



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Tuesday, 30th June, 2020.
The House met at 3:14p.m

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

PRAYERS

The Deputy Speaker (Hon. Fadhili Mwalimu): Have your seats.

[Loud Consultations]

Yes, Clerk?

BILLS

THE MOMBASA COUNTY APPROPRIATION BILL, 2020

FIRST READING

[The Clerk read the Bill for the first time]

Yes Chairperson, Hon. Mohamed Hatimy, Committee on Finance, Budget and Appropriation.

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker this is an Appropriation Bill No. 5, 2020/2021, the budget estimates were taken for Public Participation. I request that the Bill be read for the second time and thereafter to proceed to the Committee of the Whole House. Thank you Mr. Speaker, I beg to move.

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

Hon. Mohamed Hatimy: The Vice Chair.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Leader of Majority?

The Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker. I arise here to second the Bill.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now propose a question that the Bill by Hon. Mohamed Hatimy, on Mombasa County Appropriation Bill No. 5, 2020 be now read for the second time?

[Question proposed and agreed to]

I can see there are no inputs to that and I now put a question that the Motion by Hon. Mohamed Hatimy, be read for the second time.

[Question put and agreed to]

Yes Clerk?

THE MOMBASA COUNTY APPROPRIATION BILL, 2020
SECOND READING

[The Clerk read the Bill for the second time]

Yes, Clerk. Okay Hon. Members as it was passed by the Hon. Chair of Finance, the House now dissolves into Committee of the Whole House to discuss the Bill.

COMMITTEE OF THE WHOLE HOUSE

[The Serjeant-At-Arms lowered the Mace]

[The Deputy Speaker (Hon. Fadhili Mwalimu) exited the Chair]

ORDER OF COMMITTEE READ

IN THE COMMITTEE

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

The Chairman (Hon. Fadhili Mwalimu): Yes Hon. Members we are on Committee of the Whole House. Hon. Chair of Finance please approach the Chair, I need to discuss with you some issues before we proceed...

[Consultations]

Yes Clerk?

Clerk: The Mombasa County Appropriation Bill 2020. Clause number 2. *The County Treasury may issue the sum of Kshs. Fourteen Billion, Six Hundred and Thirty-Four Million, Five Hundred and Seventy-Nine Thousand, Six Hundred Eighty-Seven only, out of the County Revenue Fund and apply it towards the supply granted for the service of the year ending on the 30th June, 2021.*

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Chairman I propose to amend.

[Off - microphone]
[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Use your microphone.

Hon. Mohamed Hatimy: Thank you Mr. Chairman I propose the figure for Kshs. 14, 634, 579, 687 to change and read as Kshs. 14, 934...

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Hon. Mohamed Hatimy wait first I propose a question and then you bring whatever amendments that you want to bring. Hon. Members I now propose a question that Clause number 2 be part of the Bill.

[Question proposed and agreed to]

Any input Hon. Members?

Hon. Mohamed Hatimy: Thank you Chairman I propose Clause 2 figure Kshs. 14, 634, 579, 687Billion to be amended to read Kshs. 14, 934, 579, 687. Thank you Mr. Chairman.

The Chairperson (Hon. Fadhili Mwalimu): And a reason as to why we are amending this one?

Hon. Mohamed Hatimy: The reason as to why we did amend the figures in the morning is so that the estimates must go with the appropriation, the Kshs. 300Million we amended in the morning. We are requesting this House to approve an addition of Kshs. 250Million to the County Assembly Program Based development Budget (PBB) to finance the Speaker's residence, renovation of the Mombasa County Assembly Buildings at the Treasury Square Mombasa and the offices for Members of the County Assembly. Number two it is Kshs. 50Million for the Program Based Development Budget 2020/2021 to finance car and mortgage loans. Thank you.

[Silence]

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Chair are you through?

Hon. Mohamed Hatimy: Yes am through.

The Chairperson (Hon. Fadhili Mwalimu): And who is your seconder?

Hon. Mohamed Hatimy: The Vice Chair.

[The Leader of Majority (Hon. Mwidani) bowed]

The Chairperson (Hon. Fadhili Mwalimu): Hon. Members I now propose a question on the amended Clause to be part of the Bill?

[Question proposed and agreed to]

Any input on the amended Clause? Yes Hon. Bwire?

Hon. Bwire: Chairman the total figure might have bypassed me, I would like just to know after the amendment now that the Chairman is amending how much in total will it be. It might have surpassed me.

Hon. Mohamed Hatimy: I have said Kshs. 300Million so the Kshs. 14, 634Billion plus Ksh.300Million.

The Chairperson (Hon. Fadhili Mwalimu): So what is the total?

Hon. Mohamed Hatimy: The total is Kshs. 14,934,579,687Billion.

The Chairperson (Hon. Fadhili Mwalimu): Hon. Bwire are you satisfied with whatever you have asked for? What is it Hon. Charles? Hon. Bwire switch off your microphone.

Hon. Kitula: Ahsante Mheshimiwa Mwenyekiti. Ningependa kumwambia Mwenyekiti wa Fedha aweze kutuambia hiyo *vote* aliyopendekeza itakuwa *vote* ya *development* au ya *recurrent*? Na ikiwa ni *vote* ya *development* katika Bunge la Kaunti tutakuwa na Kshs. 375Milioni, au itakuwa nimekosea Mheshimiwa Mwenyekiti? Kulingana na zile pesa tunawekeza saa hii ni *recurrent* ama *development*? Sasa tuna Kshs. 25Millioni kwa hiyo itakuwa imeongezeka kwa kiasi gani?

