

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Tuesday, 5th September, 2017

(Second Assembly – First session first Sitting)

The Assembly met at the County Assembly chambers at 9.00 am

The Clerk, County Assembly of Samburu (Mr. Patrick K. Leshore) presides over the session

PRAYER

COMMUNICATION FROM THE CLERK

The Clerk, (Mr. Patrick K. Leshore): Hon. Members, it is my pleasure and privilege to welcome you to this First Sitting of the Second County Assembly of Samburu. I take this opportunity to congratulate you all on your election to the County Assembly.

The 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.

Pursuant to this provision of the Standing Orders, I now proceed to read the notification of the Governor. It is as follows:-

“legal notice no.1 the constitution of Kenya, county governments act (17 of 2012) the county assembly of Samburu standing orders, notification of first sitting of Samburu County Assembly, I paraphrase: - “Notice is given that pursuant to Standing Order No. 3 (1) of the County Assembly of Samburu, the Governor gives notice that the First Sitting of the County Assembly of Samburu shall be held at the County Assembly Chambers, Maralal, on Tuesday 5th September, 2017 at 9.00 am.”

Hon. Members, the Legal Notice is dated 29th August, 2017, and is signed by His Excellency the Governor.

PAPERS

NAMES OF THE ELECTED AND SPECIALLY ELECTED MEMBERS LAID

Hon. Members, Standing Order No. 3(2)(b) further requires that on the First Sitting of a new County Assembly, pursuant to the Governor’s notification in the gazette, the Clerk shall: - “Lay a list of the names of the persons elected as Members on the Table of the County Assembly;”

I now proceed to lay, on the Table of the County Assembly, a list of the persons elected or nominated as Members in the Kenya Gazette notices no. 8240 and 8380.

(The Clerk lays the list of the Members on the table)

AdministRATION OF OATH

Hon. Members, I have the following Communication to make. This Communication relates to the procedure that will be followed in the administration of the oath or affirmation of office.

Standing Order No.3 (2)(c) requires that on the first sitting of a new County Assembly after a general election and pursuant to the Governor's notification, the Clerk shall administer the Oath or Affirmation of Office provided for in the First Schedule to the County Governments Act to all Members present in the County Assembly, in the order set out in Standing Order No.3 (3) which 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 County Assembly.
- (b) Members with the longest cumulative period of service in the County Assembly and in the local authority existing prior to pronouncement of all results of parliament as contemplated in section 2 of the sixth Schedule to the constitution;
- (c) Members with the longest cumulative period of service in the local authority existing prior to pronouncement of all results of parliament as contemplated in section 2 of the Sixth Schedule to the constitution;
- (d) All other Members.

Hon. Members, it is important to observe that 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).” 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.”

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 this podium and thereupon shall have the option to take the Oath or Affirmation of Office as they may choose 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. I will ask that the Clerk-at-the-Table calls out the names.

(The Clerk administered the oath of Office to the members named below in the following order)

1. Lorunyei Lawrence Sebastian, MCA Nachola ward
2. Benjamin Leitore, MCA Wamba West ward
3. Christopher Lentukunye, MCA Wamba North ward
4. Lanyasanya Adamson, MCA Loosuk ward
5. Lemoosa Moura Lekuram, MCA Nyiro ward
6. Leshoomo Jerias, MCA Lodokejek ward
7. Letura Raisy Ahmed, MCA Ndoto ward
8. Raisy Ahmed Letura, MCA Ndoto Ward
9. Shadrack Nakini Lesoipa, MCA Suguta Marmar Ward

The Clerk, (Mr. Patrick K. Leshore): Hon. Osman Dube is out of the Country but we have an affidavit from his lawyer.

10. Kiragu Fred Kanyiri, MCA Maralal Ward

11. Zamzam Ismail, Specially Elected MCA

(Hon. Dube walks into the House and he is sworn-in)

12. Osman Adan Dube, Specially Elected MCA

13. Antonella Lobura, Specially Elected MCA

14. Hassan Mohamed Asha, Specially Elected MCA

15. Jennifer Letuiya, Specially Elected MCA

16. Josephine Kundera Lesilampa, Specially Elected MCA

17. Kalapata Kadicho Elizabeth, Specially Elected MCA

18. Lekwaale Lucas Sirima, MCA Wamba East Ward

19. Lempei Peter Lemayan, MCA Elbarta Ward

20. Lenamatiyo Silapia, Specially Elected MCA

21. Lenkirasi Doris Seeto, Specially Elected MCA

22. Leshimpiro Paul Husima, MCA Angata Nanyokie Ward

23. Leshipayo Joseph Koris, MCA Porro Ward

24. Lesiyampe Leteipan Edwin, Specially Elected MCA

25. Mpopoyio Nicholas Leparsayia, MCA Baawa Ward

26. Paul Ekutan Wonyang, MCA Waso Ward

27. Roseline Lesaibile, Specially Elected MCA

28. Stefania Stain Lanyasunya, Specially Elected MCA

The Clerk, (Mr. Patrick K. Leshore): Hon Members, before we proceed to the next order, I would like to confirm that each Member has taken and subscribed to the Oath and extend my

congratulations to you all. In terms of Article 74 of the Constitution you have now commenced your functions as Members of the County Assembly of Samburu.

