



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Wednesday, 17th May, 2023
Third Assembly – Thirty Sixth Sitting

*[The County Assembly met at 11:20a.m. at the County Assembly Buildings]
[The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair]*

PRAYERS

The Speaker (Hon. Khatri): Honourable Members, you may be seated. Yes, Clerk next order please?

MOTION

KUGATULIWA KWA MAGARI KUKARABATI TAA ZA BARABARANI

Yes, Honourable Athman Mwamwiri MCA Likoni Ward.

[Silence]

So, the Honourable Member is not around. Clerk, we are giving the business back to the House Business which is the Motion for Honourable Athman Mwamwiri 'Kugatuliwa kwa magari ya kukarabati taa za barabarani'. So, we take back this Motion to the House Business so that we can schedule for the next meeting.

[Motion deferred]

Yes, Clerk next order please?

PROCEDURAL MOTION

REDUCTION OF PUBLICATION PERIOD OF A BILL

Yes, Honourable Kibwana Swaleh, Chairperson Committee on Finance, Budget and Appropriations please move the Procedural Motion.

Hon. Kibwana Swaleh: Thank you Honourable Speaker.

THAT pursuant to the provisions of Standing Order 116, this House RESOLVES to reduce the publication period of the Supplementary Appropriations Bill (Bill No. 1 of 2023) from seven (7) days to two (2) days.

Honourable Speaker, thank you. May I ask the Vice-Chair to second my Motion?

Hon. Noor: Honourable Speaker, I second.

The Speaker (Hon. Khatri): Thank you Honourable Members. Honourable Members, I now propose the question that the Motion by Honourable Kibwana Baya Swaleh, for Reduction of Publication Period of Mombasa County Supplementary Appropriations Bill, 2023 to be considered by this Honourable House in the same terms as moved.

[Question proposed and agreed to]

Thank you. Honourable Members, I now put the question that the Motion by Honourable Kibwana Baya Swaleh, for reduction of Publication Period of Mombasa County Supplementary Appropriations Bill, 2023 to be adopted by this Honourable House in the same terms as moved.

[Question put and agreed to]

So, the Motion by Honourable Kibwana Baya Swaleh, for Reduction of Publication Period of Mombasa County Supplementary Appropriations Bill, 2023 is adopted by this House yes, clerk please read the first reading of the bill?

BILL

MOMBASA COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2023

FIRST READING

[The Clerk introduced the Bill to the House]

Yes, Clerk please read the Second Reading of the Bill.

SECOND READING

Yes, Honourable Kibwana Swaleh Baya Chairperson Committee on Budget and Appropriations please move the Motion to be read a second Reading.

Hon. Kibwana Swaleh: Thank you Honourable Speaker.

THAT the Mombasa County Supplementary Appropriations Bill, 2023 be now read for the second time.

Thank you.

The Speaker (Hon. Khatri): Seconder please?

Hon. Kibwana Swaleh: I ask Honourable Kushe, a Member to second.

Hon. Fatma Swaleh: Honourable Speaker, I do second.

The Speaker (Hon. Khatri): Thank you Honourable Members. I now propose the question that the Motion by Honourable Kibwana Baya Swaleh for the Mombasa County Supplementary Appropriations Bill, 2023 to be read the second time to be considered by this Honourable House in the same terms as moved.

[Question proposed and agreed to]

Honourable Members, I now put the question that the Motion by Honourable Kibwana Baya Swaleh for the Mombasa County Supplementary Appropriation Bill, 2023 to be read the second time be adopted by this Honourable House in the same terms as moved.

[Question put and agreed to]

So, the Motion by Honourable Kibwana Baya Swaleh for the Mombasa County Supplementary Appropriation Bill, 2023 to be read the second time is adopted by this House. Yes, Clerk read the Bill for the second time.

[The Bill was read for the Second Time]

The Speaker (Hon. Khatri): Honourable Members, the Bill having been read for the second time stands committed to the Committee of the Whole County Assembly.