Hon. Mohamed Hatimy: Mheshimiwa Mwenyekiti nafikiria hatujafika huko tuko kwenye *Clause 2* hatujashika *recurrent* wala hatujashika *development* so tukienda taratibu tutafika huko tutaeleza zinaingia wapi?

The Chairperson (Hon. Fadhili Mwalimu): Ok Hon. Charles Kitula, when we go through our Bill there's a column of schedules that shows development and recurrent budget are so reserve your observations when we reach to the Schedules you will ask the Chairman.

Hon. Kitula: Most obliged.

The Chairperson (Hon. Fadhili Mwalimu): Hon. Members I now put a question that *Clause 2* as amended be part of the Bill.

[Question put and agreed to]

Yes? Clerk?

Clerk: *Clause 3. Appropriation of money granted.*

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.

Clause 4. Appropriation in Aid.

In addition to the sum granted by section 2, the sum specified in the fourth column of 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 consolidated Fund under Article 206 (1) of the Constitution.

Clause 5. Vote heads.

The supply granted for the services of the year ending 30th June, 2021 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 Appropriation Bill, 2020.

The Chairperson (Hon. Fadhili Mwalimu): I now propose a question that Clause 3, 4 and 5 be part of the Bill ?

[Question proposed and agreed to]

Any input Hon. Members on Clause 3, 4 and 5 before I put a question? Yes Hon. Charles?

Hon. Kitula: Mheshimiwa Mwenyekiti Clause 4;

In addition to the sum granted by section 2, the sum specified in the fourth column of 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 Consolidated Fund under Article 206 (1) of the Constitution.

Mheshimiwa Spika niliwahi kwenda katika Kaunti ya Kwale kulingana na *appropriation* kuna *annexture*, kulingana na zile *columns* ambazo tumezifajia kuna *annexture* ya kuweza kuangalia kuwa tuna *appropriate* nini. Kwa hio saa hii tunapopitisha hii lakini sisi kama Wanachama hatujui tuna *appropriate* nini katika *annexture* ya *column* ya tatu na ya nne Mheshimiwa Spika. Kwa hivyo ningependekeza Kamati ya Fedha wawe na stakabadhi ambayo ni *annexture* tujue tuna *appropriate* nini katika hii *Appropriation Bill* Mheshimiwa Mwenyekiti.

The Chairperson (Hon. Fadhili Mwalimu): Thank you Hon. Charles Kitula, but in the meantime I am the Chair of this Committee. Yes Hon. Chair Finance, there is an issue raised by Hon. Kitula, respond.

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Mwenyekiti. Bwana Mwenyekiti sisi tunajua kuwa hii bajeti ni *program based* sasa sisi hatujafanya *system* yetu tunafanya *program based*, *appropriation* siku zote tunaita namna hii, kwa hiyo ni *system* aidha inakwenda namna hii ama ile *program based* inawekwa pamoja na hii lakini sisi tunaenda na mfumo huu wa kusema kuwa ukitaka kujua vile vitu ambavyo vimewekwa kwa *appropriation*, *Program Based Budget* inakupa *outcome* ya kila kitu. Ukiingia kwenye *program based* utaona ni kitu gani Bwana Mwenyekiti. Ahsante.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Kitula are you satisfied?

Hon. Kitula: Mheshimiwa Spika hii ni *Appropriation Bill*...

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): The Chair.

Hon. Kitula: Samahani Mheshimiwa Mwenyekiti, hii bajeti katika *Appropriation Bill* tunatenga pesa kulingana na *votes za recurrent na development*. Kwa hio tutakuwa sisi tuna *appropriate* ya nini wakati hatujui tuna *appropriat*ia nini? Ndio tuna *appropriate* kiwango fulani, tuna *appropriate* nini wakati *budget estimates* tayari; nimesema mfano mzuri nilienda Kwale, Kwale katika kila *Appropriation* kwenye stakabadhi kama hii kuna *annexture* wamepatiwa pia wao kama *recurrent* 302 wanaangalia stakabadhi ya 302 imewekewa nini na nini na nini. Kama ni *procurement* ya *fishing boats* kama ni *procurement* ya kitu fulani na kitu fulani imekuwa *annexed* katika ile *Appropriation Bill* ili hata mtu wa kawaida kuwa na ufahamu katika supplementary *Appropriation Bill* ndani ya miezi mitatu itatengenezewa kitu fulani. Lakini sasa hii iko wazi lakini Mwenyekiti wa Fedha anavyotueleza ya kwamba ni desturi kupitishwa hivyo mimi sioni kama kuwa ni sawa Mheshimiwa Mwenyekiti; lazima tuwe na *annexture* ya kujua tuna *appropriate* kitu gani katika *Appropriation Bill*. Ahsante Mheshimiwa Mwenyekiti.

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa Spika *Programme Based Budget*...

(Interruption)

The Chairperson (Hon. Fadhili Mwalimu): Am the Chair.