ELECTION OF THE SPEAKER

The Clerk, (Mr. Patrick K. Leshore): Hon Members, I have a communication to make on the election of the Speaker. It was notified, for the information of the general Public, that following the declaration of a vacancy in the Office of the Speaker of Samburu County Assembly vide Gazette Notice No. 8412, the following persons collected nomination papers from the Office of the Clerk of the County Assembly of Samburu on Friday 1st September, 2017 to Saturday 2nd September, 2017 between the hours of 8 am and 5 pm:

1. Mr. Solomon Lempere
2. Mr. Lekupe Aloise Keretina

Hon. Members, as per the Gazette Notice Number 8412, the person who collects nomination papers was required to submit the completed nomination papers together with their curriculum vitae and relevant supportive documents to the Office of the Clerk of the County Assembly of Samburu at the main Assembly building in Maralal not later than 9 am on Sunday 3rd September, 2017 for purposes of both collection and submission of the nomination papers.

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

1. Solomon Lempere

Pursuant to the Standing Order number 11 that reads: *“Despite the provisions of this part, if there is only one candidate who has been duly nominated for election as Speaker at the expiry of the nomination period, that candidate shall be declared forthwith to have been elected Speaker without any ballot or vote being required”.*

Hon. Members, I hereby declare Solomon Lempere the elected Speaker of the County Assembly of Samburu.

(Applause)

I would like to take you to the provisions of Standing Order No. 12 on the Swearing-in of the Speaker which 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 the 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. I now direct the Sergeant-at-Arms and two Members of the County Assembly to proceed with dispatch, search and find the said candidate, Mr. Solomon Lempere, and bring him forthwith to the Chamber.

(The Sergeant-At-Arms, hon. Lucas Lekwaale and hon. Peter Lempei leaves to search for Mr. Solomon Lempere and escorts him to the House. The Speaker elect takes oath of office)

The Speaker: (Hon. Solomon Lemper) Takes the Oath of allegiance

(The mace is raised and normal House commences.

SPEECH FROM THE SPEAKER

The Speaker, (Mr. Solomon Lempere): The Hon. Senator of Samburu County, Hon. Members of the County Assembly, the County Commissioner, Members of the Judiciary, Press, distinguished ladies and gentlemen.

First and foremost, I thank the Almighty God for the great favor He has reposed in me and the great opportunity that we have all been given in this House to be in the Second Assembly of Samburu. It is not by chance that we are here today.

I wish to congratulate all the hon. Members on your swearing-in to start the long and treacherous journey to represent your respective wards and interest groups.

It is a great honor to be nominated and elected the Speaker of this hon. House. I see my presence here as a home-coming albeit with a greater responsibility. I am grateful to all who bestowed a resounding trust in me to make this possible.

I need to acknowledge that the first Assembly started from scratch without staff and with minimal infrastructure. With the guidance of our former Speaker and our current Senator, who is here with us, it has grown to be a vibrant Assembly able to transact its business effectively and efficiently. We need to commend our Senator for this. As a result, the second Assembly is starting with adequate staff and with a well-furnished chamber and therefore should be able to perform its functions better than the first Assembly.

Hon. Members, the challenge ahead of us is enormous. The people of Samburu County expect us to diligently perform our constitutional roles of legislation, representation and oversight. It is without doubt that we have been given a unique opportunity to serve our dear County. I look forward to maximizing the opportunities for every member to contribute. I trust that the experienced ones will mentor the new ones. I need to remind hon. Members that the highly procedural nature of the County Assembly calls for an equally high level of commitment to the rules and procedures of the institution.

The people of Samburu County are looking up to the leadership of this County Assembly for the solutions to the problems that confront them on a daily basis. This Assembly is uniquely placed to be responsive to these needs. We will forge a united front to legislate on most if not all devolved functions to ensure service delivery to our people. I ask for the spirit of coordination, cooperation and consultation from all and sundry to make my stewardship of this hon. House a success.

Hon. Members, the dignity of this house is crucial and with your cooperation, that dignity shall not be compromised. We owe this to all Samburu County residents. Let us all abide by the

County Assembly Standing Orders which provide the rules and procedures of the House. We ought to all resolve to do something different in the lifetime of this Assembly.

I once again wish to thank the leadership of this County led by His Excellency the Governor, the Deputy Governor, the Senator and all the other leaders, the Clerk of the County Assembly for steering the County Assembly to this level and the Transition Committee of the Assembly and all those who made this occasion a success. Thank you and God bless you all.

Hon. Members, there being no other business the House stands adjourned until such a date that shall be notified as the opening of the County Assembly.