

MOMBASA COUNTY MEMBER**HANSARD REPORT**Tuesday, 13th June, 2017

The House met at 3:10p.m.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****Deputy Speaker** (Hon. Mswabah Rashid): Members, you may sit down. Yes Clerk?**COMMUNICATION FROM THE CHAIR**

Thank you very much. Members I have a communication in the name of, 'Alteration of County Member Calendar 2017'. Hon. Members as you aware that yesterday 12th June 2017 at 2:00p.m we held a meeting of the County Member Business Committee and there was a business which was to be transacted today on the above mentioned subject. I consider the Motion and the provisions of Standing Orders; I am relying on the Standing Order number 44, (3)(f), which in essence provides that the Speaker may find the Motion to be inadmissible in which case I found it to be inadmissible due to some reason that it requires a committal which is of public funds which no provision of annually is made in the annual estimates as adopted by the County Member. I therefore refer the Motion to the Committee of Finance, Budget and Appropriation before I approve the Motion on the following financial grounds:-

1. Every County Member has a calendar for its convenience and may alter the calendar for its convenience anytime and what informs the alteration is good justification, resources and value of the time. However, extending the Calendar ought to be gazetted for public awareness and in at least two newspapers of national circulation. This therefore means what; there shall be financial expenditure to be involved to do so which is about Ksh. 2.4 million to bring them out for two different quarter pages of daily newspapers. Note that the votes, for such publication is already exhausted.

2. The County Member is currently facing financial difficulties since the Supplementary Budget is not uploaded. By extending the Member over and above the financial year ending 30th June, 2017, this translates to the County Member utilizing the budget for the second Member which is not financially prudent.

3. The extending of the calendar, all the Committee meetings have to be paid for and this has financial implications. The Member has got no funds to run its Committees for now. In fact several Committees have been getting assistance from the Executive.

4. The County Member has been facing financial difficulties at the moment and this is attested to the fact that the Ward Office rents have been paid by the office of the Governor for this month.

5. The Member has unmet financial obligations such as gratuity which is the priority. The County Member is therefore cutting down cost to ensure that the gratuity is remitted to the relevant agency for the benefit of the Hon. Members Accounts.

I therefore rule that the matter is hereby referred to Committee of Finance, Budget and appropriation for the consideration and advise as to where the funds can be attained to sustain the extended period of the Member. Thank you very much.

(Applause)

Yes Clerk.

MESSAGES

Members there is a message from Honorable or His Excellency Hassan Ali Joho; Re: Organization of executive Committee departments, in line with the County Governments Act section 30 (e), 36 to 42 and the program Based budget financial year 2017/2018, the Executive Committee Departments of the County Government of Mombasa shall be as follows:-

1. The Department of Finance and Economic Planning.

2. The Department of Education Information Technology and MV2035

3. The Department Gender, Youth and Sports
4. The Departments of Trade, Tourism And Investments
5. The Department of Energy, Environment and Solid Waste Management
6. The Departments of Lands, Planning and Housing
7. The Department Health
8. The Department of Water Sanitation and Natural Resources
9. The Department of Transport and Infrastructure
10. The Department of Fisheries, Agriculture and livestock
11. The Department of Devolution and Public Service Administration
12. The Executive

This re organization will take effect on 1st July 2017 in line with the new financial year 2017/2018. So I urge the Leader of Majority to bring this tomorrow as a Motion so that it can be adopted in this House. Yes Clerk.

STATEMENT

Hon. Stephen Wangudi, Chairperson Committee on Early Childhood, Education, Children and Vocational Training.

Hon. Wangudi: Thank you Mr. Speaker for the opportunity. Mr. Speaker I have received a letter this afternoon and i think that we are going to table this in a meeting and we get a Report as per the discussion we had in the previous sitting. Mr. Speaker, thank you.

Deputy Speaker (Hon. Mswabah Rashid): You have received a letter from who? Hon. Wangudi!

Hon. Wangudi: A letter from County Public Service Board Mr Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Okay so can we get it on Thursday, is that okay with you?

