

**COUNTY ASSEMBLY OF TAITA TAVETA**

**THIRD ASSEMBLY - THIRD SESSION**

**THE HANSARD**

**Sitting no. 044**

**Wednesday, July 3, 2024**

The House met at 9:36 a.m. in the County Assembly Chamber

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

PRAYER

QUORUM

**The Acting Speaker:** Honourable Members, I confirm that we have quorum to proceed with the Sitting. Clerks-at-the-Table, read the Orders of the day.

**SPECIAL MOTION**

IMPEACHMENT OF HON. WISDOM KAZUNGU MWAMBURI AS THE SPEAKER OF TAITA TAVETA  
COUNTY ASSEMBLY

**The Acting Speaker:** Hon. Rose Shingira.

**Hon. Rose Shingira (MCA, Nominated):** Thank you, Mr. Acting Speaker, Sir. I beg to move the following Special Motion:

Aware that, the Speaker is the head of the County Assembly and presides over the Sittings and is also the Chairperson of the County Assembly Service Board (CASB) as stipulated in Article 178 of the Constitution of Kenya (CoK), 2010, and Section 12 of the County Governments Act of 2012 respectively.

That, Section 10(4) of the County Governments Act of 2012 recognizes the order of precedence in the House.

Further aware that, Article 47 of the CoK, 2010 guarantees the people of Kenya fair administrative action, which mandate has been charged to the Speaker who is the Chairperson of the CASB.

Concerned that; a failure by the Chairperson of the CASB to uphold fair administrative action and values and principles of public service spells doom for the image of the County Assembly and can easily make the officers and the people of Taita Taveta County to lose hope with their representatives and integrity of the House, and that no leader will listen to their cry.

Further concerned that, the County has thus far faced numerous challenges including floods and displacement of people during the El Nino rains and that the people did not feel the impact of the County Government since it was unable to intervene through the emergency fund kitty which was appropriated by the House in the Budget for Financial Year 2023/2024.

The Speaker, as the head and spokesperson of the House, did not make any effort to ensure that the Governor and his team were summoned by the House to explain where the funds went and what interventions the County had made to alleviate the suffering of its people.

Further concerned that, the Speaker on several occasions has been unable to effectively understand and implement the Standing Orders and the Speaker's Rules, thus affecting the quality of debates and transaction of business in the House. This can effectively be characterized by the number of Motions and Bills passed by the House during his tenure.

Further concerned that, the Speaker as the Chairperson of the CASB has not offered proper direction of the CASB as characterized by inability to ensure tabling of the CASB's annual report of its operations in the House during his tenure.

Apprehensive that, the continued stay of Hon. Wisdom Kazungu Mwamburi in the office as the Speaker of the County Assembly of Taita Taveta and the Chairperson to the CASB is likely to plunge Taita Taveta County in a crisis of lack of proper legislations which should compel the County Executive to implement and impact the lives of people of Taita Taveta positively.

Acknowledging that, this Honourable House has the power and mandate of protecting its people and ensuring that the people of Taita Taveta County get the best during the term of this County Assembly.

This House resolves that, the Speaker, Hon. Wisdom Kazungu Mwamburi be removed from Office by way of impeachment on grounds of Lack of confidence, Gross Misconduct and Incompetence as espoused hereunder:

1. Lack of Confidence.

- i. That, subsections (a)(ii), (iii), (iv) and (b) of Article 73 of the CoK, 2010 demand that a state officer must demonstrate respect for the people, bring honour to the nation and dignity to the office, promote public confidence in the integrity of the office, and vests upon the responsibility to serve the people rather to rule them.
- ii. That, Section 1 from subsections (a) to (f) of Article 232 of the CoK, 2010, demands high standard of professional ethics, efficient, effective and economic use of

resources, responsive, prompt, effective, impartial and equitable provisions of services, accountability for administrative acts, transparency and provision to the public of timely, accurate information and afford adequate and equal opportunities for appointment, training and advancement, at all levels of the public service among other provisions of the law.