[The Mace was lowered]

ORDER OF THE COMMITTEE READ
COMMITTEE OF THE WHOLE HOUSE
IN THE COMMITTEE

[The Deputy Speaker (Hon. Fadhili Makarani) in the Chair]

The Chairperson (Hon. Fadhili Makarani): Honourable Members, welcome to the Committee of the Whole House. As you are aware, we are dealing with Mombasa County Supplementary Appropriation Bill number 2 of 2023 and I am sure you have gone through the Bill and much has been said during the Second Reading. So Honourable Members at this juncture we will be looking for amendments, if there are any amendments as per our Standing Orders if you have the amendments by this time, you have already submitted the amendments to the Clerk or the mover of this Motion. Therefore, we shall proceed if there is any Member with amendments you are at liberty to raise your amendment. So, Clerk let us proceed.

[The Clerk read the Title of the Bill]

[Clause number 2 of the Bill]

Honourable Members, I now propose a question that clause number 2 as read be part of the Bill?

[Question proposed and agreed to]

Honourable Members, any input?

[Silence]

Honourable Members, before I put a question any input?

[Silence]

Thank you. Honourable Members, I now proceed to put a question that clause 2 be part of the Bill?

[Question put and agreed to]

Honourable Members, clause 2 has been adopted and is part of the Bill. Yes Clerk?

[Appropriation of the money granted]

[The Clerk read Clause 3]

Clause 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 amounts specified in the third column of that schedule.

[The Clerk read Clause 4]

Clause 4. In addition to the sum granted by section 2, the sum specified in the fourth column of the First and Second Schedules shall be applied for the several services and purposes specified in the second column of those Schedules, out of Revenue directed to be applied outside the County Revenue Fund under Article 207(1) of the Constitution.

The Chairperson (Hon. Fadhili Makarani): Honourable Members, I now propose that clause 3 and clause 4 be part of the Bill.

[Question proposed and agreed to]

Any input Honourable Members?

[Silence]

Yes, Chair Kibwana any input?

Hon. Kibwana Swaleh: Thank you Chair, no input.

The Chairperson (Hon. Fadhili Makarani): Okay and no amendments, right?

Hon. Kibwana Baya: Thank you Chair, no.

The Chairperson (Hon. Fadhili Makarani): Thank you Members, I now proceed to put a question that clause 3 and clause 4 as read be part of the Bill.

[Question put and agreed to]

Clause 3 and 4 has been adopted as part of the Bill. Yes Clerk.

[Appropriations-In-Aid]

[The Clerk read Clause 5]

Clause 5. The supply granted for the services of the year ending on the year 30th June 2023, In respect of Votes R3011, R3012, R3013, R3014, R3015, R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, R3026 and D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023, D3026 in accordance with the supplementary Appropriation Act, 2023.

The Chairperson (Hon. Fadhili Makarani): Honourable Members, I now propose a question that clause 5 as read be part of the Bill.

[Question proposed and agreed to]

Any input Honourable Members?

[Silence]

Any amendments?

[Silence]

Honourable Vice Chair, Finance? Do you have any amendments with you Honourable Chair?

Hon. Noor: No amendments.

The Chairperson (Hon. Fadhili Makarani): Thank you. Chairman any input Honourable Kibwana Swaleh Baya?

Hon. Kibwana Swaleh: Thank you Chair, no input and at the same time I have no amendments. Thank you.

The Chairperson (Hon. Fadhili Makarani): Thank you Honourable Members; as you have heard from the Vice Chair Finance Honourable Hamida and the Chairman Finance that they do not have any amendments pertaining that clause. I now proceed to put a question that clause 5 as read be part of the Bill.

[Question put and agreed to]

[Applause]

Honourable Members, clause 5 has been adopted and it is part of the Bill. Yes Clerk?