Hon. Wangudi: Mr. Speaker I request the Committee we allocate time in the House of Business Committee.

Deputy Speaker (Hon. Mswabah Rashid): Okay you can bring it on Thursday. Yes Clerk.

STATEMENT

Hon. Amir Thoya. Yes Hon. Siminyu.

Hon. Siminyu: On behalf of the Chair as the Committee of transport, we have a Communication from the department of transport; as we are aware that the department of Inspectorate has assigned a traffic officer at that section to deal with cases of overlapping. They have also placed a tow truck at the top of the Kibarani hill to be on step as a standby in case there is a truck that breaks down while climbing up the hill. However kindly note that all the traffic jam is caused by Kenya Ports Authority operations that have no proper system and timing of trucks leaving the port and other port related facilities namely; Grain Bulk and oil terminals that are in Shimanzi area. For as long as the port of Mombasa is left to operate independently, to decide which gates are used for what cargo then we shall never be able to solve the congestion at Kibarani, Magongo and Mikindani. The good news is that we are developing a software; that is the department of transport and infrastructure are developing a software that will create and queue system of trucks coming in and out of Mombasa. This might help, we shall be conducting a pilot in the coming months. We shall also present a draft law to the Member for possible enactment. Thank you Mr. Speaker, that is the communication from the department of Infrastructure and Transport. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much. Hon. Mary Akinyi is not here this was scheduled upon her request, since she is not here nobody..., yes Clerk.

(Interruption)

Yes Motion, yes Hon. Hatimy what is it?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I request the Bill to be read the second time and thereafter we proceed to the Committee of the Whole House, Bill

number 16; the introduction of the County Member of Mombasa and Mombasa County Disaster preparedness and Emergency Management Bill. Thank you Mr. Speaker I beg to move.

Deputy Speaker (Hon. Mswabah Rashid): Hon. if you can move both Bills because there will be no time for a Motion again, if you can move a Motion for the two Bills, I can see you are the same person.

Hon. Mohamed Hatimy: Mr. Speaker I take this opportunity first to apply for a leave under-Understanding order 118(2) that I be given permission granted so that we can table the Bill in the afternoon Mr. Speaker, if this is permitted, thank you.

Deputy Speaker (Hon. Mswabah Rashid): Permission granted, Members it has been proposed this Motion and I need, Hon. Dan i need to put the question for a Motion.

Hon. Onyango: We only have one Bill Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): But it's a Motion.

Hon. Onyango: Mr. Speaker we only have one Bill...

Deputy Speaker (Hon. Mswabah Rashid): They are very right, it will come because we are discussing two Bills here, business number ten of the Bill and business number eleven is a Bill. Don't you have a copy?

Hon. Onyango: I have one.

Deputy Speaker (Hon. Mswabah Rashid): Which Bill do you have?

Hon. Onyango: I only have one and its disaster.

(Question proposed)

Deputy Speaker (Hon. Mswabah Rashid): Ok then we shall dispense that as we wait for the other one, yes Hon. Hatimy. Members I put the question as many as the opinion that the Bill of Mombasa County Disaster Preparedness and Emergency Management Bill 2015 be read for the second time.

(Question put and agreed to)

Yes can the Bill be read for the second time, Clerk?

**THE MOMBASA COUNTY DISASTER PREPAREDNESS AND EMERGENCY
MANAGEMENT BILL, 2015
SECOND READING**

Clerk: The Mombasa County Disaster Preparedness and Emergency Management Bill, 2015.

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much Members after the Bill has been read for the second time I hereby commit the Bill to the Committee of the Whole County Member.

(Sergeant At Arms lowered The Mace)

(Deputy Speaker (Hon. Mswabah Rashid) exited the Chair)

COMMITTEE OF THE WHOLE HOUSE

ORDER OF COMMITTEE READ

IN THE COMMITTEE

(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)

Chairperson: Thank you very much Members, we are now in the Committee of the Whole House and we have a Bill; it is here with us and since we have no amendment which has been put we shall be reading parts and passing as they are; so if the Chairman has any amendments I think he shall stand and give amendments because only the Chairman is supposed to bring the amendment in this House, yes Clerk.

