



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Wednesday, 20th March, 2024
Third Assembly – Third Session
TWENTIETH SITTING

*[The County Assembly met at 2:49p.m. at the County Assembly Buildings]
[The Deputy Speaker (Honourable Fadhili Mwalimu Makarani) in the Chair]*

PRAYERS

The Deputy Speaker (Honourable Fadhili Makarani): Have your seat Members.

COMMUNICATION FROM THE CHAIR

STUDY VISIT BY ST. MICHAEL'S DAY AND BOARDING PRIMARY AND JUNIOR SCHOOL

Order! Order! Members! Honourable Member's good afternoon once again. The County Assembly of Mombasa is privileged to welcome the Students and Teacher from St. Michael's Day and Boarding Primary and Junior School, they include;

1. Mercy Faida;
2. Immaculate Mwenda;
3. Rukia Sidi;
4. Joyce Hassan;
5. Amina Mohammed;
6. Florence Jacob;
7. Mary Maua;
8. Farida Kadzo;
9. Claris Mkumbi;
10. Naomi Bahati Jones;
11. Santa Jefwa;
12. Esther Sada;
13. Amina Ibrahim;
14. Victoria Kadzo;
15. Saumu Patani;
16. Swalha Mohamed;
17. Elizabeth Mkanyika;
18. Tabitha Matsaki;
19. Joyce Wangu;
20. Sawa Jumwa;
21. Lilian Pili;

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22. Gaudencia Sirya;
 23. Mwaniki Charo Pembe;
 24. Janet Mendrad;
 25. Leah Nyevu;
 26. Ernest Ngoka;
 27. Kalume Ndokolani;
 28. Hajj Rajab;
 29. Hassan Omar;
 30. Said Wanje;
 31. Hamisi Abeid;
 32. Brian Jacob;
 33. Joseph Baraka;
 34. Ian Ngala;
 35. Said Kazungu;
 36. Emmanuel Juma;
 37. William Kalama;
 38. Elisha Cosmas;
 39. Ibrahim Ramadhan;
 40. Mohammed Pembe;
 41. Swahaib Manyeso;
 42. Issa Wanje;
 43. Raphael Ziro;
 44. David Heri;
 45. Gift Mwabaya;
 46. Gift Mgaza;
 47. Kithi Hamisi;
 48. Allan;
 49. Julius Katana;
 50. George Harris;

Teacher

51. Ms. Cecilia Macharia

Let me take this opportunity, to welcome you all in this legislative arm of the County Government and it's my hope that the study visit will be beneficial to you all and may serve as an inspiration to your future endeavours. Welcome once again and I will let some few Honourable Members to give a word. Honourable Members I will let Honourable Fatma Mote to welcome the students and the Majority Leader to follow, then I will proceed with our Business. Yes, proceed Honourable Fatma.

Hon. Fatma Swaleh: Ahsante sana Mheshimiwa Spika, kwanza kabisa namshukuru Mwenyezi Mungu muumba Mbingu na ardhi pasi na kizuizi siku hii ya leo. Mheshimiwa Mwenyekiti bila kupoteza mda, nawakaribisha wanafunzi katika hili Jumba la Sheria na nimefurahi sana, kwamba wanafunzi wamekuja kujionea na macho Mheshimiwa wa Mombasa kaunti kazi wanayofanya Mheshimiwa Mwenyekiti, karibuni sana wanafunzi. Mheshimiwa Mwenyekiti kabla sijaketi unajua huu ni Mwezi Mtukufu wa Ramadhani na dini lazima iheshimike.

Na vile vile Mheshimiwa Mwenyekiti, namuona ndugu yangu Mheshimiwa Allen Katana amevaa kanzu na mimi najua kanzu ni vazi la Waislamu Mheshimiwa Mwenyekiti na hii ni Ramadhan Mheshimiwa Mwenyekiti, ikiwa itakuwa vizuri Mheshimiwa....

[Interruption]

The Deputy Speaker (Hon. Fadhili Makarani): Honourable Fatma Mote you are out of Order, just welcome the students and we proceed with other businesses, you are out of Order.

Hon. Fatma Swaleh: Sawa Mheshimiwa lakini itakuwa ni hujuma lakini sawa Mheshimiwa.

The Deputy Speaker (Hon. Fadhili Makarani): You are out of Order Honourable Fatma!

Hon. Fatma Kushe: Okay thank you Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Makarani): Okay thank you. Yes, Honourable Milka Moraa, please welcome the students.

Hon. Ngare: Thank you Mr. Speaker for the opportunity. I want to take this chance to welcome the students at the gallery plus their teachers to this Honourable House. I know that you have a chapter in your syllabus talking about the Government of Kenya if you are already there and by coming here, I am sure you are going to learn a lot about structure of the County Government that would be very beneficial when we are tackling question. I was once a teacher for many years, So, I am aware and I know the kind of work the teachers are doing. Teachers in the House congratulations for bringing the children here to do a practical actually lesson, seeing is believing and so I believe. So, welcome and I wish you all the best in your studies and future endeavours thank you Mr. Speaker.

[Applause]

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Honourable Milka and Honourable Members, the school is coming from Kaloleni in Kilifi County. So, I will let Honourable Patrick Mbele to wind up the welcoming remarks, Honourable Mbele?

Hon. Mbelle: Mr. Speaker Sir thank you for giving me this opportunity and allow me to equally welcome the students/pupils here in the Assembly of Mombasa and let them know that, this is where laws are made for the people of Mombasa, in that I urge you students through the Speaker, that when you go home please tell your parents that, the MCAs are not the ones that construct wards but what we do, is make laws so that executive wing, this is the Assembly and there is an executive wing. So, the executive wing can also follow the laws and implement what you want back at Home. It's a lesson probably you will be taught back in school you have been taught, but this is where we make laws, this is where we legislate in a proper term. So, welcome in our plenary, we were all students at some point but not every student becomes an MCA. So, if you aspire to become an MCA, this is the place to learn and see, and if you aspire to become an MP or a President one day, probably you can start seeing things from here, but all the best in your studies and I wish you well, thank you Mr. Speaker.

