

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 28th September, 2022

The Assembly met at the County Assembly chambers at 9:00 a.m.

The Clerk, (Mr. Patrick Leshore) in the Chair

PRAYER

COMMUNICATION FROM THE CHAIR

The Clerk, (Mr. Patrick K. Leshore): Hon. Members, having looked at the numbers of the members elect present in the house this morning I can confirm that we have the requisite quorum to transact the necessary business of the house.

Hon. Members, on behalf of the staff of the county assembly and my own behalf I wish to welcome you all to this first sitting of the Third County Assembly of Samburu. I take this opportunity to particularly welcome all those members who have been re-elected from the previous assembly to the third assembly I wish also to give special welcome to the members who have been elected for the first time. Congratulation to you all.

Hon. Members, County Assembly of Samburu Standing Order No.3 (1, 2, and 3) provides as follows:- “On the first sitting of a new County Assembly, pursuant to the Governor’s notification, the Clerk shall-

- (a) Read the notification of the Governor as published in the Gazette.
- (b) lay a list of the names of the persons elected as Members on the Table of the County Assembly;
- (c) Administer the Oath or Affirmation of Office provided for in the First Schedule of the County Governments Act, 2012 to all members elect present in the County Assembly in the order set out in paragraph (3).

Hon. Members, His Excellency the Governor pursuant to the provision of the constitution of Kenya, County Government Act, 2017 notified this first sitting of the Third County Assembly through a gazette notice No. 11491 dated 23rd September, 2022. In accordance with the provision of the Standing Orders No. 3(2) (a), I now wish to read the notification of the Governor as published in gazette notice dated 23rd September, 2022. It reads as follows:-

First Sitting of the Third County Assembly

NOTICE is given that pursuant to section 7B (1) of the County Governments Act, 2012 as read together with Standing Order 3 (1) of the County Assembly of Samburu Standing Orders, I, Lati

Lelelit, Governor, Samburu County, give notice that the first sitting of the third County Assembly of Samburu shall be held at the County Assembly Chambers, Maralal, on Wednesday, 28th September, 2022, at 9.00 a.m.

Signed by Governor *LATI LELELIT*,

Accordingly, Hon. Members, this sitting is properly convened.

Hon. Members, in accordance with the provision of Standing Order No. 3 (2) (b), I now proceed to lay on the Table of the County Assembly a list of the names of persons elected as Members of the County Assembly pursuant to Article 177 (1) (a) of the Constitution, and a list of the names of persons nominated as Members of the County Assembly pursuant to Article 177 (1) (b), (c) of the Constitution, as Members of the County Assembly of Samburu, as published in the Kenya Gazette by Independent Electoral and Boundaries Commission (IEBC) vide gazette notice no. 9956 of 24th August, 2022 and gazette notice no. 10712 of 9th September, 2022 respectively.

(The Clerk lays on the Table of the County Assembly the gazette notices for elected and nominated members)

ADMINISTRATION OF OATH

The Clerk, (Mr. Patrick K. Leshore): Hon. Members, I now guide the house on the procedure to be followed in the administration of the oath or affirmation of office.

Hon. Members, Standing Order No.3 (3) requires the Clerk of the county assembly to administer the oath or affirmation of office to members in the house in alphabetical order using the following order of precedence;

(a) Members who served as speaker/deputy speaker

(b) Members who served as Majority/minority Leader

(c) Members with the longest cumulative period of service in the County Assembly;

(d) Members with the longest cumulative period of service in the County Assembly and in the local authority existing prior to pronouncement of all result of parliament as contemplated in section 2 of the sixth schedule to the constitution;

(e) Members with the longest cumulative period of service in the local authority existing prior to pronouncement of all result of parliament as contemplated in section 2 of the sixth schedule to the constitution;

(f) All other Members.

Hon. Members, I would like to confirm that I have in accordance with the above provision prepared the list containing the names of all members elect as published by the Independent Electoral and Boundaries Commission (IEBC) in the gazette notices I have referred to above. Therefore, I would like to ask the Clerk Assistant to lay on the table of the Assembly the list of Members elect arranged in the order of precedence prescribed in accordance with Standing Order 3(3).

Hon. Members, Standing Order No.3(4) provides as follows:- “Pursuant to Article 74 of the Constitution, no person shall assume or perform any functions of the office of a County Assembly before taking and subscribing to the Oath or Affirmation of Office provided for under paragraph (3).” Article 74 of the Constitution, which is actualized by the above standing order stated as follows;

“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 or affirmation of office, in the manner and form prescribed by the Third Schedule or under an Act of Parliament”.

The office of the member of the county assembly is one of those office referred to as state office. Therefore, no member should perform any function including election of the speaker or deputy speaker before taking and subscribing to the oath or affirmation of office.