Clerk: Part I Preliminary

1. Short Title
 2. Interpretation
 3. Subject of the Act
- Part II the establishment

(Interruption)

(Question proposed)

Chairperson: Can I have one copy please; there is only one copy here. Members we are in part one, I think I should propose the question on part one, it has been proposed that part one on Preliminary be part of the Bill, I now put the question that part one be part of the Bill.

(Question put and agreed to)

... Yes Clerk.

Clerk: Part II the Establishment and composition of the Disaster Emergency Management Committee;

4. Establishment and Composition of Disaster Emergency Management Committee
5. Function of the Committee
6. Powers of the Committee
7. County Disaster and Management and Emergency Management Plan
8. Implementation of the Plan

(Question proposed)

Chairperson: Members it has been proposed that part II be part of the Bill, since there is no comment on that, there is no amendment I proceed to put the question.

(Question put and agreed to)

Clerk: The measures of the County Government for Disaster Emergency Management;

9. Measures to be taken by the County Government
10. Period of Disaster or Emergency

11. Declaration of period of disaster or emergency

12. Declaratory powers under a disaster or emergency situation

13. Termination of period of Disaster or Emergency

14. Steps to abate danger

(Question proposed)

Chairperson: Members it has been proposed that part three be part of the Bill...; is there any comment or any change?

(Silence)

Since there is no comment or there is no change I therefore proceed to put the question, as many as are of the opinion that part three be part of the Bill.

(Question put and agreed to)

Yes Clerk?

Clerk: Part 4 Financial Provisions

15. The County Disaster and Emergency Management Fund.
16. Allocation of funds for disaster and emergency management
17. Emergency procurement
18. Annual estimates
19. Accounts and audit
20. Financial year

Chairperson: Members it has been proposed that Part IV that is Financial Provision be part of this Bill. Any amendment, any comment?

(Silence)

No comment, so I proceed to put the question. Members as many as of the opinion that Part IV, be part of the Bill.

(Question put and agreed to)

Yes, Clerk?

Clerk: Part V Offences and Penalties

21. Obstruction

- 22. False claim
- 23. Misappropriation of money or materials
- 24. False alarm
- 25. General penalty

Chairperson: Members it has been proposed that Part IV that is Offences and Penalties be part of this Bill.

(Silence)

Members since there is no comment, I proceed to put the question; as many as of the opinion that Part IV be part of this Bill.

(Question put and agreed to)

Yes, Clerk?

Clerk: Part VI Miscellaneous

- 26. Power to requisition resources for rescue operations
- 27. Entry on property
- 28. Direction for communication of warnings
- 29. Regulations

Chairperson: Members it has been proposed that Part VI Miscellaneous be part of this Bill. I proceed to put the question; as many as of the opinion that Part VI be part of the Bill.

(Question put and agreed to)

Yes Clerk?

Clerk: The Mombasa County Disaster Preparedness and Emergency Management Bill, 2015; A Bill for an Act of the County Member of Mombasa to establish and provide for maintenance and operation of an effective system for the anticipation, preparedness for, prevention, coordination, mitigation, management, response to and recovery from emergencies and disasters in Mombasa; and for connected purposes.

Chairperson: Thank you, yes Hon. Hatimy, I think the Bill..., do you have anything to say? Yes Chairman.

Hon. Mohamed Hatimy: Mr. Chairman...

(Interruption)

Chairperson: So I did not hear you, can you..., yeah

Hon. Mohamed Hatimy: ...*(Inaudible)*.

Chairperson: Sorry, can you use the microphone please I cannot hear you from this end.

Hon. Mohamed Hatimy: ...*(Inaudible)*

Chairperson: Ok thank you Mr. Chairman and the Members; with that the Committee of the Whole County Member has been dissolved so we should go back to the House so that we can Report progress. Thank you.