[Applause]

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Yes Clerk?

STATEMENTS

STATUS OF THE COUNTY GOVERNMENT BUDGET FOR THE YEAR 2023/2024

Yes, Honourable Kibwana Swaleh?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Honourable Speaker, I stand to reply on the statement on status of the County government budget for the year 2023/2024. Honourable Speaker we are yet to receive the reply and yesterday I had requested my committee to write back again to the department for the same reply. Thank you.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS ON COUNTY PENDING BILLS

Yes, Chairperson Committee on Budget and Appropriation Honourable Kibwana.

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Once again, I still have no reply on the statement on pending bills that was raised previously but on the same note, that we had already directed the secretariat to write back as is a procedure that once we do not get reply, we have to give them a reminder for the same, thank you.

The Deputy Speaker (Hon. Fadhili Makarani): So, when are you going to reply back?

Hon. Kibwana Swaleh: Thank you, I think is something that had been pending for long Honourable Speaker and If you allow me, if you give me three weeks' time, will be able to have the answer because is something that had been pending for so long and I accept that this is a challenge to us. Thank you.

The Deputy Speaker (Hon. Fadhili Makarani): Granted. Yes Clerk?

PROCEDURAL MOTION

REDUCTION OF PUBLICATION PERIOD OF MOMBASA COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2024

Yes, Honourable Kibwana?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Honourable Speaker, I beg to move the following Motion;

THAT pursuant to provision of Standing order 116, this House RESOLVES to reduce the publication period of the Mombasa County Supplementary Appropriations Bill, 2024 from seven days to two days.

I, will ask one of my Members to second, Honourable Matsaki.

The Deputy Speaker (Hon. Fadhili Makarani): Yes, Honourable Matsaki the Minority leader?

Hon. Matsaki: Thank you so much Honourable Speaker, i do second.

The Deputy Speaker (Hon. Fadhili Makarani): Honourable Members, I now propose the question on the Motion by Honourable Kibwana Swaleh on the Reduction of publication period of the Mombasa County Supplementary Appropriation Bill, 2024 be debated in this Honourable House in the same term as moved.

[Question proposed and agreed to]

Yes, Honourable Kibwana Swaleh?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Mr. Speaker Sir, the Bill Mombasa Supplementary Appropriation Bill.

The Deputy Speaker (Hon. Fadhili Makarani): Honourable Kibwana?

Hon. Kibwana Swaleh: Yes.

The Deputy Speaker (Hon. Fadhili Makarani): We are in order number 9 in the reduction of publication.

Hon. Kibwana Swaleh: Thank you Honourable Speaker for granting the permission to have this Bill to be read for the first time.

The Deputy Speaker (Hon. Fadhili Makarani): Honourable Kibwana, you were asking for the permission from this Honourable House to let the publication to be reduced to two days, so we are debating your Motion and you are yet to be given.

Hon. Kibwana Swaleh: Thank you Honourable Speaker for your guidance. Honourable Speaker, you are aware that supplementary budget is very important for us; for both the Assembly as well as County Executive for utilization of votes and funds from different departments. Honourable Speaker, it is normal in any government to have a supplementary budget so that it can allocate funds where there is no vote and also because of time which is very important to us. Honourable Speaker, so to me I think it is very important so that we can move forward, thank you.

The Deputy Speaker (Hon. Fadhili Makarani): Honourable Members, I now stand to put the question that the Motion as read by Honourable Kibwana Swaleh on the Reduction of publication period of the Mombasa County Supplementary Bill, be adopted by this House in the same terms as moved.

[Question put and agreed to]

Yes Clerk?

BILL

THE MOMBASA COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2024

Yes, Clerk please read the first reading.

FIRST READING

[The Clerk read the Bill for the first time]

Yes, Honourable Kibwana?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Mr. Speaker Sir, I beg to move the following Motion.

THAT, the Mombasa County Supplementary Appropriation Bill, 2024 be now read a second time.

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

Hon. Kibwana Swaleh: I will ask the Leader of Majority to second.

The Leader of Majority (Hon. Athman Mwamwiri): I do second.

The Deputy Speaker (Hon. Fadhili Makarani): Honourable Members, I now propose a question that the Motion by Honourable Kibwana Swaleh Chairperson Committee on Finance, Budget and appropriation on the Mombasa County Supplementary Appropriation Bill, 2024 be read a second time.

[Question put and agreed to]

I now proceed to put a question that a question that the Motion as read by Honourable Kibwana Swaleh, Chairperson Committee on Finance, Budget and Appropriation on the Mombasa County Supplementary Appropriation Bill, 2024 be read a second time.

Yes Clerk, please read the Bill for the second time.

SECOND READING

[The Clerk read the Bill for the second time]

Honourable Members, the Bill having been read a second time, stands committed to the Committee of the Whole House.

COMMITTEE OF THE WHOLE HOUSE

ORDER OF COMMITTEE READ

[The Serjeant-At-Arms lowered the Mace on the lower deck]

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IN THE COMMITTEE

*[The Deputy Speaker (Honourable Fadhili Makarani) exited the Chair]
[The Temporary Speaker (Honourable Abdirahman Abdulkadir) in the Chair]*

The Chairperson (Hon. Abdirahman Abdikadir): Yes, Members let us have our seats everyone. Yes, Members I want to believe everyone has a copy of this, so we will be reading, I will be reading the clauses. Clause R3012 in the recurrent expenditure, yes Clerk?

R3012. *The amount required in the year ending 30th June, 2024, for salaries and expenses of the County Assembly, including expenses on general administration, legislation and financial management services of the entity. Kshs. 990,944,906 that is supply. Donor fund is nil. Appropriation in Aid is 503,713,567.*

Members, we are dealing with the recurrent expenditure just to put you up to speed with it. Yes.

