



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Tuesday, 27th June, 2023
Third Assembly – Fourty Second Sitting

*[The County Assembly met at 10:23a.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?

PAPER

REPORT ON THE PUBLIC PARTICIPATION FOR THE COUNTY INTEGRATED DEVELOPMENT PLAN
2023-2027

Yes, Honourable Kibwana Baya, Chairperson Committee on Finance Budget and Appropriation please lay the Report on public participation for the County Integrated Development Plan 2023 to 2027?

Hon. Kibwana Swaleh: Thank you Mr. Speaker. Mr. Speaker I stand to lay (County Integrated Development plan) for the year 2023-2027. Thank you, Mr. Speaker.

[Paper Laid]

The Speaker (Hon. Khatri): Thank you very much Honourable Kibwana. Yes, Clerk next order please?

PAPER

REPORT ON PUBLIC PARTICIPATION FOR THE ANNUAL DEVELOPMENT PLAN 2023-2024

Yes, again Honourable Kibwana Baya, Chairperson Committee Finance Budget and Appropriation please lay the Report on public participation for the Annual Development Plan (ADP), 2023-2024.

Hon. Kibwana Swaleh: Once again Mr. Speaker. Thank you, I do rise again to lay the paper on public participation for the Annual Development Plan 2023-2024.

[Paper Laid]

The Speaker (Hon. Khatri): Thank you. Again, yes Clerk next order please?

PAPER

REPORT ON THE PUBLIC PARTICIPATION FOR THE COUNTY FISCAL STRATEGY PAPER 2023-2024 AND PROGRAMME BASED BUDGET ESTIMATES 2023-2024

Yes, Honourable Kibwana Swaleh Baya Chairperson Committee Finance Budget and Appropriation please lay the Report on the Public Participation for the County Fiscal Strategy Paper, 2023-2024 and Programme-Based Budget estimates 2023-2024.

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Mr. Speaker, I do rise again to lay the paper report on the Public Participation for the County Fiscal Strategy Paper, 2023-2024 and Programme Based Budget estimates of the same year 2023-2024. Thank you, Mr. Speaker.

[Paper Laid]

The Speaker (Hon. Khatri): Thank you very much Honourable Kibwana yes next order please?

NOTICE OF MOTION

ADOPTION OF REPORT ON THE PUBLIC PARTICIPATION FOR THE COUNTY INTEGRATED DEVELOPMENT PLAN 2023-2027

Yes, Honourable Kibwana Swaleh please, issue the Notice of Motion.

Hon. Kibwana Swaleh: Thank you Mr. Speaker. Mr. Speaker, I beg to give notice of the following Motion;

THAT, this House adopts the Report on the public participation for the Mombasa County Integrated Development Plan (CIDP) 2023-2027 laid on the Table today Tuesday, 27th June, 2023 at 10:00am.

Thank you.

The Speaker (Hon. Khatri): Thank you Honourable Kibwana. Yes Clerk?

NOTICE OF MOTION

ADOPTION OF THE REPORT ON PUBLIC PARTICIPATION FOR THE ANNUAL DEVELOPMENT PLAN 2023-2024

Yes, Honourable Kibwana please issue the Notice of Motion?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Mr. Speaker Sir, I beg to give notice of the following Motion;

That this House adopts the Report on the public participation for Mombasa County Annual Development Plan 2023-2024, laid on the Table on Tuesday 27th June, 2023 at 10:00a.m.

The Speaker (Hon. Khatri): Thank you Honourable Kibwana Swaleh. Yes Clerk, next Order?

NOTICE OF MOTION

ADOPTION OF REPORT ON PUBLIC PARTICIPATION FOR THE MOMBASA COUNTY FISCAL STRATEGY PAPER, 2023-2024 AND PROGRAMME BASED BUDGET (PBB) ESTIMATES 2023-2024

Yes, Honourable Kibwana Swaleh, please issue the Notice of Motion?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Honourable Speaker, I beg to give Notice of Motion;

THAT this House adopts the Report on the public participation for the Mombasa County Fiscal Strategy Paper Plan (CFSP) 2023 – 2024 and Programme-Based-Budget estimates laid on the Table today Tuesday 27th June, 2023.