- iii. That, Hon. Wisdom Kazungu Mwamburi, being the Speaker and Chairperson of the CASB has lost the confidence of the County Assembly Membership irredeemably for the fact that on several occasions he has failed to demonstrate leadership on: resources utilization, especially those attached to the office of the Speaker including motor vehicles to mention a few; management of crisis and conflicts between and among the Assembly Membership, unfortunately he has been taking positions that lean on one part, failing to exercise impartiality and failure to give appropriate direction, that has detrimentally eroded confidence among Members of County Assembly, thus putting the office he is holding in disrepute.

Clear loss of confidence with the Speaker means it will be difficult for him to redeem himself since no Member wants to be led by him and this will disrupt the business of the House and make the people of Taita Taveta to suffer from lack of service accorded to this Honourable House.

## 2. Gross Misconduct

- a) That, The Speaker being the head of the Legislative Arm of the County Government and Chairman to the Taita Taveta CASB displayed a conduct that was grossly against the ethical code of conduct expected of state/ public officer of his stature. Hon. Wisdom Kazungu Mwamburi being the Speaker and Chairman of CASB has never allowed tabling of the CASB Annual report on operations of the Board as envisaged under Section 36 of the County Assembly Services Act, since his inauguration on 21<sup>st</sup> September, 2022. This has deprived the Members of the County Assembly an opportunity to interrogate the operations of the Board yet the House is responsible for the overall oversight.

The foregoing show of gross misconduct clearly shows that the Speaker has no respect to the rule of law which yet he is supposed to guide Members to adhere to it.

## 3. Incompetence

- a) That, on several occasions when Wisdom Kazungu Mwamburi was asked to provide accurate information which include a request for information as provided for in Articles 35 and 232 of the CoK, 2010, one Wisdom Kazungu Mwamburi, replied that he does not know of the payments which were due to Members, as a Speaker being the Chair of the CASB and Institution which manages all the operations of the Assembly cannot claim not to be aware of Members and staff outstanding claims, this indicates high level of arrogance or lack of capacity to

manage the operations of the Assembly and therefore cannot continue to serve as the Speaker.

- b) That, since he took his oath of office, the Speaker has never held a Kamukunji with his Members of County Assembly yet it's through such Kamukunjis that Members are able to ventilate, mend fences, chart a new path and foster unity of purpose.
- c) That, inability to discharge his duties as the Chair of the House. The Speaker in many occasions has contradicted himself and made some improper rulings which favour a certain side in the House. Further, the Speaker on several occasions has been unable to effectively understand and implement the Standing Orders and the Speaker's rules thus affecting the quality of debates and transaction of business in the House. This can effectively be characterized by the number of Motions and Bills passed by the House during his tenure.

The foregoing instances of incompetence clearly show that the Speaker will jeopardize service to DATUZENS by infringing proper laws to govern them.

I call upon Hon. Genard Mwandau to second the Motion. Thank you, Mr. Acting Speaker.

**Hon. Genard Mwandau (MCA, Werugha):** Thank you, Mr. Acting Speaker, Sir. I beg to second.

*(Question proposed)*

**The Acting Speaker:** Pursuant to Standing Order no. 61(4) of this County Assembly which stipulates that before the debate and voting on a Motion under paragraph (3), the Speaker shall be accorded an opportunity to respond to the allegations on the Floor of the Assembly. I hereby call upon Hon. Wisdom Kazungu Mwamburi to come and respond to the allegations on the Floor of the Assembly. Serjeant-at-Arms, will you kindly aid him in coming in.

*(Low consultations)*

**The Acting Speaker:** Order, Members! The Sitting is still on.

*(The Serjeant-at-Arms reported that Hon. Wisdom Kazungu Mwamburi is not at the County Assembly Precincts)*

*(Low consultations)*

**The Acting Speaker:** Honourable Members, Hon. Wisdom Kazungu Mwamburi having not appeared to respond to the allegations levelled against him, I now declare the Floor open for debate after which we will proceed to vote. Honourable Members, the Floor is open for debate.