[Loud consultations]

Okay, I will ask Clerk to read all the recurrent expenditure before I propose the questions, okay Members. Yes Clerk?

R 3013, *The amount required in the year ending 30th June 2024, for salaries and expenditure, this is Kshs 145,363,603 that is a supply, the donor we have nil and the appropriation in aid is Kshs 73,890,706.*

R3014 - *The amount required in the year ending 30th June 2024, for salaries and expenditure of the finance and economic planning Kshs 1,069,880,264. the donor fund in cash Kshs 217,943, the appropriation in aid is Kshs 543,619,762.*

R3017 - *The amount required in the year ending 30th June, 2024, for the salaries and expenses of the health services including the expenses on general administration, health curative and Promotive service, supply Kshs 4,002,833,005. Donor funds is Kshs 12,878,250 and appropriation in aid is Kshs 2,021,827,491.*

R3022 - *The amount required in the year ending 30th June, 2024, for expenses of Transport and Infrastructure including expenses on general administration and financial management services of the Department Kshs 821,370,499. a donor fund in cash is nil and Appropriation in Aid Kshs 417,516,111.*

R3027 - *The amount required in the year ending 30th June, 2024, for expenses of Environment and Solid Waste Management including expenses on salaries and general administration Supply Kshs 661,123,095 donor funds is nil and appropriation in aid Kshs 336,059,724.*

R3028 - *The amount required in the year ending 30th June, 2024, for expenses of Education and Digital Transformation supply in Kshs 937,411,080, donor funds Kshs 5,635,387 and appropriation in aid Kshs 470,886,057.*

R3029 - *The amount required in the year 30th June, 2024, for salaries and expenses of Water, Natural, Resources and Climate Change Resilience, including expenses on General Administration and Financial Management services supply Kshs 92,537,357, donor funds 18,830 and appropriation in aid Kshs 47,019,428.*

R3030 - *The amount required in the year...*

[Interruption]

Yes, 2605 Honourable Ogutu is there an issue? Please, let us be attentive, what we are reading here is money bill, okay proceed Clerk.

R3030 - The amount required in the year ending 30th June, 2024, for salaries and expenses of public service administration, youth, general social service and sport, including aspects on general and other operation services, Kshs 1,440,220,832, donor fund in cash is nil, Appropriation in Aid is 732,087,897.

[Consultations]

Having read all that, I want to propose the question as read, the following vote numbers be part of the Bill, vote number R3012, R3013, pardon?

[Interruption]

Honourable Mbele, you will submit later let me just carry on with this please, yes R3013, R3014, R3017, R3022, R3027, R3028, R3029 and lastly R3030 be part of the Bill...

[Question proposed and agreed to]

Yes Clerk, before we proceed do you have a question?

Hon. Mbelle: Yes.

The Chairperson (Hon. Abdirahman Abdikadir): Yes Please?

Hon. Mbelle: Mr. Speaker, I have the document and I would wish to have some explanations probably from yourself. I have seen that we have a supply in column three, we have a donor fund in column four and Appropriation in Aid in column five for services of column two. So, what has been moved from where to which department? Just an example let me just pick vote number R3014 randomly, which is the amount required for year ended 30th June, 2024, for salaries and expenses of Finance and Economic Planning, Kshs 1billion and 69 million that of supply, donor funding 217 million and Appropriation in Aid Kshs 543,619,762, so what has been moved from which department? Is it internal or external? Please explain.

The Chairperson (Abdirahman Abdikadir): Thank you, I think that is a valid question the Chairperson perhaps, you could shed some light on that, the Member is asking? Okay Member you are allowed to ask again, Chairperson please be attentive.

Hon. Mbelle: Chair through the Speaker, I wish to understand and I said I am just picking a random vote, let say we pick another random vote like R3027 – in the second column, says, the amount required in the year ending 30th June, 2024, for expenses of Environment and Solid Waste Management including expenses on salaries and general administration, third column says, Kshs 661,123,095, donor funds is nil and Appropriation in Aid is Kshs 336,059,724. So, what is being moved from where to this vote? Kindly explain so that I can understand because until now.

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[Interruption]

The Chairperson (Abdirahman Abdikadir): Let us be brief in our questions and Chair we expect you to give us a very concise answer.

Hon. Mbele: Thank you Chair.

The Chairperson (Abdirahman Abdikadir): Chair?

Hon. Kibwana Swaleh: Ask Leader of Majority because he has raised his hands.

The Chairperson (Abdirahman Abdikadir): Yes, Leader of Majority please, proceed.

The Leader of Majority (Honourable Mwamwiri): Thank you Chair, whatever we are having here is appropriation and in appropriation it just indicates the votes for recurrent and development. For the instance of the Honourable Member's question, he will have to countercheck on this supplementary and the main budget. So, out of the main budget, that is when the vote will be affected; if initially the vote had the Kshs 1.5 billion and now there is a surplus of maybe Kshs 1.3 billion that means, the vote has been taken from another vote to that vote and to recognize that one, it was supposed at a Committee stage, each department to have highlighted that this vote were not able to spend it, that is why we are taking this money for this vote for this purpose but as we are in now Mr. Chair, is just an Appropriation Bill, so it can not indicate all the annextures in this Bill, it cannot be highlighted in this one.

The Chairperson (Abdirahman Abdikadir): Honourable Mbele, perhaps you have a copy of an Appropriation Act? For your own reference.

Hon. Mbele: Mr. Speaker Sir, I really do not want the details of what vote has been moved or what money has been moved from what department. All I need to know is after we are done with this Bill, for example we say vote number R3027. How much will they have after we have passed this Bill?

The Chairperson (Abdirahman Abdikadir): That is why I am saying you need to also cross check it with the original Act, this is the supplementary this is the original budget, the main budget that we had that was passed in June.

