REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 18th July, 2023

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

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

MEMBERS KAMUKUNJI SESSION

Speaker: Hon. Members, we will have a Kamukunji after this session. Thank you.

PAPERS LAID

VETTING REPORT OF MR. MACHARIA GAKIRI, CHAIRPERSON NOMINEE, LAIKIPIA COUNTY REVENUE BOARD

Hon. Stephen Nderitu: Hon. Speaker, I have a report to lay;

Report by the Finance and County Planning Committee on the vetting of Mr. Macharia Gakiri, nominee for appointment to the position of Chairperson, Laikipia County Revenue Board dated 8th July, 2023.

(Hon. Stephen Ndiritu laid the Paper on the Table)

VETTING REPORT OF MR. STEPHEN NAPIAN NURU, CHIEF OFFICER NOMINEE, OFFICE OF THE GOVERNOR

Hon. Samuel Mugambi: Mr. Speaker, I have two papers to lay;

a) Report by the County Cohesion, Justice and Legal Matters Committee on the vetting of Mr. Stephen Napian Nuru, nominee for appointment to the position of Chief Officer, Office of the Governor dated 8th July, 2023.

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

b) 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 Service dated 11th July, 2023.

(Hon. Samuel Mugambi laid the Paper on the Table)

NOTICES OF MOTIONS

VETTING REPORT OF MR. MACHARIA GAKIRI, CHAIRPERSON NOMINEE, LAIKIPIA COUNTY REVENUE BOARD

Hon. Stephen Nderitu: Mr. Speaker, I wish to give notice of the following motion;

THAT, this Assembly adopts the report by the Finance and County Planning Committee on the vetting of Mr. Macharia Gakiri, nominee for appointment to the position of Chairperson, Laikipia County Revenue Board dated 8th July, 2023.

VETTING REPORT OF MR. STEPHEN NAPIAN NURU, CHIEF OFFICER NOMINEE, OFFICE OF THE GOVERNOR

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Hon. Samuel Gatati: Mr. Speaker, I wish to give notice of the following motions;

THAT, this Assembly adopts the report by the County Cohesion, Justice and Legal Matters Committee on the vetting of Mr. Stephen Napian Nuru, nominee for appointment to the position of Chief Officer, Office of the Governor dated 8th July, 2023.

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

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 Service dated 11th July, 2023.

MOTION

VETTING REPORT OF MR. MACHARIA GAKIRI, CHAIRPERSON NOMINEE, LAIKIPIA COUNTY REVENUE BOARD

Hon. Stephen Ndiritu: Mr. Speaker, I wish to move the following motion;

THAT, this Assembly adopts the report by the Finance and County Planning Committee on the vetting of Mr. Macharia Gakiri, nominee for appointment to the position of Chairperson, Laikipia County Revenue Board dated 8th July, 2023.

Mr. Speaker, the County Assembly of Laikipia is the Legislative arm of the County Government of Laikipia Established under Article 176 of the Constitution of Kenya 2010. Members know the Constitution that established the County Assembly of Laikipia. On Membership, it was constituted by the House on 26th October, 2022 comprising of the following Members:

1. Hon. Stephen Ndiritu - Chairman
2. Hon. John Gichuki - Vice Chairperson
3. Hon. Mary Gathoni - Member
4. Hon. George Karuiru - Member
5. Hon. Catherine Umija - Member
6. Hon. Samuel Mugambi - Member
7. Hon. Paul Leshuel - Member

Pursuant to Standing Order 43(1) and section 7(1) of the Public Appointments (County Assemblies Approval) Act 2017, the Honourable Speaker on 19th June 2023 read the message from His Excellency the Governor communicating the name of the nominee to the House for the position of Chairperson, Laikipia County Revenue Board.

On Committee Meetings, the Committee held three Sittings; two to prepare for the vetting process and a third meeting in which the nominee appeared and was vetted in accordance with the Public Appointments (County Assemblies Approval) Act, 2017.

I take this opportunity to thank Members of the Committee for their input and valuable contributions during the deliberations and vetting exercise. The Committee also takes this opportunity to thank the Office of the Speaker and that of the Clerk of the County Assembly for the logistical support accorded to it during the vetting exercise.

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On behalf of the Finance and County Planning committee and pursuant to Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017, and the provisions of Standing Order No. 191(5) (f), it is my pleasure and duty to present to the House, the Committee's report on the vetting of the nominee for appointment to the position of Chairperson, Laikipia County Revenue Board. Thank you.

Mr. Speaker, the Members have been with this report and I feel that they have gone through it. They have understood page 6 on the background, appointment process of the Chairperson Laikipia County Revenue Board.