**Hon. Dorcas Mlughu (MCA, Rong'e):** Thank you, Mr. Acting Speaker, Sir, for allowing me to contribute to this debate.

I understand that, the process of impeachment is legally recognized by the law and that notwithstanding, I sincerely respect the decision that was made by the 28 members who signed in support of the removal of the Speaker. However, Article 50 of the CoK, 2010, has clearly demonstrated that someone can have an advocate or a representative to come on the Floor and represent the accused. I do not know whether there has been any representative who came to the chambers this morning and maybe presented him/herself as an advocate of Hon. Wisdom Mwamburi. If so, I feel it is important that the representative should be allowed to access the Chambers. I am asking for purposes of information because the law is very clear for one to be allowed to be represented by an advocate. I stand guided. Thank you, Mr. Acting Speaker.

**The Acting Speaker:** The Chair is lost on your remarks, Hon. Dorcas Mlughu. I am not very sure whether you are rising on a Point of Information, of which you should have sought indulgence of the House to relay the communication and whether the House would have granted you leave to relay that information. We are at the stage of debate; so, I would have expected a Member as competent as you, to have proceeded to relay your responses on the debate other than making remarks which leave us uncertain whether you are supporting the Motion or not. If it was to relay information, then the Standing Orders are very clear that you should have sought leave towards that particular request that you would have wanted to make to this Honourable House. Proceed.

**Hon. Dorcas Mlughu (MCA, Rong'e):** Thank you, Mr. Acting Speaker, Sir. Being in the House is just a process of learning and that is why I stood and at the end of my remarks requested for your guidance. However, if I have gone against the Standing Orders, I am sorry and I choose to withdraw. I just wanted to... I concluded by saying that I stand guided because the law is very clear that someone can be allowed to do so. Maybe I should have risen on a Point of Information and because you have already pronounced that Mr. wisdom Mwamburi is not in the premises, I was inquiring if we have an advocate who probably came or is around. We all know one another here and when there is a stranger, we can tell who does not belong to the County Assembly. So, if I should have risen on a Point of Information, I kindly stand guided and I am still competent. Thank you, Mr. Acting Speaker.

**The Acting Speaker:** Honourable Members, on the matter concerning Hon. Dorcas Mlughu. As you have sought, communication was sent out from the Assembly to Hon. Wisdom Mwamburi that he was to attend. So, if he was to be represented, then we should have received communication early enough to understand that he has delegated Mr. so and so to come and represent him. To the knowledge of our registry, up to this moment that communication has not been received. I stand to guide. Hon. Halifa Taraya.

**Hon. Halifa Taraya (MCA, Mboghoni):** Ahsante sana, Mheshimiwa Kaimu Spika, kwa Hoja hii. Kwanza, ninaanza kwa kusema ninaiunga mkono asilimia kwa mia. Ni wazi katika Bunge hili tukiangalia suala la umilisi kwa aliyekua Spika wetu mbaye leo tunamjadili na kuweka Hoja

hii ya kumtoa kama Spika. Ni wazi kabisa na hata Wabunge wengine wanajua hapa ukitaka kutumia mfano wa mtu aliyenyimwa haki zake nyingi za msingi kutokana na uongozi wa Spika, nadhani hakuna anayeweza kuwa na mfano bora kuniliko. Kwa sababu haki zangu za kisheria nikiwa katika Bunge hili, kuna kamati hapa Bungeni ambazo mimi kama Mheshimiwa katika hili Bunge, kisheria nina haki ya kuhakikisha kwamba nimepewa kamati hata kama mimi ni mkorofi kiasi gani. Baadhi ya hizo haki zangu ni lazima niweze kukaa katika kamati za msingi zisizopungua tatu ambazo ziko na Wizara ama waziri. Ilifikia wakati mwaka jana badala ya kuwa katika kamati tatu za msingi nilikua katika kamati mbili. Na nilikua najuiliza kweli hili Bunge liko na Spika ambaye kweli anajua ni nini anafanya Bungeni?