PLENARY RESUMED

(Sergeant At Arms raised the Mace on the Table)

(Members rose)

(Deputy Speaker (Hon. Mswabah Rashid took the Chair)

Deputy Speaker (Hon. Mswabah Rashid): Members you may sit down, yes Hon. Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker, *(Inaudible)* and Second Reading without amendments and be read for the Third time. Thank you, Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes, Hon. Amur Murfad.

Hon. Amur: Mr. Speaker since there are no any other amendments we should now confirm the Bills, it was on the business, full House no amendments have been based...

(Applause)

...we would rather commit it so that we approve it Mr. Speaker other than reading step by step since there are no amendments Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Ok, you have seconded the Motion for Hon. Hatimy.

Hon. Amur: Yes.

Deputy Speaker (Hon. Mswabah Rashid): Ok thank you very much. Members I think I should put the question; as many as of the opinion that this Bill be read for a third time.

(Question put and agreed to)

...yes Clerk, can you read the Bill for the Third time.

**MOMBASA COUNTY DISASTER PREPAREDNESS AND EMERGENCY
MANAGEMENT BILL, 2015
THIRD READING**

Clerk: The Mombasa County Disaster Preparedness and Emergency Management Bill, 2015

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much, I think now the Bill has been passed, because Third Reading no question is put. Thank you very much. Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mr. Speaker I request that this Bill be passed with amendment. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): That's a Motion,
(Interruption)

Hon. Mohamed Hatimy: Yes, Mr. Speaker, but when there is anything it can be amended after the Third Reading

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Seconder...?
(Interruption)

Hon. Amur: Mr. Speaker I stand to second the proposal by Hon. Hatimy. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Members I shall now put a question to the Bill; as many as of the opinion that the Bill, the Mombasa County Disaster Preparedness and Emergency Management Bill, 2015 be passed with amendments.

(Question put and agreed to)

...and the Bill has been passed. Thank you. Yes Hon. Hatimy I think you have another Bill but first I agree for you to go back to the Motion, you put the Motion and then you bring the Bill.

Hon. Mohamed Hatimy: This is the second Bill Mr. Speaker and I think we do have a Report of Motion, maybe Mr. Speakerthe Committee...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Dan Onyango.

Hon. Onyango: Bwana Spika sijui kama mimi ndio sioni lakini hii inayosemekana ni hii sio hii na wewe kama Mheshimiwa Spika unajua, sasa pengine kama kuna nyengine lakini hii tulipewa sio *Bill* nafikiri sote tunajua vile *Bill* inafanana, lazima ichapishwe rasmi na *published by the Government Printers* sasa hii tumepatiwa ni *photocopy* sijui kama wewe kama Mheshimiwa Spika pia tunakubaliana na hii *Bill*. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes, I am in support of the Bill. Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mr. Speaker this Bill is published and it was sent by email and there's nowhere it states that you cannot use a photocopy of the document, there's no law restraining us to not use a money Bill....

(Interruption)

Hon. Onyango: Point of order Mr. Speaker Sir.

Deputy Speaker (Hon. Mswabah Rashid): Resume your seat I will give you time, yes Hon. Hatimy.

Hon. Mohamed Hatimy: This is a money Bill and we can use a copy when you go and you want to have an Act you can go and download it and use a photocopy of that document so you go to our website and download it and use a copy.

Deputy Speaker (Hon. Mswabah Rashid): And this is the Second Reading, yes Hon. Duncan.

Hon. Onyango: Mheshimiwa Spika nakataa sio mara ya kwanza kuwa na *Bill* katika Nyumba na hii ni Nyumba ya sheria tumepitisha *Bills* nyingi hapa na hakuna siku....

(*Interruption*)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Duncan this is the Second Reading.

Hon. Onyango: Mheshimiwa Spika chenye twafanya kwa Nyumba hii isije ikatuletea shida hapa hata baada ya sisi kutoka hapa...

(*Interruption*)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Duncan this is a Second Reading, the Bill has already come, it is not the First Reading the Bill has already appeared here being the Second Reading and it is not the First Reading, the Bill has come here....

