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STANDING COMMITTEE ON FINANCE AND BUDGET

REPORT ON THE COUNTY ALLOCATION OF REVENUE BILL,
2024 (SENATE BILLS NO.25 OF 2024)

APPROVED
RT. HON. SEN
AMASON J. KINGI

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LIST OF ABBREVIATIONS/ACRONYMS

| | | |
|------|---|-----------------------------------|
| CAF | - | County Assemblies Forum |
| CARB | - | County Allocation of Revenue Bill |
| CoG | - | Council of County Governors |
| CRA | - | Commission on Revenue Allocation |
| FY | - | Financial Year |
| PFMA | - | Public Finance Management Act |

PREFACE

ESTABLISHMENT AND MANDATE OF THE COMMITTEE

Article 124(1) of the Constitution of Kenya provides that each House of Parliament may establish committees and shall make Standing Orders for the orderly conduct of its proceedings, including the proceedings of its committees.

Parliamentary committees consider policy issues, scrutinize the workings and expenditures of the National and County Governments, and examine proposals for legislation. The end result of any process in Committees is a report, which is tabled in the House for consideration.

The Senate Standing Committee on Finance and Budget is established under Section 8(1) of the Public Finance Management (PFM) Act, 2012 and standing order 228 of the Senate Standing Orders and is mandated to-

- a) investigate, inquire into, and report on all matters relating to coordination, control, and monitoring of the county budgets and examine -
 - i. the Budget Policy Statement presented to the Senate;
 - ii. the report on the budget allocated to constitutional Commissions and independent offices;
 - iii. the Division of Revenue Bill, the County Allocation of Revenue Bill, the County Governments Additional Allocations Bill, and the cash disbursement schedules for county governments;
 - iv. all matters related to resolutions and Bills for appropriations, the share of national revenue amongst the counties, matters concerning the national budget, including public finance and monetary policies and public debt, planning, and development policy; and
- b) Pursuant to Article 228 (6) of the Constitution, to examine the report of the Controller of Budget on the implementation of the budgets of county governments.

MEMBERSHIP OF THE COMMITTEE

Following the constitution of the Standing Committees of the Senate of the Thirteenth (13th) Parliament on Thursday, 13th October, 2022, the Senate Standing Committee on Finance and Budget as currently constituted comprises the following Members-

- | | | |
|---|---|-------------------------|
| 1) Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2) Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3) Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4) Sen. Joyce Chepkoech Korir, MP | - | Member |
| 5) Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 6) Sen. Mohamed Faki Mwinyihaji, CBS, MP | - | Member |
| 7) Sen. Richard Momoima Onyonka, MP | - | Member |
| 8) Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 9) Sen. Eddy Gicheru Oketch, MP | - | Member |

CHAIRPERSON'S FOREWORD

The County Allocation of Revenue Bill, 2024 (Senate Bills No.25 of 2024) was published on 3rd May, 2024 and read a First Time in the Senate at its sitting held on Thursday, 30th May, 2024. Thereafter, pursuant to standing order 145 of the Senate Standing Orders, the Bill was committed to the Standing Committee on Finance and Budget for consideration.

The County Allocation of Revenue Bill, 2024 (Senate Bills No.25 of 2024) has been prepared in accordance with Article 218(1)(b) of the Constitution. The Bill divides among the counties the revenue allocated to the county level of government through the Division of Revenue Act, 2024.

At the time of publication, the Bill provided for Ksh.415,952,200,000 as equitable share to be divided amongst the counties. This figure was based on the Senate's amendment to the Division of Revenue Bill, 2024. However, after mediation on the Division of Revenue Bill, 2024 and enactment, the county equitable share for FY 2024/2025 is Ksh. 400,116,788,147. This necessitates an amendment to the First Schedule to the Bill dividing county equitable share in accordance with the basis of revenue allocation among counties under Article 217 of the Constitution.

The Second Schedule to the Bill provides the indicative recurrent expenditure ceilings for the County Assemblies and the County Executive for the FY 2024/25 as proposed by the Commission on Revenue Allocation (CRA).

Pursuant to Article 118 of the Constitution and standing order 145(5) of the Senate Standing Orders, the Committee invited members of the public to submit views on the Bill. An advert was published in the Daily Nation and Standard newspapers on Friday, 31st May, 2024. Further, the Committee held consultative meetings with key stakeholders. The Committee received submissions from the following stakeholders-

- a) The National Treasury and Economic Planning;
- b) The Council of Governors (CoG);
- c) The Commission on Revenue Allocation (CRA);

- d) The County Assemblies of Embu, Kakamega, Bungoma, Wajir, Nairobi City, Baringo, Kisumu, Isiolo, Kiambu, Nyeri, Machakos, Nandi, Elgeyo/Marakwet, Tana River, and Garissa.

The Committee considered the Bill and made the following observations. That -

- a) that FY 2024/2025 is the final year of implementation for the third basis formula as per Article 217(1) of the Constitution. Notably, Parliament is required to approve the fourth basis which will be used to share revenues for the Financial Years (2025/26 – 2029/30).
- b) The Bill as published, allocated to county governments Ksh.415.9522 billion. However, following the passage of the Division of the Revenue Bill, 2024 by Parliament, the shareable revenue among counties is Ksh.400.1167 billion.
- c) The proposed ceilings for the recurrent expenditure of county assemblies indicate that recurrent expenditure ceilings for some county assemblies were lower than the ceilings approved in FY 2023/24 while for the others, ceilings adjusted upwards. This is due to the adjustment of ceilings during approval of the County Allocation of Revenue Bill, 2023 by the inclusion of car reimbursement for the Members of County Assemblies' (MCAs) and the Senate provisions to cater for one-off expenditures as per requests by respective county assemblies.

The Committee having considered the Bill and stakeholders' submissions, recommends that the Senate Approves the Bill with amendments to-

- a) the First Schedule to the Bill to reflect the allocation to the respective county governments of the total county equitable share of Ksh.400,116, 788,147.
- b) the Second Schedule to the Bill to reflect adjusted recurrent expenditure ceilings for certain county assemblies.

Acknowledgement

The Committee appreciates all the stakeholders who submitted written memoranda and who appeared before the Committee to present their comments on the Bill.

Lastly, I take this opportunity to commend the Members of the Committee for their devotion and commitment to duty, which made the consideration of the County Allocation of Revenue Bill, 2024 successful.

I thank the offices of the Speaker and the Clerk of the Senate for the support extended to the Committee in undertaking this important assignment.






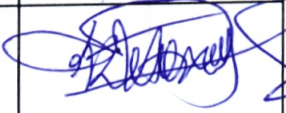
It is now my pleasant duty, pursuant to standing order 148(1) of the Senate Standing Orders to present the Report of the Standing Committee on Finance and Budget on the County Allocation of Revenue Bill, 2024.

Signature  Date 06/06/2024

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP,
CHAIRPERSON,
STANDING COMMITTEE ON FINANCE AND BUDGET

ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY ALLOCATION OF REVENUE BILL, 2024 (SENATE BILLS NO.25 OF 2024)

We, the undersigned Members of the Senate Standing Committee on Finance and Budget, do hereby append our signatures to adopt this Report-

| | Name | Designation | Signature |
|----|---------------------------------------|-------------------------|---|
| 1. | Sen. Capt. Ali Ibrahim Roba, EGH, MP | Chairperson |  |
| 2. | Sen. Maureen Tabitha Mutinda, MP | Vice-Chairperson | |
| 3. | Sen. (Dr.) Boni Khalwale, CBS, MP | Member |  |
| 4. | Sen. Tabitha Karanja Keroche, MGH, MP | Member | |
| 5. | Sen. Joyce Chepkoech Korir, MP | Member | |
| 6. | Sen. Mohamed Faki Mwinyihaji, CBS, MP | Member |  |
| 7. | Sen. Richard Momoima Onyonka, MP | Member |  |
| 8. | Sen. Shakila Abdalla Mohamed, MP | Member |  |
| 9. | Sen. Eddy Gicheru Oketch, MP | Member |  |

CHAPTER ONE

OVERVIEW OF THE COUNTY ALLOCATION OF REVENUE BILL, 2024 (SENATE BILLS NO.25 OF 2024)

Introduction

1. The County Allocation of Revenue Bill is prepared pursuant to Article 218(1)(b) of the Constitution which requires that at least two months before the end of each financial year, a Bill dividing the revenue allocated to county governments among the counties be introduced in Parliament. Revenue sharing among the county governments is undertaken as per the resolution in force under Article 217(1) of the Constitution which requires that once every five years, the Senate shall, by resolution, determine the basis for allocating among the counties the share of national revenue that is annually allocated to the county level of government.
2. The County Allocation of Revenue Bill, 2024, as published, provided for an allocation of KSh.415.9522 as county equitable share. This was in line with the Senate's amendment to the Division of Revenue Bill, 2024. However, at the point of consideration of the Bill, a Mediation Committee appointed pursuant to Article 113 of the Constitution developed an agreed version of the Division of Revenue Bill, 2024. This agreed version provides for the allocation of **Ksh.400,116,788,147** as county equitable share of revenue, in accordance with the resolution approved by Parliament under Article 217 of the Constitution for the financial year 2024/2025.

Contents of the Bill

3. The horizontal allocation among the county governments of Ksh.400,116,788,147 billion is allocated per county by dividing it in two, where the first Ksh.158.25 billion is shared using the Allocation Ratio applied in the FY 2019/20 while the resulting balance of Ksh.241.87 billion is allocated among county governments using the formula.
4. The formula takes into account the following parameters as contained in the third basis formula: Population (18%); Health Index (17%); Agriculture Index (10%); Urban Index

(5%); Poverty Index (14%); Land Area Index (8%); Roads Index (8 percent); and Basic Share Index (20%). This information is contained in the first schedule of the Bill.

5. The Second Schedule to the Bill provides the indicative recurrent expenditure ceilings for the County Assemblies and the County Executive as proposed by the Commission on Revenue Allocation (CRA).

CHAPTER TWO

SUBMISSIONS BY STAKEHOLDERS

6. Pursuant to the provisions of Article 118 of the Constitution and standing order 145 of the Senate Standing Orders, the Committee invited key stakeholders to submit their comments on the Bill. In this respect, the Committee received submissions from the following stakeholders-

- a) National Treasury and Economic Planning
- b) Council of Governors
- c) Commission on Revenue Allocation
- d) The county assemblies of-
 - i) Embu
 - ii) Machakos
 - iii) Kisumu
 - iv) Baringo
 - v) Nairobi
 - vi) Bungoma
 - vii) Elgeyo/ Marakwet
 - viii) Nandi.
 - ix) Garissa
 - x) Kakamega
 - xi) Tana River
 - xii) Wajir
 - xiii) Kiambu
 - xiv) Nyeri
 - xv) Isiolo

2.1 Submissions by National Treasury and Economic Planning

7. National Treasury and Economic planning appeared before the Committee and recommended that the published County Allocation of Revenue Bill, 2024 be amended to indicate allocation amounting to Ksh.400,116,788,147 as equitable share to county governments in FY 2024/25, as contained in the approved agreed version of the Division of Revenue Bill, 2024.

2.2 Submissions by Council of Governors

8. The Council of Governors (CoG) appeared before the Committee and submitted that section 191 of Public Finance Management Act be amended to provide that-

- a) When the County Allocation of Revenue Bill is submitted to the Cabinet and to Parliament for approval, it shall be accompanied by the proposed disbursement schedule contemplated under section 17(7) of the Act.

- b) The Cabinet and Parliament shall consider the proposed disbursement schedule alongside the County Allocation of Revenue Bill, and may approve the schedule with or without amendments.
9. The Council of Governors (CoGs) made the above-mentioned proposal on the basis that by the time the County Allocation of Revenue is being considered, the counties equitable share of revenue is known for sure and thus the disbursement schedule is only mathematical. Therefore, to avoid the unnecessary delays after the CARB is passed, the disbursement schedule should be considered concurrently.

2.3 Submissions by Commission on Revenue Allocation (CRA)

10. The Commission on Revenue Allocation (CRA) submitted on the following-
- a) The County Allocation of Revenue Bill, 2024 allocates to county governments Ksh.415,952,200,000 as equitable share. This figure has since been revised by Parliament to Ksh.400,116,788,147 and therefore the figure in the Bill should be amended to reflect the new allocation.
 - b) Clause 4(1) shares Ksh.415,952,200,000 among county governments based on the third revenue sharing criteria as approved by Parliament. The Commission noted that while columns A, B, C and D of the First Schedule are correct, columns E and F are incorrect and should be amended to reflect the revised equitable share allocation to county governments of Ksh.400,116,788,147.
 - c) Additionally, the First Schedule to the Bill be amended to capture the equitable share allocation of Ksh.400.117 billion instead of Ksh.415.952 billion and the amount shared using the Formula should be revised from Ksh. 257.70 billion to Ksh. 241.87 billion.
 - d) In regards to county government budget ceilings on recurrent expenditure in FY 2024/25; that the Commission is in agreement with the figures as captured in the Second Schedule under section 5. This comprises Ksh.40,196,186,165.00 for county assemblies and Ksh.33,756,814,187.00 for county executives.
 - e) In development of the county assemblies, the Commission had, among others, -
 - capped staffing levels at 100 staff for each county assembly,
 - adopted an optimal number of committees which had been revised to eighteen (18) from fourteen.

- developed a public participation costing model per county which factors- land area, number of documents, number of wards, Daily subsistence allowances for county officers and lunch allowances for security officers, conference costs, transport costs.
- applied all circulars from Salaries and Remuneration Commission (SRC)

2.4 Submission by County Assemblies

11. The following County Assemblies appeared before the Committee and submitted their requests for adjustment of the on the Bill as follows-

2.4.1 County Assembly of Embu

12. The representatives from the County Assembly presented the following-
- a) Public participation- that the County Assembly will carry out at least 400 meetings on public participation and therefore requests for an additional Ksh.14,800,000.
 - b) Hansard Equipment- the existing Hansard equipment which was purchased and installed in 2013 has become absolute and therefore the Assembly requires an additional allocation of Ksh. 44,890,990 for the purchase of new and modern Hansard equipment for the Assembly chambers and committees.
 - c) Completion of the stalled County Assembly complex- the complex was contracted at a sum of Ksh.349,707,757 in the year 2019 and to date a total of Ksh.144,600,757 has been paid while the 40M allocated in FY 2023/2024 was removed by the CECM Finance in 2023. The construction has since stopped and therefore the assembly will need an additional funding amounting to Ksh. 205,106,344 to complete it.
13. In total, the Assembly requested for additional funding of Ksh. 264,797,334

2.4.2 County Assembly of Kakamega

14. The representatives from the County Assembly presented the following-
- a) The County Assembly requests for an overall ceiling of Ksh. 1,787,419,412 composed of Ksh.711,492,447 for personal emoluments and Ksh. 1,075,926,965 for Operations & Maintenance (O & M)

- b) Personal Emoluments- in computing the figures, the annual wage drift arising from the reviewed remuneration and benefits for both state and public officers serving in the county assembly were factored in. The estimates also factored in the Social Health Insurance Fund (SHIF), the Affordable Housing Levy (AHL) and the revised employer contribution rates to the NSSF. These considerations have led to an increase in employee compensation from Ksh.618,217,596 in the FY 2023/2024 to Ksh.708,982,467 for the next FY 2024/25. Further, the County Assembly Service Board (CASB) has budgeted for the recruitment of the Deputy Clerk at Ksh. 2,509,980 per annum which has pushed up the budget ceiling requirement to Ksh.711,492,447.
- c) Public participation- Ksh.173,460,000 will be required to carry out public participation for several Bills, including Ward Based Projects Bill, following its approval after pre-publication scrutiny. This amount is supposed to cover for conference, public address, refreshments for 100 people, transport costs, contingency costs for 100 people, lunch allowances for 5 security officers and DSA for 20 people. Therefore, the assembly requires an additional amount of Ksh. 149,460,000 to ensure proper public participation.
- d) Trainings- that the CASB resolved to spread the trainings over a period of two years, cutting down the cost to Ksh.99,579,600. These trainings are geared towards equipping MCAs and staff of the County Assembly with knowledge, skills and competencies for effective performance. Therefore, the assembly requires an additional funding of Ksh.91,480,688 to facilitate the trainings.
- e) O&M which is at ratio of 30:70 to the total remuneration of an assembly- the overall costs of running the operations of the County Assembly have increased progressively due to economic and other factors that may not have been entirely captured in the CRA model. Some of the components that contribute majorly to this expenditure and whose costs have been rising over time include- insurance, a deficit of Ksh.29,350,000, daily subsistence allowance Ksh.181,440,000 and consumables. The Assembly therefore requests for an additional allocation of Ksh.322,753,062.
- f) Live broadcasting of County Assembly proceedings- the County Assembly engaged two local media stations to offer live broadcasting services for its

plenary sittings. The proposals received from the two media stations indicate that it will cost an average of Ksh. 58,464,000 per session, for the thirty-six weeks of active plenary sittings. Broadcasting plenary sittings will spur regular attendance of MCAs and enrich debate on the floor.

- g) Office furniture- the furniture procured in 2014 is dilapidated and is due for disposal, pursuant to the provisions of the Public Procurement and Asset Disposal Act, 2015, thus need for replacement at a cost of Ksh.50M.
- h) Purchase of new Mace and safe box- the Assembly has been using a dummy Mace since 2013 and is yet to procure a standard Mace. The Assembly therefore requests for an additional allocation of Ksh.30M.
- i) Procurement and installation of ICT infrastructure- the infrastructure is necessary to support the recently acquired Hansard and e-Parliament system. The Assembly requests for an additional Ksh. 25M.
- j) Purchase of four vehicles for public participation- the Assembly requests for an additional funding of Ksh.40M for transportation during public participation.
- k) Review of the strategic plan 2025-2030- the Assembly is set to develop its third-generation strategic plan to align it to the third-generation county integrated development plan. Therefore, an additional funding of Ksh.10M is required.
- l) Refurbishment of County Assembly buildings- an inspection exercise conducted by the Kakamega County Government Department of Health Services on 16th February 2024, reported grievous structural defects on the buildings currently used as offices by MCAs and staff, including the county assembly chambers. The reported defects pose a threat to an imminent disaster owing to their dilapidated state and therefore the assembly requests an additional allocation of Ksh. 60,289,000 to maintain the current buildings in a habitable state.
- m) Staff Car Loan and Mortgage Scheme Fund- the Assembly subsequently approved regulations for the establishment of the Staff Car Loan and Mortgage Scheme Fund, wherein it was stipulated that the county assembly to appropriate an initial seed capital amount of Ksh.100,000,000 to the Fund.
- n) Pending bills amounting to Ksh.639,249,727, comprising Ksh.291,820,098 for recurrent expenditure and Ksh.347,429,629 for development expenditure. These

pending bills have accrued from 2013/2014 FY to date, occasioned majorly by underfunding and contingent liabilities.

15. In total, the assembly requested for additional funding of Ksh.1,635,619,139.

2.4.3 County Assembly of Tana River

16. The representatives from the County Assembly of Tana River presented the following-

- a) Public participation and oversight- the annual budgetary requirement for public participation and oversight is Ksh.53,760,000 compared to Ksh.39M proposed by CRA. The assembly therefore requests an additional amount of Ksh.14.7M.
- b) Training cost- requested for an additional Ksh.12.4M on top of Ksh.19M proposed by the CRA for training purposes to enable members perform their functions more effectively.
- c) Inherited tax arrears from the county executive- there's an unpaid tax of Ksh.487,125,111 to KRA inherited from the county treasury which had accrued for the period that the county assembly payments were processed at the county treasury. The assembly requests an additional amount of Ksh.35M to clear with KRA.
- d) Purchase of 8 vehicles inclusive of speaker's official vehicle and 15 motor cycles-The County Assembly speaker doesn't have an official vehicle. All the cars have been grounded due to mechanical failures and they are due for disposal. These vehicles were acquired in 2014 while others were inherited from the defunct local authority. Therefore, an additional amount of Ksh.138.5M is required.
- e) Procurement and installation of Hansard equipment- the assembly requests an additional funding of Ksh.16M.
- f) Office furniture and computers for 15 ward offices- the county assembly has constructed 15 ward offices, however due to financial constraints they haven't been equipped and therefore requests additional amount of Ksh.45M to equip the offices.
- g) Insurance cost- the assembly has been providing an inpatient medical cover of Ksh.2M to the members due to the financial constraints against the

recommended amount of Ksh.3M. Therefore, the assembly requests an additional 16M to supplement the 24M already allocated by the CRA.