[Schedule]

The total recurrent expenditure supply is Kshs 9,300,000,000. Donor funds total is Ksh. 23,721,510.

Appropriation-In-Aid total is Kshs 1,860,271,510.

Honourable Members, I now propose a question that the total recurrent expenditure as read be part of the Bill?

[Question proposed and agreed to]

Any input Honourable Members?

[Silence]

Thank you I can see you are all satisfied. I now proceed to put a question that the total recurrent expenditure as read be part of the Bill?

[Question put and agreed to]

And the total recurrent expenditure has been adopted, it is part of the Bill. Yes Clerk.

Votes to the schedule of the Mombasa County Supplementary Appropriation Bill number 2 of 2023. Recurrent votes Vote R3011, Supply total is Kshs. 360,000,000. Appropriation-In-Aid is Kshs. 72,928,762.

Honourable Members, I now propose a question that Vote R3011, as read be part of the Bill.

[Question proposed and agreed to]

Any input Honourable Member?

[Silence]

Honourable Members, I now proceed to put a question that Vote R3011 as read be part of the Bill.

[Question put and agreed to]

Yes Clerk.

Vote number R3012, Total supply is Kshs. 859,000,000. Appropriation-In-Aid is Kshs. 174,016,129.

I now propose a question that Vote R3012, as read be part of the Bill.

[Question proposed and agreed to]

Any input?

[Silence]

Thank you. Honourable Members I now proceed to put a question that Vote R3012 as read be part of the Bill.

[Question put and agreed to]

Yes Clerk?

Vote number R3013 Total Supply amount is Ksh. 130,000,000. Appropriation In Aid total is Kshs 120,430,506.

[Loud consultations]

Clerk: Okay let me repeat, *vote number R3013 total supply is Ksh.130,000,000/- Total appropriation in aid is Kshs. 26,335,386/-.*

The Chairperson (Hon. Fadhili Makarani): Honourable Members, I now propose a question that vote R3013 as read be part of the Bill.

[Question proposed and agreed to]

Any input?

[Silence]

Honourable Members, I now proceed to put a question that Vote R3013 as read be part of the Bill.

[Question put and agreed to]

Yes Clerk?

Vote number R3014 total supply is Kshs. 594,484,000. Total Appropriation-In-Aid is Kshs.120,430,506.

The Chairperson (Fadhili Makarani): Honourable Members, I now proceed propose a question that vote R3014 as read be part of the Bill.

[Question proposed and agreed to]

Any input Honourable Members?

[Silence]

I can see the House is satisfied. I now proceed to put a question that Vote number R 3014 as read be part of the Bill.

[Question put and agreed to]

Yes Clerk?

Vote number R3015, total supply is Kshs.615,000,000/- Total Appropriation in aid is Kshs. 124,586,635/-

The Chairperson (Fadhili Makarani): Honourable Members, I now propose a question that vote R3015 as read be part of the Bill.

[Question proposed and agreed to]

Any input?

[Silence]

Any input Honourable Members.

[Silence]

I now proceed to put a question that Vote number R3015 be part of the Bill.

[Question put and agreed to]

Honourable Members, we are going to go through the recurrent votes and we will propose a question after all the recurrent votes have been read and put a question after getting your inputs. Yes Clerk, proceed?

Vote number R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, R3026.

You have the figures with you on the table and the total has already been read and approved.

Honourable Members, I now propose a question that Vote R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, R3026 as read be part of the Bill.

[Question proposed and agreed to]

Any inputs Honourable Members before we put a question on the recurrent votes? Yes, Honourable Florence? Use your microphone to be audible.

Hon. Kachumbo: Thank you Mr. Speaker, no input.

The Chairperson (Hon. Fadhili Mwalimu): Okay thank you but am the Chair of this Committee thank you. Honourable Members, yes Honourable Hamisi Mbaya, do you have any input?

Hon. Hamisi Mbaya: No input Chair.