Thank you, Mr. Speaker.

The Speaker (Hon. Khatri): Thank you very much again Honourable Kibwana. Yes, Clerk next order?

PROCEDURAL MOTION

REDUCTION OF PUBLICATION PERIOD OF A BILL

Thank you. Yes, Honourable Kibwana Chairperson of Committee and Finance Budget and Appropriation, please move the procedural Motion.

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

THAT, pursuant to the provisions of Standing Order 116, this House RESOLVES to reduce the publication period of the Supplementary Appropriation (No. 2) Bill, 2023 (Bill No. 3 of 2023) from seven days to five days.

I ask my...

The Speaker (Hon. Khatri): Yes please, yes Honourable Kibwana Saleh Baya.

Hon. Kibwana Swaleh: So, I ask my Vice Chair to second.

Hon. Noor: I do second.

The Speaker (Hon. Khatri): Honourable Kibwana, can you please repeat again?

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

THAT, pursuant to the provisions of Standing Order 116, this House RESOLVES to reduce the publication period of the Supplementary Appropriation (No. 2) Bill, 2023(Bill No. 3 of 2023) from seven days to five days.

The Speaker (Hon. Khatri): Thank you.

Hon. Kibwana Swaleh: I ask my Vice Chair to support.

Hon. Noor: I do like to support.

The Speaker (Hon. Khatri): Thank you, Honourable Members. Honourable Members I know propose the question that the Motion by Honourable Kibwana Baya Swaleh for reduction of publication period of the Mombasa County supplementary Appropriation (No. 2) Bill 2023, (Bill No.3 of 2023) 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 Hon. Kibwana Baya Swaleh for reduction of publication period of the Mombasa County supplementary Appropriation (No. 2) Bill 2023, and (Bill No. 3 of 2023) to be adopted by this Honourable House in the same terms as moved?

[Question put and agreed to]

Honourable Members, the Motion by Honourable Kibwana Baya Swaleh for the reduction of publication period of the Mombasa County Supplementary Appropriation (No. 2) Bill 2023, and (Bill No.3 of 2023) is adopted by this Honourable House. Bill, First Reading, yes Clerk?

FIRST READING

[The Clerk read the Bill for the first time]

Yes Clerk, Bill Second reading.

SECOND READING

Yes Honourable Kibwana Swaleh, Baya Chairperson Committee on Budget and Appropriation please move the Motion that the Bill be read for the second time.

Hon. Kibwana Swaleh: Thank you Honourable Speaker, Mr. Speaker Sir I beg to move the following Motion that the Mombasa County Appropriation (No.2) Bill 2023(Bill No.3 of 2023) be now read a second time. Thank you.

The Speaker (Hon. Khatri): Who's your seconder?

Hon. Kibwana Swaleh: I ask Honourable Hawa Abdulrahman to second.

Hon. Hawa Abdulrahman: Thank you, I second the Motion.

The Speaker (Hon. Khatri): Thank you very much Honourable Members. I now propose a question of the Motion by Honourable Kibwana Baya Swaleh for the Mombasa County Supplementary Appropriation (No 2) Bill 2023 and (Bill No.3 of 2023) to be read second time and 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 (No. 2) Bill 2023, and (Bill no.3 of 2023) to be read second time and be adopted by this Honourable House in the same terms as moved.

[Question put and agreed to]

The Motion by Honourable Kibwana Swaleh Baya for the Mombasa County Supplementary Appropriation (No. 2 Bill 2023 and (Bill No.3 of 2023) to be read second time is adopted by this House. Yes, Clerk please read the Bill for the second time.