Mr. Speaker, Pursuant to section 45 of the County Government Act 2012, H.E. the Governor, forwarded to the Clerk of the County Assembly, the name of the nominee vide a letter (Reference Number: CGL/GVN/*E (I)*/13), *(Annexure I)*, dated 15th June, 2023 for approval by the County Assembly for Appointment as Chairperson for Laikipia County Revenue Board as detailed below; Mr. Macharia Gakiri, nominee for Chairperson Laikipia County Revenue Board.

On 19th June 2023, the Hon. Speaker through a communication informed the House that the Clerk of the County Assembly had received the name of the nominee and directed that the name and Curriculum Vitae of the said nominee be referred to the Finance and County Planning committee for vetting and reporting to the House. Mr. Speaker, we have done that. The Members have the report and the report is in this House.

On notification to the public, the public was notified that the nominee was vetted. On Friday 23rd June 2023, the Clerk of the County Assembly placed a notice in the print media pursuant to provisions of Article 196 of the Constitution, Section 7(5) of the Public Appointments (County Assemblies Approval) Act 2017 and Standing Order 46(3) as in annexure ii. The back page has the advertisement for the position and there is a letter from the Governor who nominated the said person.

On page 7 there is the submission of the Memoranda and pursuant to Section 7(10) of the said Public Appointments (County Assemblies Approval) Act 2017, the office of the Clerk through a notice 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 Chairperson Laikipia County Revenue Board. The Committee did not receive any submission or memoranda contesting the suitability of the nominee. Mr. Speaker, this tells you that the nominee was suitable.

Mr. Speaker, on issues for consideration during the approval hearings, the Committee observed that the issues for consideration in relation to the nomination and approval exercise are as provided under section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, as follows;

a) The procedure used to arrive at the nominee;

b) The constitutional and statutory requirements relating to the office in question; and

c) The suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience *and qualities meet the needs of the body to which the nomination is being made.*

On approval hearing of the nominee;

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The committee held a sitting to deliberate on the approval hearing and the following were highlighted; I am reading this for the House to know that Members of this committee held a sitting and the committee vetted Mr. Macharia Gakiri.

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. That, the nominee had not notified the Clerk of the County Assembly of withdrawal from the approval process as outlined under Section 7(12) of the Public Appointments (County Assemblies Approval) Act.

The Committee resolved to undertake the approval hearings as per the schedule that had been advertised by the Clerk of the County Assembly and which was communicated to the members of the public and the nominees, as hereafter contained. In conducting the vetting process, the Committee examined the nominee against the following criteria, amongst others, in accordance with the County Governments Act and the Public Appointments (County Assemblies Approval) Act, 2017. Mr. Speaker, they are;

1. Academic qualifications
2. Employment record
3. Professional affiliations
4. Potential conflict of interest
5. Knowledge of the relevant subject
6. Overall suitability for the position
7. Tax compliance
8. Integrity
9. Vision and leadership; and
10. Expectations and key priorities.

Mr. Macharia appeared before the committee on Monday, 3rd June at 11.00 a.m. At exactly 11.00 a.m. he was seated here and we vetted him. We were all present and ready and were informed by the Committee 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 Chairperson Laikipia County Revenue Board. However, by the deadline date of 28th June, 2023, the Committee had not received any submission, and that I had said earlier, that no submission was made.

Mr. Speaker, on page 9 the Members can go through it and see the professional experience he has. On the self-introduction and educational background section, Members can see that the nominee is a male, not a woman, born in Laikipia County. He holds a certificate in Animal Health, certificate in Environmental hygiene, Bachelors of Science in Agriculture Business and is currently studying a postgraduate in Banking and Finance at Mount Kenya University.

That is why we found that this person, Mr. Macharia, is suitable to that position of Chairperson of the Revenue Board, because he is already undertaking a postgraduate in

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Banking and Finance. Now he will sit with the Revenue Committee which collects revenue, and later the revenue is included in the budget.

General Sector and Specific Questions

General Observations

The Committee on Finance and County Planning observed the following;

- That the nominee is a Kenyan Citizen.
- That the nominee has not been charged or convicted in a court of law for a criminal offence. So, he is a clean man qualified as per Chapter Six of the Constitution.
- That the nominee has not been adversely mentioned in an investigatory report in the County Assembly and any other commission. Members can go through the report and see how Members of the Finance Committee vetted Macharia Gakiri.

- **On how his academic background and experience so far be useful in this position;**

  He responded to the committee and Members can see how it was.

