveta County Assembly, Taita Taveta County, and Kenya at large. I thank you!

COMMITTEE MEETING

A Liaison Committee meeting is coming up shortly immediately after rise of this Sitting.

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(Applause)

ADJOURNMENT

The Acting Speaker: Finally, Hon. Members, there being no other business, the House stands adjourned until Wednesday, 3rd July 2024 at 9:30 a.m.

(The House rose at 3:59 p.m.)