(*Interruption*)

Hon. Onyango: How can we pass a Bill here without Members having original copies?

(*Interruption*)

Hon. Speaker (Mr. Mswabah): Just a minute can you have a seat please Hon. Duncan, this Bill came for the first reading it went to the public participation and now it has come back for a Second Reading it went to public participation so it means it's a Bill because it went to a Public participation so it is now coming back so maybe I can say it is a Bill, so this Bill is not a stranger. Hon. Hatimy, can you continue.

Hon. Mohamed Hatimy: Mr. Speaker we were giving a Report first he should have to wait and listen to the Report and say this is right or wrong...

(*Interruption*)

Deputy Speaker (Hon. Mswabah Rashid): Can you finish please.

Hon. Mohamed Hatimy: We even have the Standing orders here...

(*Hon. Mohamed Hatimy read the Report of the Mombasa County budget estimates for FY 2017/2018*)

1. Introduction

Mr. Speaker Sir, Hon. Members, ladies and gentlemen. I am pleased to present to you a Report on the Mombasa County Budget Estimates for FY 2017/2018. The Report was made after public participation forum, departmental hearings and scrutiny of the budget estimates documents as submitted by the County treasury. The Report will deal with major highlights and whether the document can pass muster in terms of compliance with the law.

Mr. Speaker Sir, I beg to proceed....

(*Interruption*)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Duncan Onyango what is it?

Hon. Onyango: Mheshimiwa Spika mimi naomba tukubaliane hii *Bill* ambayo imepitishwa sasa hivi ni original na haiko na saina, hii inayosemekana ni *photocopy* ina maana ya kwamba ilitiwa saina na hii *copy* haina sahihi popote....

(*Interruption*)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Duncan can you resume your seat...

(*Interruption*)

Hon. Mwalimu: Mr. Speaker Sir.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili what is it?

Hon. Mwalimu: The original copy that Hon. Duncan is purporting that it has a signature Mr. Speaker is in front of everyone here and there's nowhere that somebody or an individual is

supposed to sign. Mr. Speaker this Bill is being signed by the Governor when it goes for assent and the Clerk of the Member, so at the moment we will see no signatures here.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Hatimy can you proceed...

(Interruption)

Hon. Onyango: Mheshimiwa Spika mimi nakataa...

Deputy Speaker (Hon. Mswabah Rashid): I have given permission to Hon. Hatimy so Hon. Duncan can you have your seat...

(Loud Consultations)

Hon. Duncan you are out of order, please have your seat.

(Hon. Mohamed Hatimy resumed reading the report of the Mombasa County budget estimates for FY 2017/2018)

Hon. Mohamed Hatimy: Observations and Findings;

2.1 The budget process in Counties is anchored vide Article 201 of the constitution of Kenya. The Counties Revenue Collection Act, 2017, the Finance Act, 2017, the County Governments Act, 2012 and the mother act, the Public Finance Management Act, 2012 and its regulations, the Public Finance Management Act, 2015.

2.2 The constitution and the PFM Act, 2012 section 107(2) demand that County governments exercise fiscal responsibilities and adhere to the principles thereof. These fiscal responsibility principles are as follows:

- (a) The County government's recurrent expenditure shall not exceed the County government's total revenue;
- (b) Over the medium term a minimum of 30 per cent of the County government's budget shall be allocated to the development expenditure;
- (c) The County government's expenditure on wages and benefits for its public officers shall not exceed a percentage of the County government's total revenue as prescribed by the County Executive Member for finance in regulations and approved by the County Member;
- (d) Over the medium term, the government's borrowings shall be used only for the purpose of financing development expenditure and not for recurrent expenditure;
- (e) The County debt shall be maintained at a sustainable level as approved by County Member;
- (f) The fiscal risks shall be managed prudently; and
- (g) A reasonable degree of predictability with respect to the level of tax rates and tax bases shall be maintained, taking into account any tax reforms that may be made in the future.