17. In total, the assembly requested for an additional amount of Ksh. 277.6M

2.4.4 County Assembly of Wajir

18. The representatives from the County Assembly of Wajir presented the following-

- a) The Assembly was allocated Ksh.918,609,870 in the FY 2024/2025.
- b) Purchase of staff bus and 2 Land cruisers- the Assembly will relocate in July 2024 to its new headquarters at Makoror which is eight kilometres from the Wajir Central Business District requiring acquisition of means of transport for the Staff of the County Assembly. Due to the security and terrain of Wajir County, the vehicles required should be able to transport the staff and committees during oversight and public participation. Therefore, the assembly requests for an additional amount of Ksh40,000,000.
- c) Purchase of three generators for the new county assembly building- There is rampant power outage in Wajir resulting from the use of old diesel generators that serve the ever-growing population of Wajir, Griftu and Tarbaj towns. This coupled with the very high temperatures causes constant engine failures leading to blackout thus disrupting the House business. In order to ensure smooth operations of the House, there is need to install 3 generators at a cost of Ksh 21M.
- d) Automation of the building with ICT- the county assembly chambers and offices need to be properly automated in order to ensure the House business is broadcasted live to Wajir residents and Kenya as a whole. To this end there is a need to unveil modern equipment for the task. ICT equipment and acquisition of Hansard system will cost Ksh.32M and Ksh.10M, respectively.
- e) Mileage- the county assembly pays a monthly mileage of Ksh.6,284,703 giving an annual amount of Ksh.75,416,436. However, CRA indicated a monthly mileage of Ksh.4,500,000 giving an annual amount of Ksh.54,000,000 thus leading to a deficit of Ksh. 21,416,436.
- f) Insurance cost- in the FY 2021/2022, NHIF raised the premium to Ksh.62M from Ksh.31M for staff and Ksh.22M for MCAs from Ksh.15M. This was beyond the

budgetary allocation for medical insurance cover. The Assembly was forced to float a tender for the provision of medical cover for MCAs and staff. The Assembly has paid Ksh.16,000,000 for MCAs and Ksh.37,000,000 for the staff leading to a total of Ksh.53,000,000 for FY 2023/2024. CRA has allocated the Assembly a budget of Ksh. 36,000,000. This led to a deficit of Ksh.17,000,000.

- g) Security- the new county assembly headquarters is located six kilometres from the Central Business District. There is a need to establish a police post in the area. The Assembly will have to construct houses and offices for them. This will require some budgetary allocation. There is also rampant insecurity in the settlements bordering Somalia. The County Assembly committees need high level security while undertaking their roles as enshrined in the constitution. CRA and Northern Counties have in the past agreed to cater for security costs. To this end, the Assembly requests for an additional amount of Ksh.23,280,000.
- h) Pending bills- the county assembly has accrued pending bills amounting to Ksh.100,000,000 emanating from 2014 when the assembly's account was domiciled at the county executive and subsequent years. The county assembly service board and the Public Accounts and Investment Committee verified the authenticity of these pending bills and confirmed their eligibility for payment.

19. The assembly therefore requests for an additional total amount of Ksh.264,696,436.

2.4.5 County Assembly of Kiambu

- 20. The representatives from the County Assembly of Kiambu presented the following;
 - a) The proposed recurrent expenditure ceiling for Kiambu county assembly for the FY 2024/25 is Ksh.1,352,347,776.00. The ceiling has taken into account the new employer obligations occasioned by the Finance Act No. 4 of 2023, however, the amount allocated is insufficient to address emerging and pressing needs of the County Assembly.
 - b) Hansard system and Broadcasting unit- The Assembly installed a Hansard automation system in 2014. The system has served the assembly since then but the system has gradually become obsolete owing to general wear and tear and the rapid technological advancement thus making the system unserviceable and uneconomical to maintain. The replacement of the system complete with an

audio/visual system will require Ksh.60,000,000.00 for automation of both plenary and committee sittings. Additionally, implementation of a broadcasting unit and media centre will require an estimated Ksh.30,000,000.00 both of which will cost a total of Ksh.90,000,000.00.

- c) Acquisition and installation of Electronic Documents and Records Management System- the assembly has grown tremendously over the years and more records are being generated which require to be safely and securely stored and managed. The system requires a huge capital investment but can be implemented in phases. The total estimated cost for the system is Ksh.18,000,000.00, that is, Ksh.12,000,000.00 for the computerised system and an additional Ksh.6,000,000.00 for conversion of the already existing documents.
- d) Documentation and printing- the ICT budget has not been able to support the acquisition of another copier which has greatly affected the assembly operations. It is estimated to cost approximately Ksh.4,000,000.00 for acquisition of two document manager units which will also support the automation or records management system (for scanning and organising documents). Additionally, the Assembly has a total of 117 printers for both the Assembly headquarters and the ward offices out of which 25 are faulty and unrepairable. There is a need to replace the obsolete and unrepairable machines which is estimated to cost Ksh.2,000,000.00. Therefore, the assembly requests for an additional funding of Ksh.6M for the above.
- e) Upgrading of Intercom Telephone System Local Area Network and increasing Internet bandwidth- The system needs to be replaced with a modern IP telephony which will be at an estimated cost of Ksh.2,800,000.00. Additionally, the government network (GCCN) has become very unreliable, being unavailable at least three (3) days in a week. This caused the assembly to acquire a 20Mbps which has proved to be insufficient with the current population and needs to be upgraded to at least 100 Mbps which will cost Ksh.3,200,000.00 per year. The assembly further requires to fast track the installation of a local area network (LAN) and internet connectivity in the offices for the nominated members. The LAN will cost Ksh.1,200,000.00 and internet connectivity at least Ksh.1,200,000.00 per year.

- f) Computers and laptops- Ksh. 6,100,000
- g) Customized application systems- The Assembly is in need of some critical customised systems in the areas of car loan and mortgage management, information sharing (e-parliament), asset management and stores management. These assorted systems will require an estimated budget of Ksh. 6,000,000.00.
- h) Chamber Overhaul- The County Assembly chambers was inherited from the defunct County Council and which was built in 1920 and has suffered the effect of wear and tear due to its continued use over time. The estimated budget for the comprehensive renovation is Ksh.50,000,000.00 which will cover the renovation and reconfiguring of the chambers, installation of-auditorium seats and equipment and the general upgrade of the Chambers to parliamentary status.
- i) Acquisition of utility motor vehicles for the Assembly- the county assembly operates with an old fleet of motor vehicles; some having been inherited from the defunct local authorities while the rest were acquired in the year 2015. The said fleet is unserviceable and therefore there is a need to acquire at least three additional utility vehicles at the cost of Ksh.30,000,000.00. Most of the vehicles have already been grounded and are unserviceable.
- j) Contracted security guards-to enhance the security of the county assembly precincts and assets, the assembly has sought the services of a security company which provides for thirteen (13) security guards and one (1) security dog at a cost Ksh.17,000.00 per guard and a dog per month. This amounts to a total of Ksh.221,000.00 per month and Ksh.2,652,000.00 per year. Additionally, the assembly intends to increase the number of security guards to twenty-one (21). The ripple effect of these changes is a fiscal deficit of Ksh.7,176000.00. There is therefore a need to enhance the vote from Ksh.2,652,000.00 to Ksh.9,828,000.00.
- k) Salaries and wages vote for Members of the county assembly- CRA factored eighteen (18) committees whereas, the county assembly of Kiambu Standing Orders has established twenty-two (24) committees. There's therefore a need to enhance salaries vote by Ksh.21,626,400.

21. In total, the assembly requested for an additional of Ksh.241,842,400.

2.4.6 County Assembly of Nyeri

22. The representatives from the County Assembly of Nyeri presented the following;
- a) Acquisition of new assets (vehicles)- The motor vehicles that are currently operational are not sufficient to cater for the day-to-day assembly operations thus the county requires additional Ksh.80,000,000 for purchase of more motor vehicles.
 - b) Equipping the Speaker's official residence- The Assembly requests for an additional allocation of Ksh.4.5M to furnish and equip the house to allow occupation.
 - c) Purchase of furniture forward offices- A sum of Ksh.20,000,000 is needed to equip the ward offices with adequate furniture.
 - d) Purchase of ICT Equipment and Hansard equipment-The assembly ICT and Hansard equipment are now obsolete since they were purchased during the first county assembly. The assembly therefore requests for an additional funding of Ksh.30,000,000 to purchase the aforementioned equipment.
 - e) Equipping and upgrading staff canteen- The facility requires modern and efficient equipment and appliances to save energy and cut maintenance cost. This requires Ksh.7,000,049.
 - f) EPR System (Enterprise Resource Planning)- The county assembly in the past suffered accidental data loss. There is dire need to mitigate against such eventualities in the future through installation of a Cloud Computing System. The automation will be done in three modules i.e. Record Management System, Inventory Management System and Cloud back- up system. The system will be implemented at a cost of Ksh.15M depending on the modules, existing infrastructure and the scope of work to be done.
23. In total, the assembly requested for an additional of Ksh.156,500,490.

2.4.7 County Assembly of Isiolo

24. The representatives from the County Assembly of Isiolo presented the following;
- a) Bunge *mashinani*- the county assembly of Isiolo intends to hold Bunge *mashinani* in all the 3 sub counties. This was not factored in the proposed recurrent ceiling, thus requiring additional allocation of Ksh.12M.

- b) Procure Hansard equipment for committee rooms- the assembly has four committee rooms none of which is equipped with Hansard and P.A. system thus requests for an additional funding of Ksh. .16M.
- c) Staff mortgage- the assembly staff as established have no access to mortgage facilities. Therefore, the assembly requests for an additional allocation of Ksh. 30M to facilitate the same.
- d) ICT System- an additional funding of Ksh.15M is required.
- e) Purchase of motor Vehicle-Land cruiser- Isiolo is a vast county with harsh terrain which requires means of transport that can withstand the kind of road condition. In the absence of this, the county can only hire transport to reach various parts of the county where resources are not available. The assembly therefore requests for an amount of Ksh.11.5M to procure a land cruiser.
- f) Pending bills and domestic payables- Ksh.40M
- g) Group medical cover- due to the structural adjustments in NHIF, the assembly was forced to engage private insurance providers, this has led to a deficit of Ksh.15M.

25. In total, the assembly requested for additional funding of Ksh.139,500,000.

2.4.8 County Assembly of Nandi

26. The representatives from the County Assembly of Nandi presented the following-
- a) That the ceiling of Ksh.807,468,047 as proposed by CRA will be insufficient to defray the recurrent expenditure as anticipated of the peculiar circumstances of relocation to new County Assembly office complex
 - b) Equipping of the county assembly office complex Hansard and chambers totaling Ksh.93,922,000.
 - c) New expenses as a result of relocation to a newly built office complex- contracted services totaling Ksh.78,690,000.
 - d) Purchases of motor vehicles for monitoring and evaluation of county programs totaling to 21,196,000. The 10 vehicles that are in use are very old, bought at the commencement of the County Assembly operation in FY 2013/14 and are becoming very extremely difficult to operate.

27. In total, the assembly requested for additional funding of Ksh.193,808,760.

2.4.9 County Assembly of Garissa

28. The representatives from the County Assembly of Garissa presented the following;

- a) Workmen injury benefit act (WIBA) for Garissa County assembly Members and staff- CRA provided WIBA under insurance cost in the recurrent budget ceiling amounting to 50 million, which includes medical insurance for members and staff of the assembly. The prevailing market price for medical insurance is Ksh.45,842,014, leaving Ksh.4,157,986 specifically for WIBA, totaling Ksh. 25,200,000. The minimum and the maximum requirement per employee per month for WIBA is Ksh. 3,000 and Ksh.18,000 respectively.
- b) Staff retrenchment- pending the SRC circular on staff rationalization, the Garissa County assembly service board deliberated on the matter and came up with a rationale that will see fairness with staff retrenched given three (3) months' pay per year, served for a maximum of 7 years and a golden handshake of Ksh.150,000 per employee. The estimated cost is Ksh.58,013,922, to be done in one phase.
- c) Consultancy service for human resource firms to help in the retrenchment- the county assembly service board, upon resolving to conduct retrenchment, planned to engage a competent human resource firm at a cost of Ksh.7,859,000.
- d) Buying of lease of land in front of the assembly- the assembly intends to acquire a lease for a piece of land situated in front of the assembly at a cost of Ksh.50,000,000 to address pressing security concerns posed by the temporary kiosks. The Assembly has already engaged the leaseholder who is willing to sell the lease to the assembly.

29. In total, the assembly requested for additional funding of Ksh.149,550,130.

2.4.10 County Assembly of Machakos

30. The representatives from the County Assembly of Machakos presented the following;

- a) Staffing/ Compensation- the assembly requests for a review of the members of staff to a total of 145 to facilitate the institution to discharge its mandate in a more effective and efficient way. Under compensation, the assembly intends to

promote most of its members of staff, who have stagnated in the same positions for more than 10 years, and in- line with fair labour practices, the assembly is obligated to promote them in order to enhance their productivity and morale. Therefore, the annual amount needed is approximately Ksh.10M.

- b) Security of the ward offices- the assembly has already contracted ward offices in most of its 40 wards and are already in use. There has been issues of insecurity in these offices and therefore the assembly requests for an additional funding so as to engage security guards in the 40 wards (1 guard in each ward). The annual amount required is approximately Ksh.8,160,000.
- c) Motor vehicles- the assembly has not been able to purchase new motor vehicles in the recent past due to budgetary constraints and is currently operating on old fleet of vehicles whose cost of repair and maintenance is too high hence the need for two new extra motor vehicles. The funding required for purchasing of the two new motor vehicles is approximately Ksh.18M.
- d) Pending bills- the assembly has accumulated a total of Ksh.103,207,288.50. These bills have accumulated over-the years, and they have continued to impact negatively on the operations of the assembly.
- e) Severance pay for ward office staff for the first assembly- the county assembly was sued by the ward office staff of first county assembly seeking a severance pay for the services rendered. These funds had not been provided for in the budget ceilings of those years. A decree was issued directing the county assembly to pay a total Ksh.24,410,437 (to the former ward staff) and the costs thereof. The assembly therefore seeks an additional allocation of Ksh.30,000,000.00 to cater for this additional expenditure.
- f) Public participation costs- the assembly is required to conduct public participation in carrying out the business of the House. Public participation is usually carried out across 40 wards with each consuming at least Ksh.100,000. The allocation caters for stationery, photocopying and printing, refreshments, allowances for 4 offices, transport and venue. For the 40 wards the approximate cost is Ksh.44,000,000.

- g) Fringe benefit tax (FBT)- FBT is charged on the taxable value of a Fringe Benefit provided by the employer in a month and is due and payable on or before 9th the following month. The proposed budgetary requirement for this is Ksh.12M.
- h) Training and Capacity Building- the assembly has identified some training needs for its members in various areas such as legislative and procedural, legal drafting among others. The proposed budgetary requirement is Ksh.10 million.
- i) Legal drafting- Ksh.10M.

31. In total, the assembly requested for additional funding of Ksh.245,367,289.

2.4.11 County Assembly of Kisumu

32. The representatives from the County Assembly of Kisumu presented the following;

- a) The county assembly of Kisumu entered into a contract with Astronea Construction Company Ltd on January 19, 2022 to construct an ultra-modern county assembly chamber, offices, and associated works at a cost of Kshs 418,356,348.60.
- b) The assembly also entered into a contract with M/S Edon Consultants International Ltd for the provision of consultancy services for design and supervision of construction of Ultra-Modern Kisumu County Assembly Chambers/ Offices and Associated Works at a cost of Ksh.60,000,000, bringing the total sum of the project for construction, supervision and designs to Ksh. 478,356,348.60. It is expected to be completed and commissioned by December 2024.
- c) Despite the progress made in the construction of the ultra-modern assembly, the current assembly budget does not provide for the furnishing of the offices and other essential facilities and therefore the assembly requests for additional funding of Ksh.337,425,900.

33. In total, the assembly requested for additional funding of Ksh.337,425,900.

2.4.12 County Assembly of Baringo

34. The representatives from the County Assembly of Baringo presented the following;

- a) New office furniture- the county assembly constructed and completed new offices that accommodate members and staff hence require equipping with furniture at a total of Ksh.20M.
- b) Speaker's residence furniture & equipment- the county assembly completed the construction of the Speaker's residence which require equipping with furniture and equipment at a tune of Ksh.10M.
- c) General repairs, maintenance and improvements- the county assembly has structures that require general repairs and improvements i.e. renovation works at the main building, lounge, kitchen back side, gallery areas and general renovations to external works, thus requests for an additional funding of Ksh.20M.
- d) Insecurity costs and the vastness of the county- due to the many security threats in the county, the assembly needs some security infrastructure such as CCTV, walk-through metal detectors, revolving bars and turnstiles. The assembly therefore requests for an additional funding of Ksh.27M.
- e) Court awards on litigation- the county assembly has four concluded court cases that are awaiting settlement of court award and costs. The consideration in allocation of additional funds shall be of great significance in averting any possible execution for costs by concerned parties as some are long overdue for settlement. The assembly therefore requests for an additional allocation of Ksh.20 million for the same.
- f) Acquisition of motor vehicles- the assembly requests for an additional funding of Ksh.35 million to facilitate the purchasing of new motor vehicles.

35. In total, the assembly requested for additional funding of Ksh.132M.

2.4.13 County Assembly of Nairobi

- 36. The representatives from the County Assembly of Nairobi presented the following;
 - a) Increase in litigation costs- the county assembly has been incurring heavy litigation costs over the years. Of particular concern was the FY 2020/2021 and 2021/2022 whose effects continue to be felt in the current financial year 2023/2024. The assembly therefore requests for an additional allocation of Ksh.400M.

- b) Cost of public participation- the county assembly has not been achieving meaningful public participation as envisaged under the Constitution due to limited funding. The only avenue of engaging the public has been through inviting residents to Charter Hall, City Hall for them to give their views on business before the assembly and its committees. This approach leaves out the views of many residents who cannot congregate at Charter Hall. Notably, the County Assembly has been sued on several occasions for failure to conduct meaningful/reasonable public participation especially on the Budget process. The County Assembly allocates an estimate of Ksh.30 million in its annual budget for the exercise as guided by the CRA ceilings, which is insufficient and therefore requests for an additional allocation of Ksh.70M.
- c) Training and continuous capacity building for Members of the assembly- the cost of trainings both on plenary and committee procedures has significantly increased due to the increased number of members in the Third Assembly, reconstitution of committee membership from 17 to 23 and increase in cost of living. To sufficiently facilitate the Member's workshops and trainings the assembly requires an additional amount of Ksh.61.5 million and the secretariat additional Ksh.38.5million.
- d) Acquisition of new equipment and furniture- the county assembly in its inception in 2013 bought furniture, workstations, and computers among other things that over the years have depreciated. The Assembly will therefore need additional funding of 50M in order to replenish the equipment and furniture.
- e) Economic impact on general administration and support services- the country has been affected by high cost of living in the past years and this has had an impact on the Assembly's budget especially on purchase of goods. Most of the budget line suppliers are not able to supply based on the prices the assembly had budgeted. Items such as fuel, air tickets, conference costs and generally the operation items are costly now and therefore additional funds are needed to sustain the harsh economic times.

37. In total, the assembly requested for additional funding of Ksh.700M

2.4.14 County Assembly of Bungoma

38. The representatives from the County Assembly of Bungoma presented the following;
- a) Purchase of furniture for offices, committee rooms, auditorium and boardrooms in new building- Ksh.57M
 - b) ICT infrastructure (CCTV cameras; computer UPS)- Ksh.10M
 - c) Purchase of library equipment (furniture, e-library software, e-licences, reading materials)- Ksh.15M
 - d) Installation of air conditioners and fans in the new building- Ksh.2M
 - e) General Insurance (New Six Storey Administration building, Vehicles, Old building and other equipment)- Ksh.20M.
 - f) Contracted Cleaning services- Ksh.10M.
 - g) Routine Maintenance of the New building, Old building, Lifts, Perimeter Wall and Vehicles- Ksh.31,500,000.00.
 - h) Electricity and Water Bills- Ksh.2,400,000.00.
39. In total, the assembly requested for additional funding of Ksh.147,900,000 for equipping of a new expansive administration block.

2.4.15 County Assembly of Elgeyo/Marakwet

40. The representatives from the County Assembly of Bungoma presented the following;
- a) Multimedia Congress System- the current system was installed in June 2014 and needs overhaul. Therefore, the assembly requests for an additional allocation of Ksh.37,000,000.
 - b) Motor vehicles for oversight- the current vehicles were bought more than 5 years ago and need replacement at a cost of Ksh.22,500,000.
41. In total, the assembly requested for additional funding of Ksh.59,500,000.