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 County Assembly shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker.*”

Hon. Members, pursuant to Standing Order No.3(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(3). In order to facilitate this process, the name of each Member shall be called out. When called out, the Member shall proceed to the podium on my left and thereupon shall have the option to take the Oath or Affirmation of Office as they may choose and in accordance with their respective religious persuasion. After taking the Oath or Affirmation of Office, the Member shall proceed to subscribe to the Oath or Affirmation of Office at the Table on my right by signing the Oath or Affirmation Book.

Hon. Members, we are now ready to commence the process. Clerk at the Table kindly proceed to call out the names of the members elect:

(The Clerk administers oath to Members in the order below)

1. *Hon. Lemoosa Maura Lekuram*
2. *Hon. Christopher Lentukunye (not present in the House)*
3. *Hon. Lorunyei Lawrence Sebastian*
4. *Hon. Osman Adan Dube (not present in the House)*
5. *Hon. Hassan Mohamed Asha*
6. *Hon. Lenamatiyo Silapia (not present in the House)*
7. *Hon. Paul Leshimpiro hushima (not present in the House)*
8. *Hon. Stacy Nareiyo Lekirimpoto (not present in the House)*
9. *Hon. Lelenkeju Jackson Layan*
10. *Hon. Lealmusia Ali (not present in the House)*
11. *Hon. Lenyakopiro Chairity Pleipa*
12. *Hon. Lekuchula David Leinas*

13. *Hon. Esther Lenolkulal (not present in the House)*

14. *Hon. Eunice Serah Lekirenyei (Called out loud by the Clerk Assistant at the table)*

The Clerk, (Mr. Patrick K. Leshore): Eunice Serah Lekirenyei is out and as soon as she steps in she will take her Oath.

15. *Hon. Lemartile Francis Ltirisen (Called out loud by the Clerk Assistant at the table)*

The Clerk, (Mr. Patrick K. Leshore): Hon. Lemartile is out. He will take Oath as soon as he steps in.

16. *Hon. Leleluk James Koileken*

17. *Hon. Lenanguram James Ntiituk (Called out by the Clerk Assistant at the table)*

The Clerk, (Mr. Patrick K. Leshore): Hon. Lenanguram is not in. As soon as he steps in, he will take his Oath.

18. *Hon. Loregae Jane Nakinyi*

19. *Leitoro Jeremiah Loitemu*

The Clerk, (Mr. Patrick K. Leshore): Hon. Leitoro Jeremiah Loitemu is not in. As soon as he steps in, he will take his Oath.

20. *Hon. Loloju Joseph Lekoren*

MCA-Elect Maralal Ward, (Hon. Loloju Joseph Lekoren): Thank you Chair. (*Point of Order by Hon. Hon. Lorunyei*)

(*Hon. Loloju is inaudible*)

The Clerk, (Mr. Patrick K. Leshore): Hon. Lorunyei, he has the right to speak even if he has not taken the Oath so long as he is an elected Member. He ought to have been there for the swearing-in. Before even the swearing-in, you can raise an issue.

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Mr. Clerk, I do not know which Standing Order is that.

The Clerk, (Mr. Patrick K. Leshore): Hon. Lorunyei, kindly sit and we proceed.

(*Hon. Loloju Joseph Lekoren walks out of the Chamber without taking the Oath*)

21. *Hon. Lpesina Kelvin Lemantaan*

22. *Hon. Leerte Patrick*

23. *Hon. Lenamparasio Phelix Caunda*

24. *Hon. Lolosoli Rebecca Samaria*

25. *Hon. Ngigi Stephen Kagiri*

The Clerk, (Mr. Patrick K. Leshore): Hon. Members, before I proceed to the next order, I would like to confirm that each Member has taken and subscribed to the Oath. And I am being informed that there are Members who are at the gate and they have not taken the Oath. I, therefore, direct that in the next 10 minutes those Members should be let in to take their Oath. Otherwise, I extend my congratulations to those ones who have been sworn in.

I have directed that the Sergeant-At-Arms to take the orders and go and direct the Members to come in so that they take the Oath.

(The Sergeant-At-Arms leaves the Chambers to execute the Orders issued by the Clerk)

(The Chair leaves House and the Mess is lowered)

(The Chair comes in to the House and the Mess raised)

The Clerk, (Mr. Patrick K. Leshore): In terms of Article 7 of the Constitution, you are now ready and have commenced your functions as Members of the County Assembly.

Election of the Speaker

The Clerk, (Mr. Patrick K. Leshore): Hon. Members, I wish to stipulate the procedure to apply today for the election of the speaker as follows;

Hon. Members, Section 11 of the County Government Act, 2012 and Standing Order No. 4(1) of the county assembly of Samburu standing orders provides that the office of the speaker became vacant at the commencement of today's sitting being the first sitting of a new county assembly after general election.