Kisheria nahitajika pia kuwa katika *sectoral committees* mbili, lakini ilifikia wakati nikawa katika *sectoral committee* moja pekee. Kwa hivyo, wakati haki zangu za kimsingi zilikuwa zinafinyiliwa kwa kiasi hicho na tuko na Spika tuliyempigia kura tukijua yuko na uwezo kamili wa kuendesha kazi yake, kwangu mimi niliona ni kama dhihaki. Ni kama mtu amepewa gari lakini anajua kulirejesha nyuma tu na hawezi kuweka gia ya kuenda mbele. Na kutokana na hayo, mimi nashukuru wale Wabunge wote ambao tulishikana pamoja kuhakikisha ya kwamba tunapitisha Hoja hii na ninaomba muweze kuniunga mkono ili kesho na kesho kutwa tuweze kuwa na Spika mwenye uwezo wa kutosha, mwenye ueledi wa kutosha, ambaye atahakikisha kwamba hata yule Mbunge mkorofi kiasi gani, basi naye yuko na haki zake za msingi na pia kuna watu waliyemzaa ambao wanaitwa mama na baba.

Ninaona ni vizuri kabisa huyu Mheshimiwa, kama tulivyokubaliana tuweze kumpeleka nyumbani ili tulete baba mwingine ambaye atahakikisha mtoto akinyea mkono anauosha badala ya kuukata. Na kwa mara nyingine tena ninaiunga Hoja hii mkono. Ahsante sana, Mhe. Kaimu Spika.

**Hon. Crispus Tondoo (MCA, Bomani):** Ahsante sana, Mhe. Kaimu Spika kwa kunitunukia nafasi hii ili Wataita na Wataveta waweze kunisikia katika Hoja hii iliyoletwa katika Nyumba hii tukufu.

Kwanza kabisa, naunga Hoja hii mkono kwa sababu kadha wa kadha. Katika gari moshi, kile kichwa kikiwa kibovu; kikileta matatizo dawa si kutoa mabogi yote, bali ni kutoa kile kichwa na kubandika kichwa kingine na gari moshi liweze kuenda mbele. Ndivyo wangwana na waswahili husema, kichwa cha samaki kikioza ni vyema kitolewe mapema kwa sababu kikiachwa kwa ule mwili, samaki mzima anaweza kuharibika. Tunaelekea kukaa kiasi cha miaka miwili lakini cha kustaaajabisha nimekaa katika Bunge hili na huu ni mwaka wangu wa 12 na yoyote alipokuwa anaingia katika hili Bunge alikuwa anaelewa vitu kwa haraka. Lakini cha ajabu ni kwamba huyu bwana amekaa miaka yote, nimekuwa nikimfuatilia kwa makini, na sheria na Kanuni za Bunge hili ni kama haelewi. Kuna wakati, juzi tu, hata wiki mbili hazijapita, alikuja kwa Bunge na baada ya sala akaketi badala ya kupatiana heshima ya Bunge kwa kuinama. Hii ni Nyumba ambayo ina heshima na Kanuni zake na kiongozi ambaye anaingia hapa ni lazima awe mwepesi

wa kufundishwa na kuelewa. Inahuzunisha kuona wale wamechaguliwa katika nafasi za Spika kama Naibu wa Sika na Spika wa muda, wanaelewa haraka, lakini huyu bwana sijajua kwa fikra zangu kama ni umri ama ni biashara za huko nje zimemlelea na zinamchanganya sana kwa mambo ya Bungeni. Na isije ikaonekana kwa sababu mimi ni mmoja wa wale ambao tulikua tumeumia sana katika uongozi wake eti ndio maana naongea kwa uchungu. Hapana, tangu awali nilisema na mimi nataka kwa kipindi hiki niwe mmoja wa wale ambao wanaongozwa, na ninaunga mkono uongozi wa Nyumba hii, lakini kuna vingine vinahuzunisha. Vilevile, huyu ni mmoja wa viongozi aliye na fitina ambazo hazieleweki.

*(Kicheko)*

Kitaita wanasema *kilinganya*. Nimeelezwa ni *Vilunganya*.