- **On how he shall resolve land rates issues as one of the key revenue sources for the County Governments;**

The nominee informed the committee that he will ensure that the County Government shall get new valuation roles that will capture all the properties in Laikipia County with their value.

Mr. Speaker, on that one I hope all Members understand that land rates is one of the areas in which we collect revenues, and he said that the valuation roles that will capture all the properties in Laikipia County with their value.

- **On how he shall ensure a 100% collection of revenue for land rates;**

  There is what he answered there.

I think at this time, the nominee is ready to take the position. We asked him so many questions, on page 11 Members can see all the questions and how he responded. He is a good man, respects all the Members and loves his county. On that basis, the committee found that the nominee is suitable.

Committee Observations

The Committee having considered the nominee's Curriculum Vitae and heard his oral submission during the vetting exercise/interview, made the following observations. The observations were made by the Committee, not the Chair. All Members are aware of this report and these are the 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

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hold dual citizenship and is therefore fit to hold office as a Chief… (Hon. Members, in this column 3, it is not the "Chief Officer" but the "Chair". So, that is a typing error and I am sorry for that and beg to be forgiven).

4. **THAT**, his academic credentials, and experience are impressive and in relevant for the position he is nominated to.
5. **THAT**, he has never been charged in a Court of Law. This means that he is a clean person and perhaps does not even know how a judge sits because he has never appeared in court. I can say without contradiction that the man is fit for that position.
6. He, as stipulated in Article 75(1) of the Constitution, has no potential conflict of interest. He will collect revenue without conflicts of interest.
7. **THAT**, he has never been dismissed from office for contravention of the provisions of Public Officer Ethics act which deals with conduct of public officers.
8. He has not been adversely mentioned in any investigatory report of County Assembly or any Commission of Inquiry.
9. He is not a member of any political party neither does he hold any political office.
10. The nominee exhibited impressive knowledge on topical issues touching on the revenue collection systems and had the requisite abilities, qualifications and experience.

Those were the observations Mr. Speaker.

Committee's Recommendation

On this one, I beg the Honourable Members to approve the named person.

Pursuant to Section 9(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order No. 191(5) (f), the Committee recommends that, this House approves the nomination of-

Mr Macharia Gakiri, for appointment by H.E. the Governor as Chairperson Laikipia County Revenue Board.

Hon. Speaker, the Report is with the Members and have listened to me all along. They have understood who Macharia Gakiri is, his qualifications and how he shall relate with people. He is ready to work for this county.

We all know that we need smooth running of the County. They are ways to get the money. One is our own Revenue resource. In this case that is why we are vetting Macharia Gakiri. Two, is the equitable shares of the National Government.

I am begging the Hon. Members to approve a person who will see that all the money collected is used rightfully. For the County to grow and be success, Mr. Gakiri must be approved.

I invite Hon. Samuel Mugambi from Salama Ward to second the motion. He is a young youth, energetic and has passion to push this county forward.

Hon. Samuel Mugambi: Thank you Hon. Speaker. I would like to thank the Chairperson of Finance Committee, Hon. Stephen for his eloquent presentation and good comments on Mr. Macharia. I am standing to support and to Second. Mr. Macharia is fit to be

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the Chair of the Revenue Board Laikipia County. We really needed a Chairperson for the Revenue Board. This is because we are starting our financial year.

I would want to congratulate the County Government of Laikipia. We achieved our target in Revenue collection in the financial year 2022-2023. I second and thank you Hon. Speaker.

(Question put across and agreed to)

Hon. George Karuiru: Thank you Hon. Speaker. I stand to support the Nominee. I also congratulate the finance Committee lead by the able Chairperson Hon. Stephen Ndiritu also known as Kagondu for the good work.

I am a Member of the committee and I know the midnight oil was burned to come up with the Nominee. The experience that was read to us by the Chair tells us of the learner and a good person to manage the Board. I also suggest we clap for ourselves on the issue Hon. Mugambi mentioned on revenue collection. It is because of the activeness of the revenue team lead by the CEO Kamunya.

Mr. Speaker, I was in the last government; other counties used to come and benchmark here on how our county collects revenue. The ability of Mr. Macharia Gakiri as the Chair through the instrumental Governor, Joshua Irungu, we are still continuing to achieve what is required of us.

I think that this is a bottom-up government. If you go to the history of Mr. Macharia who is to be the Chair, you can see where he started as an Agricultural Officer in the livestock department. The key issue of Laikipia is about livestock and farming. So Mr. Macharia being the Chair, he will be a policymaker and we will be following from the ground and I know that a time like this come next year 2024, we will have even over-achieved our target (our own source revenue).