Hon. Members, standing order No. 4(1) provides that a speaker shall be elected when new County Assembly first meets after a general election and before a county assembly proceeds with

the dispatch of any other business, except administration of oath or affirmation of office to members elect present.

In accordance with county assembly of Samburu Standing Orders the following procedural requirements are to be fulfilled before the election of the speaker is conducted.

1. Standing Order No. 5(1) requires the clerk to notify the public of a vacancy in the office of the speaker of the County Assembly of Samburu by a notice in the Kenya gazette and invite interested persons to submit their nomination papers for election in the office of the speaker.

Hon. Members, I did notify the public and invite the interested persons to submit their nomination papers for election to the office of the speaker by a gazette notice no. 11493 dated 23rd September, 2022.

2. Hon. Members, Standing order No, 5(2) requires that the names of candidates for election to the office of Speaker shall be entered upon nomination papers obtained from the Clerk and handed back to the Clerk, at least forty-eight hours before the time appointed at which the County Assembly is to meet to elect a Speaker. Notwithstanding standing order 5(2), I had given the interested persons through a gazette notice upto Tuesday, 27th September, 2022 at 2.00pm to collect and submit the nomination papers. In this regard Hon. Members I have also maintained a register for purpose of collection and receipt of nomination papers in accordance with the provision of standing Order No. 5(4).

3. In Accordance with Standing Order No. 5(5) immediately upon the close of nomination period I publicized the and made available to all members elect a list showing all qualified candidates for election to the office of speaker of the County Assembly of Samburu and copies of curriculum vitae of all qualified candidates were also availed.

Hon. Members, the following persons collected nomination papers from the Office of the Clerk of County Assembly of Samburu from Monday 26th September, 2022 to Tuesday 27th September, 2022 between the hours of 8.00 am and 5.00 pm.

1. Fred Lekoren Lengees
2. Solomon Lempere

Hon Members, as per the Gazette Notice No. 11493, a person who collected nomination papers was required to submit the completed papers together with their *curriculum vitae* and relevant supporting documents to the Office of the Clerk of Samburu, at the main Assembly Building, Maralal, not later than 2.00 pm on Tuesday 27th September 2022, for purposes of both collection and submission of the nomination papers.

Hon Members, at the close of the nomination period, the following 2 persons had submitted their nomination papers for election as Speaker of the County Assembly of Samburu.

1. Fred Lekoren Lengees
2. Solomon Lempere

Hon Members, Pursuant to the provisions of Article 178 of the Constitution and Standing Order No. 5 of Samburu County Assembly Standing Orders, of the people who completed and submitted their nomination papers, the following persons qualifies as candidates for election as Samburu County Assembly Speaker.

1. Fred Lekoren Lengees
2. Solomon Lempere

Hon. Members, I wish to inform you that the copies of the curriculum vitae of all the qualified candidates have been provided to all members and if there is any members who does not have kindly raise your hand so that Sergeant At arm can give you.

(The Sergeant At arm distributes the copies of the curriculum vitae of all the qualified candidates to the Hon. Members)

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Point of Order Mr. Clerk, I think we do not require. We are satisfied. We can continue.

The Clerk, (Mr. Patrick K. Leshore): Hon. Members, standing Order No. 6 provides as follows regarding the voting procedure where more than one candidate qualifies to stand for election as the Speaker;

(1) Election of the speaker shall be by a secret ballot

(2) The Clerk shall, at the commencement of each ballot, cause the ballot box, empty and unlocked, to be displayed to the County Assembly and shall, in the presence of the County Assembly, lock the box, which shall thereafter be kept in the full view of the County Assembly until the conclusion of the ballot

Hon. Members, we shall proceed to issue ballot papers to you which will be issued by the clerk assistants at the table to each member in a manner I will guide and therefore, when your name is called, you will receive one ballot paper at the table and proceed to the voting booth, mark your ballot paper and proceed to cast your vote.

Hon. Members, just for clarity, a member who wishes to vote shall mark his ballot paper by placing a visible mark in the box provided for besides the name of the preferred candidate as a member wishes to vote for. Therefore, the member should vote and fold the marked ballot paper before leaving the booth and deposit the folded ballot paper in the ballot box.

Hon. Members, a member who in the process of voting has marked his or her paper in error may, by returning to the clerk, obtain another ballot paper in its place and the clerk shall immediately cancel and destroy the paper so returned.

Hon. Members, the polling booth has been provided which is situated at my right hand side of the chamber and the Clerk Assistants at the table have ballot papers containing the names of the qualified candidates. Therefore, your names will be called out and pick ballot papers from the Clerk Assistants at the table and proceed to vote by putting a mark in the space provided against your candidate.