The Chairperson (Hon. Fadhili Makarani): Thank you, I thought you had an amendment Honourable Hamisi so I saw you. Thank you Honourable Hamisi, the Honourable Member from Shika Adabu. Honourable Members, I now proceed to put a question. Honourable Members, from Timbwani, Thank you. Timbwani finest.

Honourable Members, I now proceed to put a question that Votes; Vote R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, R3026 as read, be part of the Bill?

[Question Put and Agreed To]

Yes Clerk?

Development expenditure for the Mombasa County supplementary appropriation Bill number 2 of 2023-Development Votes D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023, D3026 Whose particulars you have on your copies on the table. Totaling supply total is 4, 4000,000,000. Donor funds total is 1,294,432,444/-Total Appropriation-In-Aid for the development expenditure is Kshs. 2,954,229,475.

[Consultations]

The Chairperson (Hon. Fadhili Makarani): Honourable Members, I now propose a question that votes on Development Expenditure; votes D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023 and D3026 as read be part of the Bill.

[Question Proposed and Agreed To]

Any inputs Honourable Milka Moraa? Any inputs on the Development vote?

Hon. Ngare: None Mr. Speaker.

The Chairperson (Hon. Fadhili Makarani): Thank you at the moment am the Chair of the Committee of the Whole House.

Hon. Ngare: Chair? 40 minutes.

The Chairperson (Hon. Fadhili Makarani): Thank you. Yes, Honourable Amriya Boy any input?

Hon. Amriya Juma: Thank you Chair no input at the moment.

The Chairperson (Hon. Fadhili Makarani): Thank you. Yes, Chairman Finance as we are winding up, any input?

Hon. Kibwana Swaleh: Thank you Chair I have no input and at the same time no amendments.

The Chairperson (Hon. Fadhili Makarani): Thank you Hon. Chair for confirming before this Hon. House and the Committee that there are no amendments in the Development votes. So, Honourable Members I now proceed to put a question that votes D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023, D3026 be part of the Bill?

[Question put and agreed to]

...yes Clerk?

[Short title and commencement]

Clause 1. This Act may be cited as the Mombasa Supplementary Appropriation Act, 2023 and shall come into force upon publication in the Gazette.

Issue of Kshs. 13,700,000,000 out of the County Revenue Fund for the service of the year ending 30th June, 2023.

The Chairperson (Hon. Fadhili Makarani): Honourable Members, I now propose a question that Clause 1 as read be part of the Bill.

[Question proposed and agreed to]

Any inputs Honourable Members on Clause 1? Yes, Honourable Hamida do you have any amendments or any input concerning Clause 1?

[Silence]

Hon. Noor: No input Mheshimiwa.

The Chairperson (Hon. Fadhili Makarani): Thank you Honourable Hamida for confirming that Clause 1 has no amendments as per now, so I hereby put a question that Clause 1 be part of the Bill.

[Question put and agreed to]

Yes Clerk?

LONG TITLE

THE MOMBASA COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2023

[The Clerk read the long title]

Honourable Members, I now propose a question that the Long Title as read be part of the Bill?

[Question proposed and agreed to]

Yes, Chairman Finance any inputs or any amendments on the long title?

Hon. Kibwana Swaleh: Thank you Mr. Chairman. Once again Mr. Chairman I have no inputs and at the same time I have no amendments on the title. Thank you.

The Chairperson (Hon. Fadhili Makarani): Thank you Honourable Chair. Honourable Members, I now proceed to put a question that the Long Title of the Mombasa County Supplementary Appropriation Bill, 2023 as read be part of the Bill.

[Question put and agreed to]

[Consultations]

Yes, Honourable Kibwana Swaleh Baya, Chairman Committee on Finance, Budget and Appropriations?

Hon. Kibwana Swaleh: Thank you Mr. Chair, Mr. Chair I beg to move the Motion that the Mombasa County Supplementary Appropriation Bill, 2023 be reported to the County Assembly. Thank you.