Hon. Mohamed Hatimy: *The Chair*, pole tumesahau. *Program Based Budget* iko na *programs* na iko na *sub programs*. *Sub programs* ukiangalia kwenye stakabadhi uliyopitisha leo ya *estimates* asubuhi, utapata inazungumzia kitu gani. Nafikiri ikiwa sisi sasa twataka kuleta mfumo ule, itabidi tuje tukae na sisi tufanye mfumo wa kusema kuwa *system ya program based*. Lakini sisi tumekuwa tukipitisha siku zote *Appropriation* na hakuna sheria ya kusema kuwa ati ni lazima uwe utaweka hizo *programs* kwenye *Appropriation*. Sijui kama atanipa kifungu gani ndipo na mimi nipate kusoma nijue Mheshimiwa.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Chair it is not a must but it will be helpful for Members to understand what they are appropriating for, so before I conclude am seeing Hon. Mwamwiri is up maybe he wants to add more input.

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Mwenyekiti. Mheshimiwa Mwenyekiti nilivyomuelewa mimi Mheshimiwa Kitula sidhani kama itakuwa kama ni kinyume chake lakini pendekezo lake ama maombi yake ni kwamba sote tunajua tuna bajeti tumetumia hio *program based* kwa mitandao kama *soft copy*. Lakini ki yeye kama namnukuu sahihi ilikuwa muafaka ya kwamba hii iwe imechapishwa, tukikabidhiwa *appropriation* hii tuwe tuko nayo kama *hard copy*. Lakini wengi wetu kama ni hio *program based budget estimates* tuko nayo kwa *soft copy* lakini haijaunganishwa na hapa.

Twende kwa *annexure* ndio kwamba unapitia hapa lakini uko nayo sambamba kwa upande wa pili unaweza kufanya *reference* na kuhakikisha hiki ki machoni kimeenda wapi? Kama nimemnukuu sahihi katika pendekezo lake ilikuwa ni *copy* hii tumetumiwa kwa mtandao lakini pia iwe sambamba na hii *appropriation* tumepewa. Ahsante Mwenyekiti.

The Chairperson (Hon. Fadhili Mwalimu): Thank you Hon. Mwamwiri. So....

[Interruption]

Hon. Kitula: Mheshimiwa Mwenyekiti, Mheshimiwa Mwamwiri ameweza kugusia vilivyo kabisa lakini la msingi kama stakabadhi iko au hata kama si baada ya kikao hiki mnaweza kutukabidhi kwamba zile *program* zote ambazo ziko katika *Bill* hii tutakabidhiwa maanake *Bill* hii ni *Estimates*, ADP pia *Estimates*. Tunavyofahamu katika ADP nikiangalia *Department ya Education, Trade, Transport and Devolution* Mheshimiwa Mwenyekiti haina *allocation* yeyote ki sheria ya hii ADP, ambapo ADP ni lazima iweke *allocation*, inafanyika wapi na itatumia *amount* gani Mheshimiwa Spika. Lakini ADP tumepitisha haina *allocation* hivi sasa *appropriation* tunapitisha pia hakuna *annexure* Mheshimiwa Mwenyekiti. Sasa ninakubali kama document iko kama nitapatiwa baadae pia nitashukuru.

The Chairperson (Hon. Fadhili Mwalimu): Thank you Hon. Charles Juma Kitula, but for your information ADP there is no allocation in it Hon. Charles.

Hon. Kitula: Mheshimiwa Mwenyekiti hapo uko na Katibu na itakuwa vibaya kama anakushauri vibaya, zaidi kwa sababu ADP iko wazi kabisa na nitakusomea, *‘Every County government shall prepare development plan in accordance with Article 222 of the Constitution that includes;*

(a) Strategy priorities for the medium term that will affect the County government priorities and plans,

(b) A description of how the government responding to changes to the financial and development.

Mheshimiwa Mwenyekiti sikia hapa;

(c) Programs to be delivered with details of each programme of;

(i) The strategies, priorities to which the program will contribute,

(ii) The services or goods to be provided,

(iii) Measurable indicators of performance where feasible and,

(iv) The budget allocated to the program

Ahsante Mheshimiwa Mwenyekiti.

The Chairperson (Hon. Fadhili Mwalimu): Thank you Hon. Kitula, it was just a slip of the tongue but I was saying each Department has an ADP that shows the allocation of the programs and plans that are going to be done by each and every Department as per the Annual Development Plan showing the amounts that you are saying. I am not opposing what you have raised in this Honourable House...

(Interruption)

Hon. Kitula: Mheshimiwa Mwenyekiti itakuwa ni uongo nimesema *Education, Trade, Transport na Devolution* hazina kiwango wala hatujulikani mpaka leo twafanya nini mashinani na hizi Wizara...

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): From the ADP?

Hon. Kitula: Yes.

The Chairperson (Hon. Fadhili Mwalimu): Yes, Chairman can you respond to what Hon. Charles Kitula has raised?

Hon. Mohamed Hatimy: Mheshimiwa Mwenyekiti nafikiri juu ya bajeti aliyosema ni kuwa bajeti haimaanishi kuwa..., bajeti huwa ni kusema, ni kukisia kiwango. Kwa mfano Mheshimiwa Mwenyekiti kulikuwa...

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Just a moment Hon. Chair; what the Honourable wants to know, why the said Departments in the ADP have no allocations.

[Interruption]

Hon. Mohamed Hatimy: I need some time to go through it to confirm if it is true or false.