Mimi ni mtu ninayependa ucheshi sana lakini watu wengine hawajaweza kunielewa. Kuna wakati fulani nilibahatika kuingia katika ofisi yake, najua hanipendi ndiyo, lakini aliniambia mambo ya watu wengine ya kunivunja moyo. Sasa, nikajiuliza jamani na mimi nikiondoka huyu bwana huongea mangapi juu yangu? Kibaya zaidi, alianza kunionyesha nyumba za watu fulani na kuuliza, “huyu pesa zake zinasheha kujenga hii nyumba?” Nikawa nashangaa kama huyu bwana anajua biashara za watu wote katika Bunge hili? Anajua Mhe. Crispus Tondoo, baada ya Bunge hili anafanya biashara gani? Hao ni baadhi ya viongozi wasiofaa kuruhusiwa katika nchi hii, wacha katika Kaunti hii. Tukipata viongozi wanaoweza kuwapatia wengine motisha itakuwa bora. Ilimradi yule bwana ameweza kufanya vitu vya halali, hajapitia milungula ili kuweza kujiendeleza. Lakini ukiingia katika ofisi ya huyu bwana kwanzia mwanzo hadi mwisho hakuna Katiba atakusomea au hata Kanuni za Kudumu za Bunge atakupatia. Vyote, kwanzia mwanzo hadi mwisho ni fitina.

Katika Nchi hii, pasipokuwa na mtu mwenye azma, ndoto na ari ya maendeleo, hatutapata mwelekeo. Hakuna mtu anaweza kuongelea mambo ya maendeleo kama kinachotoka ndani yake si cha maendeleo. Kwa hivyo, ukiona mtu mwenye fitina; huyo mtu si wa maendeleo, si mtu wa kusaidia wengine kupanda vyeo. Ndiposa unaona katika mambo haya yote, mambo ya kuleta watu kwa pamoja ili tuweze kupeleka Taita Taveta mbele ilikuwa ni ngumu kwake kwa sababu huyu mtu alikuwa hana ndoto za kuendelea na kupeleka watu mbele. Zaidi ya yote, ningependa kuambia Waheshimiwa, kwa matamshi yake, inaruhusiwa katika sheria kufanya yale yote ambayo tunafanya. Ninajua ya kwamba, Nchi hii iko na kazi nyingi na ni mmoja wetu. Kama kutatokea nafasi katika upande ule mwengine, ninawaomba Wabunge wenzangu tuweze kumuunga mkono apate nafasi kule. Ninaona huu mtungi tuliombandika ulikuwa mzito na hawezi kuubeba. Ningependa kuomba Waheshimiwa wenzangu tushirikiane kwa kuweza kumwambia huyu bwana apumzike na tutafute mtu ambaye anajua matatizo ya Wataita na Wataveta na ambaye ana hamu ya maendeleo katika Kaunti hii. Nasimama na kuwarai Waheshimiwa wenzangu, tusimame kuunga Hoja hii mkono ili tupate mtu wa kuweza kupeleka gari hili mbele. Ahsante, Mhe. Kaimu Spika.

**Hon. Anisa Mwakio (MCA, Nominated):** Ahsante sana, Mhe. Kaimu Spika, kwa kunipa nafasi ya kusimama katika Nyumba hii iliyoheshimika asubuhi ya leo kuongeza sauti yangu katika mjadala huu. Ninaanza kwa kusema naunga mkono Hoja hii asilimia kwa mia. Sina makosa, wala sikubembelezwa, wala sikuhongwa, wala fikra zangu hazijawahi tatizika katika kusimamia haki. Ninaunga Hoja hii mkono, kwa sababu mimi kama Mbunge wa Nyumba hii, sijui kama wengine walipata nafasi. Nikiketi hapa sijajua hii Bodi ya Uajiri ya Bunge inafanya ama imefanya kazi gani? Bajeti yake ni shilingi ngapi? Imetumika aje? Tumefaulu ama tumeanguka? Wakati mwingi, ukiangalia kile kinasumbua mkenya na Kenya yote kwa sasa, ni kukosa uwazi na uwajibikaji. Tunalilia tupate uwazi katika kila matumizi ama kila shilingi ya serikali. Lakini, kama tutakaa na Bodi ya Uajiri hapa, na hatujapata ripoti hata moja, hatujui inafanya nini na imetumia nini ili tuweza kupima faida na hasara ya ile bajeti inatengewa. Nitasikitika sana, na tukienda njia hiyo tutabeba lawama tusizosistahili.