The Chairperson (Hon. Fadhili Makarani): Who is your seconder?

Hon. Kibwana Swaleh: I ask my Honourable Member who is the Minority Chief Whip to second.

The Chairperson (Hon. Fadhili Makarani): Yes, Honourable Morgan Matsaki, Minority Leader?

The Chief Whip (Hon. Matsaki): Thank you Chair, I second.

The Chairperson (Hon. Fadhili Makarani): Thank you, our Minority Leader for seconding the Motion. Honourable Members, I now propose a question that the Motion by Honourable Kibwana Swaleh Baya from the Committee to report back to the Assembly be considered by this Honourable House.

[Question proposed and agreed to]

Honourable Members, I now proceed to put a question as proposed by Honourable Kibwana Swaleh Baya on reporting back to the County Assembly be approved by this House?

[Question put and agreed to]

PLENARY RESUMED

[The Mace was raised to the upper deck]

[The House of Whole Resumes to Plenary]

Have your seats, Members?

The Deputy Speaker (Hon. Fadhili Makarani): Yes, Honourable Kibwana Swaleh, please report back to the Assembly what transpired from the Committee of the Whole House.

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Honourable Speaker, I do report to the County Assembly that we went through the votes and there were no amendments, so mine is just to appreciate the Members for having faith with us and agreed on what we have passed Appropriation Bill and Supplementary Budget, 2023. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Chair but move a Motion so that Members can agree from what you have reported back to the Assembly...

[Loud consultations]

Hon. Kibwana Swaleh: Thank you Mr. Speaker. Mr. Speaker, I stand to move a Motion that the Committee agree that the County Assembly agree with the Committee on what transpired on the whole House. Thank you.

The Deputy Speaker (Hon. Fadhili Makarani): Who is your seconder?

Hon. Kibwana Swaleh: I will ask Honourable Madialo to second.

The Deputy Speaker (Hon. Fadhili Makarani): Yes, Honourable Jacktone Madialo?

Hon. Madialo: I second.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Honourable Members, I propose a question the Motion moved by Honourable Kibwana Swaleh Baya on reporting stage be agreed in this Honourable House?

[Question proposed and agreed to]
[Applause]

Honourable Members, I now stand now stand to put a question that the Motion that moved by Honourable reporting back to the House of the Assembly adopted by this Honourable House.

[Question put and agreed to]

Yes Clerk?

THIRD READING

Yes, Honourable Kibwana Swaleh Baya please move the Motion to the Bill to be read in the third time.

Hon. Kibwana Swaleh: Thank you Mr. Speaker. Mr. Speaker Sir, I beg to move that the Mombasa County Supplementary Appropriations Bill, 2023 be now read to the third time. I will ask senior Counsel Honourable Amriya Boi Juma to second the Motion.

Hon. Amriya Juma: Thank you Chair, I beg to support.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Honourable Members. I now propose a question that the Motion by Honourable Kibwana Swaleh Baya for the Mombasa County Supplementary Appropriations Bill, 2023, be read the third time be considered by this Honourable House in the same terms as moved.

[Question proposed and agreed to]

Honourable Members, I now put the question that the Motion by Honourable Kibwana Swaleh Baya for the Mombasa County Supplementary Appropriations Bill, 2023 to be read third time be adopted by this Honourable House in the same term as moved?

[Question put and agreed to]

Honourable Members, the Motion by Honourable Kibwana Swaleh Baya for the Mombasa County Supplementary Appropriations Bill, 2023 to be read a third time has been adopted in this House. Yes Clerk?

[The Clerk read the Bill for the third time]
[Loud consultations]

Yes Clerk?

ADJOURNMENT

Honourable Members, the House stands adjourned until today Wednesday 17th May, 2023 at 2:30p.m.

The House rose at 12:17p.m.