The Chairperson (Hon. Fadhili Mwalimu): So as he has raised the issue he wanted if possible you provide the document after this sitting; be it tomorrow or a day after tomorrow for the Hon. Members to peruse...

[Interruption]

Hon. Mohamed Hatimy: Sawa, the three Departments?

[Interruption]

Hon. Kitula: Ni Wizara nne; Education, Transport, Trade and Devolution asema Mwenyekiti ungetupatia kwa sababu ziko kwa mitandao hata kesho nitashukuru, kwa sababu ziko mitandaoni.

The Chairperson (Hon. Fadhili Mwalimu): Hon. Member you can proceed.

[Interruption]

Hon. Mohamed Hatimy: Bwana Mwenyekiti nataka kusema hivi, unajua kuna majukumu ambayo ni yetu sisi kama Kamati, halafu kuna majukumu ya wale wanatengeneza haya makaratasi. Kwa hivyo ikiwa itawezekana kuwa Karani ajaribu maana yake ni lazima sasa azitoe kwenye kila kifungu alichu nacho...*[Off microphone]*.

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Use your microphone.

Hon. Mohamed Hatimy: Karani anajaribu... *[Off microphone]*.

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Switch it on.

Hon. Mohamed Hatimy: Nasema upande wa ofisi ipeane hizo stakabadhi kwa sababu mimi siwezi kwenda kupiga chapa 20 napelekea Waheshimiwa, kwa hivyo naomba ofisi ya Katibu ifanye kazi hio.

The Chairperson (Hon. Fadhili Mwalimu): It is ok. The Table Clerks will communicate to the Clerk and communicate back to Hon. Members. So Hon. Members I now proceed to put a question that Clause 3, 4 and 5 be part of the Bill.

[Question put and agreed to]

Yes, Clerk?

Clerk: The First schedule, the current expenditure. I shall read the vote heads or the respective sums are provided in the Bill before me. R3011 which is for Executive Headquarters Office Mombasa, R3012 for the County Assembly, R3013 for the County Public Service Board, R3014 for Finance and Economic Planning, R 3015 for Energy, Environment and Waste Management, R3016 for Education, Information, Technology & MV2035, R3017 for Health Services, R3018 for Water Sanitation & Natural Resources, R3019 for Youth, Gender, Sports and Cultural Affairs, R3020 for Trade, Tourism & Investments, R3021 for Lands, Planning, Housing & Urban renewal, R3022 for Transport, Infrastructure & Public Works, R3023 for Agriculture, Fisheries, Livestock & Cooperative Societies, R3026 for Public Service Administration & Devolution. The sub totals supply Ksh. 9,709,238,106, the sub total for Donor Fund is Ksh. 192,389,448, subtotal for Appropriation In Aid Ksh. 4,098,699,410.

The Chairperson (Hon. Fadhili Mwalimu): Hon. Members I now propose the question that the First Schedule on the current votes R3011, R3012, R3013, R3014, R3015, R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, R3026.

[Question proposed and agreed to]

Any input Hon. Members?

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Charles?

Hon. Kitula: Mheshimiwa Mwenyekiti niko katika R3017 upande wa *column 4 ya donor funds*, tuko na Ksh.134,639,473Milioni na kulingana na *budget estimate* tuko na *conditional grants* ya hospitali za Level 5 ambayo ni Ksh.398,439,306Milioni na tuko na *user fees forgone* ya Ksh.33Milioni na vile vile tuko na ... nafikiri katika kitengo cha afya ni hizo. Misaada kutoka shirika la DANIDA ya *Universal Development System Program* ya Ksh.20Milioni. Kwa hivyo nikihesabu zote hizi zinastahili kuwa zaidi ya Ksh.400Milioni Mheshimiwa Spika lakini katika R3017 *donor funds* ni Ksh.134Milioni. Sasa nashangaa hizi nyengine zitakuwa zimewekwa wapi Mheshimiwa Spika.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Chair, can you respond.

Hon. Mohamed Hatimy: Mheshimiwa Mwenyekiti nafikiri alikuwa anazungumzia juu ya *recurrent donor funds*; inasema Ksh. 134,639,473Milioni alafu na *Appropriation Bill* ni Ksh. 1,168,072,015Bilioni, sijui shida iko wapi hapa.

Hon. Kitula: Mheshimiwa Mwenyekiti shida iko kwa R3017 ambayo ni *grants donor funds* ya Ksh.134Milioni lakini katika *budget estimates* Mwenyekiti wa Fedha tuko karibia na Ksh.400Milioni na... za *donor funding* na hivyo katika D pia tutaona kuwa hakuna *donor funds* katika *column* ya *donor funds*. Kwa hivyo twashangaa Ksh.400Milioni na milioni itakuwa zimeenda wapi na hapa katika *column* ya *donor funds* bado tuko na Ksh.134Milioni, tuko na hiyo DANIDA, tuko na Level 5 hospital na tuko na *user fees forgone*, karibia Ksh.400 na zaidi ya milioni.

Hon. Mohamed Hatimy: DANIDA na nini...? Jumla ambayo wameweka hapo ni ngapi?

Hon. Kitula: Ksh.134,639,473Milioni.

Hon. Mohamed Hatimy: Lakini hii sio jumla uliokuwa wasema si DANIDA peke yake, *it is not DANIDA only*.

Hon. Kitula: Naam, kuna DANIDA, kuna *user fees foregone* na kuna Level 5 hospital. Conditional *grants*.