Ninakumbuka miezi ya nyuma tulikuwa na purukushani katika Nyumba hii, kukaonekana kuna wale ambao wako kwa Bodi ya Uajiri wanakula zaidi kushinda wale wenzao ambao wako nje. Licha ya hayo, mpaka leo hatujaambiwa ni nini kipo katika hiyo Bodi ya Uajiri mpaka ikapelekea wengine waliokuwa pale ndani kutolewa. Kwa hivyo, ninaona tutaendelea kuumia kwa dhambi zisizo zetu na kuna mtu aliyeaminika kupeana habari za kuleta uwazi katika Nyumba hii. Si kwa chuki ama kwa uchungu, bali nataka nizungumzie kama mmoja aliyekaa miezi sita kwenye baridi kwa maamuzi yaliyofanywa bila mimi kupewa nafasi ya kusikizwa. Nilikuwa katika Bunge la Kwanza la kuheshimika, la pili sikuwa. Mungu akanineemesha na nipo katika Bunge la Tatu. Adhabu niliyopewa ni Mungu pekee anajua, na niseme tu moja katika yale machozi yangu ama ule uchungu wangu niliousikia wakati ule, nafikiri leo ndio umelipwa. Ninaamini kwamba ukidhulumiwa na umwamini Mungu, basi atakupigania vita vyako. Siwezi sikitika kwa sababu nikisikitika nitakuwa namtoa Mungu makosa. Ni Mungu amenipigania vita vyangu. Ninamuomba ndugu yangu, Mhe. Wisdom Mwamburi, pahali yuko kwanza ajiite mkutano na ajifikirie kwa hizi miaka miwili amekaa kwenye hiki kiti, je, ilikuwa ni ya faida au ni ya hasara au ni ya kujengana ama kubomoana? Nikisikiliza mazungumzo ya Mhe. Crispus Tondoo alivyosema kuhusu kugonganisha Nyumba ni kwamba, sisi tunalilia umoja katika Nyumba hii, na umoja wetu ndio nguvu yetu.

Kama kweli alikuwa ni mmoja katika wale wa kutukata vipande vipande, hajastahili kabisa kuketi katika nyadhifa yoyote ile; wacha ya Spika, hata ya uongozi wa Kaunti ya Taita Taveta, hata Kenya kwa jumla. Kwa sababu umoja wa shirika lolote ni nguvu wa kusukuma pamoja. Kwa hivyo, kabla sijaketi nataka kuwarai wenzangu waone umuhimu wa hili tendo la Nyumba hii, waone makubaliano tuliyoyafikia kama jamii moja ya hii Nyumba, waone umuhimu wa kumpumzisha ndugu yetu na kupeana nafasi kwa Mtaita na Mtaveta mwingine ambaye atasaidiana na Nyumba hii kusukuma maendeleo, uwajibikaji mzuri na uwazi wa Bunge la Taita Taveta. Ninapoketi, nazidi kumshukuru Mungu na kumtakia kila la kheri anapoenda. Nitakuwa na makosa kama nitamwombea mabaya. Nataka nimuombea mazuri. Na zuri moja tu



nitakalomwombea ni kujiita mkutano ajikosoe na atubu. Ninaunga Hoja hii mkono. Ahsante, Mhe. Kaimu Spika.

**Hon. Kimuyu Daniel (MCA, Mahoo):** Thank you, Mr. Acting Speaker, Sir, for giving me this opportunity to contribute towards this Motion. I support this Motion and we are not making any mistake because leadership is about the ability to lead and the wisdom on how you handle issues. I have been following the leadership of Hon. Wisdom Mwamburi and from the name Wisdom, I am still trying to find where the wisdom is? As a leader, you would have known of the genesis of all this and handled it. This is not the first Assembly to go this way, we have other Assemblies too. This is about correcting a mistake since we have some years to go in this House and we needed comfort in knowing that the Speaker is the Chair and also stands as the overall to control and take care of the welfare of Members. A leader should be a person who brings the team together and also makes sure that there is harmony. We are not making a mistake. We are doing the right thing because we need the House to move in the right direction.

We have been seeing many instances apart from the delay in payment of salaries; there is also laxity in what was happening and we doubted the leadership. A leader must always be in control and takes the mandate. We are not doing a mistake. We are correcting a mistake and also learning to think wisely next time when electing a Speaker in this House. Let us not get moved but understand that we want to get the right leader and not doing a mistake out of some influence.