[The Clerk read the Bill for the Second Time]

Honourable Members, the Bill having been read a second time stands committed to a Committee of the whole County Assembly.

[Order of the Committee Read]

[The Mace was lowered]

COMMITTEE OF THE WHOLE HOUSE
IN THE COMMITTEE

[The Honourable Speaker (Hon. Khatri) exited Chair]

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

The Chairperson (Hon. Fadhili Makarani): Have your seats Honourable Members. Yes, Members welcome to the Whole House Committee, I am sure everyone has the Supplementary Appropriation (No.2) Bill 2023 so we will go through the Supplementary Bill and if there are any amendments to be made we will hear from the Chair or the sponsor of this Bill. Yes, Clerk let us proceed.

[The Clerk read the Title of the Bill]

Clerk: *The Mombasa County Supplementary Appropriation Bill (No.2) 2023. Clause No.2, issue of Kenya Shillings 14Billion out of the County Revenue Fund for the service of the year ending 30th June, 2023. Clause No.3 Appropriation of the money granted, Clause No.3 and Clause No.4, Clause No.5 Appropriations in Aid.*

The Chairperson (Hon. Fadhili Makarani): Honourable Members, I now propose a question that Clause 2, Clause 3, Clause 4 and Clause 5 be part of the Bill.

[Question proposed and agreed to]

Yes, Madam Hamida, Honourable any input concerning the 4 Clauses?

Hon. Noor: No.

The Chairperson (Hon. Fadhili Makarani): Okay thank you. Honourable Kibwana, any input on Clause 2, Clause 3, Clause 4 and Clause 5 before I put a question? Because the Vice Chair said she has no input, she is agreeing with the Clauses to be part of the Bill. Do you have any other issue?

Hon. Kibwana Swaleh: Thank you Chair, I concur with my Vice Chair that we have no input to the Bill.

The Chairperson (Hon. Fadhili Makarani): Thank you. Honourable Members as per the Vice Chair and the Chair it seems we are in agreement or not unless any Member has any other concern. Honourable Ali Shariff, do you have any concern in these Clauses?

Hon. Ali Shariff: No concern.

The Chairperson (Hon. Fadhili Makarani): Members before I put a question..., yes Honourable Mtoto I can see you are perusing the Bill, do you have any input?

Hon. Mwinyi Mtoto: No input.

The Chairperson (Hon. Fadhili Makarani): Thank you. Yes, Honourable Members I now proceed to put a question that Clause 2, Clause 3, Clause 4 and Clause 5 be part of the Bill?

[Question put and agreed to]

Yes Clerk?

Clerk: *First schedule of the Mombasa County Supplementary Appropriation Bill (No.2) 2023. We have vote Nos. R3011, R3012, R3013, R3014, R3015, R3016, R3017, R3018, R3019, R3020, R3021, R3022, R3023, R3026 totaling the first column of supply to Kshs. 9,868,412,297M. Second column of donor fund totaling Kshs. 27,317.35M Third column of appropriations of aid Kshs.4,543,947,419M.*

The Chairperson (Hon. Fadhili Makarani): Honourable Members, I now propose that the First Schedule as read on recurrent of R3011, R3012, R3013, R3014, R301, R301, R3017, R3018, R3019, R3020, R3021 R3022. R3023, R3026 be part of the Bill?

[Question proposed and agreed to]

Any input Honourable Members. Yes, Honourable Kibwana. Yes, Honourable Kibwana, any input?

Hon. Kibwana Swaleh: Thank you Mr. Chair. Mr. Chair, I do move an amendment on the numbers that is R301 should be R3015 instead of R301 then the other amendment it that R3016 instead of R301. Thank you.

The Chairperson (Hon. Fadhili Makarani): Who is your seconder on the two amendments?

Hon. Kibwana Swaleh: The Majority Chief Whip!

The Chairperson (Hon. Fadhili Makarani): Yes, Honourable Priscilla?