CHAPTER THREE

COMMITTEE'S CONSIDERATION OF THE COUNTY ASSEMBLY'S REQUESTS FOR RECURRENT EXPENDITURE BUDGET CEILING ADJUSTMENT FOR FY 2024/25

42. The county assemblies listed herein submitted requests for review of their respective recurrent expenditure budget ceiling. The Committee considered the matter and resolved to invite the assemblies for a meeting. The assemblies appeared before the Committee and submitted justifications for their requests. Below is a summary of the Committee's consideration-

| A) EMBU COUNTY ASSEMBLY | | | |
|------------------------------------|--|-------------------------------|-------------------|
| No. | Item | Approved (in Ksh.) | Adjustment |
| 1 | Hansard Equipment | 25,000,000 | |
| Total | | 25,000,000 | |
| B) KAKAMEGA COUNTY ASSEMBLY | | | |
| No. | Item | Approved | Adjustment |
| 1 | Personnel Emoluments- Housing Levy and NSSF | 29,000,000 | |
| 2 | Public Participation | 31,195,684 | |
| 3 | Insurance | 29,350,000 | |
| 4 | Purchase of four vehicles for public participation | 40,000,000 | |
| 5. | Review of the strategic plan; 2025-2030 | 4,000,000 | |
| 6. | Furniture, Fittings and Fixtures in the Chamber | 15,000,000 | |
| Total | | 148,545,684 | |
| C) BUNGOMA COUNTY ASSEMBLY | | | |
| No. | Item | | |

| | | |
|--|--|----------------------------|
| 1 | Equipping of the new administration Block | 57,000,000 |
| 2 | ICT infrastructure (CCTV cameras; computer UPS) | 10,000,000 |
| 3 | Purchase of library equipment (furniture, e-library software, e-licences, reading materials) | 15,000,000 |
| 4 | Installation of air conditioners and fans in the new building | 2,000,000 |
| 5. | General Insurance | 20,000,000 |
| 6. | Contracted services | 10,000,000 |
| 7. | Routine Maintenance of the New building, Old building, Lifts, Perimeter Wall and Vehicles | 10,000,000 |
| 8. | Utility Bills | 2,400,000 |
| Total | | 126,400,000 |
| D) WAJIR COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Purchase of staff bus and 2 land cruisers | 40,000,000 |
| 2 | Purchase of 3 generators for new county assembly building | 7,000,000 |
| 3 | ICT automation of county assembly chambers | 10,000,000 |
| 4. | Insurance Cost | 17,000,000 |
| Total | | 74,000,000 |
| E) NAIROBI CITY COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Litigation costs | 100,000,000 |
| 2 | Public Participation | 50,000,000 |
| 3 | Training and capacity building for MCAs | 50,000,000 |
| 4 | Acquisition of new equipment and furniture | 40,000,000 |
| Total | | 240,000,000 |

| F) KISUMU COUNTY ASSEMBLY | | |
|-----------------------------------|---|----------------------------|
| No. | Item | Approved Adjustment |
| 1 | Furnish and Equip New Ultra-Modern Assembly Chambers and Offices | 170,000,000 |
| Total | | 170,000,000 |
| G) BARINGO COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | County Assembly office furniture | 10,000,000 |
| 2 | Court awards on litigation | 7,000,000 |
| 3 | Acquisition of motor vehicles | 10,000,000 |
| Total | | 27,000,000 |
| H) ISIOLO COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Procure Hansard equipment for committee rooms | 16,000,000 |
| 2 | ICT systems | 7,500,000 |
| 3 | Purchase of Car - Landcruiser | 11,500,000 |
| 4 | Group medical cover | 15,000,000 |
| Total | | 50,000,000 |
| I) KIAMBU COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Hansard system and broadcasting Unit | 40,000,000 |
| 2 | Acquisition and installation of Electronic Documents and Records Management System | 6,000,000 |
| 3 | Documentation and printing | 1,000,000 |
| 4 | Upgrading of intercom telephone system, Local Area Network and increasing of the internet bandwidth | 2,000,000 |

| | | |
|------------------------------------|---|----------------------------|
| 5 | Acquisition of computers and laptops | 5,000,000 |
| 6 | Acquisition of three (3) utility motor vehicles for the Assembly | 10,000,000 |
| 7 | Contracted Security guards | 7,716,000 |
| Total | | 71,716,000 |
| J) NYERI COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Acquisition of Asset (motor vehicles) | 20,000,000 |
| 2 | Equipping Speakers official residence | 3,000,000 |
| 3 | Upgrading and equipping of staff canteen | 7,000,000 |
| 4 | Automation (Enterprise Resource Planning) | 5,000,000 |
| 5 | ICT Equipment and Hansard Equipment | 25,000,000 |
| 6 | Purchase of furniture ward offices | 10,000,000 |
| Total | | 70,000,000 |
| K) MACHAKOS COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Security for the Ward Offices | 8,160,000 |
| 2 | Motor Vehicles | 18,000,000 |
| 3 | Severance Pay for ward Office staff for first Assembly | 30,000,000 |
| 4 | Training and capacity building | 10,000,000 |
| Total | | 66,160,000 |
| L) NANDI COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Equipping of the County Assembly Office Complex (Hansard and Chambers) | 25,000,000 |
| 2 | Furnish of newly built complex | 39,345,000 |
| 3 | Purchase of motor vehicles for monitoring and evaluation of county programs | 10,000,000 |
| Total | | 74,345,000 |

| M) ELGEYO MARAKWET COUNTY ASSEMBLY | | |
|---|---|----------------------------|
| No. | Item | Approved Adjustment |
| 1 | Multimedia Congress System (Hansard) | 20,000,000 |
| 2 | Purchase of 2 Motor vehicles for oversight | 10,000,000 |
| Total | | 30,000,000 |
| N) TANA RIVER COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Public participation and oversight | 14,700,000 |
| 2 | Training costs | 6,200,000 |
| 3 | Inherited Tax arrears from the County Executive | 17,500,000 |
| 4 | Purchase of 8 vehicles inclusive of the Speaker's official vehicle and 15 motorcycles | 30,000,000 |
| 5 | Procurement and installation of Hansard equipment | 16,000,000 |
| 6 | Office furniture and computers for 15 ward offices | 10,000,000 |
| 7 | Insurance cost | 16,000,000 |
| Total | | 110,400,000 |
| O) GARISSA COUNTY ASSEMBLY | | |
| No. | Item | Approved Adjustment |
| 1 | Workmen Injury Benefit Act (WIBA) | 25,200,000 |
| 2 | Staff retrenchment | 58,013,922 |
| 3 | Consultancy service for human resource | 3,929,500 |
| 4 | House levy | 8,477,208 |
| Total | | 95,620,630 |

CHAPTER FOUR

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

Observations

43. Following deliberations with various stakeholders and consideration of the Bill, the Committee made the following observations-
- a) that FY 2024/2025 is the final year of implementation for the third basis formula as per Article 217(1) of the Constitution. Notably, Parliament is required to approve the fourth basis which will be used to share revenues for the Financial Years (2025/26 – 2029/30).
 - b) The Bill as published, allocated to county governments Ksh.415.9522 billion. However, following the passage of the Division of the Revenue Bill, 2024 by Parliament, the shareable revenue among counties is Ksh.400.1167 billion.
 - c) The proposed ceilings for the recurrent expenditure of County Assemblies indicate that recurrent expenditure ceilings for some County Assemblies were lower than the ceilings approved in FY 2023/24 while the others, ceilings adjusted upwards. This is due to the adjustment of ceilings during approval of the County Allocation of Revenue Bill, 2023 by inclusion of the MCA's car reimbursement and the Senate provisions to cater for one-off expenditure.

Recommendations

44. Having considered the Bill, the Committee recommends that-
- a) the Senate approves the Bill with amendments to-
 - (i) the First Schedule to the Bill to reflect the allocation to the respective county governments of the total county equitable share of Ksh.400,116, 788,147.
 - (ii) the Second Schedule to the Bill to reflect approved adjusted recurrent expenditure ceilings for Embu, Garissa, Machakos Kakamega, Kisumu, Tana River, Baringo, Wajir, Nairobi City, Kiambu, Bungoma, Nyeri, Elgeyo/ Marakwet, Isiolo, and Nandi County Assemblies.

- b) the CRA should carry out an assessment on the status of the establishment of Funds relating to staff car loan and mortgage scheme with a view to ascertaining how many counties have established the Fund, whether the respective Funds have been operationalized and challenges, if any, faced in the administration of the Funds. Based on the findings CRA may, if appropriate, factor in the cost of establishment and operationalization of these Funds in determining the recurrent expenditure ceilings in the subsequent financial years.
- c) Regarding request by the Garissa County Assembly on purchase of lease - the County Assembly should ensure that-
 - (i) a valuation of the land in question is carried out and a valuation report prepared. The report shall inform the negotiations for the purchase of the land from the present lease holder. Further, an undertaking setting out the proposed terms of the agreement between the lessee and the County Assembly be submitted to the Senate if a request for adjustment of the ceiling is to be considered in the subsequent financial year;
 - (ii) upon purchase of the lease, the County Assembly should pursue negotiations with the county executive for the acquisition of a freehold title to the land;
 - (iii) the lease agreement, valuation report and a current search showing the registered leaseholder be submitted.

Appendices

1. Minutes of the Committee
2. Proposed Committee Stage Amendments
3. Submissions from Stakeholders
4. Public Advert



MINUTES OF HUNDRED AND TWENTY-SIXTH (126TH) HYBRID MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 7TH MAY, 2024 IN COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING AT 9:00 A.M.

PRESENT

- | | | |
|---|---|------------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson (Virtual) |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chair (Chairing) |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 7. Sen. Eddy Oketch Gicheru, MP | - | Member (Virtual) |

ABSENT WITH APOLOGY

- | | | |
|---|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH MP | - | Member |
| 2. Sen. Shakila Abdalla Mohamed, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Mr. Kiminza Kioko | - | Fiscal Analyst |
| 5. Mr. Nandemu Barasa | - | Media Relations Officer |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Ms. Agelica Wachira | - | Protocol Officer |
| 8. Mr. Elijah Ichwara | - | Audio Officer |

IN ATTENDANCE

1. Sen. Edwin Sifuna, MP
2. Sen. Mohamed Chute, MP

MIN/SEN/SCF&B/740/2024 PRELIMINARIES

The Chairperson called the meeting to order at 9:30 a.m. This was followed by a word of prayer and a round of introduction.

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Joyce Chepkoech Korir, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 125th Sitting;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Consideration of the proposed County Allocation of Revenue Bill, 2024 (*Committee Paper No.92*);
6. Consideration of responses to the following Statements (*Committee Paper No.93*)-
 - a) Restrictions imposed on taxpayers by the Kenya Revenue Authority by Sen. Edwin Sifuna, MP; and
 - b) Allegations of tax exemption extended by the Kenya Revenue Authority to the Kenya National Trading Corporation (KNTC) limited by Sen. Chute Mohamed, MP
7. Pending Legislative Business (*Committee Paper No.77*);
8. Any Other Business; and
9. Adjournment and Date of the Next Meeting.

The Committee considered Paper No.92 regarding the proposed County Allocation of Revenue Bill, 2024. The meeting noted as follows-

- a) The Bill provides for the allocation of Kshs.415,952,200,000 as equitable share of revenue raised nationally among the county governments in the FY 2024/2025 as approved by the Senate in the DoRB, 2024;
- b) The Bill has two Schedules. The First Schedule details the allocation of each County Government's equitable share of revenue, while the Second Schedule highlights proposed budget ceilings on recurrent expenditures for both county executives and assemblies as proposed by CRA.
- c) The horizontal allocation of the Ksh.415.952 billion to counties is based on the Third Basis Formula for revenue sharing among counties approved by Parliament in 2020.

County Government Budget Ceilings on Recurrent Expenditure for FY 2024/25

- d) Analysis of the proposed County Governments Budget Ceilings Expenditure for the FY 2024/25 indicated that the overall ceilings for county assemblies have reduced by Ksh.416.5 million, from the approved Ksh.40.6 billion for FY 2023/24 to Ksh.40.2 billion proposed for FY 2024/25.
- e) Whereas some County Assemblies have enhanced ceilings others had their ceilings revised downwards.

- f) During consideration of the County Allocation of Revenue Bill, 2023, the Senate adjusted (upwards) the County Assemblies' ceilings by Ksh.1.289 billion.
- g) The ceilings of the county executives are proposed to increase by Ksh.7.93 billion, with the amount being distributed across the forty-seven (47) county executives.

Committee Observations

The Committee made the following observations-

- a) The County Allocation of Revenue Bill, 2024 shares Ksh.415.952 billion amongst the 47 county governments. This amount is pegged on the resolution of the Senate in its consideration of the Division of Revenue Bill, 2024.
- b) The allocation to each County Government is subject to the final determination of the equitable share for counties by the Parliament.
- c) The FY 2024/25 is the final financial year in which the Third Basis for revenue sharing among counties will be applied.
- d) The proposed ceilings for the recurrent expenditure of County Assemblies indicated that some county assemblies will receive amounts less than what was allocated in FY 2023/24 while others have their ceilings adjusted upwards. This is due to the adjustment of ceilings during approval of the County Allocation of Revenue Bill, 2023 by the Senate to cater for one-off expenses of some county assemblies.
- e) All the forty-seven (47) county executives have their recurrent expenditure ceilings enhanced. The total increase in the ceilings for the forty-seven (47) county executives amounts to Ksh.7.93 billion.

Following deliberations, the Committee resolved to hold meetings with stakeholders to deliberate on the County Allocation of Revenue Bill, 2024.

MIN/SEN/SCF&B/743/2024 CONSIDERATION OF RESPONSES TO THE STATEMENTS (COMMITTEE PAPER NO.93)

The Committee considered Paper No.93 on responses to the following Statements-

- a) Restrictions imposed on taxpayers by the Kenya Revenue Authority by Sen. Edwin Sifuna, MP; and
- b) Allegations of tax exemption extended by the Kenya Revenue Authority to the Kenya National Trading Corporation (KNTC) limited by Sen. Chute Mohamed, MP.

Response to Statement regarding Restrictions imposed on taxpayers by the Kenya Revenue Authority by Sen. Edwin Sifuna, MP

The Committee considered the response from the Kenya Revenue Authority and noted the following-

- a) The KRA is at advanced stages of automating the sending of notifications on the addition and removal from the Special Table to the affected taxpayers. However, they did not specify the timeline for implementation.
- b) The process of removal of taxpayers from the VAT Special Table was decentralized and is currently being done at the Tax Service Office (TSO).
- c) Placement in the Special Table is automatic, however delisting from the table was done manually.
- d) There should be a provision that allows affected taxpayers to appeal once affected, especially if there is a system-related challenge.
- e) Electronic tax invoicing via TIMS/eTIMS occasionally has system issues in which invoices/receipts do not reflect or reflect in the wrong accounts. KRA should provide steps put in place to guarantee that the system is fully operational.
- f) The implementation of eTIMS for both VAT and non-VAT registered taxpayers may result in more people being penalised for late filing due to downtime of the system.
- g) KRA, in January 2024 allowed manual filing, however, this did not automatically reflect. How does KRA plan to deal with the affected taxpayers. Will the affected taxpayers be penalised for failing to provide timely notice. Is there an option for exemptions or waivers of penalties or interests for such cases whose noncompliance is attributed to system-related issue.
- h) The level of sensitization to Kenyans on usage of the KRA system was quite low.

Following deliberations, the Committee resolved to invite KRA to a meeting to provide clarification to supplementary issues raised regarding Statement.

Response to statement regarding Allegations of tax exemption extended by the Kenya Revenue Authority to the Kenya National Trading Corporation (KNTC) limited by Sen. Chute Mohamed, MP

The Committee considered the response from the National Treasury and Economic Planning and noted that-

- a) Pursuant to approval of Cabinet, the National Treasury and Economic Planning approved duty-free importations by KNTC for a period of one year vide their letter dated 20th January 2023. Therefore, the exemption period lapsed on 19th January, 2024.
- b) The approval of duty-free importation granted to KNTC was meant for the following products -

| Item | Commodity | Quantity (MT) |
|------|------------------|---------------|
| 1. | Rice | 150,000 |
| 2. | Cooking fat/ oil | 125,000 |
| 3. | Sugar | 200,000 |
| 4. | Wheat | 25,000 |


| | | |
|----|------------|--------|
| 5. | Beans | 80,000 |
| 6. | Fertilizer | 55,000 |

- c) The total tax remitted, which would have been collected amounted to Kshs. 3,752,171,762.
- d) The primary goal of tax exemptions was to lower the prices of basic products for consumers and lower the cost of living. However, it was not clear whether the objective was achieved.
- e) Some of the duty-free goods imported by the KNTC were yet to be sold. Given that the exemption period had expired, it was necessary to clarify whether the items would still be duty-free.
- f) The National Treasury and Economic Planning had not specified in the response whether the East African Community secretariat was consulted or informed before the exemption was granted to the KNTC under the EAC protocol.

Following deliberations, the Committee resolved that to invite the National Treasury and Economic Planning, and Kenya National Trading Corporation (KNTC) to a meeting to provide clarification to supplementary issues raised regarding the Statement.

MIN/SEN/SCF&B/744/2024 ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting adjourned at 11:34 a.m. Next meeting shall be held on Thursday, 9th May, 2024.

SIGNATURE.....  DATE... 15/05/2024

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



MINUTES OF HUNDRED AND TWENTY-SEVENTH (127TH) HYBRID MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON THURSDAY, 9TH MAY, 2024 IN COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member (Virtual) |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | member |
| 3. Sen. Richard Momoima Onyonka, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Nandemu Barasa | - | Media Relations Officer |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Mr. Elijah Ichwara | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |

IN ATTENDANCE – COMMISSION ON REVENUE ALLOCATION (CRA)

- | | | |
|--------------------------|---|------------------|
| 1. Mr. Koitamet Olekina | - | Vice-Chairperson |
| 2. Hon. Fatuma Gedi, CBS | - | Commissioner |
| 3. Ms. Hadija Juma | - | Commissioner |
| 4. Mr. Jonas Kuko | - | Commissioner |
| 5. CPA. James Katule | - | CEO |

- | | | |
|---------------------------|---|--------------------------|
| 6. CPA. Roble Nuno | - | Director, Fiscal Affairs |
| 7. Ms. Jane Maingi | - | Manager, PFM |
| 8. Ms. Rachael Kagwanja | - | PFM Officer |
| 9. Ms. Caroline Kinyulusi | - | Manager, Communications |
| 10. Ms. Albright Atieno | - | Intern |

MIN/SEN/SCF&B/745/2024 **PRELIMINARIES**

The Vice-Chairperson called the meeting to order at 9:30 a.m. This was followed by a word of prayer, and a round of introduction.

MIN/SEN/SCF&B/746/2024 **ADPOTION OF THE AGENDA**

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. (Dr.) Boni Khalwale, CBS, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 123rd, 124th and 125th Sitting;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Meeting with the Commission on Revenue Allocation (CRA) to deliberate on their recommendations on the county governments' recurrent expenditure budget ceilings for the FY 2024/2025 (*Committee Paper No.94*);
6. Pending Legislative Business (*Committee Paper No.77*);
7. Any Other Business; and
8. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/747/2024 **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

- a) The Minutes of the Hundred and Twenty-Fifth (125th) hybrid meeting held on Thursday, 2nd May, 2024 at 9:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, and seconded by Sen. (Capt.) Ali Ibrahim Roba, EGH, MP.
- b) Confirmation of minutes of the 123rd and 124th Sittings was referred to the next meeting.

MIN/SEN/SCF&B/748/2024 **MEETING WITH COMMISSION ON REVENUE ALLOCATION TO DELIBERATE ON THE RECOMMENDATIONS ON THE COUNTY GOVERNMENTS' RECURRENT EXPENDITURE BUDGET CEILINGS FOR THE FINANCIAL YEAR 2024/2025 (COMMITTEE PAPER NO.94)**

The Committee having considered and noted the contents of Committee Paper No.94 invited the CRA to the meeting.