We have a long way to go and we would wish that the former Speaker, Hon. Wisdom Mwamburi, would have acted immediately after he realized that the Members were about to take that move. I call upon all Members to go ahead and support this Motion which will be best. Thank you, Mr. Acting Speaker.

**Hon. Mohamed Omar (MCA, Nominated):** Ahsante sana, Mhe. Kaimu Spika. Ningetaka nisimame sababu nimeona watangulizi wangu wote ni wale katika mayatima 11 ambao walikuwa wamedhulumika sana katika Bunge hili. Nimesema nami nisiachwe nyuma katika hiyo familia kwa kuchangia Hoja hii.

Kwanza, ninataka ifahamike kwamba ninaunga mkono Hoja hii asilimia mia kwa mia.

Pili, ninataka nimpongeze aliyeleta Hoja hii kwa sababu amejifunza pakubwa kuepukana na mambo manne ambayo yalikuwa yanaendelea katika Nyumba hii. Mhe. Wisdom Mwamburi ambaye tunamjadili leo amekuwa akisikiza sana mambo haya manne ambayo mwanadamu siku zote anaambiwa aepukane nazo. Alikuwa anasikia mambo ya kuambiwa, ya kusikia, walisema na wanasema. Hayo ndiyo yamechangia pakubwa kuleta Hoja hii. Waswahili husema ukishindwa kujenga nyumba, basi jenga heshima kwa sababu haina gharama. Kwa hivyo, ile heshima ya Nyumba hii ilipotea kwa sababu hakudhamini gharama na thamani ya Nyumba hii. Nikiwa ninaenda kuketi, Waswahili pia husema kwamba sio wazee wote wana busara, hata wenda wazimu huzeeka. Ahsante, Mhe. Kaimu Spika.

**Hon. Azhar Din (MCA, Kaloleni):** Ahsante sana, Mhe. Kaimu Spika, kwa kunipa nafasi hii ili kuweza kutoa maoni yangu au changizo zangu katika mjadala huu. Kwanza, ninataka ionekane wazi kwamba mimi kama Mwakilishi wa Wadi ya Kaloleni ninaunga mkono Hoja hii asilimia kwa mia yakumpeleka Spika wetu Nyumbani. Mimi sitakuwa na mengi ya kuongea kwani mengi yamesemwa na tukizidi kuongea, tutakuwa tunatoa uchungu mwingi sana ndani ya roho kwa yale ambayo tumepitia katika Bunge hili. Ndugu zangu waliotangulia kusema, wamesema kwamba wako katika yale mabano ya mayatima 11 ambao walidhulumika katika uongozi wa Spika, waliumia sana. Pia mimi nilikuwa mmoja wao wa 12, ambaye niliweza kuwaunga katika kikundi hicho.

Mimi pia niliumia sana kutokana na uongozi wa Spika ambaye tulikuwa naye. Nimesimama hapa kumtakia kila la heri katika safari zake na biashara zake zingine na kokote kule ambapo atapata kazi ili aweze kutumikia wananchi wake kwa upande mwingine. Lakini katika Bunge letu la Kaunti kama kiongozi aliyekuwa anatuongoza hapa ndani, basi aliweza kuonyesha uongozi ambao haustahili. Wazungu husema *“the writing is on the wall”*. Kila kitu ambacho kimeongelelewa hapa tumekisikia na Mhe. Wisdom Mwamburi alikuwa hana nguvu ya kutuongoza sisi katika Bunge hili. Kuna pia msemu wa Kiingereza ambao unasema *“a leader is one who knows the way, goes the way and shows the way”*. Yeye hakuweza kutufanyia hayo yote na ndio maana leo tuko hapa tukimtakia kila la heri katika safari zingine, lakini katika mambo ya Bunge letu, wacha tujipange katika uongozi mpya ambao tutakuwa nao. Ahsante, Mhe. Kaimu Spika.

**The Acting Speaker:** Honourable Members, I now call upon the Motion mover to reply.

**Hon. Rose Shingira (MCA, Nominated):** Thank you, Mr. Acting Speaker, Sir. I take this opportunity to thank all Members for supporting this Motion and showing great leadership in this great County Assembly. I beg to reply. Thank you, Mr. Acting Speaker.