Hon. Mohamed Hatimy: Basi itabidi tuwaulize kitengo cha Kaunti cha Fedha, *Treasury* watueleze kwa sababu naona kweli *grant* kutoka kwa serikali haiko hapa.

Hon. Kitula: Naam.

Hon. Mohamed Hatimy: Kwa hio tutahitaji kuwauliza Kitengo cha Fedha wajibu swali hilo kwa nini haikuwekwa hapa.

Hon. Kitula: Ahsante.

The Chairperson (Hon. Fadhili Mwalimu): So Honourable Chair, now that you have said you will ask the Finance department, I am about to put a question to this schedule, please inform the House how we are going to tackle R3017 before we put a question and also you had an issue with R3012.

Hon. Mohamed Hatimy: Bwana Mwenyekiti nafikiri ikiwezekana tuendeleo na *votes* zengine ilhali nikiwapigia simu tuwasikize watasema nini.

The Chairperson (Hon. Fadhili Mwalimu): You also had an issue with R3012?

Hon. Mohamed Hatimy: Iko na makosa gani? La, kwa Bunge sisi twaenda kwa *development*, *it is development not recurrent*.

Hon. Kitula: Mheshimiwa Mwenyekiti, labda nimshauri Mheshimiwa wa Fedha.

The Chairperson (Hon. Fadhili Mwalimu): Chair, just approach the Table because there was an issue of recurrent. Yes, Hon. Charles.

Hon. Kitula: Nasema ni kumshauri Mwenyekiti wa Fedha kwamba hii 134 ni pesa kidogo tuongeze katika *budget estimates* alafu tuiptishe jumla ambayo tutaipitisha sasa hivi. Tuongeze ile ambayo iko katika *budget estimates* katika...*donor funds* yetu ya siku ya leo ili tupitisha kwa pamoja alafu baadaye anapowasiliana na Waziri, tutakuwa tumepitisha hicho kiwango. Kuliko kupitisha kitu ambacho hakitalingana na sheria Mwenyekiti.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Chair, respond on 3012 and 3017.

Hon. Mohamed Hatimy: Mheshimiwa Mwenyekiti 3012 nataka kuongeza Ksh.50 milioni kwa Bunge ambayo itakuwa ni 708, isome 708... *[Inaudible]*.

The Chairperson (Hon. Fadhili Mwalimu): Use the microphone.

Hon. Mohamed Hatimy: Isome Mheshimiwa Mwenyekiti, badala ya Ksh. 658,609,194Milioni, tuweke Ksh. 708,609,194Milioni.

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

Hon. Mohamed Hatimy: I request Hon. Vice Chair to second me, *Mheshimiwa Mwenyekiti*.

[The Leader of Majority (Hon. Mwidani) seconded]

[Consultations]

The Chairperson (Hon. Fadhili Mwalimu): Ok Hon. Members, I propose a question, on R3012 as amended be part of the Bill?

[Question proposed and agreed to]

Any input Hon. Member as to why you are increasing Ksh.50Million? Yes, Hon. Chair?

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Hon. Mohamed Hatimy: *[Inaudible]*.

The Chairperson (Hon. Fadhili Mwalimu): We are still in R3012, R3012 because it is the one that he has proposed an amendment, before we put a question on R3017 before any further amendments. Hon. Members I now put a question that R3012 as amended be part of the Bill?

[Question put and agreed to]

Hon. Members we are still in the First Schedule and Hon. Chair of Finance, Budget and Appropriation there is an issue that Hon. Charles Kitula has raised on 3017.

Hon. Mohamed Hatimy: Naam Mheshimiwa Mwenyekiti, nimejaribu kuzungumza na waliohusika ni kuwa *grant* za serikali haziingii kwenye *Appropriation* kwani zile huwa ziko kwenye *recurrent*. Ile *Bill* ya serikali inapo *allocate* ndio inaonyesha zile *donation* zote zinazotolewa, *grant* zote hapa inaingia *donor* lakini *grants* huwa haziingii.

The Chairperson (Hon. Fadhili Mwalimu): Hon. Members, any input before I put a question, any further input?

Hon. Kitula: Tumeongezewa Ksh.50Milioni nashukuru katika Bunge letu lakini hatujafahamu pia kulingana na zile *estimates* umepitisha Ksh.50Milioni yaenda upande gani maana ningependa Mwenyekiti atuambie kwa maana sisi Mheshimiwa hatuna hata *public participation* katika sehemu zetu.

The Chairperson (Hon. Fadhili Mwalimu): Obey the Assembly proceedings you have to stand while you talk.

Hon. Kitula: I am sorry. I am sorry.

The Chairperson (Hon. Fadhili Mwalimu): No problem just stand.

Hon. Kitula: Ahsante Mheshimiwa Mwenyekiti. Mheshimiwa Mwenyekiti nilikuwa nataka kujua katika Ksh.50 Million ambayo tunaongeza katika Bunge, sisi ni viongozi ambao tunaenda mashinani, lakini awamu zilizopita hatujawahi kufanya *public participation* katika sehemu tunapotoka. Mheshimiwa Mwenyekiti wala hatujawahi kuona bajeti ya *public participation* kwa hivyo tungependa Mwenyekiti aweze kutueleza hii Ksh.50 milioni inakwenda kwa upande gani ili tuweze kufahamu zaidi. Ahsante.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Chair just respond on the Ksh.50 million that you have recommended in this budget.