Hon. Mbele: Mwenyekiti, naomba niulize na Kiswahili labda, nauliza baada ya...

[Interruption]

The Chairperson (Abdirahman Abdikadir): Uko na hiyo *copy* mwanzo? *Do you have a copy of the budget so that we can crosscheck it?*

Hon. Mbele: Sina.

The Chairperson (Abdirahman Abdikadir): The information is there.

Hon. Mbele: Ndio naulizaje Mwenyekiti, baada ya kupitisha hii *Bill*, hii *vote* namba 27 ama 22 baada ya kupitisha hii *Bill* watakuwa na pesa ngapi katika hio *vote*? Ndio swali tu nauliza.

The Chairperson (Abdirahman Abdikadir): Yes, Leader of Majority?

The Leader of Majority (Hon. Mwamwiri): Ndio tunasema ukiwa na hio bajeti tuliopitisha ya mwezi ya sita itaonyesha awali, ilikuwa kwa idara hii imetengewa kiasi gani na sasa hivi katika *supplementary* je, wameongezewa ama imepungua kiasi gani, mpaka uwe na ile ndio utajua watakuwa na kiasi gani, lakini katika hio uliokusudia kwa mfano R3027 kwa million 661,123,095 inaonyesha ya kwamba, hii ndio pesa ambayo iko kama bajeti ya hii idara kufikia mwisho mwaka wa kifedha. Sasa hapa kuna mawili iwe imeongezeka ama imepungua, mpaka uwe na ile ya kwanza ndio uweze kujua imeathirika kiasi gani? Imeathirika chanya ama imeathirika nini.

The Chairperson (Abdirahman Abdikadir): Yes, Honourable Mbele you look satisfied should we proceed please?

Hon. Mbele: Chair, I want to say something.

The Chairperson (Abdirahman Abdikadir): We are not in a hurry Honourable Ogutu, however if you are in a hurry the door is open, let the Chair respond to this perhaps.

Hon. Kibwana Swaleh: Maybe just to add on what the Honourable Member has asked. Whatever you have put the money here is the one that is going to be used as a supplement to the main budget. So, the money has already been indicated that is where your question is, the vote has already been indicated in every department for them to be able to use the money that has been submitted to them. So, I don't think that you can get easily getting the amount of money that has been moved from the previous, main budget and this one, unless you go back to it, but I think whatever has been passed to the votes here from R3012 to the end the amount that appropriated for, for this financial year.

The Chairperson (Abdirahman Abdikadir): Thank you Chair. Yes, Honourable Madialo?

Hon. Madialo: Thank you Mr. Chairman. For the sake of time, I would request that for now the horse has already bolted.

The Chairperson (Abdirahman Abdikadir): Pardon?

Hon. Madialo: The horse has already bolted or the train has already left the station but I would ask.

[Interruption]

The Chairperson (Abdirahman Abdikadir): I think that is not the right statement to make at this moment, we are at the Committee of the Whole House, so we have not yet adopted anything.

Hon. Madialo: And that is why I am saying...

The Chairperson (Abdirahman Abdikadir): Yes please.

Hon. Madialo: To answer Honourable Mbelle in a way, I think there was some laxity from the Committees so that next time Mr. Chair because we can now not go back that is what I meant but next time before we get to this stage I would like to urge the Chairman Finance and also the House leadership that we should not be brought to this point before we interrogate those votes in the Committees properly so that when we come here we will not be reading R. You know it is good that some of us now have known R is for Recurrent, I almost thought R is for Raila you know...

[Laughter]

So, what am trying to say is that next time please before we come to this stage let us go through the process. Thank you, Mr. Chair.

The Chairperson (Hon. Abdirahman Abdikadir): I think that it is well understood and appreciated the Committee on Liaison will also take note on that, Chair of Chairs will be updated on that. Shall we proceed Members? Are you asking on the same question or a different question? A different one, proceed?

[Off microphone]

Honourable (??): I would like to vote.

The Chairperson (Hon. Abdirahman Abdikadir): How do you want to vote? How do you like to vote? I posed the question, Members let us be serious. Yes Clerk?

Clerk: Next Page?

The Chairperson (Hon. Abdirahman Abdikadir): Next page, the Recurrent Expenditure. Let us pay attention a little bit so that we move with speed. Yes Clerk?

R3031: The amount required in the year ending 30th June, 2024 for salaries and expenses of Tourism, Culture and Trade, including expenses on general administration and financial management services of the Department, Supply in cash is Kshs. 422, 571, 699, Donor Fund in cash is Nil, Appropriation in Aid is Kshs. 214, 772, 684.

R3032: The amount required in the year ending 30th June, 2024 for expenses of County Lands, Planning, Housing and Urban Renewal including expenses on general administration and financial management services of the Department, the Supply in cash is Kshs. 206, 084, 910, Donor Fund cash is Nil and Appropriation Aid is Kshs. 104, 756, 344.

R3033 The amount required in the year ending 30th June, 2024 for expenses of Blue Economy, Agriculture and Livestock of the Department, Kshs. 118, 499, 766...

[Interruption]

The Chairperson (Hon. Abdirahman Abdulkadir): Kshs. 186 Billion.

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[Interruption]

Million, Kshs. 186, 499, 766, Donor Funds is Kshs. 2, 512, 539, Appropriation in Aid is Kshs. 92, 288, 355.

R3035: The amount required in the year ending 30th June, 2024 for salaries and expenses of Executive Headquarters office; Mombasa, including expenses on general administration, and advisory services, Kshs. 120, 631, 836 in Supply, Donor Fund is Nil, Appropriation in Aid is Kshs. 5, 667, 963, 329.

The Chairperson (Hon. Abdirahman Abdikadir): Yes?

[Off microphone]

Okay please read on the vote R3035 just read the figures as it is.

Supply in cash we have Kshs. 11, 192, 292...

