REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 20th July, 2023

The House met at the Assembly Chambers at 2.30 p.m.

[The Deputy Speaker (Hon. Anthony Theuri) in the Chair]

PRAYERS

MOTION

VETTING REPORT OF MR. MIKE KIPCHUMBA KEMBOI, CHIEF OFFICER NOMINEE, COUNTY ADMINISTRATION AND PUBLIC SERVICE

Hon. Samuel Mugambi: Thank you, Hon. Speaker. I beg to move the following motion;

> THAT this Assembly adopts the report by the joint committees on Labour, Social Welfare and Community Services and County Cohesion Justice and Legal Matters on the vetting of Mr. Mike Kipchumba Kemboi, nominee for appointment to the position of Chief officer County Administration and Public Services dated 11th July, 2023.

Mr. Speaker, this was a joint committee and the Members have got the report on their machines. One of the committees was County Cohesion Justice and Legal Matters and it is composed of the following members;

1. Hon. Samuel Mugambi - Chairperson
2. Hon. Benson Kuria - Vice Chairperson
3. Hon. Salim Edung - Member
4. Hon. George Karuiru - Member
5. Hon. Caroline Kihika - Member
6. Hon. Joseph Gitahi - Member
7. Hon. Leila Hussein - Member

The Members of the Labour Social Welfare and Community Services Committee are as follows;

1. Hon. Irene Wachuka - Member
2. Hon. Eunice Salaten - Vice Chairperson
3. Hon. Catherine Umija - Member
4. Hon. Caroline Kihika - Member
5. Hon. Stephen Ndiritu - Member
6. Hon. Paul Leshuel - Member

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7. Hon. Nicholas Muturi - Member

Pursuant to Section 45 of the County Government Act and section 6 of the Public Appointments (County Assemblies approval) Act, His Excellency the Governor nominated Mr. Mike Kipchumba Kemboi, for appointment as Chief Officer for County Administration and Public services. The Nomination of the Chief Officer was conveyed to the Speaker of the County Assembly through a letter (Reference Number: CGL/GVN/*E (I)*/14*),* dated 15th June, 2023. The nominee's curriculum vitae and testimonials were enclosed in the said letter.

Pursuant to Section 7(10) of the said Public Appointments (County Assemblies Approval) Act 2017, the office of the Clerk through an advert on print media on 23rd June 2023 invited submissions from the public on the suitability or otherwise of the nominee for Appointment to the position of the Chief Officer. The Committee did not receive any submission or memoranda contesting the suitability of the nominee.

The two committees held a sitting on Monday, 3rd July, 2023 to deliberate on the approval hearing and the following were highlighted: That, by the deadline date of 28th June, 2023, the Clerk of the County Assembly had received a duly filled questionnaire by the nominee and no memoranda had been received from the general public.

Mr. Mike Kichumba Kemboi, appeared before the Committee on Monday 3rd July, 2023 at 2.00 p.m. and was informed by the Chairperson that, pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee invited submissions from the public on his suitability or otherwise for Appointment to the position of Chief Officer for County Administration and Public Service. However, by the deadline date of 28th June, 2023, the Committee had not received any submission or memorandum from the public contesting his suitability. The nominee was then orally vetted under oath by the Committee and responded to the questions.

Hon. Speaker, the Members have got the responses to the questions in their machines. The nominee responded very well and was well conversant with the questions.

Committee Observations

The Committee having considered the nominee's Curriculum Vitae and heard his oral submission during the vetting exercise made the following observations: -

1. THAT, the nominee had satisfied the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity.
2. THAT, he had been cleared by the Criminal Investigation Department (CID), Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority on tax compliance, Higher Education Loans Board (HELB) and the Credit Reference Bureau.
3. THAT, in accordance with Article 78(1) (2) of the Constitution of Kenya and Section 35(3) and 35(4) of the County Government Act, he is a Kenyan citizen and does not hold dual citizenship and is therefore fit to hold office as a Chief Officer;
4. THAT, his academic credentials, and experience are impressive and in compliance with Section 7(8) of the Public Appointments (County Assemblies Approval) Act, 2017;
5. THAT, he has never been charged in a Court of Law.

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6. THAT, as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
7. THAT, he satisfies the requirements of Article 77(1) of the Constitution of Kenya, 2010 and Section 35(4) of the County Government Act in that he does not intend to participate in any other gainful employment;
8. THAT, he had never been dismissed from office for contravention of the provisions of Public Officer Ethics act which deals with conduct of public officers.

Committee's recommendation

Pursuant to Section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 191(5) (f), the Committees recommend that, this House approves the nomination of Mr. Mike Kipchumba Kemboi, for appointment by H.E. the Governor as Chief Officer County Administration and Public Services.

So, Hon. Speaker, we vetted Mr. Mike Kemboi as a Joint Committee, County Cohesion, Justice and Legal Matters and the Labour and Social Welfare Committee headed by Hon. Wachuka. The nominee appeared before this House and satisfied the Members and at this point, we are happy because this Chief Officer on County Administration and Public Services is a main Chief Officer in the administration of Laikipia County. Therefore, we need, require and beg the House to approve the nominee so that the administration and public services can continue effectively immediately the House approves the nominee.