Hon. Members, verification and counting of ballots shall take place in the presences of Members appointed as agents and representatives by the candidates and for clarity, each candidate is

allowed to have a maximum of one agent or representative for the purposes of the ballot. Hence, I need to recognize the agent for each candidate at the later stage for Hon. Solomon Lempere and Mr. Fred Lengees.

I therefore direct the Sergeants-at-arms to show the Members empty ballot box and lock the box with which shall be kept in the full view of the County Assembly until the conclusion of the ballot.

(Sergeant-at-arms Shows an empty ballot box and seals the box)

(Sergeant-at-arms lowering the mace)

Hon. Members, I now ask the Clerk at the table to proceed and call out the names of the Members to vote:

1. Hon. Lemoosa Maura Lekuram
(Bowling to the Mace)
(Voting at the booth)
(Casting the vote into the ballot box)
2. Hon. Christopher Lentukunye
(Member not present in the House)
3. Hon. Lorunyei Lawrence Sebastian
(Bowling to the Mace)
(Voting at the booth)
(Casting the vote into the ballot box)
4. Hon. Osman Adan Dube
(Member not present in the House)
5. Hon. Hassan Mohamed Asha
(Bowling to the Mace)
(Voting at the booth)
(Casting the vote into the ballot box)
6. Hon. Lenamatiyo Silapia

(Member not present in the House)

7. Hon. Leshimipiro Paul Husima

(Member not present in the House)

8. Hon. Stacy Nareyio Lekirimpoto

(Member not present in the House)

9. Hon. Lelenkeju Jackson Layan

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

10. Hon. Lealmusia Ali

(Member not present in the House)

11. Hon. Lenyakopiro Charity Pleipa

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

12. Hon. Lekuchula David Leinas

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

13. Hon. Lenolkulal Esther

(Member not present in the House)

14. Hon. Eunice Serah Lekirenyei

(Member not present in the House)

15. Hon. Lemartile Francis Ltirisen

(Member not present in the House)

16. Hon. Leleruk James Koileken

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

17. Hon. Lenanguram James Ntiituk

(Member not present in the House)

18. Hon. Loregae Jane Nakinyi

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

19. Hon. Leitoro Jeremiah Loitiemu

(Member not present in the House)

20. Hon. Loloju Joseph Lekoren

(Member not present in the House)

21. Hon. Lpesina Kelvin Lemantaan

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

22. Hon. Lertee Patrick

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

23. Hon. Lenamparasio Phelix Caunda

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

24. Hon. Lolosoli Rebecca Samaria

(Voting at the seat, Serjent-at-arms and clerk assistant helping)

(Clerk Assistant helping in casting the vote into the ballot box)

25. Hon. Ngigi Stephen Kagiri

(Bowing to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

The Clerk, (Mr. Leshore Patrick): Hon. Members, Standing Order No. 6 paragraph 6 reads as follows:

When it appears to the Clerk that all Members who are present and who have wished to vote have placed their ballot papers in the ballot box, the clerk shall unlock the ballot box, examine the ballot papers and having rejected those marked or spoiled. Report the results of the ballot and no Member who has not already recorded his/her vote shall be entitled to do so after the clerk has unlocked the ballot box.

Hon. Members, having noticed that all the Members who wished to vote have voted, I now ask in the presence of agents for the candidates that the ballot box be unlocked and examine papers and report the results of the ballot.

(Serjent-at-arms opening the ballot box in the presence of the agents)

(Assistant clerk calling out candidate's name marked on the casted ballot papers)

(Assistant clerk counting the casted votes against the named candidates)

The Clerk, (Mr. Leshore Patrick): Hon. Members, I wish to announce the results:

Hon. Lempere Solomon – Nill.

Mr. Fred Lengees – 13 votes.

(Applause)

Abstentions- zero

Spoilt votes -zero

Total number of Members who voted- 13.

Hon. Members, Standing Orders No.71 provides that the person shall not be elected as Speaker unless supported by two-third of all Members. Hon. Members, this two-third is not a constitutional requirement but a procedural step to ease the elections of a Speaker in the first round of the ballot, the procedural threshold applies only to the first round of voting and does not affect the quorum for the commencement and continuation of the seating and the election.

Hon. Members, as stated above under Standing Orders No. 71 provides that a person shall not be elected as a Speaker unless supported in a ballot by the votes of two-third of all Members, that is in our case: unless supported by votes of 17 Members.

Hon. Members, it is clear from these results that none of the candidate have secured the two-thirds in the first round. This means we do not have a clear winner and we should take as provision of Standing Order No.72 which states:

If no candidate is supported by the votes of two-thirds of the votes all Members, only the candidate or candidates who received the highest number of votes in the ballot referred to in paragraph One and the candidate or candidates who in that ballot received the next highest number of votes shall stand for election in a further ballot and the candidate who receives the highest number of votes in the further ballot shall be elected the Speaker.