Upon invitation, the Vice-Chairperson of the Commission on Revenue Allocation informed the meeting as follows-

- a) During the consideration of County Allocation of Revenue Bill, 2023, the Committee directed the Commission to-
 - undertake a review of staffing needs for county assemblies;
 - provide guidance on optimal number of Committees after receiving information from all County Assemblies on number of committees and membership;
 - evaluate the cost of public participation taking into account uniqueness of counties taking into account the land area, security costs and population; and
 - liaise with National Police Service (NPS) in determining the appropriate compensation rates for NPS officers engaged by County Assemblies during public engagements.
- b) The Committee held a meeting with CRA where the Commission's recommendations on the above issues were deliberated.
- c) Following the deliberations, the Commission in developing the FY 2024/25 County Governments' Recurrent Budget Expenditure Ceilings incorporated the recommendations. A summary of recommendations was as follows-

a) Staffing levels

The Commission retained the staffing level as per the circular Ref No. CRA/FA/01/VOL,11(22) June 2018.

b) County Assembly's Committees

The optimal number of committees was adjusted upwards to eighteen (18) from fourteen (14).

c) County government's public participation model

In line with the Senate directives, the Commission developed a public participation model considering the following parameters-

- i. Land area in relation to contribution of each county;
- ii. Number of documents by county governments;
- iii. Number of wards in a county government;
- iv. Daily substance allowance for county officers and lunch allowance for security officers;
- v. Conference cost; and
- vi. Transport costs.

The following assumptions were made in developing the model-

- i. The model applied CRA's Third Basis for equitable sharing of revenue that uses land area capped at 7%. Inclusion of the parameter intended to compensate large counties which are sparsely populated for additional costs they incur in conducting public participation.
 - ii. The number of documents was assumed to be six (6). These are, County Integrated Development Plan (CIDP), Annual Development Plan (ADP), County Fiscal Strategy Paper (CFSP), Budget Estimates, Finance Act and any one other relevant document that require physical public participation.
 - iii. All public participation sessions shall be undertaken at the ward levels.
 - iv. County team attending the public participation session is assumed to comprise of one County Executive Committee Member (CECM) or County Chief Officer (CCO) or MCA, two budget officers/ fiscal analysts, three logistic officers and five security officers.
 - v. The county team attending the sessions outside 50 km radius of respective duty stations to be entitled to daily subsistence allowances for two days while the security officers will be entitled to lunch allowances for two days as per available SRC guidelines.
 - vi. The conference venues to be hired at a cost of Kshs.5,000.00 per session.
 - vii. Public address system to be hired at a cost of Kshs.5,000.00 per session.
 - viii. Refreshment will be provided at a cost of Kshs.50,000.00 for one hundred participants.
 - ix. The Transport costs to include Kshs.50,000.00 for fuel.
 - x. Other costs related to public participation to be capped at Kshs.500 per person.
- d) The Commission held a stakeholder engagement on 13th December, 2023, and that stakeholders feedback was considered and included in the Budget Ceilings for the FY 2024/2025.
- e) The Commission has received written requests to the Senate by various county assemblies on adjustment of the proposed recurrent budget ceilings for FY 2024/2025.

Following deliberations, the Committee noted that-

- a) The proposed recommendation for the County Recurrent Expenditure Budget Ceilings for FY 2024/2025 is Kshs.73,953,000,349, comprising of Kshs.40,196,186.161 for county assemblies and Kshs.33,756,814,188 for county executives.
- b) The proposed budget ceilings for the recurrent expenditure of County Assemblies indicated that some will receive amounts less than what was allocated in FY 2023/24. This was attributed to the fact that the ceilings for the FY 2023/24 include one-off payment for MCAs motor vehicle reimbursement and one-off adjustment of

ceilings by the Senate during approval of the County Allocation of Revenue Bill, 2023.

The Chairperson commended the Commission for using data-driven information to develop the Recurrent Expenditure Budget Ceilings for the FY 2024/2024.

Further, the Commission was informed that the Committee will convene meetings with the county assemblies that had requested for adjustment of the proposed recurrent expenditure budget ceilings for the FY 2024/2025. Thereafter, the Committee will convene a meeting with CRA to deliberate on the submissions and requests from the respective county assemblies.


MIN/SEN/SCF&B/749/2024 **PENDING LEGISLATIVE BUSINESS**

The Committee considered the pending legislative business pending before it. The Committee observed that responses received to a number of Statements were pending Committee's consideration. In addition, there were a number of Statements concerning pending bills in counties.

The Committee resolved to hold a meeting on Wednesday, 15th May, 2024 at 8:00 a.m. to consider the pending legislative the Committee and come up with a plan on how to expedite consideration of the business.

MIN/SEN/SCF&B/750/2024 **ADJOURNMENT AND THE DATE OF THE NEXT MEETING**

The meeting adjourned at 10:37 a.m. Next meeting shall be by notice.

SIGNATURE.......... DATE.....15/05/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



MINUTES OF HUNDRED AND TWENTY-EIGHTH (128TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 14TH MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 9:00 A.M.

PRESENT

- | | | |
|---|---|--------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|-------------------------|
| 1. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 2. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 3. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 4. Sen. Eddy Oketch Gicheru, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Nandemu Barasa | - | Media Relations Officer |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Mr. Ian Otieno | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |

IN ATTENDANCE

BUNGOMA COUNTY ASSEMBLY

- | | | |
|-------------------------|---|---------------------------|
| 1. Hon. Emmanuel Situma | - | Speaker |
| 2. Mr. Charles Wafula | - | Clerk of the Assembly |
| 3. Mr. Symon Walukama | - | Principal Finance Officer |
| 4. Mr. Antony Mulati | - | Finance Officer |

- 5. Mr. Ignatius Wangila - Principal Legal Counsel
- 6. Mr. Ariel Wekesa - ICT Officer

EMBU COUNTY ASSEMBLY

- 1. Hon. Josiah Thiriku - Speaker
- 2. Mr. Jim Kauma - Clerk of the Assembly
- 3. Ms. Pauline Kathuri - Principal Fiscal Analyst
- 4. Mr. Dennis Mwenda - Personal Assistant to Clerk

KAKAMEGA COUNTY ASSEMBLY

- 1. Hon. James Namatsi - Speaker/Chair CASB
- 2. Hon. Elphas Shilosio - MCA/ Vice-Chair CASB
- 3. Hon. Nasoro Rashid - MCA/Member CASB
- 4. Hon. (Dr.) Harriet Ibala - MCA/Member CASB
- 5. Hon. Boniface Akosi - Member, CASB
- 6. Dr. Donald Manyala - Clerk of the Assembly
- 7. Ms. Ariko Esther - Principal Administrative Officer

MIN/SEN/SCF&B/751/2024 PRELIMINARIES

The Vice-Chairperson called the meeting to order at 9:28 a.m. This was followed by a word of prayer, and a round of introduction.

MIN/SEN/SCF&B/752/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. (Dr.) Boni Khalwale, CBS, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP, as listed below-

- 1. Prayer;
- 2. Adoption of the Agenda;
- 3. Confirmation of Minutes of the 123rd, 124th, 126th, and 127th Sittings;
- 4. Matters Arising from the Minutes of the Previous Sitting;
- 5. Meeting with the County Assemblies of-
 - a) Bungoma;
 - b) Embu; and
 - c) Kakamega
 to deliberate on the proposed County Assembly’s Recurrent Budget Expenditure Ceilings for the FY 2024/2025. (*Committee Paper No.94A*);
- 6. Any Other Business; and
- 7. Adjournment and Date of the Next Meeting

MIN/SEN/SCF&B/753/2024 CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS

Confirmation of Minutes of the 123rd, 124th, 126th, and 127th sittings was deferred.

MEETING WITH COUNTY ASSEMBLIES TO
DELIBERATE ON THE PROPOSED COUNTY
ASSEMBLY'S RECURRENT BUDGET
EXPENDITURE CEILINGS FOR THE FY
2024/2025 (COMMITTEE PAPER NO.94A)

A) Meeting with the County Assembly of Kakamega

Upon invitation, the County Assembly of Kakamega presented as follows-

- a) The recurrent expenditure budget ceiling proposed by Commission on Revenue Allocation (CRA) is Kshs.1,375,643,000.
- b) The County Assembly requested for an overall ceiling of Kshs.1,743,449,432 comprising of Kshs.708,982,467 for personnel emoluments and Kshs.1,034,466,965 for operations and maintenance.
- c) The requested ceiling reflected essential expenses not factored by CRA causing a deficit of Kshs.372,826,392.
- d) The County Assembly requested the Committee to consider adjustment of the ceiling to be expended on the following items-
 - Personnel emoluments-Kshs.89,023,350.
 - Operations and Maintenance (O and M)-Kshs.81,812,374.
 - Public Participation-Kshs.149,460,000.
 - Training-Kshs.91,480,688.
- e) The County Assembly requested for a one-off allocation of Kshs.315,289,000 to cater for the following under recurrent budget line-
 - Office furniture- Kshs.50,000,000.
 - Purchase of new mace and safe box-Kshs.30,000,000.
 - Procurement and installation of ICT infrastructure-Kshs.25,000,000.
 - Purchase of four vehicles for public participation-Kshs.40,000,000.
 - Review of Strategic Planning-Kshs.10,000,000.
 - Refurbishment of the County Assembly-Kshs.60,289,000.
 - Initial seed capital for Staff Car loan and mortgage scheme fund Kshs.10,000,000.
- f) The county assembly also requested for funds to defray pending bills amounting to Kshs. 639,299,727.

The County Assembly was informed that-

- a) the Committee will not approve any funds for settlement of pending bills since in FY 2021/22, the county assemblies' recurrent ceiling was adjusted by the Senate to provide for funds for settlement of pending bills. Thereafter, county assemblies were required to live within their means.
- b) Instead of refurbishing, the County Assembly should work with the County Executive to provide and appropriate funding to build a new Chamber.

- c) the Committee will review their submissions and revert back.

B) Meeting with the County Assembly of Bungoma

Upon invitation, the County Assembly of Bungoma submitted that in order to carry out its operations and programmes effectively in the FY 2024/2025, the County Assembly required additional allocation of funds amounting to Kshs. 84,000,000 for the following specific items-

- a) Purchase of furniture for offices, committee rooms, auditorium and boardroom in the new county assembly building-Kshs.57,000,000
- b) ICT infrastructure, that is, installation and configuration of CCTV cameras in the new building, and installation of UPS for 245 computers-Kshs.10,000,000.
- c) Purchase of Library Equipment (tables, chairs, shelves, e-library software, e-licences and hard copy reading materials-Kshs.15,000,000.
- d) Installation of air conditioners and fans in the new building-Kshs.2,000,000.

Following deliberations-

- a) the meeting observed that the County Assembly's request did not include utilities such as power bills and water yet it was mentioned during presentation. The County Assembly was asked to revise their submissions and forward them to the Committee before end of business on 14th May, 2024.
- b) the County Assembly was also encouraged adopt green energy by installing solar panels in the new building, which would assist cut power expenses while also mitigating climate change effects.
- c) the Assembly was informed that the Committee will review their submissions and revert back.

C) Meeting with the County Assembly of Embu

Upon invitation, the County Assembly of Embu submitted that after consideration of the proposed recurrent budget ceiling for the FY 2024/2025 by the CRA, the county assembly requested for adjustment of the ceiling to be expended on the following budget items-

- a) Public Participation for 20 Bills (400 meetings-20 meetings in 20 wards at a cost of Kshs.37,000) in the FY 2024/25 -Kshs.14,800,000
- b) Hansard Equipment-Kshs.44,890,990
- c) Completion of the stalled County Assembly Complex-Kshs.205,106,344.


Following discussions, the County Assembly was informed that-

- a) expenses related to completion of stalled Assembly Complex is not recurrent expenditure but development expenditure. The Assembly should work with the County Executive to provide and appropriate funds for completion of the stalled County Assembly Complex.

- b) they should go green by installing solar panels in the new building, which would assist cut power expenses while also mitigating climate change effects.
- c) the Committee will review their submissions and revert back

MIN/SEN/SCF&B/755/2024 ADJOURNMENT AND THE DATE OF THE
NEXT MEETING

The meeting adjourned at 10:50 a.m. Next meeting to be held on 14th May, 2024 at 11:00 a.m.

SIGNATURE.......... DATE 22/05/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)

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MINUTES OF HUNDRED AND TWENTY-NINTH (129TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 14TH MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 11:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 7. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Nandemu Barasa | - | Media Relations Officer |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Mr. Ian Otieno | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |

IN ATTENDANCE

WAJIR COUNTY ASSEMBLY

- | | | |
|---------------------------------|---|------------------|
| 1. Hon. Abdille Yussuf | - | Speaker |
| 2. Hon. (CPA.) Ahmedkheir Salat | - | Vice Chair, CASB |
| 3. Hon. Ibrahim Hussein | - | Member, CASB |
| 4. Hon. Omar Mohamed | - | Member, CASB |

- 5. CPA. Abdullahi Ahmed - Principal Finance officer
- 6. Mr. Shalle Sheikh - Clerk of the Assembly

NAIROBI CITY COUNTY ASSEMBLY

- 1. Mr. Maurice Ochieng - Member, CASB
- 2. Mr. Edward Gichana - Clerk of the Assembly
- 3. Ms. Pauline Akuku - Deputy clerk
- 4. Mr. Pauline Kimani - Director Financial Services
- 5. Mr. Kokebe Kevin - Principal Legal Counsel

MIN/SEN/SCF&B/756/2024 PRELIMINARIES

The Vice-Chairperson called the meeting to order at 11:01 a.m. This was followed by a word of prayer, and a round of introduction.

MIN/SEN/SCF&B/757/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. (Dr.) Boni Khalwale, CBS, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP, as listed below-

- 1. Prayer;
- 2. Adoption of the Agenda;
- 3. Confirmation of Minutes of the 123rd, 124th, 126th, and 127th Sittings;
- 4. Matters Arising from the Minutes of the Previous Sitting;
- 5. Meeting with the County Assemblies of-
 - a) Wajir; and
 - b) Nairobi City County
 to deliberate on the proposed County Assembly’s Recurrent Budget Expenditure Ceilings for the FY 2024/2025. (*Committee Paper No.94A*);
- 6. Any Other Business; and
- 7. Adjournment and Date of the Next Meeting

MIN/SEN/SCF&B/758/2024 MEETING WITH COUNTY ASSEMBLIES TO DELIBERATE ON THE PROPOSED COUNTY ASSEMBLY’S RECURRENT BUDGET EXPENDITURE CEILINGS FOR THE FY 2024/2025 (COMMITTEE PAPER NO.94A)

A) Meeting with the County Assembly of Wajir

Upon invitation, the County Assembly of Wajir submitted that-

- a) The proposed recurrent expenditure budget ceiling for the FY 2024/25 is Kshs.918,609,870.
- b) The County Assembly requested for adjustment of the ceiling to enable the county assembly to undertake-

- Purchase of sixty-seater staff bus and 2 land cruiser that would be used to transport staff and members during oversight and public participation-Kshs.40,00,000.
- Purchase of 3 generators for the new county assembly building totalling Kshs. Kshs.21,000,000.
- ICT equipment for offices (Kshs.32,000,000) and acquisition of Hansard system for the county assembly chambers (Kshs.10,000,000) totalling Kshs.42,000,000.
- Mileage: The CRA has indicated monthly mileage of Kshs.4,500,000 instead of Kshs.6, 284,703 thus giving an annual deficit of Kshs.21,416,436.
- Insurance cost: After hike in comprehensive premium cover offered by NHIF, county assembly contracted a private insurance company in FY 2023/2024, total cost Kshs.53,000,000. CRA has allocated the assembly budget of Kshs.36,00,000 leading to a deficit of Kshs.17,000,000.
- Security-Kshs.23,280,000 for construction of police post and offices near the newly constructed county assembly headquarters.
- Pending bills-Kshs.100,000,000.

Following deliberations, the County Assembly was informed as follows-

- a) the Committee will not approve any funds for settlement of pending bills since in FY 2021/22, the county assemblies' recurrent ceiling was adjusted by the Senate to provide for funds for settlement of pending bills. Thereafter, county assemblies were required to live within their means.
- b) instead of purchasing 3 generators for the new building, the County Assembly was encouraged to consider installation of solar panels.
- c) to revise their submissions on adjustment of recurrent budget expenditure ceilings for the FY 2024/2025, attaching supporting documents for their requests and forward them to the Committee by end of business on 14th May,2024.
- d) the Committee will review their submissions and revert back.

B) Meeting with the County Assembly of Nairobi City

Upon invitation, the County Assembly of Nairobi City requested for enhancement of the recurrent budget ceiling for the FY 2024/25 by Kshs.700,000,000 to be used on the following-

- a) Litigation costs-Kshs.400,000,000
- b) Public participation-Kshs.70,000,000
- c) Training and continuous capacity building for member and staff-Kshs.100,000,000
- d) Acquisition of new equipment and furnitures-Kshs.50,000,000
- e) Economic impact on general administration and support services-Kshs.80,000,000.

After deliberations-


- a) The Committee took note of the huge litigation costs incurred by the County Assembly.

- b) The Committee observed that the County Assembly had not provided supporting documents to justify their requests.
- c) The County Assembly was asked to revise their submissions on adjustment of recurrent budget expenditure ceilings for the FY 2024/2025, attach supporting documents and forward them to the Committee by end of business on 14th May, 2024.

MIN/SEN/SCF&B/759/2024 ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting adjourned at 12:41 p.m. The next meeting to be held on Wednesday, 15th May, 2024 at 8:00 a.m.

MS →

SIGNATURE.......... DATE..... 22/05/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



MINUTES OF HUNDRED AND THIRTIETH (130TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON WEDNESDAY 15TH MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 8:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 7. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Nandemu Barasa | - | Media Relations Officer |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Mr. Ian Otieno | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |

MIN/SEN/SCF&B/760/2024 PRELIMINARIES

The Chairperson called the meeting to order at 8:14 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/761/2024 **ADPOTION OF THE AGENDA**

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded Sen. (Dr) Boni Khalwale CBS, MP, by as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 123rd, 124th, 126th, and 127th Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Consideration of pending legislative business (*Committee Paper No.77*);
6. Any Other Business; and
7. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/762/2024 **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

The Committee confirmed the Minutes of its previous sittings as listed below-

- a) The Minutes of the Hundred and Twenty-Sixth (126th) meeting held on Tuesday, 7th May, 2024 at 9:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. (Dr) Boni Khalwale CBS, MP, and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP.
- b) The Minutes of the Hundred and Twenty-Seventh (127th) meeting held on Thursday, 9th May, 2024 at 9:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded Sen. (Dr) Boni Khalwale CBS, MP.

MIN/SEN/SCF&B/763/2024 **CONSIDERATION OF PENDING LEGISLATIVE BUSINESS BEFORE THE COMMITTEE**

The Committee considered Paper No.77 on pending legislative business before it. Thereafter, the Committee considered status of each of the pending legislative business as of 15th May, 2024.

The Committee observed that-

- a) Regarding the Statement by Sen. Gloria Orwoba, MP on operations of Unclaimed Financial Asset Authority (UFAA) the Committee noted issues raised by the Senator, from the response submitted, which require further clarification. The Committee, thus, resolved to invite the Authority to a meeting to respond on the issues raised.
- b) The Statements which required response from the Nairobi City County Executive were long overdue and need to be fast-tracked. The Committee noted When the Governor appears on 23rd May, 2024 to respond on status of implementation of the

conditional allocation for Financing Locally-Led Climate Action (FLLoCA), he should as well respond to all other pending Statements.

- c) Regarding the Statements on Nairobi Metropolitan Services (NMS) pending bills, the Statements should be merged. Further, the Deed of Transfer 2020 that resulted into transfer of functions should be considered by the Committee.


Following deliberations, the Committee resolved as follows-

- a) to invite the CEO of the Unclaimed Financial Assets Authority (UFAA) and Sen. Gloria Orwoba, MP, to a meeting to deliberate on the response to a Statement regarding the alleged financial impropriety at the Authority.
- b) to revise invitation letter to the Governor of Nairobi City County inviting the him to a meeting on 23rd May, 2024 to deliberate on status of implementation of FLLoCA. This was to ensure the Governor responds to issues raised in the Statements regarding status of Nairobi Metropolitan pending bills that were requested by Sen. (Dr.) Boni Khalwale, MP, and Sen. Edwin Sifuna, MP, in addition to the status of implementation of FLLoCA Program.
- c) to invite the respective County Executives required to respond to issues raised in Statements regarding status of pending bills to a meeting.
- d) the secretariat to prioritize pending legislative business and prepare a proposed schedule of meetings with clearly stipulated timeframe for consideration by the Committee in the subsequent meeting.
- e) to hold a retreat during the upcoming recess commencing 3rd June, 2024, and invite relevant institutions to the retreat to enable the Committee expedite consideration of pending legislative business.
- f) the secretariat to prepare a brief on the contents of the deed of transfer of function from Nairobi County to Nairobi Metropolitan Services for consideration by the Committee in its subsequent meeting.
- g) the secretariat to classify related Statements and agencies required to respond to issues raised therein and invite them to a meeting to deliberate on their responses.
- h) that, once a response has been sent to the Senator who requested for a Statement and does not revert back to the Committee within the provided timeline, the Statement will be considered as adequately responded to.