*(Hansard system experienced a technical hitch)*

**The Acting Speaker:** Honourable Members, sometimes technology becomes challenging. It is normal particularly at a time like this. Let us proceed, Honourable Members.

*(Loud consultations)*

**The Acting Speaker:** Honourable Members, I have consulted the Majority Party and Minority Party sides and they have all agreed that voting on the question be done manually by way of a roll call vote pursuant to Standing Order no. 72. I will now proceed to give direction on the procedure for voting.

Standing Order no. 72(1) stipulates that the Speaker directs a roll call voting to be taken. The division bell shall be rung for five minutes.

Standing Order no. 72(2) stipulates that names of one Teller for the ayes and one teller for the nays shall be submitted to the Speaker and he shall direct the tellers to take seats at a designated place.

Standing Order 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 closed and the bar drawn and the name of the tellers have been announced the Speaker shall put the question again and direct the clerk to call out the names of the 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”, “I vote no”, “I abstain” or use appropriate Kenyan sign language.

Standing Order no. 72(6) after the clerk has read the last name in the division list, the tellers shall represent 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. Further, it shall be disorderly conduct for a Member to fail to record his or her abstention in a Division and a Member shall not vote on any question in which the Member has a pecuniary interest.

During Division, Members shall maintain order in the County Assembly and shall be in their designated seats and must remain seated until the result is announced.

In view of the foregoing therefore, I now direct the Serjeant-at-Arms to ring the Bell for five minutes. Thank you.

*(The Quorum Bell was rung for five minutes)*

## **DIVISION**

**The Acting Speaker:** Honourable Members, I now order the doors be locked and the bar be drawn as the ayes and nays submit the names of their tellers.

*(The doors were locked and the bar was drawn)*

**The Acting Speaker:** Honourable Members, I have received the name of one Teller of the Ayes, Hon. Stephen Nzai. We have not received any name of Teller of the Nays. Is there any Member that shall stand in for the Teller of the Nays?

Thank you, we have only received one Teller. Teller, kindly take your position at the Clerk's Table.

Honourable Members, we shall now proceed to voting. Clerks - at- the Table, proceed to call the names of the Members. At times, technology gets challenging. We understand the gadgets at your seating places are not functional, therefore we shall be doing our voting as directed here at the clerk's Table. Clerks proceed.

*(Question put and the House divided)*

*(Question carried by 27 votes to 1)*

**Ayes:** Hon. Amos Makalo, Hon. Anthony Kinyili, Hon. Anthony Warighe, Hon. Azhar Din, Hon. Brayson Mwambi, Hon. Crispus Tondoo, 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. Peter Shambi, Hon. Sakina Kusania, Hon. Lawrence Mzugha, Hon. Lilian Kidali, Hon. Lilian Mwangoi, Hon. Margaret Kawuki, Hon. Mohamed Omar, Hon. Nancy Mwakio, Hon. Newton Salim, Hon. Patricia Mwashighadi, Hon. Rose Sariki, Hon. Rose Shingira, Hon. Stephen Nzai.

Teller of the Ayes: Hon. Stephen Nzai.

**Nays:** Hon. Dorcas Mlughu.

Teller of the Nays: None.

**Abstention:** Hon. Mabishi Kirubai.

*(Prolonged silence)*

## COMMUNICATION FROM THE CHAIR

DISMISSAL OF HON. WISDOM MWAMBURI AS SPEAKER OF TAITA TAVETA COUNTY ASSEMBLY

**The Acting Speaker:** Following the results of the Division and pursuant to Standing Order no. 61 and Section 11 of the County Governments Acts no. 17 of 2012, and having met the threshold

of 24 Members, which is 75%, Hon. Wisdom Kazungu Mwamburi shall be considered dismissed upon delivery of this House's resolution to the Clerk of the County Assembly.

### **ADJOURNMENT**

**The Acting Speaker:** Honourable Members, there being no other business, the House stands adjourned until Wednesday, 3<sup>rd</sup> July 2024 at 2:30 p.m.

*(The House rose at 11:43 a.m.)*