2.3 Before budgeting, the County government is required to plan pursuant to Part XI of the County Governments Act, 2012. Section 107 of the said to Act reads as follows:

“107. Types and purposes of County plans

- (1) To guide, harmonize and facilitate development within each County there shall be the following plans—

- (a) County integrated development plan;

- (b) County sectoral plans;
- (c) County spatial plan; and
- (d) Cities and urban areas plans as provided for under the Urban Areas and Cities Act (No. 13 of 2011).

(2) The County plans shall be the basis for all budgeting and spending in a County.

2.4 The budget estimates for FY 2017/2018 were or were not in compliance with the law as follows:

- a) They were submitted very early before time i.e. April 30 as provided for in the PFM Act, 2012. The budget timelines were revised by virtue of 2017 being an election year.
- b) The budget was prepared in a programme-based budget format and duly submitted to the County Member.
- c) Adherence partly to the fiscal responsibility principles outlined above as per section 107(2) of the PFM Act, 2012. All except section 107(2) (c) on the threshold for wages has been complied with.
- d) The budget estimates were partially in compliance with section 107(1) of the County Governments Act, 2012 on basing plans on the integrated development plan, sectoral plans, spatial plans and cities and urban areas plans. So far no sectoral plans or spatial plans are yet to be tabled at the County Member for approval.
- e) It should also be noted that no functional sector working groups are yet in place to spearhead planning and budget-making hence severely impinging on a credible budget-making process.

2.5 While the departments made their presentations a continuing narrative was the failure to implement or complete programmes due to the failure by the County treasury to disburse funds in time or if at all thus hampering budget execution. Centralization of funding remains to be an impediment to proper functional budgetary planning and execution and it is high time the County executive Committee addresses this problem with a view to efficient and effective service delivery to the public.

2.6 As mentioned earlier, there is need for synchronization of plans and the budget estimates to create harmony and ensure due compliance with the law and co-ordinated implementation of programmes.

2.7 Both the County executive arm and the County Member held public participation forums to engage the public and collect views on the budget estimates. Most of the views were general in nature and did not focus on the budget document itself. The few views that touched on the budget were taken up and necessary changes made while a few others could not be taken up since they would entail changes in departmental ceilings as contained in the County CFSP, 2017. However, the concerns were noted and would be considered in the next budget cycle.

3. Conclusions

The Mombasa County Budget Estimates for the FY 2017/2018 mark another milestone in the annual budget cycle and a remarkable step and improvement in the preparation of budget documents. Compliance to the budget law requirements and linkage to other budget documents such as CIDP, CBROP, CFSP, ADP has improved significantly but much more needs to be done to increase the level of compliance thereto. The County needs to activate the Budget and Economic Forum, form sector working groups and come up with sector policies and plans that are inter-connected with other County plans and are cascaded down to the budget estimates.

4. Recommendations

- a) The Committee recommends that the consolidated budget estimates for the County Government of Mombasa for the FY 2017/2018 circulated to Members and annexed herewith be approved.
- b) The County Treasury and all other departments to ensure compliance with the law in matters of planning and budgeting and ensure corrective measures are taken as outlined in this Report.
- c) The County Member to approve and enact the Mombasa County Appropriation Bill, 2017.

d) The County Member to consider and adopt this Report. Thank you Mr. Speaker.
Thank you, Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much. Members I now put the question that The Mombasa County Application Bill, 2017 be read a Second time. Yes Chairman can you come at this side we talk something.

(Loud consultation)

Yes Clerk Can you.. aah Members I have put the question that Mombasa County Appropriation Bill, 2017 be read a Second time.

(Question put and agreed to)

Yes Clerk.

MOMBASA COUNTY APPROPRIATION BILL, 2017

SECOND READING

Clerk: The Mombasa County Appropriation Bill, 2017.

Deputy Speaker (Hon. Mswabah Rashid): Thank you Hon. Members, this House is dissolving itself into a Committee of the whole House.