MIN/SEN/SCF&B/764/2024

ADJOURNMENT AND THE DATE OF THE
NEXT MEETING

The meeting was adjourned at 9:19 a.m. The next meeting shall be on Thursday, 16th May, 2024 at 9:00 a.m.

SIGNATURE  DATE 22/05/2024

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)

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MINUTES OF HUNDRED AND THIRTY-FIRST (131ST) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON THURSDAY 16TH MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 7. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Constant Wamayuyi | - | Research officer |
| 6. Mr. Ian Otieno | - | Audio Officer |
| 7. Mr. Kelvin Kimeu | - | Attachee |
| 8. Ms. Lucian Tipilda | - | Attachee |

IN ATTENDANCE

KISUMU COUNTY ASSEMBLY

- | | | |
|---------------------------|---|--------------------------------|
| 1. Hon. Elisha Jack Oparo | - | Speaker |
| 2. Hon. Joakim Oketch | - | MCA/Chair of Budget Committee |
| 3. Hon. Carren Odhiambo | - | MCA/Chair of Finance Committee |
| 4. Mr. Owen Ojuok | - | Clerk of the Assembly |

- | | | |
|-----------------------------|---|------------------------------------|
| 5. Mr. Nashon Kusima Opange | - | Deputy Clerk |
| 6. Mr. Edwin Kisia | - | Director, Supply Chain Management |
| 7. Mr. Mark Imbule | - | Director of Finance and Accounting |
| 8. Mr. Owino Fredrick | - | ICT Officer |
| 9. Mr. Joshua Gatheru | - | Architect KSA |

BARINGO COUNTY ASSEMBLY

- | | | |
|-------------------------|---|--------------------------------|
| 1. Hon. Vincent Kemboi | - | Speaker |
| 2. Hon. Julius Ngotie | - | MCA |
| 3. Ms. Nelly Andany | - | MCA/Member, CASB |
| 4. Hon. Mailuk Shadrack | - | MCA |
| 5. Ms. Winnie Chemose | - | Clerk of the Assembly |
| 6. Mr. Alfred Keltany | - | Director, Finance and Accounts |
| 7. Mr. Daniel Chebii | - | Works Superintendent |
| 8. Mr. Ronald Cherutich | - | Principal Fiscal Analyst |
| 9. Mr. Lee Toroitich | - | Transport Officer |
| 10. Ms. Fatuma Tomno | - | Sergeant-At-Arms |
| 11. Ms. Mary Kaitany | - | SAO |

MIN/SEN/SCF&B/765/2024 PRELIMINARIES

The Chairperson called the meeting to order at 9:25 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/766/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Maureen Tabitha Mutinda, MP, and seconded Sen. Richard Momoima Onyonka, MP, by as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 123rd and 124th Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Meeting with the County Assemblies of-
 - a) Kisumu;
 - b) Baringo.

to deliberate on the proposed County Assembly's Recurrent Budget Expenditure Ceilings for the FY 2024/2025. (*Committee Paper No.94B*)

6. Any Other Business; and
7. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/767/2024

CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS

- a) The Minutes of the Hundred and Twenty-Third (123rd) meeting held on Friday, 26th April, 2024 at 10:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Richard Momoima Onyonka, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP.
- b) The Minutes of the Hundred and Twenty-Fourth (124th) meeting held on Friday, 26th April, 2024 at 2:00 p.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Richard Momoima Onyonka, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP.

MIN/SEN/SCF&B/768/2024

MEETING WITH COUNTY ASSEMBLIES TO DELIBERATE ON THE PROPOSED COUNTY ASSEMBLY'S RECURRENT BUDGET EXPENDITURE CEILINGS FOR THE FY 2024/2025 (COMMITTEE PAPER NO.94B)

A) Meeting with the County Assembly of Kisumu

The County Assembly of Kisumu requested the Committee for adjustment of recurrent expenditure budget ceiling for the FY 2024/25 by Kshs.337,425,900 to enable the County Assembly to furnish the ultra-modern assembly and offices under construction, and which is projected to be completed and commissioned by December, 2024. The funds will include provision of adequate recreational facilities, restaurants, sauna, and a modern gym.

Following deliberations-

- a) The Kisumu County Assembly was requested to submit to the Committee 3D-coloured photos/ images with descriptive information of the current status of the ultra-modern assembly under construction, which is intended to be completed by December 2024 and require to be furnished in the Financial Year 2024/25 by close of Business 16th May, 2024.
- b) the Committee will consider their request and revert back.

B) Meeting with the County Assembly of Baringo

The County Assembly of Baringo requested for recurrent expenditure adjustment for FY 2024/2025 by Kshs. 132 million to cater for the following-

- a) Equipping of the new offices with furniture-Kshs. 20 million.
- b) Equipping of the Speaker's residence with furniture and equipment-Kshs. 10 million.
- c) General repairs, maintenance, and improvement of the assembly building - Kshs. 20 million.


- d) Costs relating to insecurity (installation of integrated security management system- Kshs.27 million.
- e) Court awards on litigation owing to pending bills and or ongoing court cases against the County Assembly- Kshs.20 million.
- f) Acquisition of Motor Vehicles to facilitate oversight and public participation by committees- Kshs.35 million.

The County Assembly of Baringo was informed that the Committee will consider their request and revert back.

MIN/SEN/SCF&B/769/2024 ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting was adjourned at 10:50 a.m. The next meeting to be held on Thursday, 16th May, 2024 at 11:00 a.m.

MS →

SIGNATURE.......... DATE.....02/05/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



MINUTES OF HUNDRED AND THIRTY-SECOND (132ND) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON THURSDAY 16TH MAY, 2024 IN COUNTRY HALL GROUND FLOOR BOARDROOM AT 11:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Richard Momoima Onyonka, MP | - | Member |
| 3. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 4. Sen. Eddy Oketch Gicheru, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Constant Wamayuyi | - | Research officer |
| 6. Mr. Ian Otieno | - | Audio Officer |
| 7. Mr. Kelvin Kimeu | - | Attachee |
| 8. Ms. Lucian Tipilda | - | Attachee |

IN ATTENDANCE

ISILOLO COUNTY ASSEMBLY

- | | | |
|-----------------------|---|-----------------------|
| 1. Mr. Salad Bom | - | Clerk of the Assembly |
| 2. Ms. Rahima Atikiya | - | Head of Finance |

MIN/SEN/SCF&B/770/2024 PRELIMINARIES

The Chairperson called the meeting to order at 11:05 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/771/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Maureen Tabitha Mutinda, MP, and seconded Sen. Shakila Abdalla Mohamed, MP, by as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 123rd and 124th Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Meeting with the County Assemblies of-
 - a) Isiolo;
 - b) Nandi.to deliberate on the proposed County Assembly's Recurrent Budget Expenditure Ceilings for the FY 2024/2025(*Committee Paper No.94B*);
6. Consideration of pending legislative business (*Committee Paper No.77*);
7. Any Other Business; and
8. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/772/2024 MEETING WITH COUNTY ASSEMBLIES TO DELIBERATE ON THE PROPOSED COUNTY ASSEMBLY'S RECURRENT BUDGET EXPENDITURE CEILINGS FOR THE FY 2024/2025 (COMMITTEE PAPER NO.94B)

A) Meeting with the County Assembly of Nandi

The Committee considered and acceded to the request by the County Assembly of Nandi to reschedule the meeting from 16th May, 2023 to 23rd May, 2024.

B) Meeting with the County Assembly of Isiolo

The Clerk of the Assembly requested for review of the Assembly's recurrent expenditure budget ceiling for FY 2024/25 to cater for the following-

- a) Bunge Mashinani (public participation) costs in two sub-counties -Kshs.12,000,000.
- b) Procurement of Hansard equipment for 4 committee rooms- Kshs.16,000,000.
- c) Staffing mortgage fund -Kshs.30,000,000.
- d) Procurement of ICT systems-Kshs.15,000,000
- e) Purchasing of a Motor Vehicle-Kshs.11,500,000
- f) Settlement of pending bills and domestic payables-Kshs.40,000,000

g) Group medical cover-Kshs.15,000,000

The County Assembly was informed that-

- a) the Committee will not approve any funds for settlement of pending bills since in FY 2021/22, the county assemblies' recurrent ceiling was adjusted to provide for funds to cater for pending bills.
- b) the County Assembly had not provided supporting documents to justify or support their request.
- c) The Isiolo County Assembly was asked to prepare and submit to the Committee annexures to support their request in (a), (b), (c), (d) and (g) above by Monday, 20th May, 2024.

MIN/SEN/SCF&B/773/2024

CONSIDERATION OF PENDING LEGISLATIVE PROPOSAL AND PROPOSED SCHEDULE OF MEETING (COMMITTEE PAPER NO.77)

The Committee considered and approved the proposed schedule of meetings between 21st May, 2024 and 13th June, 2024 intended to enable the Committee expedite consideration of pending legislative business with following amendments-

- Reschedule meeting with County Executive of Nairobi City County from 23rd May, 2023 to a later date to deliberate on status of implementation of conditional allocation for Financing Locally-Led Climate Action (FLLOCA) Program and pending bills relating to Nairobi Metropolitan Services (NMS). This was attributed to the fact that the Governor will be away on official business with the President until 25th May, 2024 and had requested for rescheduling of meeting.
- Schedule meeting with County Executive of Kakamega to deliberate on supplementary issues regarding pending bills.

MIN/SEN/SCF&B/774/2024


ANY OTHER BUSINESS

The secretariat was tasked to review the schedule of meetings and make proposal to the Committee on possible dates to hold a pending meeting with State Department for Agriculture to discuss implementation of projects or programs funded by additional allocations from development partners under their purview.

MIN/SEN/SCF&B/775/2024

ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting was adjourned at 12:16 p.m. Next meeting shall be held on Tuesday the 21st May, 2024 at 9:00 am.

SIGNATURE.......... DATE...22/05/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)

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MINUTES OF HUNDRED AND THIRTY-THIRD (133RD) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 21ST MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Constant Wamayuyi | - | Research officer |
| 6. Mr. Nandemu Barasa | - | Media Relations Officer |
| 7. Mr. Ian Otieno | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |

IN ATTENDANCE

COUNTY ASSEMBLY OF NYERI

- | | | |
|-------------------------------|---|-----------------------|
| 1. Hon. James Gichuhi | - | Speaker |
| 2. Mr. Jenard N. Mwiggeh | - | Clerk of the Assembly |
| 3. Ms. Scolastica W. Ngunjiri | - | Deputy Clerk |

- | | | |
|----------------------------|---|----------------|
| 4. Mr. Eustace M. King`ori | - | Accountant |
| 5. Ms. Agnes W. Mwangi | - | Fiscal Analyst |

COUNTY ASSEMBLY OF KIAMBU

- | | | |
|--------------------------|---|-----------------------------------|
| 1. Hon. Charles Thiongo | - | Speaker |
| 2. Hon. Erick W. Ndung`u | - | MCA/Vice-Chair CASB |
| 3. Hon. Joachim Njama | - | MCA/Member CASB |
| 4. Mr. John M. Mutie | - | Clerk of the Assembly |
| 5. Mr. David K. Ngure | - | Deputy clerk |
| 6. Mr. James Kamau | - | Director, Supply Chain Management |
| 7. Ms. Sarah Kiruki | - | Director, Finance |
| 8. Mr. George Macharia | - | Serjeant-At-Arms |
| 9. Mr. Martin Mugambi | - | Secretariat, CASB |

MIN/SEN/SCF&B/776/2024 PRELIMINARIES

The Chairperson called the meeting to order at 9:30 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/777/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Maureen Tabitha Mutinda, MP, and seconded Sen. Shakila Abdalla Mohamed, MP, by as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 128th, 129th, 130th, 131st and 132nd Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Meeting with the County Assemblies of-
 - a) Kiambu; and
 - b) Nyeri
 to deliberate on the proposed County Assembly's Recurrent Budget Expenditure Ceilings for the FY 2024/2025. (*Committee Paper No.94C*);
6. Consideration and adoption of report on County Public Finance Law (Amendment)Bill,2023(Senate Bill No. 39 of 2023 (*Committee paper No. 81C*);
7. Consideration of IGRTC Response on status of handing over of construction of County Headquarter projects (*Committee paper No 95*);
8. Any Other Business; and
9. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/778/2024

CONFIRMATION OF MINUTES OF THE
PREVIOUS SITTINGS

Confirmation of minutes 128th,129th,130th,131st and 132nd sitting was deferred to the next meeting.

MIN/SEN/SCF&B/779/2024

MEETING WITH COUNTY ASSEMBLIES TO
DELIBERATE ON THE PROPOSED COUNTY
ASSEMBLY'S RECURRENT BUDGET
EXPENDITURE CEILINGS FOR THE FY 2024/2025
(COMMITTEE PAPER NO.94C)

A) Meeting with the County Assembly of Kiambu

Upon invitation, the Speaker, County Assembly of Kiambu made a presentation requesting for the recurrent expenditure budget ceiling for FY 2024/2025 be enhanced by Kshs. 241,302,400 to cater for the following-

1. Hansard system and broadcasting Unit-Kshs. 90,000,000.
2. Acquisition and installation of Electronic Documents and Records Management System-Kshs.18,000,000.
3. Documentation and printing at Kshs.6,000,000.
4. Upgrading of Intercom Telephone System, Local Area, Network and increasing of internet bandwidth- Kshs. 6,400,000.
5. Acquisition of computers and laptops-Kshs. 6,100,000.
6. Customized application system Kshs. 6,000,000.
7. Chamber overhaul -Kshs. 50,000,000.
8. Acquisition of three (3) utility motor vehicles for the assembly- Kshs. 30,000,000.
9. Allowances for Members of the County Assembly for extra Committees not factored by CRA in their recommendation- Kshs.21,626,400.
10. Contracted Security Guards -Kshs.7,716,000.

The Committee noted that-

- a) through concerted effort between the Committee, CRA and CAF, it was resolved that in developing the ceilings for the FY 2024/25 and subsequent years, the optimal number of committees to be adjusted upwards to a maximum of 18 from 14.
- b) pursuant to standing order 191 of the County Assembly of Kiambu, each sectoral Committee, Public Accounts and Investment Committee, and ICT Committee has two vice chairpersons thus the total number of chairpersons and vice chairpersons is 22 and 34 respectively. The County Assembly was advised to reconsider the number of committees and vice chairpersons to ensure the number are within allowable budget.

- c) some committees established in the County Assembly had mandate which were almost similar. For instance, Chairpersons panel and Liaison Committee, Committee on Appointments and Committee on Selection.
- d) the County Assembly of Kiambu has a bloated number of Committees at 24. The County Assembly was therefore advised to adjust the number of committees to fall within the approved number.

Following deliberations, the County Assembly of Kiambu was informed that-

- a) the Committee will not approve the allowances for Members due to extra Committees amounting to Kshs.21, 626,400. That, the Assembly should comply with CRA's recommendation by adjusting the number of Committees to fall within the optimal number.
- b) the Committee will review the submissions, consult Commission on Revenue Allocation and revert back.

B. Meeting with the County Assembly of Nyeri

Upon invitation, the Speaker of the County Assembly of Nyeri made a presentation requesting for adjustment of recurrent expenditure budget ceiling for the FY 2024/25 by Kshs.156, 500,490 to cater the following items-

1. Acquisition of Asset (Motor Vehicles)- Kshs.80,000,000.
2. Equipping Hon. Speaker's official residence expected to be completed in December, 2024- Kshs. 4,500,000.
3. Upgrading and equipping of staff and Members canteen- Kshs.7,000,490.
4. Automation of Enterprise Resource Planning (ERP)- Kshs.15,000,000.
5. ICT and Hansard Equipment-Kshs.30,000,000.
6. Purchase of furniture for Ward Offices -Kshs.20,000,000.

Following deliberations, the Committee informed the assembly representative that the submissions will be reviewed, consult Commission on Revenue Allocation and then revert back.

MIN/SEN/SCF&B/780/2024

**CONSIDERATION AND ADOPTION ON COUNTY
PUBLIC FINANCE
LAW(AMENDMENT)BILL,2023(SENATE BILL
NO.39 OF 2023(COMMITTEE PAPER NO 81C)**

This agenda was deferred to the next meeting.

MIN/SEN/SCF&B/781/2024

CONSIDERATION OF IGRTC RESPONSE ON
STATUS OF HANDING OVERT OF
CONSTRUCTION OF COUNTY HEADQUARTER
PROJECTS (COMMITTEE PAPER NO 95)

This agenda was deferred to the next meeting.

MIN/SEN/SCF&B/782/2024

ANY OTHER BUSINESS


The Committee resolved to hold a meeting on Wednesday, 22nd May, 2024 at 8 a.m. to considered deferred agenda items-

- a) Consideration and adoption of the report on County Public Finance Laws (Amendment) Bill, 2023 (Senate Bills No.39 of 2023); and
- b) Considerations of IGRTC response on status of handing over of construction of County Headquarter projects.

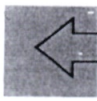
MIN/SEN/SCF&B/783/2024

ADJOURNMENT AND THE DATE OF THE NEXT
MEETING

The meeting adjourned at 11.07 a.m. The next meeting to be held on Wednesday 22nd May 2024 at 8:00 a.m.

SIGNATURE.......... DATE.....04/06/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)





MINUTES OF HUNDRED AND THIRTY-FOURTH (134TH) HYBRID MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON WEDNESDAY 22ND MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 8:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member (Virtual) |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 2. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 3. Sen. Joyce Chepkoech Korir, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Constant Wamayuyi | - | Research officer |
| 6. Mr. Nandemu Barasa | - | Media Relations Officer |
| 7. Mr. Ian Otieno | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |
| 9. Ms. Lucian Tipilda | - | Attachee |

MIN/SEN/SCF&B/784/2024 PRELIMINARIES

The Chairperson called the meeting to order at 8:25a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/785/2024

ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded Sen. Shakila Abdalla Mohamed, MP, by as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 128th, 129th, 130th, 131st and 132nd Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Consideration and adoption of report on County Public Finance Law (Amendment) Bill, 2023 (Senate Bills No. 39 of 2023 (*Committee paper No. 81C*))
6. Consideration of IGRTC Response on status of handing over of construction of County Headquarter projects (*Committee paper No. 95*)
7. Any Other Business; and
8. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/786/2024

CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS

The Committee confirmed the minutes of its previous sittings as listed below-

- a) The Minutes of Hundred and Twenty-Eighth (128th) meeting held on Tuesday 14th May, 2024 at 9:00 a.m. were confirmed as a true record of the proceedings of Committee having been proposed by Sen. Shakila Abdalla Mohamed, MP and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP.
- b) The Minutes of Hundred and Twenty-Ninth (129th) meeting held on Tuesday 14th May, 2024 at 11:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP.
- c) The Minutes of Hundred and Thirtieth (130th) meeting held on Wednesday 15th May, 2024 at 8:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP.
- d) The Minutes of Hundred and Thirty-First (131st) meeting held on Thursday, 16th May, 2024 at 9:00 a.m. were confirmed as true records of the proceedings of Committee having been proposed by Sen. Shakila Abdalla Mohamed, MP and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP.
- e) The Minutes of Hundred and Thirty-Second (132nd) meeting held on Thursday 16th May, 2024 at 11:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP.

MIN/SEN/SCF&B/787/2024

**CONSIDERATION OF REPORT ON THE
COUNTY PUBLIC FINANCE LAWS
(AMENDMENT) BILL, 2023 (SENATE BILLS
NO.39 OF 2023 (COMMITTEE PAPER NO.81C)**

The Committee considered Paper No.81C on draft report on the County Public Finance Law (Amendment) Bill No.39 of 2023, and noted the contents thereof. The report comprised of overview of the Bill, submissions from stakeholders, thematic analysis of the Bill, Committee observations and recommendations.