Hon. Mumba: I second.

The Chairperson (Hon. Fadhili Makarani): Thank you. Honourable Members, I now propose a question on the amendments made that R301, the first R301 the amount required in the year ending 30th June, 2023 for expenses of energy and waste management including expenses and salaries and general administration to read R3015 and the second amendment, R301 on the amount required in the year ending 30th June, 2023 for expenses of education and information technology to read R3016?

[Question proposed and agreed to]

Honourable Members, I now proceed to put a question on the amended Schedule as read?

[Question put and agreed to]

Honourable Members, the first schedule as amended has been adopted by this House. Yes Clerk?

[Silence]

Honourable Members, I now put a question that the recurrent votes as amended be part of the Bill?

[Question put and agreed to]

Yes Clerk?

Clerk: *Second schedule of the Mombasa County Supplementary Appropriation Bill number 2 of 2023. The votes as enumerated are D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3018, D3019, D3020, D3022, D3023, D3026, totaling first column of supply to Kshs.4,131,587,704B, second column for donor funds totaling to Kshs.739,936,565, third column of appropriation in Aid totaling to Kshs. 1,109,411,158B.*

Honourable Members, I now proceed to propose the question that the second schedule as read on development expenditure of D3011, D3012, D3013, D3014, D3015, D3016, D3017, D3018, D3018, D3019, D3020, D3021, D3022, D3023, D3026, plus the grand total as read the sum of 14B be part of the Bill?

[Question proposed and agreed to]

Yes, Honourable Athman Mwamwiri, any input?

Hon. Athman Mwamwiri: No input.

The Chairperson (Hon. Fadhili Makarani): Thank you. Yes, Honourable Matsaki?

Hon. Matsaki: No input.

The Chairperson (Hon. Fadhili Makarani): Thank you, I can see the mood of the House you are in agreement with the proposed development vote so, yes Honourable Ali Shariff?

Hon. Ali Shariff: No input.

The Chairperson (Hon. Fadhili Makarani): Okay thank you. Honourable Members, I now proceed to put a question that the votes on development on the Second Schedule plus the grand total be part of the Bill?

[Question put and agreed to]

Clause 1. Short Title and Commencement

This Act may be cited as the Mombasa County Supplementary Appropriation (No.2) Act, 2023 and shall come into force upon publication in the *Gazette*.

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

[Question proposed and agreed to]

Yes, Honourable Manuari, do you want to change the Short Title?

[Hon. Manuari nodding]

Thank you Honourable Manuari you are in agreement with the Short Title. Honourable Chair Kibwana Swaleh?

Hon. Kibwana Swaleh: Thank you Mr. Chair. Mr. Chair having being the owner of this Bill I have no intention of changing the short title. Thank you.

The Chairperson (Hon. Fadhili Makarani): Thank you Honourable Members as you are in agreement, I now proceed to put a question that Clause 1 as read on the Short Title be part of the Bill?

[Question put and agreed to]

Yes Clerk?

Long Title

THE MOMBASA COUNTY SUPPLEMENTARY APPROPRIATION (NO.2) BILL, 2023.
A Bill for 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, 2023, and to appropriate those sums for certain public services and purposes.

The Chair (Hon. Fadhili Makarani): I now propose a question that the long title as read be part of the Bill?

[Question proposed and agreed to]

Yes, Members any input? Honourable Florence, use your microphone.

Hon. Kachumbo: No input.

The Chair (Hon. Fadhili Makarani): Thank you so you are in agreement with the Long Title. Yes, Honourable Hamid?

[Silence]

Honourable Hamid?

Hon. Mohammed Hamid: No input.

The Chairperson (Hon. Fadhili Makarani): Thank you, you are in agreement with the Long Title. Yes, Honourable Maryam Baimu I can see that like as if you have an issue.

Hon. Baimu: No input.