In this regard the case we have only two candidates which means we should therefore proceed to the next round of the ballot.

Hon. Members, I now ask the clerk assistants at the table to proceed and call out the names of the Members to vote in the second round.

19. Hon. Lemoosa Maura Lekuram

(Bowing to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

20. Hon. Christopher Lentukunye

(Member not present in the House)

21. Hon. Lorunyei Lawrence Sebastian

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

22. Hon. Osman Adan Dube

(Member not present in the House)

23. Hon. Hassan Mohamed Asha

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

24. Hon. Lenamatiyo Silapia

(Member not present in the House)

25. Hon. Leshimipiro Paul Husima

(Member not present in the House)

26. Hon. Stacy Nareyio Lekirimpoto

(Member not present in the House)

27. Hon. Lelenkeju Jackson Layan

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

28. Hon. Lealmusia Ali

(Member not present in the House)

29. Hon. Lenyakopiro Charity Pleipa

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

30. Hon. Lekuchula David Leinas

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

31. Hon. Lenolkulal Esther

(Member not present in the House)

32. Hon. Eunice Serah Lekirenyei

(Member not present in the House)

33. Hon. Lemartile Francis Ltirisen

(Member not present in the House)

34. Hon. Leleruk James Koileken

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

35. Hon. Lenanguram James Ntiituk

(Member not present in the House)

36. Hon. Loregae Jane Nakinyi

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

20. Hon. Leitoro Jeremiah Loitiemu

(Member not present in the House)

21. Hon. Loloju Joseph Lekoren

(Member not present in the House)

23. Hon. Lpesina Kelvin Lemantaan

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

24. Hon. Lertee Patrick

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

24. Hon. Lenamparasio Phelix Caunda

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

25. Hon. Lolosoli Rebecca Samaria

(Voting at the seat, Serjent-at-arms and clerk assistant helping)

(Clerk Assistant helping in casting the vote into the ballot box)

26. Hon. Ngigi Stephen Kagiri

(Bowling to the Mace)

(Voting at the booth)

(Casting the vote into the ballot box)

The Clerk, (Mr. Leshore Patrick): Hon. Members I direct the Sergeant-at-arms to empty the ballot box and the Clerk Assistants to assist in counting.

(Serjent-at-arms opens the ballot box in the presence of the agents)

(Assistant Clerk calls out candidate's name marked on the casted ballot papers)

(Assistant Clerk counts the cast votes against the named candidates)

The Clerk, (Mr. Leshore Patrick): Hon. Members, the results of the vote is as follows:

1. Mr. Fred Lengees -13
2. Hon. Solomon Lempere – zero
3. Abstentions – zero
4. Spoilt ballots – zero
5. Total number of Members voting – 13

Hon. Members, Standing Order No. 7 paragraph 3 provides that the candidate who receives the highest number of votes in this further ballot shall be elected speaker. Therefore, in this further ballot, Hon. Fred Lengees received 13 votes and Hon. Lempere received 0 votes. This means that Hon. Lengees is the Speaker with 13 votes.

Hon. Members, I now declare Hon. Fred Lekoren Lengees as the Speaker and I direct the Seargent-At-Arms to look for Hon. Lekoren Fred Lengees, identify him to me here in the assembled Assembly so that he may scribe the oath and affirmation of office.

(Seargent-At-Arms does as directed by the Clerk)

Hon. Members, I would like to take you to the provisions of Standing Order Number 12 of the swearing in of the Speaker. The Standing Order reads as follows: *“immediately following the election of the Speaker, the Clerk shall administer the oath or affirmation of office to the Speaker in the presence of assembled assembly”*.

Hon. Members, pursuant to Standing Order No. 12, I shall now proceed to administer the oath or affirmation of office to the Speaker-Elect. The Speaker shall take the oath or affirmation of office and take chair and the mace which before was lowered.

“I, Fred Lekoren Lengees, having been elected as the Speaker of the County Assembly of Samburu, do swear in the name of Almighty God, that I shall always truly and diligently serve the people of the republic of Kenya in the office of the Speaker of the County Assembly of Samburu and that I shall respect, uphold, preserve, protect and defend this Constitution of the republic of Kenya. I shall do right to all manner of persons in accordance with the Constitution of Kenya and the Laws and conventions of Parliament without fear or favour, affection or ill health. So help me God”.

Hon. Members, I will request two members to escort the Speaker for roping.

(Two Members escort the Speaker)

The Speaker, (Hon. Fred Lekoren Lengees): Hon. Members, distinguished guests, ladies and gentlemen, I am deeply honored and humbled for the great support you have all accorded me through this journey of Speakership. A few minutes ago, we finalized the race for speakership which you elected me as your Speaker.