MIN/SEN/SCF&B/788/2024

**ADOPTION OF THE REPORT ON THE COUNTY
PUBLIC FINANCE LAWS (AMENDMENT) BILL,
2023 (SENATE BILLS NO.39 OF 2023**

The Committee, having considered the Report on the County Public Finance Laws (Amendment) Bill, 2023 (Senate Bills No.39 of 2023), unanimously adopted the report having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Shakila Abdalla Mohamed, MP. The Committee recommended that the Senate approves the Bill with the following amendments-

- a) clause 6 (the proposed new section 109A(2)) be amended by-
 - deleting paragraph (b)- since the Fund will be similar to exchequer and is not eligible to receive grants, gifts, donations or bequests. Any monies to the Fund shall be in accordance with the respective county government's approved appropriations.
 - deleting paragraph (d)- This is because as the structure of the county government, county assemblies are not expected to have access to any other source of funding other than the annual county government appropriations.
- b) clause 6 (the proposed new section 109A(7)) be amended by deleting the word Service. This is to ensure uniformity across the Bill since the Fund is to be known as County Assembly Fund.
- c) clause 6 (the proposed new section 109A(10)) be amended to indicate that any unutilized balances in the Fund by the end of the financial year shall lapse and returned to the County revenue fund for re-budgeting. This will promote principles of openness and accountability in managing public resources.
- d) clause 6 (the proposed new section 109B) be amended by deleting paragraph (c). This is because the proposed Fund is purely for defraying costs related to the operations of the county assembly. It's unlikely that there will be any administrative costs for running the Fund.

MIN/SEN/SCF&B/789/2024

CONSIDERATION OF IGRTC RESPONSE ON
STATUS OF HANDING OVER OF
CONSTRUCTION OF COUNTY HEADQUARTER
PROJECTS (COMMITTEE PAPER NO. 95)

The Committee considered Paper No.95 relating to the Intergovernmental-Relations Technical Committee (IGRTC) response on status of handing over of Construction of County headquarter project. The Committee noted that-

- a) the IGRTC coordinated development of intergovernmental agreements between national government and the county governments. The agreements provided for the obligations of each party: State Department for Public Works, the National Treasury and respective county governments.
- b) all the parties had executed the agreements and IGRTC witnessed the same.
- c) the beneficiary counties were obligated to open *Special purpose accounts* at the Central Bank of Kenya (CBK).
- d) IGRTC indicated that they had successfully coordinated handover of the construction of the HQs to the respective counties. The National Treasury and State Department for Public Works committed to assisting the beneficiary county governments in ensuring completion of the projects while county governments committed to ensure economic use of resources and intended purpose is achieved.
- e) The Committee report was tabled in the Senate and is awaiting debate and approval. This report ought to have been approved by the Senate before handover of the projects. However, since IGRTC had already concluded the process of official handover, the Senate ought to expedite approval of the Committee report.

MIN/SEN/SCF&B/790/2024

ADJOURNMENT AND THE DATE OF THE NEXT
MEETING

The meeting adjourned at 9:28 a.m. The next meeting to be held on Thursday, 23rd May, 2024 at 9:00 a.m.

SIGNATURE.......... DATE..04/06/2024....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



MINUTES OF HUNDRED AND THIRTY-FIFTH (135TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON THURSDAY 23RD MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. (Dr)Boni Khalwale, CBS, MP | - | Member |
| 2. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 3. Sen. Joyce Chepkoech Korir, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-------------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Constant Wamayuyi | - | Research officer |
| 6. Mr. Nandemu Barasa | - | Media Relations Officer |
| 7. Ms. Shirley Milimu | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |
| 9. Ms. Lucian Tipilda | - | Attachee |

IN ATTENDANCE

MACHAKOS COUNTY ASSEMBLY

- | | | |
|----------------------|---|-------------------------------------|
| 1. Mr. Dennis Mutui | - | Clerk of the Assembly |
| 2. Mr. Benson Mutua | - | Head of Finance |
| 3. Mr. Justus Musuma | - | Director, Human Resource Management |

NANDI COUNTY ASSEMBLY

- | | | |
|-------------------------|---|------------------------------------|
| 1. Hon. Cheruiyot Melly | - | Speaker |
| 2. Mr. Barnaba Kosgei | - | Clerk of the Assembly |
| 3. Mr. Henry K Tarus | - | Deputy Clerk |
| 4. Mr. Aron Kipruto Rop | - | Director, Human Capital Management |
| 5. Mr. Edwin Serem | - | Head of ICT Department |
| 6. Mr. Tum Isaac | - | Fiscal Analyst |

MIN/SEN/SCF&B/791/2024 PRELIMINARIES

The Chairperson called the meeting to order at 9:15 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/792/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Eddy Oketch Gicheru, MP, by as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 133rd Sitting;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Meeting with the County Assemblies of-
 - a) Machakos; and
 - b) Nandito deliberate on the proposed County Assembly's Recurrent Budget Expenditure Ceilings for the FY 2024/2025 (*Committee Paper No.94D*);
6. Pre-publication scrutiny of the proposed Public Finance Laws (Amendment) Bill, 2024 (*Committee Paper No.96*);
7. Any Other Business; and
8. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/793/2024 CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING

Confirmation of Minutes 133rd Sitting was differed to the subsequent meeting.

MEETING WITH COUNTY ASSEMBLIES TO
DELIBERATE ON THE PROPOSED COUNTY
ASSEMBLY'S RECURRENT BUDGET
EXPENDITURE CEILINGS FOR THE FY 2024/2025
(COMMITTEE PAPER NO.94C)

A) Meeting with the County Assembly of Machakos

Upon Invitation, the Clerk of the County Assembly of Machakos made a presentation requesting the Committee for adjustment of recurrent expenditure budget ceiling for the FY 2024/25 by Kshs.239,777,725 million to cater the following items-

- a) Staffing compensation-Kshs.10,000,000.
- b) Security for the Ward Offices- Kshs.8,160,000.
- c) Purchase of motor vehicles for public participation- Kshs. 18,000,000.
- d) Settlement of pending bills-Kshs.103,207,288.
- e) Severance payment for ward office staff for the first Assembly-Kshs.24,410,437.
- f) Public participation costs at approximately Kshs.44,000,000.
- g) Fridge Benefit Tax (FBT)-Kshs.12,000,000.
- h) Training and capacity building-Kshs.10,000,000.
- i) Legal drafting-Kshs.10,000,000.

Further, the Clerk of the Assembly informed the meeting that-

- in the current FY 2023/2024, the Assembly will incur additional costs for non-discretionary expenditures such as housing levy (following enactment of the Affordable Housing Act) and increased NSSF contributions amounting to Kshs.26 million. These budget items were not included in the FY 2023/24 budget ceiling, and came into effect later in the year.
- Whenever the OSR projections are not achieved in a given FY, the Assembly suffers due to budget cuts implemented via supplementary budgets.

On deliberations regarding OSR performance, the Committee noted, with concern, that the County Government of Machakos does not consider and approved the Finance Bill as required by PFM Act. This is contrary to section 132 (2) of the PFM Act, that provides that, "*the County Executive Committee member for finance shall, on the same date that the revenue raising measures are pronounced, submit to the county assembly the County Finance Bill, setting out the revenue raising measures for the county government, together with a policy statement expounding on those measures.* As a result, the Committee therefore resolved to take up the matter.

The Committee informed the County Assembly of Machakos as follows-

- a) the County should prepare and submit information on the impact of non-discretionary expenditures such as housing levy deduction and increased NSSF contributions on

the Integrated Personnel and Payroll Database (IPPD) in the FY 2023/2024 by end of business 23rd May, 2024.

- b) the Committee will not approve request for funds for settlement of pending bills since in FY 2021/22, the county assemblies' recurrent ceiling was adjusted by the Senate to provide for funds for settlement of pending bills. Thereafter, county assemblies were required to live within their means.
- c) the Committee will not approve funding request for excess staff emoluments. The County Assembly ought to comply with the Commission on Revenue Allocation's staffing level capping as per the circular Ref No. CRA/FA/01/VOL,11(22) June 2018.

B) Meeting with the County Assembly of Nandi

Upon invitation, the Speaker of the County Assembly of Nandi made a presentation requesting for recurrent expenditure adjustment for FY 2024/2025 by Kshs.193,808,760 to cater for the following-

- a) equipping of county assembly Office Complex Hansard and Chambers totalling to Kshs. 93,922,000.
- b) new expenses as a result of relocation to the newly built office complex-Kshs. 78,690,000.
- c) purchase of motor vehicles-Kshs. 21,196,760.

The County Assembly of Nandi was informed that the Committee will consider their request and revert back.

MIN/SEN/SCF&B/795/2024

PRE-PUBLICATION SCRUTINY OF THE PROPOSED PUBLIC FINANCE LAWS (AMENDMENT) BILL, 2024 (COMMITTEE PAPER NO.94)

The Committee considered the proposed Public Finance Laws (Amendment) Bill, 2024 sponsored by Sen. Mohammed Chute, MP. The legislative proposal intends to-

- a) insert a new section 119A in the PFM Act, Cap. 412A, to provide that the Controller of Budget (CoB) shall have the power to access, examine, and obtain information from all bank accounts maintained by county governments and county government entities.
- b) amend section 9 of the Controller of Budget Act, Cap. 429, to provide that the Controller of Budget shall issue a certificate in respect of every county, highlighting the level of compliance in respect of the approved requisitions *vis a vis* actual withdrawals made under section 5(a).
- c) amend section 22 of the Controller of Budget Act, Cap. 429, to provide that it shall be an offence for a person to substitute an approved requisition submitted to the

Controller of Budget and consequently pay a different supplier from the one contained in the approved requisition.

Following deliberations, the Committee made the following observations-


- (a) Clause 7 of the County Public Finance Laws (Amendment) Bill, Senate Bills No. 39 of 2024, proposes the insertion of a new section 119A in the Public Finance Management Act to provide that *"the Controller of Budget shall have viewer rights access to all bank accounts maintained by the county executive, the county assembly and all other county government entities"*. The Bill is currently awaiting Second Reading in the House. For expediency, the Committee resolved to propose to the Sponsor of the legislative proposal to move committee stage amendment to clause 7 of the Bill to incorporate any matter that may have been left out.
- (b) the section 9(1) as read together with section 9(3)(a) requires that the CoB shall, in accordance with Article 228(6) of the Constitution, submit to Parliament quarterly budget implementation reports for the national and county governments within thirty days after the end of each quarter. The scope of the report under section 9 would therefore include the matters the certificate of compliance that the legislative proposal intends to introduce.
- (c) the offences under section 22 of the Controller of Budget Act includes an element of intention (*mens rea*) for a person to be liable for an offence. It follows that by introducing an offence requiring strict adherence to an approved requisition request an accounting officer cannot exercise discretion in the payment of suppliers as he or she would do so at the risk of being charged and possibly convicted of a criminal offence. The Committee supported this proposal.

The Committee resolved to submit its comments to the Speaker relating to legislative proposal on Public Finance (Amendment) Bill, 2024, by Sen. Mohammed Chute, MP with its recommendation.

MIN/SEN/SCF&B/796/2024

ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting adjourned at 10:48 a.m. The next meeting to be held on Tuesday, 28th May, 2024 at 9:00 a.m.

SIGNATURE.......... DATE.....04/06/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP

(CHAIRPERSON)



MINUTES OF HUNDRED AND THIRTY-SIXTH (136TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 28th MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 7. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Constant Wamayuyi | - | Research officer |
| 6. Ms. Shirley Milimu | - | Audio Officer |
| 7. Mr. Godana Mamo | - | Sergeant-At-Arms |
| 8. Mr. Kelvin Kimeu | - | Attachee |
| 9. Ms. Lucian Tipilda | - | Attachee |

IN ATTENDANCE

COUNTY ASSEMBLY OF ELGEYO-MARAKWET

- | | | |
|--------------------------|---|-----------------------|
| 1. Hon. Philemon Sabulei | - | Speaker |
| 2. Ms. Jane Kiptum Mutai | - | Clerk of the Assembly |
| 3. Mr. Alphanus Tanui | - | Director, Finance |

- | | | |
|-------------------------|---|---------------------------|
| 4. Mr. Joseph Kalessi | - | Principal Finance Officer |
| 5. Mr. Duncan Kimutai | - | Senior Fiscal Analyst |
| 6. Mr. Barnabas Kiprono | - | Accountant |
| 7. Mr. David Barngetuny | - | Head of Procurement |

COUNTY ASSEMBLY OF TANA-RIVER

- | | | |
|-------------------------|---|--------------------------|
| 1. Hon. Osman Galole | - | Speaker |
| 2. Mr. Abdullahi Dayib | - | Clerk of the Assembly |
| 3. Mr. Nicholus Mwaniki | - | Senior Financial Analyst |

COUNTY ASSEMBLY OF GARISSA

- | | | |
|---------------------------|---|-----------------------|
| 1. Hon. Abdi Gure | - | Speaker |
| 2. Hon. Abdullahi Ibrahim | - | MCA |
| 3. Hon. Abdirahman Ali | - | MCA |
| 4. Mr. Mohamed Santur | - | Clerk of the Assembly |
| 5. Mr. Mohamed Idhyle | - | Chief Finance Officer |
| 6. Mr. Mohamed Noor | - | Research Officer |
| 7. Mr. Abdala Ali | - | Finance Officer |

MIN/SEN/SCF&B/797/2024 PRELIMINARIES

The Chairperson called the meeting to order at 9:30 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/798/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP and seconded, Sen. Eddy Gicheru Oketch, MP, by as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Matters Arising from the Minutes of the Previous Sitting;
4. Meeting with the County Assemblies of-
 - a) Elgeyo-Marakwet;
 - b) Tana River; and
 - c) Garissa

to deliberate on the proposed County Assembly's Recurrent Budget Expenditure Ceilings for the FY 2024/2025. (*Committee Paper No.94E*)

5. Any Other Business; and
6. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/799/2024 MEETING WITH COUNTY ASSEMBLIES TO DELIBERATE ON THE PROPOSED COUNTY ASSEMBLY'S RECURRENT BUDGET

**EXPENDITURE CEILINGS FOR THE FY
2024/2025 (COMMITTEE PAPER NO.94C)**

A) Meeting with the County Assembly of Elgeyo-Marakwet

Upon invitation, the Speaker of the Assembly made a presentation requesting the Committee for adjustment of recurrent expenditure budget ceiling for the FY 2024/25 by Ksh. 59,500,000 to cater the following items-

- a) Purchase and installation of Hansard Equipment projected to cost Ksh. 37,000,000.
- b) Purchasing of two Motor Vehicles (Land Cruiser) for oversight estimated to cost Ksh. 22,500,000.

The County Assembly was informed that the Committee will consider their request and revert back.

B) Meeting with the County Assembly of Tana River

Upon invitation, the Speaker of the Assembly made a presentation requesting the Committee for adjustment of recurrent expenditure budget ceiling. The Assembly requested the Committee to consider adjusting the recurrent expenditure adjustment for FY 2024/2025 by Ksh. 277.6 million which will be used to cater for the following budget items-

- a) Public participation and oversight costs- Ksh.14.7 million.
- b) Training cost -Ksh.12.4 million.
- c) Inherited Tax arrears from the County Executive-Ksh.35 million.
- d) Purchasing of Motor Vehicles 8 vehicles inclusive of Speaker's vehicle and 15 Motor cycles estimated to cost Ksh.138.5 million.
- e) Procurement and Installation of Hansard Equipment- Ksh.16 million.
- f) Office furniture and computers for 15 wards- Ksh.45 million.
- g) Insurance Cost-Ksh.16 million.

After deliberations, the County Assembly indicated that the most pressing needs include Speaker's Vehicle (since the Speaker does not have an official vehicle), Inherited tax arrears and insurance costs.

The County Assembly of Tana River was informed that the Committee will consider their request and revert back.

C) Meeting with the County Assembly of Garissa


Upon invitation, the Speaker of the Assembly made a presentation requesting the Committee for adjustment of recurrent expenditure budget ceiling. The Assembly requested the Committee to consider adjusting the recurrent expenditure adjustment for FY 2024/2025 by Kshs.149,550,130 to support the following critical programs-

- a) Working Injury Benefit Act (WIBA) for Members and Staff- Ksh. 25,200,000
- b) Payment of the retrenched staff - Ksh. 58,013,922
- c) Consultancy service of Human Resource to help in the retrenchment process-Ksh. 7,859,000
- d) Buying of lease of the land in front of the County Assembly which poses a security risk at Ksh. 50,000,000

The Committee noted that the County Assembly had not submitted supporting documents relating to the leased land such as valuation report, lease certificate, and agreement on acquisition of the land. The County Assembly of Garissa was requested to submit further details regarding the acquisition of land by Friday, 31st May, 2024.

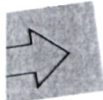
MIN/SEN/SCF&B/800/2024 **ADJOURNMENT AND THE DATE OF THE NEXT MEETING**

There being no other business, the meeting adjourned at 10:55 a.m. Next meeting was to be held on Tuesday, 28th May, 2024 at 11:00 a.m.

SIGNATURE.......... DATE...04/06/24.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP

(CHAIRPERSON)





MINUTES OF HUNDRED AND THIRTY-SEVENTH (137TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 28TH MAY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 11:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 5. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Constant Wamayuyi | - | Research officer |
| 6. Ms. Shirley Milimu | - | Audio Officer |
| 7. Mr. Godana Mamo | - | Sergeant-At-Arms |
| 8. Mr. Kelvin Kimeu | - | Attachee |
| 9. Ms. Lucian Tipilda | - | Attachee |

IN ATTENDANCE

1. Sen. Gloria Orwoba, MP

UNCLAIMED FINANCIAL ASSETS AUTHORITY

- | | | |
|---------------------------|---|----------|
| 1. Hon. (Dr.) Kigo Njenga | - | Chairman |
|---------------------------|---|----------|

- | | | |
|----------------------------|---|-------------------|
| 2. F.A John Mwangi,EBS | - | CEO |
| 3. CPA. Beatrice Chelangat | - | Ag. Manager |
| 4. Mr. Daudi Kamau | - | Head of Legal |
| 5. CPA. Leonard Langat | - | Senior Accountant |

MIN/SEN/SCF&B/801/2024 **PRELIMINARIES**

The Chairperson called the meeting to order at 11:10 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/802/2024 **ADPOTION OF THE AGENDA**

The agenda was adopted after being proposed by Sen. Shakila Abdalla Mohamed, MP, and seconded by Sen, Eddy Oketch Gicheru, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 133rd ,134th , and 135th Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Meeting with the Unclaimed Financial Assets Authority (UFAA) to deliberate on statement requested by Sen.Gloria Orwoba, MP, regarding the alleged financial improprieties (*committee paper No.97*);
6. Consideration of the County Statistics Bill,2024 (Senate Bill No.5 of 2024) (*Committee paper No 98*);
7. Any Other Business; and
8. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/803/2024 **MEETING WITH THE UNCLAIMED FINANCIAL ASSET AUTHORITY TO DELIBERATE ON STATEMEND REQUESTED BY SEN. GLORIA ORWOBA, MP, REGARDING THE ALLEGATED FINANCIAL IMPROPRIETIES (COMMITTEE PAPER NO.97);**

Upon invitation, Sen. Gloria Orwoba, MP, informed the Committee that the response provided by UFAA on the issues requested was not adequate. Secondly, after request for clarification, the information submitted was not clearly substantiated. The Senator, noted, she had attended the meeting to seek clarifications.

Thereafter, Chairperson invited the Authority to respond to the issues that were raised in the Statement and the supplementary issues. During presentation, the Committee noted, with concern, that-

- a) the response was insufficient;
- b) did not address the issues raised in the Statement;

- c) there were no supporting documents; and
- d) therefore, not admissible.


The Committee resolved to defer the meeting, and directed the Authority to prepare and submit a detailed/ comprehensive response to the Statement and the supplementary issues contained in the earlier letters, attach all relevant, well organized supporting documents, within 14 days.

MIN/SEN/SCF&B/804/2024 CONSIDERATION OF COUNTY STATISTICS BILL, 2024 (SENATE BILLS NO.5 OF 2024) COMMITTEE PAPER NO.98)

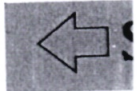
This agenda item was deferred to the next meeting.

MIN/SEN/SCF&B/805/2024 ADJOURNMENT AND THE DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 12:39 p.m. The Next meeting shall be by notice.