(The Mace was lowered)

(Deputy Speaker (Hon. Mswabah Rashid) exited the Chair)

THE HOUSE CONVERTED TO COMMITTEE OF THE WHOLE HOUSE

ORDER OF COMMITTEE READ

IN THE COMMITTEE

(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)

Chairperson: Members you may sit down.

(Loud consultations)

Clerk: an Act of County Member to authorize the issue of certain sums of money out of the County Revenue Fund and their application towards the service of the year ending 30th June, 2018, and to appropriate those sums for certain public services and purposes.

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ENACTED by the County Member of Mombasa, as follows-

Short title

1. This Act may be cited as the Appropriation Bill, 2017. Issue of 10,819,072,179 out of the consolidated Fund for the service of the year ending 30th June, 2018.
2. The County Treasury may issue the sum of Ten Billion, Eight hundred and nineteen Million, seventy two thousand, one hundred and seventy nine Kenyan Shillings only, out of the County revenue fund and apply it towards the supply granted for the service of the year ending on 30th June, 2018.

Appropriation of the money granted

3. The sum granted by section 2 shall be appropriated for the several services and purposes specified in the second column of the First Schedule, in the amount specified in third column in that schedule.
4. In addition to sum granted by section 2, the sum specified in the fourth column of the first and second schedule shall be applied for the several services and purposes specified in the second column of those schedule, out of revenue directed to be applied outside the consolidated fund under Article 206(1) of the Constitution.

Appropriation in aid

5. The supply granted for the services of the year ending on the 30th June, 2015 in respect of votes R3011, R0912, R3013, R3014, R2015, R3016, R 3017, R3018, R3019, R3020, R3021, R 3022, R3023, and D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023, in accordance with the appropriation Act.

Chairperson: Yes Leader of Majority.

Leader of Majority (Hon. Mwidani): Mr. Speaker i think there is a mistake here, there is an issue saying the supply guaranteed for the services the year ended 30th June 2015 it should be 2017.

Chairperson: It's 2018, that's a printing error I have noted that, 2017. Okay thank you Clerk can you continue reading recurrent expenditure.

Clerk: recurrent expenditure,

(Interruption)

Chairperson: Yes Hon. Faraj what is it?

Hon. Faraj: Mr. Speaker the reason as to why i have risen is because of the fact that we are in these meetings and we have attended these meetings the Whole House meetings severally and the attendance book has not been brought forth and we feel that bearing in mind the other meetings which we have attended and the meetings have not reflected on our payslips it is important that we have this Whole House meetings we need to have the attendance book to be availed here so that the Members can sign, this is the second meeting today and the books are not anywhere near these chambers.

Chairperson: Okay it is being brought forward. Okay Clerk, okay Members i will now put the question; as many as of the opinion that vote number recurrent 3011 be part of this Bill of 303, 637, 246.

(Question put and agreed to)

Clerk: R3012 The amount required in the year ending 30th June 2018, for salaries and expenses of County Member, including expenses on general administration, legislation, and financial management services of the entity 672,499,670 317,981,060.

Chairperson: Okay Members, i will now propose the question and later on put the question, it has been proposed that R3012 be part of this Bill, I now put the question as many as of the opinion that R3012 of 672,499,670 be part of this Bill.

(Question put and agreed to)

Hon. Amur: Mr. Speaker am suggesting the Clerk to read all the votes since there are no amendments, let her read all the votes then we put the question.

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Chairperson: The Chair is of the opinion that every vote should be read on its own. Clerk?

Clerk: R3013 The amount required in the year ending 30th June 2018, for salaries and expenses of Devolution and public service administration. 877,060,939.

Chairperson: Okay Members it has been proposed that R3013 of 877,060,939 be part of this Bill, I now put the question as many as of the opinion that R3013 of 877,060,939 be part of this Bill.

(Question put and agreed to)

Clerk: R3014 the amount required in the year ending 30th June, 2018 for salaries and expenses of finance and economic planning 595,092,852.

Chairperson: Okay Members it has been proposed that R3014 of 595,092,852 be part of this Bill, I now put the question as many as of the opinion that R3014 of 595,092,852 be part of this Bill.