As the Chair of the County Cohesion Committee, and we deal with matters on security, Chief Officer on Administration lies as the fulcrum of the security of this county. I beg the Members to approve the nominee and ask our able nominated MCA from Sosian, Hon. Yusuf Leila to second the nominee on County Administration and Public Services. Thank you.

Hon. Leila Hussein: Thank you, Mr. Speaker. I rise to second this nominee. First of all, I thank the Governor for this nominee. He is a minority. Secondly, he is very well qualified for this position and from the vetting that we had, he seems to be an able person. I would also like to tell the House, *Yamunei*. Thank you very much.

(Question proposed)

Deputy Speaker: Hon. Members, the floor is open for debate.

Hon. Joseph Gitahi: Thank you, Mr. Speaker. I am rising on my feet to urge the House to adopt the report done by the Cohesion Committee. I am a Member of that committee and fully participated in the vetting of Mr. Mike Kipchumba. Firstly, I congratulate H.E. the Governor for this appointment. Looking at the age of Mr. Mike Kipchumba, he is not so old.

I will first stop there and say that, from my own observation, we have a problem at times of the appointment of older generations. People who are very immune to new ideas and will not absorb ideas on the world that is affecting us at the moment. So, I want to thank H.E. the Governor for consideration of the candidate in terms of demographics and his age, I am well pleased.

Mr. Speaker, I want to say that even as we okay the nomination of this particular nominee, let me say that there is a very big task ahead. The security and order of this county purely lies under the docket of one Mr. Mike Kipchumba. As we are speaking, we are faced with imminent danger of anarchy and disorder in this county. This disorder and lack of security

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affects all aspects of the government. I mean, insecurity is so pervasive that it gets to other departments. If we have insecurity in one area of this county, we are not able to implement the budget and the people are not able to enjoy the services upon which we have passed big monies.

As we are speaking, last weekend we had one of the officers of this county; because all National Police Reservists, even though we want to say that they are placed under the National Government, they fall squarely under us in terms of enforcement of order in this county. One of them was shot dead, and this is where I am coming in. That, this nominee has a very big task of ensuring that there is a level of preparedness by this county so that we are able to safeguard our people, economic activities and the infrastructure that we are putting in place through the huge budgets.

Secondly, it is my observation that we lack a consorted response from the County Government whenever there are cases of emergency and humanitarian need. We are so absent and our absence is so open, I mean, our silence is so eloquent when matters of insecurity and public concern are raised. That is why I say that this particular nominee has a big role in ensuring that we have order and that this government has good optics before the eyes of the public.

This morning I also tried to internalize, understand and analyse the public service in this county. If you get out of this chamber and dress like the ordinary citizen and listen to what the people are saying, you will understand that most of them are lacking faith in this government. If he is coming to the public service, he has a great role in restoring the trust that people had when electing this government.

From the smallest unit, the ward administrator up to H.E. the Governor. This particular nominee has a great responsibility and we want to ask not only him but all the nominees that we have passed, the quality of these people will be seen in the results and effects that they have directly on the people of Kenya, and in this case, the people of Laikipia.

As I sit down, I wish that this nominee, as we approve them because we will approve them; I urge this House to do so. Let these people approach the problems that are affecting the people with a direct perspective. Somebody has said in the past that mediocrity is doing the same thing over and over again and expecting a different result. We need the nominee to approach issues of public service differently. Let them be open.

For instance, if you ask someone who is in Kamwenje, the farthest point of this County; if you ask them about the government programs that are going on, they are not aware. This leaves the MCA's and also other officers from the Executive at a precarious position. This is why I want to state that even as we approve this nominee, let them understand, and it is written in the Bible, and I know that you are a very good reader of the same Scriptures; that, for whom much has been given, much is expected.

So, we want to welcome the nominee Mike Kemboi and we wish him the best. We will support him whenever he needs our help. Mr. Speaker, as I sit down, I would like to say that I have an open letter in hard copy that I have written to this nominee on the issues of security, public service and how the young generation view this government. We would want him to rectify so that we have a government that is good in our eyes.

Having said that Mr. Speaker, I do not dispute his appointment and passing through the Assembly because I was there in the vetting and I understand his academic capability and his social intellect. I won't add much, I want to thank you Mr. Speaker for this opportunity. Thank you.

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Hon. Salim Edung: Bwana Spika, nashukuru kwa wakati huu. Napongeza walioanzisha ujumbe huu katika Bunge hili. Napongeza Wenyekiti wa Kamati ya Mshikamano na Utendakazi kwa sababu wakati tulikuwa tunachambua nakala za Kemboi niliona ni mtu ambaye anastahili kuwa katika hiyo nafasi. Pia Bwana Spika, nawapongeza kwa kuleta huu mswada kwa sababu kumekuwa na pengo. Hii nafasi inahitaji mtu ambaye anasimama na watu katika Laikipia.