SIGNATURE.......... DATE.....04/06/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)





MINUTES OF HUNDRED AND THIRTY-EIGHTH (138TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY 4TH JUNE, 2024 IN NYATI HALL AT ARGYLE GRAND HOTEL, MACHAKOS COUNTY AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |
| 7. Sen. (Dr)Boni Khalwale, CBS, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir,MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|----------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Makara | - | Deputy Director, PBO |
| 4. Ms. Lucy Radoli | - | Legal Counsel |
| 5. Mr. Abdirahman Gorod | - | Fiscal Analyst |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Ms. Shirley Milimu | - | Audio Officer |
| 8. Mr. Stephen Maru | - | Sergeant-At-Arms |

MIN/SEN/SCF&B/806/2024 **PRELIMINARIES**

The Chairperson called the meeting to order at 9:30 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/807/2024 **ADPOTION OF THE AGENDA**

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP and seconded by Sen. Eddy Oketch Gicheru, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 133rd, 134th, 135th, 136th and 137th Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Consideration of the county assemblies' recurrent expenditure budget ceiling for FY 2024/2025.
6. Any Other Business; and
7. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/808/2024 **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

- a) The Minutes of Hundred and Thirty-Third (133rd) meeting held on Tuesday, 21st May, 2024 at 9:00 a.m. were confirmed as a true record of the proceedings of Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP and seconded by Sen. Eddy Oketch Gicheru, MP.
- b) The Minutes of Hundred and Thirty-fourth (134th) meeting held on Wednesday, 22nd May, 2024 at 8:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Eddy Oketch Gicheru, MP.
- c) The Minutes of Hundred and Thirty-Fifth (135th) meeting held on Thursday, 23rd May, 2024 at 9:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Maureen Tabitha Mutinda, MP, and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP.
- d) The Minutes of Hundred and Thirty-Sixth (136th) meeting held on Tuesday, 28th May, 2024 at 9:00 a.m. were confirmed as true records of the proceedings of Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. Maureen Tabitha Mutinda, MP.
- e) The Minutes of Hundred and Thirty-Seventh (137th) meeting held on Tuesday 28th May, 2024 at 11:00 a.m. were confirmed as true record of the proceedings of the Committee having been proposed by Sen. Eddy Oketch Gicheru, and seconded by Sen. Maureen Tabitha Mutinda, MP.

MIN/SEN/SCF&B/809/2024 **CONSIDERATION OF THE COUNTY ASSEMBLY'S RECURRENT EXPENDITURE BUDGET CEILING FOR THE FY 2024/2025;**

The Committee considered requests submitted by the County Assemblies of Embu, Nairobi City, Kakamega, Bungoma, Wajir, and Kisumu regarding adjustment of the recurrent budget expenditure budget ceilings for the FY 2024/25 and made the following resolutions-

1. Embu County Assembly

The Committee approved additional amount of Kshs.39.8 million to cater for following budget items -

- a) Public participation-Kshs.14,800,000.
- b) Hansard equipment Kshs.25,000,000.

2. Kakamega County Assembly

The Committee approved additional amount of Kshs.148,545,684 to cater for following budget items -

- a) Personal emolument-Kshs.29,000,000.
- b) Public Participation-Kshs.31,195,684.
- c) Insurance additional costs- Kshs.29,350,000.
- d) Purchase of 4 motor vehicles for public participation-Kshs.40,000,000.
- e) Furniture, fixtures and fittings in the Chamber-Kshs.15,000,000.
- f) Review of the strategic plan:2025-2030- Kshs. 4,000,000.

3. Bungoma County Assembly

The Committee approved additional amount of Kshs.126,400,000 to cater for following budget items -

- a) Purchase of furniture for office committee room, auditorium and boardrooms in new buildings-Kshs.57,000,000.
- b) ICT infrastructure (CCTV cameras and computer UPS)- Kshs.10,000,000.
- c) Purchase of library equipment (furniture, e-library software, licences, reading, materials)-Kshs.15,000,000.
- d) Installation of air conditioners and fun in the new building-Kshs.2,000,000.
- e) General insurance-Kshs.20,000,000.
- f) Contracted cleaning services-Kshs.10,000,000.
- g) Routine management of new building, old building, lifts, perimeter wall and vehicles-Kshs.10,00,000.
- h) Electric and Water bills Kshs.2,400,000.

4. Wajir County Assembly

The Committee approved additional amount of Kshs.74,000,000 to cater for following budget items -

- a) Purchase of staff bus and 2 land cruisers-Kshs.40,000,000.
- b) Purchase generators for new county assembly building-Kshs.7,000,000.
- c) ICT automation of county assembly chamber Kshs.10,000,000.
- d) Insurance costs-Kshs.17,000,000.

5. Nairobi City County Assembly

The Committee approved additional amount of Kshs.240,000,000 to cater for following budget items -

- a) Litigation costs-Kshs.100,000,000.
- b) Public participation-Kshs.50,000,000.
- c) Training and continuous capacity building for member and staff-Kshs.50,000,000.
- d) Acquisition of new equipment and furnitures-Kshs.40,000,000.


The Committee further resolved that Senate will not approve any request relating to litigation costs by Nairobi City County Assembly in subsequent financial years.

6. Kisumu County Assembly

The Committee approved additional amount of Kshs.170,000,000 to cater for furnishing and equipping the new ultra-modern assembly complex chamber and offices.

MIN/SEN/SCF&B/810/2024 ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting adjourned 1.38 p.m. The next meeting was to be held same day at 2.40 p.m.

SIGNATURE.......... DATE.....06/06/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



MINUTES OF HUNDRED AND THIRTY-NINTH (139TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 4TH JUNE, 2024 IN NYATI HALL AT ARGYLE GRAND HOTEL, MACHAKOS COUNTY AT 2:40 P.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 7. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|----------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Makara | - | Deputy Director, PBO |
| 4. Ms. Lucy Radoli | - | Legal Counsel |
| 5. Mr. Abdirahman Gorod | - | Fiscal Analyst |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Ms. Shirley Milimu | - | Audio Officer |
| 8. Mr. Stephen Maru | - | Sergeant-At-Arms |

MIN/SEN/SCF&B/811/2024

PRELIMINARIES

The Chairperson called the meeting to order at 2:45 p.m. This was followed by a word of prayer.

MIN/SEN/SCF&B/812/2024

ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP and seconded by Sen. Eddy Oketch Gicheru, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Resumption of consideration of the county assemblies' recurrent expenditure budget ceiling for FY 2024/2025;
4. Any Other Business; and
5. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/813/2024 **CONSIDERATION OF THE PROPOSED COUNTY ASSEMBLY'S RECURRENT BUDGET EXPENDITURE CEILINGS FOR THE FY 2024/2025**

The Committee considered requests by the county assemblies of Baringo, Isiolo, Kiambu, Nyeri, Machakos, Nandi, Elgeyo Marakwet, Tana River, and Garissa regarding adjustment of the recurrent budget expenditure budget ceilings for the FY 2024/25 and made the following resolutions-

1. Baringo County Assembly

The Committee approved additional amount of Kshs.30 million to cater for following budget items -

- a) County Assembly Office furniture-Ksh. 10,000,000.
- b) Speaker's residence Furniture and Equipment-Ksh. 3,000,000.
- c) Court awards on Legislation-Ksh. 7,000,000.
- d) Acquisition of one motor vehicle- Ksh. 10,000,000.

2. Isiolo County Assembly

The Committee approved additional amount of Kshs.50 million to cater for following budget items-

- a) Procurement of Hansard equipment for four (4) committee rooms-Ksh.16,000,000.
- b) ICT Systems- Ksh. 7,500,000.
- c) Purchase of land cruisers- Ksh. 11,500,000.
- d) Group medical cover-Ksh. 15,000,000.

3. Kiambu County Assembly

The Committee approved additional amount of Kshs.71,716,000 to cater for following budget items-

- a) Hansard system and broadcasting Unit- Ksh. 40,000,000.
- b) Acquisition and installation of electronic documents and records management System- Ksh. 6,000,000.

- c) Documentation and Printing- Ksh. 1,000,000.
- d) Upgrading of intercom telephone system, Local Area network and increasing of the internet bandwidth- Ksh. 2,000,000
- e) Acquisition of computers and laptops- Ksh. 5,000,000
- f) Acquisition of one motor vehicle- Ksh. 10,000,00
- g) Contracted Security guards - Ksh. 7,716,000

4. Nyeri County Assembly

The Committee approved additional amount of Kshs.70 million to cater for following budget items-

- a) Acquisition of Asset (Motor Vehicle)- Ksh. 20,000,000
- b) Equipping Speakers Official residence- Ksh. 3,000,000
- c) Upgrading and equipping the staff canteen- Ksh. 7,000,000
- d) Automation (Enterprise Resource Planning)- Ksh. 5,000,000
- e) ICT and Hansard Equipment- Ksh. 25,000,000
- f) Purchase of furniture ward Offices- Ksh. 10,000,000

5. Machakos County Assembly

The Committee approved additional amount of Kshs.66.16 million to cater for following budget items-

- a) Security for the Ward Offices- Ksh. 8,160,000.
- b) Purchase of two (2) Motor Vehicles- Ksh. 18,000,000.
- c) Severance Pay for Ward Office staff for first Assembly-Ksh. 30,000,000.
- d) Training and capacity building for Members- Ksh. 10,000,000.

6. Nandi County Assembly

The Committee approved additional amount of Kshs.96,306,000 million to cater for following budget items-

- a) Equipping of the County Assembly office complex (Hansard and Chamber- Ksh. 46,961,000
- b) Furnish of newly built complex- Ksh. 39,345,000.
- c) Purchase of one motor Vehicle- Ksh. 10,000,000.

7. Elgeyo Marakwet County Assembly

The Committee approved additional amount of Kshs.35 million to cater for following budget items-

- a) Hansard Equipment - Ksh. 25,000,000.
- b) Purchase of one Motor Vehicle - Ksh. 10,000,000.

8. Tana River County Assembly

The Committee approved additional amount of Kshs.110.4 million to cater for following budget items-

- a) Public Participation and oversight-Kshs.14.7 million
- b) Training costs-Kshs.6.2 million
- c) Inherited tax arrears from County Executive -Kshs.17.5 million
- d) Purchase of motor vehicles and motorcycles-Kshs.30 million
- e) Procurement and installation of Hansard equipment-Kshs.16 million
- f) Office furniture and computers for 15 ward offices-Kshs.16 million

9. Garissa County Assembly

The Committee approved additional amount of Kshs.95,620,630 to cater for following budget items-

- a) Working Injury Benefit Act (WIBA) for Members and Staff- Ksh. 25,200,000.
- b) Payment of the retrenched staff - Ksh. 58,013,922.
- c) Consultancy service of Human Resource to help in the retrenchment process-Ksh. 3,929,500.
- d) Housing levy-Kshs.8,477,208.

Committee's resolutions

The Committee further resolved that-

- a) CRA should carry out an assessment on the status of the establishment of Funds relating to staff car loan and mortgage scheme with a view to ascertaining how many counties have established the Fund, whether the respective Funds have been operationalized and challenges if any faced in the administration of such Funds.
- b) Based on the findings, CRA may, if appropriate, factor in the cost of establishment and operationalization of these Funds in determining the recurrent expenditure ceilings for County Assemblies for the next financial year.
- c) Regarding request by the Garissa County Assembly on purchase of lease, the Committee resolved that the County Assembly should ensure that a valuation of the land in question is carried out, a valuation report prepared and due diligence conducted to ascertain all the documentation are in good standings. The report shall inform the negotiations for the purchase of the land from the present lease holder. Further, upon purchase of the lease, the County Assembly should pursue negotiations with the county government for the acquisition of a freehold title to the land.

MIN/SEN/SCF&B/814/2024

ADJOURNMENT AND THE DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 4:30 p.m. Next meeting was to be held on Wednesday, 5th June, 2024 at 9:00 a.m.

SIGNATURE Ali Ibrahim Roba DATE 06/06/2024.....

← SIG

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



**MINUTES OF HUNDRED AND FORTIETH (140TH) MEETING OF THE SENATE
STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON
WEDNESDAY, 5TH JUNE, 2024 IN VICTORIA HALL 2 AT ARGYLE GRAND
HOTEL, MACHAKOS COUNTY AT 9:00 A.M.**

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|----------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Makara | - | Deputy Director, PBO |
| 4. Ms. Lucy Radoli | - | Legal Counsel |
| 5. Mr. Abdirahman Gorod | - | Fiscal Analyst |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Ms. Shirley Milimu | - | Audio Officer |
| 8. Mr. Stephen Maru | - | Sergeant-At-Arms |

IN ATTENDANCE

COUNCIL OF GOVERNORS (COG)

- | | | |
|---------------------------------|---|----------------------------------|
| 1. Hon. FCPA. Ahmed Abdullahi | - | Vice Chair, COG, Governor, Wajir |
| 2. Hon. Benjamin Chesire Cheboi | - | Governor, Baringo County |
| 3. Ms. Mary Mwitii | - | CEO |
| 4. Mr. Emmanuel Munabi | - | Secretariat |

5. Mr. Stephen Momanyi - Programme Officer

COMMISSION ON REVENUE ALLOCATION

1. CPA. James Katule - CEO
2. Ms. Lineth Oyugi - Director, Fiscal Affairs
3. CPA. Roble Nuno - Director
4. Ms. Caroline Kinyulusi - Head of Communication
5. Ms. Mary Thiong'o - Communications Officer
6. Ms. Nelly Muse - Communications Officer

STATE DEPARTMENT FOR HOUSING AND URBAN DEVELOPMENT

1. Mr. Said Athman - Housing Secretary
2. Mr. George Arwa - Project Coordinator, KISIP
3. Ms. Lillian Kieni - Project Coordinator, KUSP
4. Mr. Theuri wagura - Project Accountant, KISIP
5. Ms. Ann Wamuyu - Finance Officer
6. Ms. Purity Kananu - Project Accountant, KUSP

MIN/SEN/SCF&B/815/2024 PRELIMINARIES

The Chairperson called the meeting to order at 9:30 a.m. This was followed by a word of prayer, and a round of introduction.

MIN/SEN/SCF&B/816/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. (Dr.) Boni Khalwale, CBS, MP and seconded by Sen. Shakila Abdalla Mohamed, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Meeting with the stakeholders-
 - a) Commission on Revenue Allocation;
 - b) Council of Governors; andto consider the County Allocation of Revenue Bill, 2024 (Senate Bills No. 25 of 2024), and County Governments Additional Allocations Bill, 2024 (Senate Bills No. 19 of 2024).
4. Meeting with the stakeholders-
 - a) State Department for Housing and Urban Development;
 - b) State Department for Agriculture; and
 - c) State Department for Water and Sanitationto consider County Governments Additional Allocations Bill, 2024 (Senate Bills No.19 of 2024).
5. Any Other Business; and
6. Adjournment and Date of the Next Meeting.

Submissions by Commission on Revenue allocation

Upon invitation, the Commission submitted the following comments on the two Bills-

a) Comments on the County Allocation of Revenue Bill, 2024

- The First Schedule to the Bill should be amended to reflect county equitable share allocation as Ksh. 400,116,788,147, the figure that was passed by Parliament in the mediated version of the Division of Revenue Bill, 2024.
- The second paragraph of the Bill should be amended to capture the revised equitable share allocation of Ksh. 400.117 billion instead of Ksh. 415.952 billion and the amount shared using the Formula should be revised from Ksh. 257.70 billion to Ksh. 241.87 billion.

b) Comments on the County Governments Additional Allocations Bill, 2024 (Senate Bills No.19 of 2024).

- Clause 5(1) (c) be amended to provide that the conditional allocations for the Community Health Promoters (CHP) project as set out in Column D and not Column E.
- Clause 5(1) (d) conditional allocations for the Transfer of Museum function as set out in Column E and not Column F.
- In the 2024 BPS, the transferred function of Museums amounting to Ksh. 30.2 million was meant for eight (8) stations. The eight stations as transferred to county governments by the Intergovernmental Relations Technical Committee vide Gazette Notice No. 13982 dated 11th November 2022 included Meru-Njuri Ncheke Museum yet it has not been allocated any resources.
- Clause 5(4) of the Bill be amended to provide the correct column for conditional allocations from the proceeds of loans or grants from development partners to each county set out in the Fourth Schedule
- Clause 5(4) (d) of the Bill be amended by deleting the words “amounting to” after the conditional allocations.
- There is need for clarity of the formula to be used to share the first fifty percent of the FLLoCA, County Climate Resilience Investment Grant as provided under sub clause 5(5)(b). The weights provided are different from the weights in the third basis for revenue sharing.

- Clause 5 (c) provides that the second fifty percent of the total allocation for the FLLoCA-CCRI grant shall be allocated on the basis of the scores with the basic allocation. The basic allocation needs to be defined in the Bill.

Submissions by Council of Governors

Upon invitation, the Vice-Chairperson of the CoG Technical Committee on Finance and Planning submitted the following comments on the two Bills-

a) Comments on the County Allocation of Revenue Bill, 2024

- The Council of Governors, on behalf of the 47 Counties, appreciated the Senate for the continued support of devolution, specifically the Senate's push to increase the counties equitable share of revenue from Ksh.385.4 billion to Ksh.400.1 billion through the mediation process.
- CoG proposed a consequential amendment to section 191 by introduction of a new sub section to provide that when the County Allocation of Revenue Bill (CARB) is submitted to the Cabinet and to the Parliament for approval, it shall be accompanied by the proposed disbursement schedule contemplated under Section 17 (7) of the Act. This is to avoid the unnecessary delays, and ensure the Bill and disbursement schedule are considered concurrently.

b) Comments on the County Governments Additional Allocations Bill, 2024 (Senate Bills No.19 of 2024).

The Council submitted the following general comments-

- That since the introduction of the County Governments Additional Allocations Bill (CGAAB) in the FY 2021/22, it has always been passed late and outside the timeline provided for in the Public Finance Management (PFM) Act.
- There was non-disbursement of funds relating to conditional grants as passed by the Parliament. The National Treasury had not provided any update on cause of delay. The specific allocations yet to be disbursed -
 - Supplement for construction of County Headquarters amounting to Ksh. 454,000,000
 - Conditional grant for transfer of Library Services amounting to Ksh. 162,848,690
 - Allocations for Court Fines amounting to Ksh. 108,660,979
 - Allocation for Mineral Royalties amounting to Ksh. 2,934,923,147.60
- CoG requested Senate to follow up on the matter to ensure the funds are disbursed to the counties.
- There was inclusion of funds in the CGAAB not meant to be transferred directly to counties. Some are spent at the MDAs. For instance-
 - Fertilizer Subsidy Programme amounting to Ksh. 5,000,000,000
 - Livestock Value Chain Project amounting to Ksh. 1,642,868,400

- De-Risking and Value Enhancement (DRIVE) amounting to Ksh. 2,165,507,080
- Kenya Marine Fisheries and Socio-Economic Development (KEMFSED) amounting to Ksh. 320,886,501.
- Only funds meant to be transferred and spent directly by the counties should be included in CGAAB.
- Payment of outstanding Contribution in Lieu of Rates (CILOR)-the National Treasury is yet to allocate the outstanding CILOR to the beneficiary counties.
- the current legal framework for managing additional allocations does not allow for allocation of emergency funds to counties once the CGAAB is passed.
- the Senate should legislate on accommodating any funds available to county governments within the FY that maybe meant to address emergency situations or any additional budgetary requirements.
- the Senate should provide a way forward on implementation of the provisions in sections 11(4)(c) and 11(5) of the Affordable Housing Act, 2024 on revenue sharing with the county governments.

The Council submitted the following specific comments on the Bill

- Column C of the First Schedule should be amended to allocate Ksh. 250,000,000 to 29 counties as opposed to the current 18, and the new total amount under the Column C to be Ksh. 7,250,000,000.
- Clause 5(1) be amended by inserting a new subsection to provide for conditional allocations for payment of outstanding basic salary arrears for county governments healthcare workers amounting to Ksh.1.75 billion for the FY 2024/25.
- The Fourth Schedule be amended by increasing the Second Kenya Urban Support Program (KUSP) Urban Institutional Grant (UIG) component allocation from Ksh.1.575 billion to Ksh.1.715 billion as requested by the relevant Ministry.
- the Fourth Schedule should be amended to provide for conditional allocations financed by proceeds from an IDA (World Bank) Loan for the Second Kenya Urban Support Program (KUSP II)- Urban Development Grant (UDG) component allocation amounting to Ksh. 5,889,666,720. This was omitted initially and has now been properly allocated within the available fiscal framework for the FY 2024/25.
- The Fourth Schedule be amended to provide for conditional allocations financed by proceeds from an IDA (World Bank) loan for the Kenya Water, Sanitation and Hygiene (K-WASH) Program amounting to Ksh. 3,860,921,330.90.