Hon. Mohamed Hatimy: Hio Ksh.50 milioni tumesema ni kwenye mikopo ya magari, ndio tumeweka Ksh.50 milioni. Kwa sababu kuna nusu ya Waheshimiwa wamechukua pesa, na wengine hawakuchukua kile kiwango, wengine wachukua kikubwa, wengine kidogo pengine wanataka kuongeza ile mikopo kwa muda ule uliobakia...*[Inaudible]*.

The Chairperson (Hon. Fadhili Mwalimu): Yes switch on the microphone.

Hon. Mohamed Hatimy: Na pia kusema Mheshimiwa kuwa hata wafanyi kazi pia wanastahili kupata hii mikopo, kwa hivyo tumesema tutakwenda *phase 1* tuweke hizi na wao pia

wapate kufaidika kwa hizi pesa Mheshimiwa. Kwa hivyo hizi zinaenda kwa mikopo ya magari ambayo sisi tunaweka.

The Chairperson (Hon. Fadhili Mwalimu): Ok Hon. Members, we can see the Assembly is satisfied by the response. I now put a question that R3011, R3012 as amended, R3013, R3014, R3015, R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, R3026 be part of the Bill and putting consideration that the sub total will also change as in R3012 as amended?

[Question put and agreed to]

Yes, Clerk?

Clerk: Second schedule, development expenditure and I shall read to you Hon. Members the votes and respective departments which they represent and the figures are provided in the Bill in front of you.

D3011 for the County Executive, D3012 for the County Assembly, D3013 for the County Assembly Service Board, D3014 for Finance and Economic Planning, D3015 for Energy, Environment and Waste Management, D3016 for Education, Information Technology and MV2035, D3017 for Health Services, D3018 for Water, Sanitation and Natural Resources, D3019 for Youth, Gender, Sports and Cultural Affairs, D3020 for Trade, Tourism and Investment, D3021 for Lands Planning, Housing and Urban Renewal, D3022 for Transport Infrastructure and Public Works, D3023 for Agriculture, Fisheries, Livestock and Cooperative Services, D3026 for Devolution and Public Services Administration. The total for supply is Ksh. 4,925,341,580Billion, the total for donor funds Ksh. 1,100,000,000Billion total for Appropriation In Aid is Ksh1,153,748,953Billion.

The Chairperson (Hon. Fadhili Mwalimu): I now propose a question that the second schedule D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023, D3026 be part of the Bill.

[Question proposed and agreed to]

Any input Hon. Members? Yes Hon. Hatimy.

[Technical hitch]

Hon. Hatimy Just move forward, use Hon. Milka's microphone.

Hon. Mohamed Hatimy: Thank you Chair. I propose vote number D3012 be amended to read Ksh. 272,424,673Million instead of Ksh. 25,773,748Million. Thank you Mr. Chair.

The Chairperson (Hon. Fadhili Mwalimu): And who is your seconder?

Hon. Mohamed Hatimy: My Vice Chair.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Hamisi Musa.

[Interruption]

Hon. Kitula: Mwenyekiti, angeisoma vizuri maana hesabu haijaingiliana kabla kuipitisha.

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The Chairperson (Hon. Fadhili Mwalimu): Hon. Mohamed Hatimy before you get a seconder ascertain on total.

Hon. Mohamed Hatimy: Mwenyekiti *vote* D3012 inasoma Ksh. 25,773,748Milioni nasema tunaondoa hiyo na tunaweka ukiongeza Ksh.250Milioni itakuwa ni Ksh.272Milioni.

[Consultations]

Hon. Kitula: Ksh. 275,773,748Milioni.

Hon. Mohamed Hatimy: Ksh. 22,424,673Milioni plus Ksh. 250Milioni.

[Consultations]

The Chairperson (Hon. Fadhili Mwalimu): D3012.

Hon. Kitula: D3012 Mwenyekiti na sio D3011.

Hon. Mohamed Hatimy: Samahani, nilichukua ya juu, nakubaliana na jumla iliotolewa na Wanachama.

The Chairperson (Hon. Fadhili Mwalimu): Okay then for the Hansard records.

Hon. Mohamed Hatimy: It is Ksh.250Million plus Ksh. 25,773,748Million.

The Chairperson (Hon. Fadhili Mwalimu): So is it Ksh. 275,773,748Million?

Hon. Mohamed Hatimy: Yes, thank you.

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

[The Leader of Majority (Hon. Mwidani) bowed]

I now propose a question of the amended D3012 to be part of the Bill?

[Question proposed and agreed to]

Any input before I put a question?

Hon. Mohamed Hatimy: Naam, na pia kwenye *sub total* iwe *amended* badili ya Ksh. 4,925,341,580Bilioni tukiongeza hiyo Ksh.250 million tutapata Ksh.5, 503,41,580Bilioni.

The Chairperson (Hon. Fadhili Mwalimu): It's okay. So any other input Hon. Members?

Hon. Mohamed Hatimy: Give me the proper figures, Clerk?

Clerk: It is Ksh. 5,175,341,580Billion.

Hon. Mohamed Hatimy: Thank you.

The Chairperson (Hon. Fadhili Mwalimu): I now put a question that the amended D3012 be part of the Bill?

[Question put and agreed to]

Any input on the second schedule? Hon. Members?