The Chairperson (Hon. Fadhili Makarani): Thank you. Honourable Members, I now proceed to put a question that the whole House is in agreement, so I now put a question that the Long Title as read be part of the Bill.

[Question put and agreed to]

Yes, Honourable Kibwana Swaleh Baya?

Hon. Kibwana Swaleh: Thank you Mr. Chair. Mr. Chair, I wish to move a Motion that the Bill be reported to the Assembly as amended. Thank you.

The Chair (Hon. Fadhili Makarani): Who is your Seconder?

Hon. Kibwana Swaleh: I will ask Honourable Ali Shariff.

The Chair (Hon. Fadhili Makarani): Yes, Honourable Ali Shariff please second?

Hon. Ali Shariff: I second.

The Chair (Hon. Fadhili Makarani): Honourable Members, I now propose a question that the Motion by Honourable Kibwana as moved be adopted by this Honourable House.

[Question proposed and agreed to]

I now proceed to put a question that the Motion on Reporting Stage be adopted in this House?

[Question put and agreed to]

PLENARY RESUMED

[The Mace was restored to the upper deck]

[The Deputy Speaker (Honourable Fadhili Makarani) exited the Chair]

[The Speaker (Honourable Khatri) in the Chair]

The Speaker (Hon. Khatri): Honourable Members, we may be seated. Yes Honourable Kibwana, please report what transpired during the Committee of the Whole House, on the Mombasa County Supplementary Appropriations (No.2) Bill, 2023 (Bill No.3 of 2023) and move a Motion that the House agrees with the committee in the laid Report.

Hon. Kibwana Swaleh: Thank you Honourable Speaker. I report back to the House having some amendments. The amendments were a typing error, that is R301 and the other one was R301 which to be read R3015 and the one should be read R3016. So those are the two amendments that we did and I also report that, the Mombasa County Supplementary Appropriations (No.2) Bill, 2023 (Bill No.3 of 2023) the House agrees with the Committee on the laid Report, thank you.

[Low consultations]

Mr. Speaker, I would wish to move a Motion that the House agrees with the said Report, on the Report that will be laid to this House. I ask Honourable Kushe who is also a Member of the Finance Committee to second.

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

[Low consultations]

The Speaker (Hon. Khatri): Honourable Members, I now propose the question that the Motion by Honourable Kibwana Swaleh where the House agrees with the Committee in the said Report?

[Question proposed and agreed to]

Honourable Members, I now put a question that the Motion by Honourable Kibwana Baya Swaleh for the Mombasa County Supplementary Appropriations (No.2) Bill, 2023 (Bill No.3 of 2023) that the House agrees with the Committee in the said Report.

[Question put and agreed to]

Yes, Clerk Bill of Third reading?

THIRD READING

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

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

THAT, the Mombasa County Supplementary Appropriations (No.2) Bill, 2023 (Bill No.3 of 2023) be now read a third time.

I will ask Deputy Speaker to second the Motion thank you.

The Deputy Speaker (Hon. Fadhili Makarani): I 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 (No.2) Bill, 2023 (Bill No.3 of 2023) to be read a third time be considered in this Honourable House in the same term as moved?

[Question proposed and agreed to]

Honourable Members, I now put a question that the Motion by Honourable Kibwana Baya Swaleh for the Mombasa County Supplementary Appropriations (No.2) Bill, 2023 (Bill No.3 of 2023) to be read a third time be adopted by this Honourable House in the same terms as moved.

[Question put and agreed to]

Honourable Members, the Motion by Honourable Kibwana Baya Swaleh for the Mombasa County Supplementary Appropriations (No.2) Bill, 2023 (Bill No.3 of 2023) to be read a third time is adopted by this Honourable House. Yes, Clerk please read the Bill for a third time.

[The Clerk read the Bill for the Third Time]

Yes, Clerk next order please.

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday 27th June, 2023 at 2:30p.m.

The House rose at 11:15a.m.