[Interruption]

Kshs. 120, 631, 836 Million, Appropriation in Aid is Kshs. 61, 319, 143. I think that is the correct one that she has read. Honourable Nyota you seem disturbed? Okay Members.

The Sub Total on the Recurrent Expenditure.

Recurrent Expenditure is that Kshs. 11, 192, 292, 953, Donor Fund is Kshs. 21, 262, 949, Appropriation in Aid is Kshs. 5, 667, 963, 329.

Members I now put a question that the following Vote Numbers R3031, R3032, R3033, R3034 and R3035 be part of the Bill.

[Question put and agreed to]

Now we are going to move to the Development Expenditure. Yes Clerk?

D3012: The amount required in the year ending 30th June, 2024 for capital expenditure of the County Assembly, Supply in cash is Kshs. 55, 000, 000, Donor is Nil, Appropriation in Aid is Kshs. 27, 963, 096.

D3013: The amount required in the year ending 30th June, 2024 for capital expenditure of the County Public Service Board, Supply in cash Kshs. 20, 000, 000, Donor Fund is Nil, Appropriation in Aid is Kshs. 10, 168, 399.

D3014: The amount required in the year ending 30th June, 2024 for capital expenditure of Finance and Economic Planning, Supply in cash is Kshs. 405, 322, 577, Donor in cash is Nil, Appropriation in Aid is Kshs. 25, 322, 577. You put to question or we continue? Just continue please?

D3017: The amount required in the year ending 30th June, 2024 for expenses of Health Services, for capital expenditure, Supply in cash is Kshs. 663, 790, 000, Donor in cash is Nil, Appropriation in Aid is Kshs. 550, 000, 000.

D3027: The amount required in the year ending 30th June, 2024 for expenses of Environment and Solid Waste Management for capital expenditure, Supply is Kshs. 204, 508, 879, Donor in cash is Nil and Appropriation in Aid is Kshs. 24, 508, 879.

D3028: The amount required in the year ending 30th June, 2024 for expenses of Education and Digital Transformation for capital expenditure, Supply in cash is 229, 800, 000, Donor in cash is Nil and Appropriation in Aid is 29, 800, 000.

D3029: The amount required in the year ending 30th June, 2024, for capital expenditure of Water, Natural Resources and Climate Change Resilience, supply in cash is Kshs. 1,091,500,000, donor fund in cash is Kshs. 1,011,000,000, appropriation in aid is Kshs. 12,725,552.

D3030 The amount required in the year ending 30th June, 2024, for capital expenditure of Public Service Administration, Youth, Gender, Social Services and Sports is Kshs. 225, 000, 000, Donor in cash is Nil and Appropriation in Aid is Kshs. 25, 000, 000.

D3032 The amount required in the year ending 30th June, 2024, for expenses of County Lands, Planning, Housing and Urban Renewal for capital expenditure is Kshs. 609, 576, 556, Donor in cash is Kshs. 570, 000, 000, Appropriation in Aid is Nil.

D3033 The amount required in the year ending 30th June, 2024, for expenses of Blue Economy, Agriculture and Livestock Services for capital expenditure supply in cash is Kshs. 150, 000, 000, Donor is Kshs. 45, 842, 010, and Appropriation in Aid is Kshs. 4, 157, 990.

D3034 The amount required in the year ending 30th June, 2024, for expenses of the County Attorney for capital expenditure Supply is Kshs. 13, 428, 433, the Donor Fund is Kshs. 13, 428, 433, Appropriation in Aid is Nil.

D3035 The amount required in the year ending 30th June, 2024, for capital expenditure of County Executive Supply in cash is Kshs. 24, 950, 000, Donor Funds is Nil and Appropriation in Aid is Kshs. 12, 685, 077.

Sub Total (Development Expenditure) Supply in cash is Kshs. 4, 797, 707, 047, Donor in cash is Kshs. 1, 641, 996, 925 and Appropriation in Aid is Kshs. 797, 252, 977.

Members, I think we are on the same page all of us before I propose the question, any Member seeking clarification or any comment?

[Silence]

Okay I now put the question that the following vote numbers D3017, sorry I repeat again, I now put the question that the following vote Numbers D3012, D3013, D3014, D3017, D3022, D3027, D3028, D3029, D3030, D3031, D3032, D3033, D3034 and D3035 be part of the Bill.

[Question put and agreed to]

I, think we have come to the conclusion of this session. Yes, Proceed Clerk.

[Loud Consultations]

Clerk: *Memorandum of objects and reasons. The Mombasa County Supplementary Appropriations Bill, 2024 makes provision for giving Statutory sanction for Public Expenditure for the year ending on 30th June 2024 on the basis of the Estimates of the Expenditure 2023/2024 (Recurrent) and the Estimates of Expenditure 2023/2024 (Development) and for the appropriation of those amounts.*

This sum includes the sum of Kshs.11,192,292,953 For Recurrent Expenditure and Kshs.4,797,707,047 Development Expenditure as per the First and Second Schedule Respectively.

The Chairperson (Hon. Abdirahman Abdikadir): Well, noted. I also put the question that the Memorandum of Objects and Reasons as read by the Clerk be part of the Bill.

[Question put and agreed to]

The Chairperson (Hon. Abdirahman Abdikadir): Yes, take your stand please. Yes, Chairperson?

Hon. Kibwana Swaleh: Thank you Chair.

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, sorry, sorry Chair, yes?

Hon. Makanga: You advise we adopt the Memorandum, what about the name of the Chair?

The Chairperson (Hon. Abdirahman Abdikadir): You want it to be adopted as well?

Hon. Makanga: It is part of the Bill.

The Chairperson (Hon. Abdirahman Abdikadir): Will that make a lot of difference to this Bill?

Hon. Makanga: Maybe your advice us Chair.

The Chairperson (Hon. Abdirahman Abdikadir): Ok sawa, we will ignore it at the moment. Yes Chair?

Hon. Kibwana Swaleh: Thank you Chair. I wish to move this session to Plenary. Thank you.