Hon. Kitula: Mwenyekiti kwenye D3014 maendeleo ya Wizara ya *Finance and Economic planning* tumeweka *development* ya Ksh.415,537,693Million lakini kulingana na ADP *development* yao ni Ksh.302Milioni na tumeacha haikuwa kwa *Fiscal Strategy Paper* na haikuwa katika *Big 4 Agenda*. Ukiangalia Wizara ya Mazingira ambayo iko katika *Big 4 Agenda*, Elimu ambayo iko katika *Big 4 Agenda* zote zilikuwa chini zaidi ya Wizara ya Fedha. Kwa hivyo napendekeza iregee ile kiwango cha Ksh.302Milioni ambayo iko kwa ADP iongezewe angalau kwenye Elimu ipewe kipao mbele zaidi bora tu isitatize bajeti yote kulingana na sheria.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Vice Chair any or Chair?

Hon. Mohamed Hatimy: Mheshimiwa Mwenyekiti ingekuwa jambo hili limekuja kwenye *estimates* tungeweza kubadilisha lakini kwenye *estimates* imepita. Kwa hivyo hapa chini hatuwezi kufanya kitu na pia Wizara ya Fedha zile pesa wanazopelekewa ni zile za *pending bill* ambazo ni kama ni za *development* kulipa madeni ya zile *development*, ile miradi iliyofanywa ndio maana unaona kuna pesa nyingi zimewekwa upande wa Fedha. Ahsante Mwenyekiti.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Charles.

Hon. Kitula: Mheshimiwa Mwenyekiti kulingana na ripoti ya Fedha ya 2018/2019 tayari walikuwa washalipa *pending bills* sasa nashangaa akisema kuhusu *pending bills* wakati kwenye ripoti walikuwa wamemaliza hata ADP ambayo wameleta sasa hivi ya bajeti ya 2020/2021 wameweka Ksh.302Milioni lakini sasa kwa *Appropriation* tuko kwa Ksh.415Milioni. Sasa hapo ndio nashangaa vipi *Appropriation* iko na Ksh.415Milioni na kwa ADP ni Ksh.302Milioni ambayo pia Wizara ya Fedha haiko katika *Big 4 Agenda* kinyume na Wizara ya Elimu, Mazingira na Afya Mheshimiwa Mwenyekiti.

Kwa hivyo bora ingekuwa Ksh.302Milioni hizi pesa zengine ziende kwa Wizara ya Afya ama Elimu kulingana na maoni yangu, hivyo basi hiyo ripoti ya Fedha wamelipa *pending bills* lakini sasa hivi nashangaa *pending bills* bado zipo, sasa sielewi.

The Chairperson (Hon. Fadhili Mwalimu): Which report?

Hon. Kitula: Financial report ya 2018/2019 from County Treasury.

The Chairperson (Hon. Fadhili Mwalimu): 2018/2019?

Hon. Kitula: Yes.

The Leader of Majority (Hon. Mwidani): Mheshimiwa Mwenyekiti labda nimfahamishe Mheshimiwa mwenzangu hapa ripoti yetu ya fedha ambayo tumesoma asubuhi imeeleza wazi kwamba *pending bills* bado ziko na inatafutwa njia ya kuweza kumalizwa sio kwamba zishafanywa zikamalizika. Tuwekane tu sawa, *pending bills* zililipwa lakini bado ziko *standby* ndio tukasema kwenye ile ripoti yetu kwamba tunatafuta njia mwafaka ya kuweza kumalizwa na nafikiri pia hii ripoti ya kwamba twataka kuhakikisha kwamba ikifika mwezi wa Agosti - Septemba iwe wameweza kumaliza hizo *pending bills*. Kwa hivyo Mheshimiwa *pending bills* bado zipo hazijamalizika zote.

Hon. Kitula: Sasa Mheshimiwa Mwenyekiti sasa hiyo ndio ilikuwa yanishangaza kwa stakabadhi hakuna *pending bills*; hakuna *pending bills* katika stakabadhi zetu za bajeti na hawakuweka katika stakabadhi ya *budget estimates* kuwa kuna *pending bills* katika bajeti ya 2020/2021.

Ripoti inasema kwamba walilipa wakamaliza katika mafanikio yake ya *Finance* and *Economic planning*, sasa hapa twashangaa bajeti katika *pending bills* ni Ksh. 3.2Milioni, hapa kwa [??] ni Ksh.415Milioni, sasa hapo ndio wanishangaza.

The Chairperson (Hon. Fadhili Mwalimu): So you were proposing an amendment?

Hon. Kitula: Yes.

The Chairperson (Hon. Fadhili Mwalimu): Okay propose the amendment at what you are saying.

Hon. Kitula: Napendekeza mabadiliko Mheshimiwa Spika; angalau Wizara ya Fedha ibakie na hiyo 302 ambayo iko kwa bajeti. Kile kiwango kilichobaki ielekezwe kwa maendeleo ama kwa Wizara ya Elimu ambayo iko katika *Agenda four* kulingana na Mheshimiwa Mwenyekiti ikiwa atakubaliana na mimi lakini ikiwa atakataa pia ni sawa.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Amriya?

Hon. Amriya Juma: Mheshimiwa napenda kusoma hiyo *Bill B* maanake naona kwa *finance*...

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Hon. Amriya were you seconding Hon. Kitula's Motion or...?