Pongezi kwa sababu kama leo tunapopeana hii nafasi, tunajua ni mtu ambaye atachapa kazi. Tunajua katika Laikipia kuna shida mbalimbali na sanasana yenye imetajwa na ndugu yangu Mheshimiwa Gitahi kuhusu usalama. Usalama ni jambo ambalo linafaa kuangaliwa kwa makini. Tukiwa katika Bunge hili inatuhitaji tuungane mikono tumpitishe ili kazi iendelee. Sina mengi Bwana Spika. Asante.

Hon. Benson Kuria: Asante, Mheshimiwa Spika kwa kunikabidhi hii nafasi. Zaidi ya yote nashukuru mwenyezi Mungu kwa uhai na pumzi. Mheshimiwa Spika, ningependa kusema ya kwamba uteuzi wa Mike Kemboi unafaa na unastahili kwa sababu ni pendekezo lake Mheshimiwa Gavana. Huyu kijana anachapa kazi na atachapa kazi. Namuunga Mwenyekiti wa Kamati ya Mshikamano ambaye ni Mheshimiwa kutoka Salama, Mheshimiwa Gatati. Ningependa kusema ya kwamba kwanza Kemboi aweze kutazama na kutafakari vizuri kwamba Jimbo la Laikipia, NPR ambao tuko nao watakuwa chini yake katika jimbo letu.

Yule ambaye yuko na bunduki ya serikali na anatumikia serikali, hiyo silaha ni ya serikali na ukweli ni kwamba anachunga maisha ya wananchi wa jimbo la Laikipia. Hakuna pesa zozote anapata lakini bunduki ikiweza kupotea, ukweli ni kwamba atafungwa miaka sita. Juzi mahali Mheshimiwa Gitahi amesema, askari ambaye aliweza kuuliwa na kijana ambaye aliwacha familia yake na mzigo. Yuko na mke na zaidi ya watoto sita ambao wako katika shule za msingi na upili. Hakuna pato lolote walikuwa wanapata akiwa na bunduki ya serikali.

Mheshimiwa Spika, naomba Kemboi aweze kufikiria vizuri kwa niaba ya NPR 350 ambao wako katika Jimbo la Laikipia kuhusu vile watapata pesa na bima ya afya ya NHIF ili mtu akienda hospitali hatakuwa na matatizo. NPR hupata majeraha wakipatana na majambazi na anabeba mzigo mwenyewe na familia yake. Kama kutakuwa na mikakati mizuri ambayo tutaweza kuweka kama Kamati ya Mshikamano na Kemboi atushikilie vizuri, najua kwamba maisha ya hao vijana itabadilika. Asante, na ninaunga mkono uteuzi wake Kemboi.

Deputy Speaker: I now call upon the mover to reply.

Hon. Samuel Mugambi: Thank you, Hon. Speaker. I thank the Members who have contributed. As I see now, Mr. Mike Kemboi will assume his roles and I think whatever has been said in this Honourable House has gone to the record and when Mr. Kemboi takes the oath, we will have to visit the HANSARD especially on what my friend Hon. Gitahi has said that he has an open letter. When he echoes those words, I take them seriously because he comes from one of the hottest beds of insecurity in this county. So, I would ask Hon. Gitahi, when the Chief Officer assumes his oath, Hon. Gitahi need to deliver that open letter to Mr. Mike Kemboi. Thank you.

(Question put and agreed to)

PROCEDURAL MOTION

ADJOURNMENT OF ASSEMBLY SITTINGS

Hon. Catherine Umija: Thank you, Mr. Speaker. On behalf of the Leader of Minority Party, I beg to move the following motion;

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THAT this Assembly approves the application of Standing Order No. 29(3) to allow it to adjourn its sittings from Friday, 21st July, 2023 to Monday, 31st July, 2023 and resume on Tuesday, 1st August, 2023.

I would like Hon. Gathoni to second the motion.

(Hon. Gathoni seconded the motion)

(Question proposed)

Hon. Samuel Mugambi: Thank you, Mr. Speaker. I am standing in support of the procedural motion for this House and these Hon. Members to get a one-week recess. It comes a time when the giants need to get some rest so that we can re-energize so that we may come back and execute our duties with the synergy that is needed. It also comes a time when we need to create time for more trainings and retreats. We know the capabilities headed by the youth able Speaker, we need a good retreat and a good training so that we may come back here to give our duties our best skills that are needed. Thank you.

Deputy Speaker: I now call upon the mover to reply.

Hon. Catherine Umija: Thank you, Mr. Speaker. I would like to thank the House for their contribution towards the motion. We need rest and we are also adjourning so that we can go back to the normal calendar. You know that we have been out fighting for our rights as MCA's and I think that it is time we align our calendar to the normal calendar that we had planned previously. Thank you.

Deputy Speaker: Standing Order 29(3) states that; *'On a day when the Assembly is scheduled to adjourn to a day other than the next normal sitting day in accordance with the Assembly calendar, the Leader of the Majority Party or the Leader of the Minority Party or another Member of the House Business Committee, shall move a motion of adjournment which shall be debated not more than three hours after which the Assembly shall adjourn without question put.*

ADJOURNMENT

Deputy Speaker: The sittings of this House now stand adjourned until Tuesday, 1st August, 2023 at 2.30 p.m.

The House rose at 2.57 p.m.

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