The Chairperson (Hon. Abdirahman Abdikadir): Yes, seconder for that?

Hon. Kibwana Swaleh: The Leader of Majority, Honourable Athman Mwamwiri.

The Chairperson (Hon. Abdirahman Abdikadir): Now I put the question that the Motion that the Bill to be reported to the County Assembly.

[Question put and agreed to]

Honourable Members, the Committee now reverts back to full House.

[The Serjeant-At-Arms raised the Mace to the upper deck]

PLENARY RESUMED

*[Committee of the Whole House resolves to Plenary]
[The Temporary Speaker (Hon. Abdirahman Abdikadir) in the Chair]*

Yes, please take your seats. Yes, Honourable Kibwana Swaleh. Please report what transpired during the Committee of the Whole House on the Mombasa County Supplementary Appropriations Bill, 2024 and move a Motion that the House agrees with the Committee in the said report.

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Honourable Speaker, I wish to report back to the House that we had a very fruitful discussion on the Supplementary Appropriation Bill, 2024 and I am happy that we have agreed on the votes and there were no amendments. I will ask we move to the Third reading...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): You are moving the Motion; you have to choose someone to second it.

Hon. Kibwana Swaleh: Thank you. Mr. Speaker Sir, I beg to move the following Motion that The Mombasa County Supplementary Appropriation Bill, 2024 be read a Third time, I will ask Honourable Hamisi...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Pardon. Before you proceed with that, what exactly are you proposing? Let us be clear.

Hon. Kibwana Swaleh: I propose a Motion to be read a Third time.

The Temporary Speaker (Hon. Abdirahman Abdikadir): You are proposing to move a Motion that the House agrees with the Committee?

Hon. Kibwana Swaleh: Sorry, I propose a Motion that the House agree with the Committee on what transpired at the Whole House.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. So, who is your seconder?

Hon. Kibwana Swaleh: Honourable Hamisi Nyota.

Hon. Hamisi Nyota: Thank you Mr. Speaker Sir, I second.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Members, I am proposing a question that the House agrees with the Report of the Chairperson on what transpired during the Committee of the Whole House.

[Question proposed and agreed to]

Yes Clerk?

THIRD READING

Yes, Honourable Kibwana Swaleh again, Chairperson Committee on Finance, Budget and Appropriations please move the Motion for the Bill to be read a Third time.

Hon. Kibwana Swaleh: Once again Mr. Speaker Sir, I beg to move the following Motion.

That the Mombasa County Supplementary Appropriation Bill, 2024 be now read a Third time.

I will ask Honourable Juma Makarani Kambi to second. Thank you.

Hon. Juma Makarani: Thank you Mr. Chairman, I stand to second the Motion.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Honourable Members, I now propose the question that the Motion by Honourable Kibwana Swaleh on the Mombasa County Supplementary Appropriations Bill, 2024 to be read a Third time.

[Question proposed and agreed to]

Clerk, please read it.

[The Bill was read for the Third time]

Yes Clerk?

MOTION

ADJOURNMENT OF THE COUNTY ASSEMBLY CALENDAR FOR RECESS

Yes, Honourable Athman Mwamwiri, Leader of the Majority Party please move the Motion.

The Leader of the Party (Hon. Mwamwiri): Thank you Mr. Speaker. Mr. Speaker Sir, I beg to move the following Motion:

That, pursuant to the provisions of Standing Order No. 25 (3), this Assembly adjourns for recess until Tuesday, 16th April, 2024 in accordance with the Calendar of County Assembly (Regular Sessions)

May, I ask Honourable Solomon Ngugi Wainaina to second the Motion.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Solomon Ngugi Wainaina.

Hon. Ngugi: I stand to second Mr. Speaker Sir.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I now propose a question that the Motion by Honourable Athman Mwamwiri on *Adjournment of the County Assembly for Recess* be considered by this Honourable House in the same terms as moved.

*[Question proposed and agreed to]
[Applause]*

Yes, Honourable Athman Mwamwiri, The Leader of the Majority Party please make your contribution to the Motion.

The Leader of the Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika. Mheshimiwa Spika kama ilivyo katika Kanuni za Kudumu sehemu ndogo ya 25 inatupa ruhusa kufuatilia kalenda yetu na kupata nafasi ya kwenda katika mapumziko lakini mapumziko haya sio ya kwenda lala bali ni ya kujukumika katika kuhudumu nyanjani. Vile vile Mheshimiwa Spika ni tamaduni za Bunge hili kama ilivyo kila mwaka inapofika kipindi cha mwezi wa Ramadhani huwa tuna fursa ya kwenda katika likizo ndogo ili kwa wale waumini wa Kiislamu waweze kupata nafasi ya kujikurubisha kwa Muumba wao, lakini pia kuliombea Taifa letu na Kaunti yetu iweze kupata neema na baraka kwa sababu ni njia moja wapo ya kuweza kuneemeka kwa kupata radhi za Mwenyezi Mungu. Mheshimiwa Spika, vile vile tunayo Miswada kadha wa kadha iliyoko mbele yetu ambayo pia iko katika ratiba ya Bunge hili kwenda nyanjani kukongamana na wananchi kuchukua maoni ya wananchi kurudi nayo hapa Bunge kwa ajili ya kutekeleza na kupitisha Miswada hii. Kwa hivyo Mheshimiwa Spika hii pia ni fursa kwetu sisi kuweza kujumuika mashinani na watu wetu barabara na kuweza kuitendea haki jukumu hili la *Public Participation* ama maoni ya wananchi katika kuweza kutekeleza Miswada iliyoko mbele yetu. Na vile vile niwatakie tu kwa utangulizi Waheshimiwa wenza hususan wale ambao walioko katika ibada hii tukufu ya swaum; swaum zao ziweze kutakabaliwa na Mwenye Mungu na wale ambao Mwenyezi Mungu atawawezesha katika kundi la mwisho wakiweza kuzuru mji mtukufu wa Makka kwa Hijra pia Mwenyezi atakabalie Hijra na sote kwa jumla tufanyiwe wepesi katika maisha yetu ya hapa duniani, kaburini na kesho akhera na azidishe mapenzi kwetu na wananchi tunao wakilisha. Ahsante Mheshimiwa Spika na niombe Waheshimiwa wenza tuweze kuungana katika hili turudi kule nyanjani tukatekeleze ibada zetu kwa utulivu lakini pia kutekeleza majukumu ya uwakilishi wa wananchi wetu kwa utulivu zaidi. Ahsante Mheshimiwa Spika.