Hon. Members, special thank you to the Clerk, Mr. Patrick Leshore and his secretariat for conducting this exercise with a credible, open and transparent manner. I salute my worthy competitor in this race, Mr. Solomon Lempere even if he is not here and ask that we work

together for the benefit of the people of this great county. I also wish to extend my arm to all Members of this third assembly. Hon. Members, I congratulate you all for your deserved win in the just concluded election and we are fully aware of the fact that elections being worthy are rigorous, interesting and intense even for season politicians and not forgetting the nominated members. Congratulations to you all.

Elections by nature leave their own traces as we conclude that today. Let us seal all the traces we may have left and move forward as one focused and determined House. I wish to commend Members of the second Assembly for your successful return and wish to welcome the new Members and hope that the veterans will induct them into the norms and procedures of the House.

Hon. Members, please accept my profound precession to you all for bestowing upon me such an honor. Let me state that I accept this responsibility to spearhead this Assembly to the best of my expectations and the expectations of the people of Samburu. I promise to uphold the dignity of the House at all times by submitting myself to the supremacy of the rules of this House. Ten years since the inception of devolution we stand proud as a County self-assured and confident at its own capacity and its own ability to mold its own destiny to all leaders through the ballot box and the people of Samburu have given us a mandate for the next five years and we dare not to fail. Let each one of therefore represent our own people with dignity, purpose and honor in performing our primary duties and I will give the majority their way but respect and protect the rights of the minority at all times.

Hon. Members, today we have started our Constitutional duty and it comes with challenges for us to demonstrate our abilities willingness and readiness to rise above our party affiliations, interests and to promote a common agenda by exercising our mandate of oversight, representation and legislation. To the secretariat of the County Assembly led by the Clerk Mr. Patrick Leshore, thank you for all you have done for the County Assembly and the hon. Members hold in high regard the role you play to facilitate them to achieve their mandate and we will continue to work together as a team. As I conclude, I wish you all a successful journey of duty and rectorate by resolve to provide leadership and serve to the best of my ability. I will be a

Speaker for all regardless of the party affiliations. Thank you very much hon. Members and thank you all of you who are here.

ELECTION OF THE DEPUTY SPEAKER

Hon. Speaker, His Excellency the Governor, Pursuant to the Provisions of the Constitution of Kenya, County Government Act 2012 notify this first sitting of the third sitting of the County Assembly through a gazette notice number 11/4/9/1 dated 23 September 2022. Hon. Speaker Pursuant to the Provisions of Section 11/A/1 of the County Government Act 2012, the Office of a Deputy Speaker became vacant when the previous holder as a Member of the House vacated the office in accordance to article 194. In exercise of the powers conferred by the Standing Orders number 14, I notified the general public of a vacancy of the Office of the Deputy Speaker via a gazette notice number 11/4/9/4 dated 23rd September 2022. In the notice I invited interested persons who qualified to be elected as the Deputy Speaker of the County Assembly to elect and submit their nomination papers for election to the office of the Deputy Speaker of the County Assembly of Samburu from the office of the clerk at the County Assembly of Samburu offices in Maralal, duly completed nomination papers together with the curriculum vitae of the candidate and relevant supporting documents to be submitted to the office of the clerk not later than Tuesday 27th September 2022 at 2:00 pm.

Hon. Speaker the following persons collected the nomination papers from the office of the Clerk of the County Assembly of Samburu from Monday 26th September 2022 to Tuesday 27th September 2022 between the hours of 8:00 am to 5:00 pm; hon. Jackson Lelenkeju and hon. Ali Lealmusi. Hon. Speaker and Hon. Members, the close of nomination period the following persons has submitted their nomination papers for election as the Deputy Speaker of the County Assembly of Samburu; Hon. Jackson Lelenkeju and Hon. Ali Lealmusia. Pursuant to the Provisions 178 of the Constitution and Standing Order number 5 of the County Assembly Standing Orders of the people who completed and submitted their nomination papers the following persons qualifies as candidates for the elections as the Samburu County Assembly Deputy Speaker Hon. Jackson Lelenkeju and Hon. Ali Lealmusia.

Accordingly, Mr. Speaker I published and made available to all members showing two members who qualified as candidates for the election of the Deputy Speaker of the County Assembly for

the ballot to be carried out. The Provisions of Standing Order number 14/2 provides as follows; “the procedure for electing a Deputy Speaker shall with the necessary modification be the same as the one prescribed for the election of the Speaker under part two of these Standing Orders”. Standing Orders number six provides the following regarding the voting procedure where more than one candidate qualifies to stand for the election as the Speaker. The election of the Speaker shall be by secret ballot.