Hon. Amriya Juma: I am scared that he is misleading, the amendment part is a bit misleading; before you even respond to that the figures are misleading, that is why I have come up before we can even respond to this Motion on amendment. Yes I am afraid that when I look at the ADP I am seeing... have said that the department of finance is set to spend Ksh.415,527,693Million in development in the next financial year that is according to the report we have and I am worried that I do not know where the figure is coming, maybe he shall give us the exact page that he has withdrawn the figures so that we can counter check...

[Interruption]

Hon. Kitula: Page 74 of the ADP.

The Chairperson (Hon. Fadhili Mwalimu): Okay leave alone the page Hon. Charles Kitula, who is your seconder to the amendment and give us the figures on that D304 and a seconder so that we proceed.

[Loud consultations]

Hon. Mohamed Hatimy: Point of order!

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa nasimama chini ya kifungu cha 126(2) mara nyingi sana nimeiregelea, Kanuni za Bunge nambari 126(2).

The Chairperson (Hon. Fadhili Mwalimu): Hon. Charles Kitula! Hon. Charles Kitula! Hon. Charles Kitula! I have been informed by the Clerk for us to proceed give us a seconder so that we propose the amendment that you want D3014, the figures to be reduced.

Hon. Kitula: Mheshimiwa Mwenyekiti napendekeza hii D3014 tupunguze Ksh. 65,537,633Milioni, tuongeze kwa D3016 Elimu itakuwa Ksh. 3,765,867,189Bilioni. Napendekeza Mheshimiwa Ibrahim Omondi aniunge mkono.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Ibrahim?

Hon. Kitula: Kiufupi nilikuwa nimemueleza Mwenyekiti wangu kuwa tutaongeza kitengo cha Elimu ili kuwa D314 tumeongeza Ksh. 65,537,633Milioni. Ahsante Mheshimiwa Mwenyekiti.

The Chairperson (Hon. Fadhili Mwalimu): Yes Hon. Ibrahim?

Hon. Omondi: I don't second.

[Laughter]

The Chairperson (Hon. Fadhili Mwalimu): Okay Hon. Charles Kitula then your Motion fails.

[Laughter]

Hon. Members, I now proceed to put a question that D3011, D3012 as amended, D3013, D3013, D3014, D3015, D3016, D3017, D3018, D3019, D3020, D3021, D3022, D3023, D3024, D3016, D3026 and the subtotal as amended be part of the Bill?

[Question put and agreed to]

Yes Clerk?

Clerk: Clause number 1. short title;

This Act may be cited as Mombasa County Appropriation Act, 2020. Issue of Ksh.14, 34,579,687Billion out of the County Consolidated Fund for the service of the year ending 30th June, 2021.

The Chairperson (Hon. Fadhili Mwalimu): Hon. Members I now propose the question that clause one be part of the Bill.

[Question proposed and agreed to]

Any input? Yes, Chairman Finance budget and Appropriation?

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nachukua fursa hii kupongeza Wanachama...

[Interruption]

The Chairperson (Hon. Fadhili Mwalimu): Hon. Chairman we are in clause one putting a consideration that the totals have changed in the schedules by Ksh.300Million so give us the new total so that we put a question to that.

Hon. Mohamed Hatimy: The total to read Ksh. 14,934,579,687Billion.

The Chairperson (Hon. Fadhili Mwalimu): And who is the seconder?

Hon. Mohamed Hatimy: My Vice Chairman.

[The Leader of Majority (Hon. Mwidani) bowed]

The Chairperson (Hon. Fadhili Mwalimu): I now put a question that clause one as amended be part of the Bill?

[Question put and agreed to]

Yes, Clerk?

Clerk: Long title: The Mombasa County Appropriation Bill, 2020; An Act of the County Assembly of Mombasa 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 on the 30th June, 2021 and to appropriate those sums for certain public services and purposes.

The Chairperson (Hon. Fadhili Mwalimu): I now propose a question that the long title be part of the Bill?

[Question proposed and agreed to]

Any input Hon. Members?

[Silence]

Any input before I put a question?

[Silence]

Okay I now proceed to put a question that the long title be part of the Bill?

[Question put and agreed to]

Yes, Chairman?

Hon. Mohamed Hatimy: Ahsante Bwana Mwenyekiti. Nafikiri tumepata kupitia hii *Bill* na tumeweza kurekebisha, kwa hivyo naomba turegee kwa *plenary* ili tuweze kuendelea kupitisha hii *Bill*. Ahsante Mheshimiwa Mwenyekiti.

The Chairperson (Hon. Fadhili Mwalimu): Hon. Members the Committee has gone to plenary.

PLENARY RESUMED

[The Serjeant-At-Arms raised the Mace]

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

The Deputy Speaker (Hon. Fadhili Mwalimu): Have your seats. Yes Chairman Finance Budget and Appropriation Committee kindly report back.

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Hon. Members for reporting the Bill it will enable the residents of Mombasa to continue receiving better services from the County government. Mr. Speaker Sir I now request the Bill to be read for the third time, thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Clerk?

THIRD READING

THE MOMBASA COUNTY APPROPRIATION BILL, 2020

[The Clerk read the Bill for the third time]

Yes, Clerk?

ADJOURNMENT

There being no other business the House stands adjourned until 1st of July, 2020.

The House rose at 4:30p.m.