The Temporary Spika (Hon. Abdirahman Abdikadir): Yes, Honourable Madialo please your dissenting views.

Hon. Madialo: Mheshimiwa Spika baada ya kumsikiza Kiongozi wa Wengi katika Bunge hili na haswa kwamba itapatia fursa wenzetu wa Kiislamu ili wawaendeleze ibada yao, amenishawishi sasa ninasema ninauunga mkono.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Any Member wishing to contribute to this Motion? Yes, Honourable Juma Kambi?

Hon. Juma Kambi: Ahsante Mheshimiwa Spika kwa kunipatia fursa hii. Mimi nimesimama kuunga mkono Mswada huu kwa sababu kama tunavyojua sisi Waislamu huwa mwezi huu wa Ramadhani huwa ni wakati wa ibada na huwa ni wakati wa kuomba toba na kama tunavyojua katika hii dunia aliye kamili ni Mwenyezi Mungu, kuna mapungufu mengi tuliyafanya, tulifanyiwa. Kwa hio sasa ni kurudi kwa Mwenyezi Mungu ili tujitakase na *In Shaa Allah* Mwenyezi Mungu atujaalie wale ambao saa hizi wamerudi Miskitini Mwenyezi Mungu awajaalie wazidi kuswali waendeleze ibada waweze kujikurubisha karibu na Mwenyezi Mungu. Mimi yangu tu nasema, ahsanteni sana kwa fursa hii na Mwenyezi Mungu awabariki.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Sylvester Kai, I do not think if you are appropriately dressed. You look smart but I do not think you are appropriately dressed. Honourable Kai, do you wish to make your contribution? You have a coat with you? I do not think you are appropriately dressed. It's not parliamentary.

Hon. Kai: Allow me to contribute please Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Pardon, please make your way out of the Assembly. Thank you for your contribution as well. Yes, Honourable Mbelle, that is a half coat, it is a half coat.

Hon. Mbelle: Chair, the Member is wearing a coat.

The Temporary Speaker (Hon. Abdirahman Abdikadir): A half coat.

Hon. Mbelle: But it is a coat! No, it is a coat!

The Temporary Speaker (Abdirahman Abdikadir): Yes, Prischillah perhaps, Honourable Prischillah please teach them some sort of decorum here.

Hon. Mumba: Ahsante Mheshimiwa Spika. Ni kama nilivyo tangulia kusema; Waheshimiwa wenzetu haswa wa kiume imekuwa mtindo hapa ndani ya Nyumba hii watu wanakuja kufunga makoti hapa, tai hapa kuvaa vyenye sivyo. Kwa hivyo, ninaomba hili ni Nyumba tukufu na heshima zake, tafadhali. Unajua sheria ya kuwa uvae koti lako vizuri na ufunge tai yako vizuri na wale ambao hawajafunga saa hii makoti yao wanatakikana wawe nje ya Nyumba hii. Wa kwanza akiwa Mheshimiwa Madialo nikimuona, mwingine akiwa Mheshimiwa Ngugi nikimuona, mwingine akiwa Mheshimiwa Matsaki nikimuona, mwingine akiwa Mheshimiwa Makarani hapa makoti yanaachiliwa tu waah! Sheria za Bunge hizi yatakikana ufunge ile koti yako. Mheshimiwa Ngugi usiniangalie mimi ni Kiranja wa Bunge na nikikuambia najua naelewa ninacho zungumzia. Funga hilo koti lako likae sawasawa; kama Mheshimiwa ndani ya Bunge. Naona mwingine ako hapa mbele yangu Frankline amejikalia vizuri lakini koti halijakaa pahali pake tunataka kila kitu kikae vile kinavyo takikana katika Nyumba hii tukufu. Mheshimiwa Nyota, naona pia wewe waniangalia na koti lako liko kombo. Kwa hivyo, lazima watu wawe katika Nyumba hii wamevaa vizuri. Patieni Nyumba hii heshima inavyotakikana.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you Chief Whip and discipline master. Thank you for putting the House in order. Yes?

Hon. Hamisi Nyota: We have big tummies; we cannot button up our coats. So, Honourable Chief Whip will understand us for this case, our tummies are big and we cannot adjust our buttons. Thank you.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay and now moving on to the next. Yes, Honourable Juma Seif Manuari.

Hon. Juma Manuari: Mheshimiwa Spika, ahsante kwa kunipa nafasi hii. Wajua tangu asubuhi hii sijatoa kauli yoyote nahofia huenda mdomo wangu huenda ukanuka harufu ambayo sio. Sasa Mheshimiwa Spika nimesimama ili kumuunga ndugu yangu *Leader of Majority* ama Kiongozi wa Wengi kwa lugha ya Kiswahili kwa mkono Mswada wake uliokuja. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Honourable Shuhudia? Honourable Mwaka.

Hon. Mwaka Bakari: Mheshimiwa Spika, hilo jina Shuhudia limekupata sana. Mimi naitwa Mheshimiwa Mwaka.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Sorry, my apologies please.