The Clerk shall by commencement of each ballot close the ballot box, empty and unlock to display to the County Assembly and shall in the presence of the Country Assembly lock the box which shall thereafter be kept in the full view of the County Assembly until the conclusion of the ballot. Hon. Speaker, Hon. Members, we shall proceed to issue ballot papers to you which shall be issued by the clerk assistants at the table to each Member in a manner and guide and therefore, when your name is called you will receive one ballot paper at the table and proceed to the voting booth. Come for you ballot paper and proceed with the vote. A Member who wish to vote shall mark the ballot paper with a physical mark at the box provided beside the name of the preferred candidate as a Member who he wishes to vote for hence the Member should vote and fold the marked ballot paper before leaving the booth and deposit the folded ballot paper in the ballot box.

A Member who in the process of voting has marked his or her ballot paper in error may return it to the clerk and obtain another ballot paper in its place and the clerk shall immediately cancel and destroy the ballot paper and sought another. I therefore direct the Sergeant at Arms to show the Members to the empty ballot box and lock the box which shall be kept in the full view of the County Assembly until the conclusion of ballot. Hon. Members, verification and counting of the ballots shall take place in the presence of Members appointed as agents or representatives of the candidates and for clarity each candidate is allowed to have a maximum of one agent or representative for the purposes of the counting. I now ask the clerks at the table to proceed and call out the names of the Members to vote in the order I stated earlier.

(The Table Clerks proceed to call out names of the Members)

1. *Hon. Lemoosa Mwaura Lekuram.*
2. *Hon. Christopher Lentukunye.*

3. *Hon. Lorunyei Lawrence.*
4. *Hon. Osman Adan Dube.*
5. *Hon. Hassan Mohammed Asha.*
6. *Hon. Lenamatiyo Silapia.*
7. *Hon. Paul Leshimpiro Husima.*
8. *Hon. Stacy Nareyio Lekirimpoto.*
9. *Hon. Lelenkeju Jackson.*
10. *Hon. Ali Lealmusia.*
11. *Hon. Lenyakopiro Charity Pleipa.*
12. *Hon. Lekuchula David Leinas.*
13. *Hon. Esther Lenolkulal.*
14. *Hon. Eunice Serah Lekirenyei.*
15. *Hon. Lemartile Francis Ltirisien.*
16. *Hon. Leleruk James Koileken*
17. *Hon. Lenanguram James Ntiituk.*
18. *Hon. Loregae Jane Nakinyi.*
19. *Hon. Jeremiah Leitoro Loitemu.*
20. *Hon. Loloju Joseph Lekoren.*
21. *Hon. LPesina Kelvin Lemantaan.*
22. *Hon. Leerte Patrick.*
23. *Hon. Lenamparasio Felix Kaunda*
24. *Hon. Lolosoli Rebecca Samaria.*
25. *Hon. Ngigi Stephen Kagiri.*

The Clerk, (Mr. Patrick Leshore): Hon. Members Standing Order number 6/6 reads as follows; *when it appears to the clerk that all Members who are present and who wished to vote have placed their ballot papers in the ballot box the clerk shall unlock the box, examine the ballot papers, having rejected those spoilt, report the result of the ballot and no Member who has not already recorded his or her vote shall be entitled to do so after the clerk has unlocked the ballot box. Having noticed that all Members who wished to vote have voted I now ask the presence of*

the agents for the candidates that the ballot box be unlocked, examine the ballot papers and report the results.

- 1) Jackson Layan Lelenkeju – 13 votes.

(The Clerk reads loud the Member voted in favor, Jackson Layan Lelenkeju)

The Speaker, (Mr. Fred Lengees): Hon. Members, invited guests, ladies and gentlemen; I therefore give you the results of the voting of the Deputy Speaker hon. Jackson Lelenkeju with 13 votes, hon. Ali Lealmusia zero, abstentions zero, spoilt votes zero, total number of Members voting 13, this means therefore that Jackson Lelenkeju is duly elected as the Deputy Speaker of this House. I am informed that I am only to report on the results which is 13 votes. The next order of business since the Member did not get the two thirds required we proceed for the second round.

The Clerk, (Mr. Patrick Leshore): Hon. Members Standing Order number 7/1 provides that *a person shall not be elected as the Deputy Speaker unless supported by two thirds of all Members. This two third is not a Constitutional requirement but a procedural step to ease the elections of the Deputy Speaker the first round of the ballot is procedural and the procedural threshold applies only to the first round of voting and does not affect the quorum for the commencement and the continuation of the sitting and the election.*

Hon. Members as stated above under Standing Order number 7/1 provides that a person shall not be elected as Deputy Speaker unless supported at the ballot by the vote of two thirds of all Members which in our case supported by the votes of 17 Members. However, Members it is clear that from these results none of the candidates have secured the two thirds in the first round which means that we do not have a clear winner. This should take us to the Provisions of Standing Order number 7/2 which states that no candidate is supported by the two thirds of all the Members only the candidate or the candidates who received the highest number of votes the ballot referred to in paragraph one and the candidate or candidates who in that ballot received the next highest number of votes shall stand for elections in a further ballot and the candidate who received the highest number of votes in the further ballot shall be elected the Deputy Speaker.

