

**COUNTY GOVERNMENT OF MAKUENI**



**MAKUENI COUNTY ASSEMBLY**

**SECOND ASSEMBLY – FIRST SESSION**

**ORDERS OF THE DAY**

**WEDNESDAY, NOVEMBER 15<sup>TH</sup>, 2017 AT 2:30 P.M.**

**PRAYERS**

1. Administration of Oath.
2. Communication from the Chair.
3. Messages.
4. Petitions.
5. Papers.
6. Notices of Motion.
7. Statements (as listed in the Appendix).

**8\*. MOTION:- ADOPTION OF THE REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE MAKUENI COUNTY ANNUAL DEVELOPMENT PLAN (ADP) 2018/19.**

*(The Chairperson, Budget and Appropriations Committee)*

**THAT**, pursuant to the provisions of Section 126(3) of the Public Finance Management Act, 2012, as read together with Article 220(2) of the Constitution, 2010, this Assembly resolves to adopt the Report of the Budget and Appropriations Committee on the Makueni County Annual Development Plan (ADP) 2018/19, laid on the Table of the Assembly on Tuesday, November 14<sup>th</sup>, 2017 at 2:30 p.m.

**9\*. MOTION:- FORMATION OF A PEOPLE'S ASSEMBLY.**

*(Hon. Mbula Mutula)*

**THAT, AWARE** that on 8<sup>th</sup> August 2017 and 26<sup>th</sup> October 2017 IEBC conducted illegal, unconstitutional and undemocratic presidential elections;

**RECOGNIZING** the fact that the turnout for the presidential elections was thirty percent or thereabouts of the total number of all the registered voters in Kenya and therefore the president cannot by delegation or otherwise, be properly vested with the people's sovereign power and authority;

**OBSERVING** that the exercise of the executive authority by the president has in the past few years reintroduced the trappings of the imperial presidency and despotic tendencies in the conduct of public affairs;

**KNOWING** that parliament has been legislating unconstitutional, illegal, undemocratic and draconian laws and in particular laws that contravene the Bill of Rights and the principles of the electoral system, and,

**ACKNOWLEDGING** the sovereign power of the people of Kenya, the supremacy of the Constitution of Kenya 2010 and the sovereign right or authority of the people to determine the form of governance in Kenya;

**THIS ASSEMBLY RESOLVES AS FOLLOWS:-**

**THAT** the presidential elections held on 8<sup>th</sup> august 2017 and 26<sup>th</sup> October 2017 were each and all invalid, null and void; and no government formed and /or president declared as a consequence thereof, and considering the negligible turnout in the presidential elections held on the latter date, can have constitutional authority or legitimacy to govern.

**THAT** a **People's Assembly** be formed to discuss and determine the affairs of the country and recommend a pathway toward and for the achievement of the promise, aspirations, objectives and rights and freedoms provided by the constitution of Kenya 2010;

**THAT** the Assembly and its membership shall participate in the proceedings of the **People's Assembly** and shall constitute a special college for the appointment or election of members, delegations and observers to the people's assembly;

**THAT** a truly independent electoral and boundaries commission be established with a view of holding a fresh presidential election on or before 9<sup>th</sup> February 2018;

**THAT** the action and performance of constitutional commissions including the Independent Electoral and Boundaries Commission, the National Police

Service, the National Intelligence Service, the Public Service Commission, the Ethics and Anti-Corruption Commission, and the National Cohesion and Integration Commission be reviewed with the purpose of ensuring that the said commissions are independent to enable them to protect the sovereignty of the people and to promote constitutionalism;

**THAT** appropriate measures be undertaken to safeguard and promote devolution and the organs and instrument of devolution including county assemblies and county governments and secure their financial viability and security with the ultimate objective of the creation of larger and autonomous devolved units within one indivisible sovereign nation; and,

**THAT** a review of the constitution of Kenya 2010 be undertaken to reform the structure of the Executive and Parliament and devolution and to reinforce concrete measures for the promotion of inclusivity, the welfare of the marginalized, and the advancement of women and youth, the eradication of corruption and poverty and to secure social justice, equality and fairness.

---

\* Denotes Orders of the Day.

---

## **APPENDIX**

### **STATEMENTS:-**

- i. Request for a Statement (No. 022/2017) from the Chairperson, Committee on Transport and Infrastructure, regarding street lighting in Emali Town,  
*Member for Emali/Mulala Ward.*
  - ii. Request for a Statement (No. 026/2017) from the Chairperson, Committee on Water, Irrigation and Environment, regarding the rehabilitation of Mumbuni earth dam in Kalawa Ward,  
*Member for Kalawa Ward.*
  - iii. Request for a Statement (No. 031/2017) from the Chairperson, Committee on Transport and Infrastructure, regarding the lack of drainage systems in Emali Town,  
*Member for Emali/Mulala Ward.*
  - iv. Response to a Statement (No. 021/2017) as requested by the Member for Kilungu Ward, regarding the pond liner and irrigation systems project in Kilungu Ward.  
*(The Chairperson, Committee on Water, Irrigation and Environment).*
  - v. Response to a Statement (No. 023/2017) as requested by the Member for Kithuki/Kitise Ward, regarding the Kithuki water project in Kithuki/Kitise Ward.  
*(The Chairperson, Committee on Water, Irrigation and Environment).*
-

## **NOTICE PAPER**

Tentative business for  
Thursday (Afternoon), November 16<sup>th</sup>, 2017

---

**Published pursuant to the provisions of Standing Order 41(1),**

It is notified that the Assembly Business Committee, at their last meeting, approved the following tentative business to appear in the Order Paper for Thursday, November 16<sup>th</sup>, 2017 at 2:30 p.m.: -

**RESPONSE TO STATEMENTS:**

---