Hon. Mwaka Bakari: Ahsante sana Mheshimiwa Spika. Mimi naunga mkono hoja hii hapa imeletwa na Kiongozi wa Wengi. Kwa kusema ukweli mwezi kama huu ni mwezi mtukufu wa Ramadhan, ni mwezi wa ibada, na sisi kama ndugu wa Kiislamu tunafanya ibada usiku kucha kumuomba Mwenyezi Mungu kwa sababu kwa dini yetu ya Kiislamu huwa tunaambiwa tunapewa offer kwa mwaka mara moja. Na hio offer tunayo patiwa ni ya kutubu. Kwa hiyo, sisi tunasema kutubu katika huu mwezi mtukufu tunachoka kweli lakini kwa Mwenyezi Mungu tunalotaka, tunataka kuomba ili Mwenyezi Mungu aweze kutusamehe makosa yetu tuliofanya mengi katika mwaka huu moja. Kwa hiyo, mimi namuunga mkono kupatiwa nafasi hii kuenda mapumziko kuenda kufanya ibada na vile vile kutoa sadaka kwa wale ambao wanacho kupatia wale wanyonge nao wajihisi kuwa nao wako kwenye kundi la wenzi wao. Vile vile sisi kama kina mama watu wenye kukaranga na kupika vinono na vitamu nikitoka kama saa hii nafikiri ni kama saa kumi; nikitoka kama saa hii nafikiri siwezi kuzipika. Nashukuru sana kupata nafasi hii. Kwa hiyo nashukuru sana kupata nafasi ya kuji *enjoy* na familia zetu. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, talking of dressing smartly. May I ask Honourable Florence to make her contributions? Please be brief.

Hon. Kachumbo: Thank you Mr. Speaker. I would like to support this Motion.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Honourable Mbaya.

Hon. Mbaya: Ahsante sana Mheshimiwa Spika kwa kunipatia fursa hii. Mimi nisio mwingi wa maneno kwa sababu leo hii. Saumu ya leo ni nzito zaidi kuliko zile ziliko nyuma.

Kwa hiyo Mheshimiwa Spika nimesimama kuunga mkono hoja hii na kama pia ikiwezekana wale walio changia na inatosha ingekuwa bora kufungia hapo kwa sababu saumu inaendelea kuzidi. Asante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Nyota you are just passing by here without bowing, I think you are being very in appropriate! Yes Members, before I give it to the Leader of Majority let me give this opportunity to Honourable Leila.

Hon. Nyache: Haya. Ahsante sana Mheshimiwa Spika, nilinde!

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Solomon.

Hon. Nyache: Ahsante sana Mheshimiwa Spika, kwanza kwa kunipa fursa hii nataka nimuunge mkono na nimpongeze Mheshimiwa Mwenza Kiongozi wa Wengi kuweza kuja na hii hoja hapa Bungeni. Mheshimiwa Spika, kama unavyojua sisi Waheshimiwa hapa kila mara tuko Bungeni saa zote tuko Bungeni inahitaji tupate likizo kidogo na likizo ndio hii tumepata tuweze kuwa karibu na wananchi. Wananchi waweze kutuona manake walituchagua na kila siku tunatoka tunakuja Bungeni; kwa hivyo tukiwa karibu na wao wanaingia heri hata kama hatuna kitu lakini ukiwaongelea tu kwa hekima wataingia imani na kwa kweli wataweza kutulia. Kwa hivyo pia mwezi huu tunahitaji tufunge, ni mwezi mtukufu wa Ramadhani twahitaji tufunge na tutoe sadaka. Kwa hivyo sina budi kuunga mkono hoja hii naunga mkono asilimia mia kwa mia. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): The Leader of Majority please wind up the Motion, briefly.

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika na vile vile nashukuru Mheshimiwa Mwenza lakini pia ni si kutetea Waheshimiwa wanaume lakini ni katika maadili ya mavazi, unapovaa suti ukisimama ama ukitembea inapendeza unapofunga vifungo lakini unapokaa kwa sababu ya aina ya suti zinazoshonwa haijuzi kwako wewe unapokaa ile suti itatengeza sura ya kutisha lakini pili itakunyima fursa ya kupumua. Kwa hivyo Waheshimiwa mko sahihi mnapokaa mjiachie kidogo muweze kupumua. Pili, Mheshimiwa Spika katika swala la mavazi na ruhusa hii ya likizo inapendeza kwa sababu pia mazingira yetu ya Bunge tunashukuru tuna Waheshimiwa na kina mama zetu lakini pia tunao wengine ambao ni madada zetu na wakati mwingine kwa sababu ya uhuru wa mavazi na kusahau macho hayana pazia huenda ikapelekea ikatatiza saumu zetu kiasi cha haja. Kwa hivyo pia inatupa nafasi tusiwabane katika mavazi yao lakini tuweze kuepuka nayo katika macho yetu na kutatiza saumu zetu. Mheshimiwa Spika katika mwezi huu tulio nao wa ibada ya saumu lakini pia ni mwezi ambao kwa wale Waheshimiwa vijana ambao bado wako na hiari ya kujaza ulimwengu basi kama kuna mtu ana hiari ya kupata mtoto ndani ya mwaka 2024 huu mwezi huu ndio wa mwisho kwa sababu mwezi ujao mtoto huyo atazaliwa mwaka 2025 Mheshimiwa Spika. Mheshimiwa Spika lakini tunashukuru Waheshimiwa wenza na kuwatakiya likizo fupi ya ufanisi na ufanaka na *InshaAllah* tukumbukane kwa wema tuweze kusaidea wananchi wetu wenye kujiweza na wasio jiweza lakini zaidi tuombeane heri Mwenyezi Mungu aweze kuturegesha salama *InshaAllah* tuweze kuonana tena tusukume agenda ya county yetu mbele.

Shukran na Mwenyezi Mungu atubariki.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you, Honourable Members, I now put the question that the Motion... Pardon, Sorry Members this is a Procedural Motion some of you are getting your hands ready, we can save it for another time. Yes, Clerk.

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday. Order please! Order! Until next Tuesday 16th April, 2024. Thank you.

The House rose at 4:16p.m.