In this regard the candidate who received the highest result is hon. Jackson Lelenkeju and the candidate who received the second highest number of votes is hon. Lealmusia in any case there were only two candidates. We shall now proceed to the second round of ballot. I now ask the Clerk Assistants at the table to proceed and call out the names of the Members to vote in the second round.

- 1) *Hon. Lemoosa Mwaura Lekuram.*
- 2) *Hon. Christopher Lentukunye.*
- 3) *Hon. Lorunyei Lawrence Sebastian.*
- 4) *Hon. Osman Adan Dube.*
- 5) *Hon. Hassan Mohammed.*
- 6) *Hon. Lenamatiyo Silapia.*
- 7) *Hon. Paul Leshimpiro Husima.*
- 8) *Hon. Stacy Nareyio Lekirimpoto.*
- 9) *Hon. Lelenkeju Jackson.*
- 10) *Hon. Ali Lealmusia.*
- 11) *Hon. Lenyakopiro Charity.*
- 12) *Hon. Lekuchula David.*
- 13) *Hon. Esther Lenolkulal.*
- 14) *Hon. Eunice Serah Lekirenyei.*
- 15) *Hon. Lemartile Francis Lkirisin.*
- 16) *Hon. Leleruk James Koileken.*
- 17) *Hon. Lenanguram James*
- 18) *Hon. Lorigae Jane Akinyi.*
- 19) *Hon. Leitoro Jeremiah Loitemu.*
- 20) *Hon. Loloju Joseph.*
- 21) *Hon. Lpesina Kelvin Lemantaan.*
- 22) *Hon. Patrick Leerte.*
- 23) *Hon. Lenamparision Felix Kaunda.*
- 24) *Hon. Lolosoli Rebecca.*
- 25) *Hon. Ngige Stephen Kagiri.*

- 1) Jackson Layan Lelenkeju – 13 votes.

(The Clerk reads loud the Member voted in favor, Jackson Layan Lelenkeju)

The Speaker, (Mr. Fred Lealmusia): Hon. Members the results of the voting of the Deputy Speaker position is as follows;

1. Hon. Jackson Lelenkeju 13 votes and hon. Ali Lealmusia zero votes,
2. Abstentions zero,
3. Spoilt votes zero,
4. Total number of Members who voted 13.

Hon. Members Standing Order number 7/3 provides that the candidate who received the highest number of votes in this further ballot shall be elected as the Deputy Speaker. Hon. Members in this further elections hon. Jackson Lelenkeju received 13 votes, hon. Ali Lealmusia received zero votes, this means that hon. Jackson Lelenkeju with 13 votes is the duly elected Deputy Speaker. I now declare hon. Jackson Lelenkeju as the Deputy Speaker and I direct the Sergeant at Arms to identify and present him here in the assembled Assembly so that he maybe be subscribed to the oath or affirmation of the office.

(The Sergeant at Arms identifies and presents him in the assembled Assembly so that he may subscribe to the oath or affirmation of office.)

(hon. Jackson Lelenkeju takes his oath of Office of the Deputy Speaker)

The Deputy Speaker, (hon. Jackson Lelenkeju): Hon. Speaker of the County Assembly of Samburu, your Excellency the Governor of Samburu County, our Senator, Our Women Representative, the Deputy Governor, the MP Samburu North who is present with us here, members of the public and my colleagues, I am so humbled and thank God for this far. I also thank the people of Wamba East for having elected me in the just concluded elections. I am happy that most of you are here. I thank my family who not only stood by me but also allowed me permission to use the limited family resources for my campaigns, thank you so much and congratulations for I have come so far because of you. I am grateful to all the 15 wards that

elected my colleagues who extended a leaf of honor to give me this position of the Deputy Speaker of Samburu County Assembly. I also thank all the political parties especially elected all the nominated colleagues who also joined hands with the elected ones to also favor me this afternoon with the position that you just gave me I thank you and God bless you. I look forward to working together. I congratulate the hon. Fred Lengees who is our Speaker, I thank the clerk and your team and congratulations to you all. I look forward to working together to build Samburu County Government. God bless you Samburu and our County Government, thank you.

The Speaker, (Mr. Fred Lengees): Hon. Members, distinguished guests, ladies and gentlemen; I take this opportunity to thank all of you for participating in this process, I also take time to thank the Clerk and the secretariat for a wonderful process.

Hon. Members the time being 10 minutes to two o'clock and there being no other business this Assembly now adjourns *SINE DIE*.