So, I support Mr. Macharia to be the Chair for the revenue board and I know that we will not go down to harass our *boda boda* people and the *mama mbogas*. Out of what I interrogated from him; he has all the basis that we as the elected leaders will not be harassed by electorates that we are overcharging them. Maybe what we need are clean, clever and good people like Mr. Macharia so that when we implement the policies which he is going to bring into this House, we will be charging our people on what is required without a lot of pain. Thank you.

Hon. Joseph Gitahi: Thank you, Mr. Speaker for this opportunity. I rise to support the report that has been brought to us by the Chairperson of the Finance Committee. The said person, Mr. Macharia Gakiri comes from Githiga ward. So, I will add towards that because I have sat with him and lived together with him in the same village. I have this to say; The aspect of revenue is becoming central to the cohesion of the today's society. If you read across the world and what is happening in this country, the issues of revenue are very central to the well-being of our people.

Laikipia County is among the 37 other units that are looking forward to establishing good ethics and a good framework for the collection of revenue and prudent utilization of the same. Mr. Macharia Gakiri happens to have both the issue of skill and also experience because the two are very important in the execution of the tasks ahead of the nominee. That is why I would ask this House that we support the appointment of Mr. Macharia Gakiri for the purposes of skill and experience.

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His background as Hon. Karuiru has said, he has a background of agriculture. We have to have people who understand what supports the livelihood of Laikipia people. As a farmer, we expect him to understand our socio-economic context and so the directive of policies and decisions he makes in the revenue board, we expect that it goes together with the spirit of farmers and their level of economic contribution in this county. So, I support the report and I promise you as an MCA of the said nominee, we have the best person to take us forward in the given context. Thank you.

Speaker: Thank you. I now want to call the mover of the motion to reply.

Hon. Stephen Ndiritu: Bwana Spika, kwanza nataka kuchukua hii nafasi kushukuru Wajumbe kwa vile wameweza kuchangia huu mswada. Huu ni mswada ambao tunataka kuidhinisha huyu Macharia Gakiri. Ninajua ya kwamba Wajumbe wameweza kuchangia na nimeweza kusikiza vile wamepigia debe huyu Gakiri na ninajua ya kwamba tukimpitisha tutaweza kuwa tunaokota pesa za kutosha.

Mwaka uliopita Bwana Spika, waliweza kutangaza nyongeza ya uokotaji wa ushuru kutoka shilingi 900,000,000 hadi bilioni 1.13. Huu mwaka wamesema ya kwamba wataweza kuokota bilioni 1.4. Mimi naona ya kwamba tukimpitisha leo itakuwa ni jambo la busara. Ningetaka pia kuwapongeza wafanyikazi wa hili Bunge kwa sababu wanafanya kazi vizuri na kwa heshima wakiangalia katika kila kona.

Niweze kuwapongeza kwa sababu Kanuni zetu za Bunge husema ya kwamba Spika hana macho. Wakati nilipoingia hapa, sikuwa nimevalia vizuri kwa sababu kuna kitu ambacho kilikuwa kimekosa. Hawa wafanyikazi waliweza kuungana na kunitengeneza na sasa hivi niko sawa. Nampa hongera mfanyikazi ambaye amekaa pale kwa kona, nimwambie asante sana kwa kunishughulikia. Ni mama na kina mama hushughulika sana na pia tunawapenda sana hadi wengine wetu hatuwezi kaa bila hao. Kwa hiari yako Bwana Spika, ningeomba uniruhusu nimpatie zawadi kwa sababu amefanya jambo la busara.

Speaker: Permission granted.

Hon. Stephen Ndiritu: Asante, Bwana Spika. Mimi nimemuita nimpatie zawadi kwa vile amefanya jambo la busara ndio kesho aweze kunishughulikia. Asante na hongera kwa wafanyikazi na ni vizuri tuwe tunawafanyia mambo kama hayo kwa sababu ni vizuri mtu akifanya jambo nzuri aweze kupewa heko. Nashukuru Wajumbe kwa kuniunga mkono, asante.

Speaker: Thank you, Hon. Stephen Ndiritu. Indeed, it be recorded and it is therefore recorded that this House has a lot of enthusiasm when the staff of the Assembly do their work perfectly. Congratulations Hon. Ndiritu and the staff who performed her duties explicitly well.

(Question put and agreed to)

ADJOURNMENT

Speaker: The sittings of this House now stand adjourned until tomorrow Wednesday, 19th July, 2023 at 9.00 a.m.

The House rose at 3.10 p.m.

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