(Question put and agreed to)

Clerk: R3015 The amount required in the year ending 30th June 2018, for expenses of energy, environment and solid waste management including expenses on salaries and general administration 383,332,811.

Chairperson: Members it has been proposed that R3015 of 383,332,811 be part of this Bill, I now put the question as many as of the opinion that R3015 of 383,332,811 be part of this Bill.

(Question put and agreed to)

Clerk: R3016 The amount required in the year ending 30th June 2018, for expenses of education, information technology and MV2035 579,398,932.

Chairperson: Members it has been proposed that R3016 of 579,398,932 be part of this Bill, I now put the question as many as of the opinion that R3016 of 579,398,932 be part of this Bill.

(Question put and agreed to)

Yes Clerk?

Clerk: R3017 The amount required in the year ending 30th June 2018, for salaries and expenses of Health Services, including expenses on general administration, health curative and promotive services....2,519,880,071.

Chairperson: Members it has been proposed that vote number R3017 of 2,519,880,071 be part of the Bill, I put the question...

(Interruption)

Yes Chairman what is it? Before I put the question.

Hon. Mohamed Hatimy: Mr Chairman I want to propose the total amount of revenue of recurrent in this Bill i propose vote number R3011, R3012, R3013, R3014, R3015, R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, total amount recurrent to be 7,466,372,381 thank you Mr. Chairman. I would like to move.

Chairperson: That's a proposition from the Chairman.

Hon. Amur: I stand to second it Mr. Chairman, it would have been wise it will be good that way Mr. Chair.

Chairperson: Okay now I put the question to that proposal. Vote number R3011, R3012, R3013, R3014, R3015, R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023 of Ksh 7,466,372,381 be part of that Bill.

(Question put and agreed to)

Yes Chairman?

Hon. Mohamed Hatimy: Mr. Chairman, I do hereby propose that for Development Expenditures as follows vote number, D3011, D3012, D3013, , D3014, D3015, D3016,D3017,

D3018, D3019, D3020, D3021, D3022, D3023 to be 3,352,698,798, thank you Mr. Chairman I beg to move.

Hon. Amur: I stand to second Mr. Chairman.

Chairperson: Members that is a preposition, I proceed to put a question to that proposal. As many as of the opinion that vote number , D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023 of amount 3,352,698,798 be part of this Bill.

(Question put and agreed to)

Hon. Mohamed Hatimy: Mr. Chairman I propose that total amount of this Appropriation Bill, 2017 to be a total of Ksh. 10, 819, 072, 179, thank you.

Chairperson: Members I think we have come to the end of this Committee of the Whole, now we revert back to the Member and get the Report, thank you.

PLENARY RESUMED

(Sergeant At Arms raised the Mace on the Table)

(Deputy Speaker (Hon. Mswabah Rashid in the Chair)

Deputy Speaker (Hon. Mswabah Rashid): Members you may sit down, Yes Chairman?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker the County Member agrees with the Committee that the Bill was passed without amendment and be read for the Third time, thank you.

Deputy Speaker (Hon. Mswabah Rashid): Seconder?

Hon. Mwalimu: I second.

Deputy Speaker (Hon. Mswabah Rashid): Members I proceed to put a question that the Bill be read for a Third time.

(Question put and agreed to)

Clerk, can you read the Bill for a Third time?

MOMBASA APPROPRIATION BILL, 2017

THIRD READING

Clerk: The Mombasa Appropriation Bill, 2017.

Deputy Speaker (Hon. Mswabah Rashid): Thank you, Chairman do you have anything to say?

Hon. Mohamed Hatimy: I propose this House to pass this Bill with amendment Mr. Speaker so that we can be able to make amendments; as you know today we have a problem with the County Member budget we don't have votes so we wanted to make sure that this time we don't make the same mistake for this Member.

Deputy Speaker (Hon. Mswabah Rashid): Okay thank you, yes Clerk?

ADJOURNMENT

Having no other business this House stands adjourned until tomorrow morning.

The House rose at 4:32p.m.