- Section 191 of Public Finance Management Act, Cap 412A be amended by inserting the following new subsection immediately after subsection (3A) to provide that when the County Governments Additional Allocations Bill is submitted to the Cabinet and to the Parliament for approval, it shall be accompanied by the proposed disbursement schedule contemplated under section 17(7) of the Act.
- The Public Finance Management Act, Cap 412A be amended by deleting sections 191A to 191 E- the sections had introduced additional bureaucracies and requirements that made it difficult for counties to access conditional grants in a timely manner. COG proposed repeal of the sections after they were suspended for two financial years, 2023/2024 and 2024/2025.

The Council was informed that the cash disbursement schedules on County allocation of Revenue Bill and County Governments Additional Allocations Bill cannot be processed concurrently with the Bills. This is because the Bills have to be passed and enacted before consideration of the cash disbursements schedules.

Submissions by the State Department for Housing and Urban Development


Upon invitation, the State Department submitted the following-

- the Second Kenya Informal Settlements Improvement Project KISIP II builds on the successes of first phase of KISIP to reach more settlements and population.
- the Government of Kenya received an equivalent of USD 150,000,000 from the World Bank (IDA), EUR 45,000,000 from French Development Agency (AFD) and EUR 4,450,000 delegated grant from EU towards implementation of Second Kenya Informal Settlements Improvement Project (KISIP II).
- The Government is contributing counterpart funding equivalent to USD 15,000,000.
- In Financial Year 2024/2025, the project had been allocated Kshs. 10,600,000,000 as conditional grants to 23 counties. The funds will come from both financiers IDA (World Bank) and French Development Agency (AFD).
- The figures in the CGAAB were however captured as IDA (World Bank).
- The State Department requested for disintegration of the amounts to indicate the funds from the financiers separately.
- Additionally, the AFD funding was reduced in the final draft estimates by Ksh. 200,000,000 thus necessitating a revision of the previously framework for conditional grants.

MIN/SEN/SCF&B/818/2024

ADJOURNMENT AND THE DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 11:55 a.m. Next meeting was to be held on Wednesday, 5th June, 2024 at 12.00 p.m.

SIGNATURE.......... DATE. 06/06/2024.....

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SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP

(CHAIRPERSON)



MINUTES OF HUNDRED AND FORTY-FIRST (141ST) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON WEDNESDAY, 5TH JUNE, 2024 IN VICTORIA HALL 2 AT ARGYLE GRAND HOTEL, MACHAKOS COUNTY AT 12:00 P.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|----------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Makara | - | Deputy Director, PBO |
| 4. Ms. Lucy Radoli | - | Legal Counsel |
| 5. Mr. Abdirahman Gorod | - | Fiscal Analyst |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Ms. Shirley Milimu | - | Audio Officer |
| 8. Mr. Stephen Maru | - | Sergeant-At-Arms |

IN ATTENDANCE

THE NATIONAL TREASURY AND ECONOMIC PLANNING

- | | | |
|-------------------------------|---|---------------------|
| 1. Prof. Njuguna Ndung'u, EGH | - | Cabinet Secretary |
| 2. Mr. Joshua Musyoka | - | Principal Economist |
| 3. Ms. Elizabeth Nzioka | - | Director |
| 4. Mr. Duncan Gathenge | - | Administration |

- | | |
|-------------------------|----------------------|
| 5. Mr. Patrick Macharia | - Economist |
| 6. Mr. Timothy Odipo | - Economist |
| 7. Mr. Bernard K. Njora | - Economist |
| 8. CPA. Isabella Kogei | - Personal Assistant |
| 9. Ms. Ruth Macharia | |

COUNCIL OF GOVERNORS

- | | |
|---------------------------------|------------------------------------|
| 1. Hon. FCPA. Ahmed Abdullahi | - Vice Chair, COG, Governor, Wajir |
| 2. Hon. Benjamin Chesire Cheboi | - Governor, Baringo County |
| 3. Ms. Mary Mwiti | - CEO |
| 4. Mr. Emmanuel Munabi | - Secretariat |
| 5. Mr. Stephen Momanyi | - Programme Officer |

COMMISSION ON REVENUE ALLOCATION

- | | |
|---------------------------|----------------------------|
| 1. CPA. James Katule | - CEO |
| 2. Ms. Lineth Oyugi | - Director, Fiscal Affairs |
| 3. CPA. Roble Nuno | - Director |
| 4. Ms. Caroline Kinyulusi | - Head of Communication |
| 5. Ms. Mary Thiong'o | - Communications Officer |
| 6. Ms. Nelly Muse | - Communications Officer |

STATE DEPARTMENT FOR HOUSING AND URBAN DEVELOPMENT

- | | |
|----------------------|------------------------------|
| 1. Mr. Said Athman | - Housing Secretary |
| 2. Mr. George Arwa | - Project Coordinator, KISIP |
| 3. Ms. Lillian Kieni | - Project Coordinator, KUSP |
| 4. Mr. Theuri wagura | - Project Accountant, KISIP |
| 5. Ms. Ann Wamuyu | - Finance Officer |
| 6. Ms. Purity Kananu | - Project Accountant, KUSP |

MIN/SEN/SCF&B/819/2024 PRELIMINARIES

The Chairperson called the meeting to order at 12:10 p.m. This was followed by a word of prayer, and a round of introduction.

MIN/SEN/SCF&B/820/2024 ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. (Dr.) Boni Khalwale, CBS, MP and seconded by Sen. Shakila Abdalla Mohamed, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Meeting with the National Treasury and Economic Planning to consider the County Allocation of Revenue Bill, 2024 (Senate Bills No. 25 of 2024), and County Governments Additional Allocations Bill, 2024 (Senate Bills No. 19 of 2024).

4. Any Other Business; and
5. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/821/2024

**MEETING WITH THE NATIONAL TREASURY
AND ECONOMIC PLANNING TO SUBMIT
VIEWS ON THE COUNTY ALLOCATION OF
REVENUE BILL, 2024 AND COUNTY
GOVERNMENTS ADDITIONAL
ALLOCATIONS BILL, 2024**

Upon invitation, the Cabinet Secretary (CS) submitted the following comments on the two Bills-

Comments on the County Allocation of Revenue Bill, 2024

The Cabinet Secretary submitted that

- a) The mediated version of the Division of Revenue Bill, 2024 has recommended allocation of Ksh. 400,116,788,147 as equitable share to county governments in FY 2024/25. This Bill has since then been enacted by Parliament, and awaits assent by His Excellency the President.
- b) The National Treasury recommended that the Published County Allocation of Revenue Bill, 2024 (Senate Bills No. 25 of 2024) be amended to indicate allocation amounting to Ksh. 400,116,788,147 as equitable share to county governments in FY 2024/25, as contained in the approved Division of Revenue Bill, 2024

**Comments on the County Governments Additional Allocations Bill (CGAAB), 2024
(Senate Bills No.19 of 2024)**

The Cabinet Secretary submitted that the National Treasury reviewed the CGAAB, 2024 against the proposed allocations to respective Ministries, Departments and Agencies (MDAs) as contained in the final Budget Estimates for FY 2024/25 to ensure consistency in the amounts allocated to additional allocations to county governments, and proposed that-

- a) Clause 4(2) of the Bill be amended to provide that allocations for construction of County Headquarters project should be included in the respective county governments' appropriation Bill. These projects were handed over to the five beneficiary counties thus counties are expected to include the allocation in their budget estimates.
- b) Clause 5(3) be amended by deleting the phrase "2023/24" "and replacing therefore with the phrase "2024/25". The unconditional allocations are for FY 2024/25 and not 2023/24.

- c) Clause 5(3)(b) be deleted. This is because the proposed allocation of Ksh. 1,055,205,814.07 for mineral royalties in FY 2024/25 is already part of the Ksh. 2,934,923,147.61 (20% mineral royalties from FY 2016/17 to 2021/22) allocated in FY 2023/24 and as such this would amount to double allocation.
- d) Sub-clause 4(d) be amended to provide that “conditional allocations amounting to Kenya Shillings One Billion, two hundred million financed by proceeds from a KfW (German Development Bank) loan for co-financing of FLLoCA - County Climate Resilience Investment (CCRI) Grant is as set out in Column E;
- e) Sub-clause 4(e) be amended to provide that “conditional allocations amounting to Kenya Shillings Three Billion, Seven Hundred and Twelve million financed by proceeds from an IDA (World Bank) loan for co-financing of FLLoCA - County Climate Resilience Investment (CCRI) Grant is as set out in Column F.
- f) Subclause 5(5)(d) be amended to provide that the Cabinet Secretary shall publish by notice in the Kenya Gazette the first fifty percent of total allocation (based on formula for allocating the share of national revenue among counties) and the second fifty percent (based on scores for the performance measures) the County Climate Resilience Investment (CCRI).
- g) Subclause 5(6) be amended to provide that all additional allocations shall be transferred to the respective County Revenue Fund in accordance with the published cash disbursement schedule pursuant to section 17 of the PFM Act.
- h) Subclause 5(7) of the Bill be amended to provide that all additional allocations to county governments are to be appropriated and hence must be included in the budget estimates of the National Government and submitted to Parliament for approval.
- i) Clause 8 of the Bill be amended to provide that a county treasury shall report on the actual expenditure by the county government of the conditional additional allocations. This shall exclude actual expenditure by the county government of the unconditional additional allocations whose expenditures are considered same to those financed from unconditional equitable share.
- j) The Second Schedule be amended by deleting column outlining the Ksh. 1,055,205,814.07 unconditional allocations from mineral royalties. This is because the amount is already provided for in the current financial year as part of the Ksh. 2,934,923,147 included in the CGAAA, 2024 for FY 2023/24.

Following deliberations,


1. The National Treasury informed the meeting that regarding the requests by the Council of Governors, and the relevant Ministries, that the Bill may be amended to-
 - a) Split Kshs. 10.6 billion funding from the World Bank and the French Development Agency to indicate the two sources of the funds separately for the funding of Second Kenya Informal Settlements Improvement Project (KISIP II).
 - b) Include Ksh. 5.8897 billion for the Kenya Urban Support Programme (KUSP) Urban Development Grant (UDG) which had been omitted.

- c) Revise the allocation to KUSP, Urban Investment Grant (UIG) component from Kshs. 1.575 billion to Kshs. 1.715 billion.
 - d) Include Ksh. 733 billion (SIDA- grant) for funding of the Kenya Agricultural Business Development Project (KABDP).
2. Regarding the request by the Council of Governors for inclusion of a new conditional grant (the Grant from IDA-World Bank) on the Kenya-Wash, Sanitation and Hygiene (K-WASH) program amounting to Ksh. 3.86 billion, whose agreement were recently signed, the National Treasury indicated that this allocation would not be accommodated within the current approved fiscal framework. The allocation may be considered in the next budget cycle.
 3. Regarding the issue of transfer of Museum Function, the National Treasury indicated that the Statement Department for Culture did not include Meru County as a beneficiary of the transferred museum function in their submission for inclusion in the Budget. However, they will follow up and respond in writing.
 4. Regarding non-disbursement of funds relating to some conditional grants as passed by the Parliament in CGAAB, the National Treasury indicated that some of the allocations were included in the Bill before the financing agreement had been finalised. The Committee resolved that no additional allocations should be included in the CGAAB before development and signing of the financing agreement.

The Chairperson thanked all the stakeholders present for availing themselves and been patient throughout the meetings. He also indicated that the proposals submitted will be carefully considered and necessary amendments to the Bill will be forwarded to the Senate for consideration.

MIN/SEN/SCF&B/822/2024 ADJOURNMENT AND THE DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 2:36 p.m. Next meeting was to be held on Thursday, 6th June, 2024 at 10:00 a.m.

SIGNATURE.......... DATE.....06/06/2024.....

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SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



MINUTES OF HUNDRED AND FORTY-SECOND (142ND) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON THURSDAY 6TH JUNE, 2024 IN NYATI MEETING ROOM AT ARGYLE GRAND HOTEL, MACHAKOS COUNTY AT 10:00 A.M.

PRESENT

- | | | |
|---|---|--------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. (Dr)Boni Khalwale, CBS, MP | - | Member |
| 3. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|-------------------------|
| 1. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 2. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 3. Sen. Joyce Chepkoech Korir,MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|----------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Makara | - | Deputy Director, PBO |
| 4. Ms. Lucy Radoli | - | Legal Counsel |
| 5. Mr. Abdirahman Gorod | - | Fiscal Analyst |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Ms. Shirley Milimu | - | Audio Officer |
| 8. Mr. Stephen Maru | - | Sergeant-At-Arms |

MIN/SEN/SCF&B/823/2024 **PRELIMINARIES**

The Chairperson called the meeting to order at 10.25 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/824/2024 **ADPOTION OF THE AGENDA**

The agenda was adopted after being proposed by Sen. Eddy Oketch Gicheru, MP, and seconded Sen. Mohamed Mwinyihaji Faki, CBS, MP as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 138th, 139th, 140th and 141st Sittings;
4. Matters arising from the Minutes of the previous sittings;
5. Consideration and adoption of the draft report on the County Allocation of Revenue Bill, 2024 (Senate Bill No.25 of 2024);
6. Consideration and adoption of the draft report on the County Governments Additional Allocations Bill, 2024 (Senate Bills No. 19 of 2024);
7. Any Other Business; and
8. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/825/2024 **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

- a) The Minutes of Hundred and Thirty-Eighth (138th) meeting held on Tuesday, 4th June, 2024 at 9:00 a.m. were confirmed as a true record of the proceedings of Committee having been proposed by Sen. Eddy Oketch Gicheru, MP and seconded by Sen. Richard Momoima Onyonka, MP.
- b) The Minutes of Hundred and Thirty-Ninth (139th) meeting held on Tuesday 4th June, 2024 at 2:40 p.m. were confirmed as a true record of the proceedings of the Committee having been proposed by Sen. Mohamed Faki CBS, MP and seconded by Sen. Shakila Abdalla, MP.
- c) The Minutes of Hundred and Fortieth (140th) meeting held on Wednesday 5th June, 2024 at 9:00 a.m. were confirmed as a true record of the proceedings of the Committee having been proposed by Sen. (Dr) Boni Khalwale, CBS, MP and seconded by Sen. Shakila Abdalla, MP.
- d) The Minutes of Hundred and Thirty-First (141st) meeting held on Wednesday, 5th June, 2024 at 12:00 p.m. were confirmed as a true record of the proceedings of Committee having been proposed by Sen. Eddy Oketch Gicheru, MP, and seconded by Sen. Richard Momoima Onyonka, MP.

MIN/SEN/SCF&B/826/2024 **CONSIDERATION OF THE DRAFT REPORT ON THE COUNTY ALLOCATION OF REVENUE BILL, 2024 (SENATE BILLS NO. 25 2024)**

The Committee considered the draft report on the County Allocation of the Revenue Bill, 2024 (Senate Bill No. 25 2024) and noted the contents thereof. The Committee further

made the following amendments to the previously approved adjustments of the county assemblies recurrent expenditure budget ceiling for the FY 2024/2025 for the following county assemblies-

- a) Embu County Assembly- Extra provision to cater for public participation (Kshs.14,800,000) was dropped. The final revised adjustment stood at Kshs.25 million.
- b) Baringo County Assembly-The Committee reviewed the approved adjusted recurrent ceiling by dropping provision for expenditure on the Speaker's residence furniture and equipment of Kshs.3 million. The final revised adjustment stood at Kshs.27 million.
- c) Elgeyo- Marakwet County Assembly - The adjusted amount to cater for Multimedia system (Hansard) was revised from Kshs.25 million to Kshs 20 million. The revised amount now stood at Kshs.30 million.
- d) Nandi County Assembly- The adjusted amount to cater for equipping of the County Assembly Office Complex (Hansard and Chamber) was reduced from Kshs. 46,961,000 to Kshs.25 million. The final revised adjustment stood at Kshs. 74,345,000.

MIN/SEN/SCF&B/827/2024

ADOPTION OF THE REPORT ON THE COUNTY ALLOCATION OF REVENUE BILL, 2024 (SENATE BILLS NO. 25 OF 2024)

The Committee having considered the draft report on the County Allocation of Revenue Bill, 2024, unanimously adopted it having been proposed by Sen. Eddy Oketch Gicheru, MP, and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP, with the recommendation that the Senate approves the Bill with amendments to-

- a) the First Schedule to the Bill to reflect the allocation to the respective county governments of the total county equitable share of Ksh. 400,116, 788,147.
- b) the Second Schedule to the Bill to reflect adjusted recurrent expenditure ceilings for certain county assemblies.

MIN/SEN/SCF&B/828/2024

CONSIDERATION OF THE DRAFT REPORT ON THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL, 2024 (SENATE BILLS NO. 19 OF 2024)

The Committee considered the draft report on the County Governments Additional Allocations Bill, 2024 (Senate Bill No. 19 of 2024) and noted the contents thereof.

The Committee having considered the draft report on the County Governments Additional Allocations Bill, 2024, unanimously adopted the report having been proposed by Sen. Eddy Oketch Gicheru, MP, and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP, with the recommendation that the Senate approves the Bill with the following amendments-

- a) amendment to clause 4(2) of the Bill ensure that counties which receive allocations for the supplement for county headquarters include the allocation in their budgets;
- b) the First Schedule to the Bill be amended to increase allocation for supplement for construction of county headquarters by Ksh. 78.2 million. Further, Nyandarua County should not receive any allocation since its aggregate allocation has exceeded the actual entitlement;
- c) amendment to clause 5(1)(c) and (d) to reflect the correct Columns to which the conditional allocations apply that is Column D and E for Community Health Promoters and Transfer of Museums respectively;
- d) clause 5(4) and the Fourth Schedule to the Bill be amended to indicate that Kenya Informal Settlement Improvement Project (KISIP II) is financed by proceeds from two development partners-IDA World Bank supports amounting to Ksh. 5.156 billion and the French Development Agency (AFD) supports Ksh. 5.243 billion;
- e) clause 5(4) and the Fourth Schedule to the Bill be amended to reflect the following two components of the Kenya Urban Support Project (KUSP)-
 - i. to include Urban Development Grant component of Ksh. 5.890 billion;
 - ii. to increase Urban Institutional Grant component from 1.575 billion to Ksh. 1.715 billion;
- f) clause 5(4) and the Fourth Schedule to the Bill be amended to include a conditional grant financed by the Government of Sweden (Swedish International Development Cooperation Agency - SIDA) to finance the Kenya Agriculture Business Development Project (KADBP) amounting Kshs.560.189 million.
- g) amendment to clause 5(3) to reflect the correct Financial Year (2024/25) to which the unconditional allocations apply;
- h) amendment to clause 5(4)(d) and (e) to expressly provide for the total amount of the conditional allocation for FLLoCA. The actual amounts to each beneficiary county government will be determined upon assessment and meeting set criteria;
- i) amendment to clause 5(6) to provide that all additional allocations to county governments under clause 5(1), (2), (3) and (4) shall be transferred to the respective

County Revenue Fund in accordance with a disbursement schedule approved pursuant to section 17 of the Public Finance Management Act, Cap. 412A; and
j) amendment to clause 5(7) to provide that all additional allocations under clause 5(1), (2), (3) and (4) be included in the budget estimates of the national government.

MIN/SEN/SCF&B/830/2024 **ADJOURNMENT AND THE DATE OF THE NEXT MEETING**

The meeting adjourned at 1:01 p.m. The date and time of the next meeting shall be by notice.

SIGNATURE..... DATE.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)

10th June, 2024

The Clerk of the Senate,
Parliament Buildings,
NAIROBI.

COMMITTEE STAGE AMENDMENTS TO THE COUNTY ALLOCATION OF REVENUE BILL, SENATE BILLS NO. 25 OF 2024

NOTICE is given that Sen. Ali Ibrahim Roba, Chairperson, Committee on Finance and Budget, intends to move the following amendments to the County Allocation of Revenue Bill, Senate Bills No. 25 of 2024, at the Committee Stage-

FIRST SCHEDULE

THAT the Bill be amended by deleting the First Schedule and substituting therefor the following new schedule –

FIRST SCHEDULE (s.4(1))

Allocation of Each County Governments' Equitable Share of Revenue Raised Nationally in the FY 2024/25

| | | FY 2023/24 | FY 2024/25 | | | | |
|----|-----------------|----------------|-------------------------|-----------------|---|-----------------|---------------------------|
| | | | 0.5 (Allocation Ratio*) | | (Equitable Share**- 0.5 Allocation Ratio) *(Formula***) | | Total Equitable Share**** |
| | | | Allocation ratio | Equitable Share | Allocation ratio | Equitable Share | |
| SN | County | Column A | Column B | Column C | Column D | Column E | Column F=C+E |
| 1 | Baringo | 6,647,771,186 | 1.61 | 2,547,825,000 | 1.80 | 4,365,102,952 | 6,912,927,952 |
| 2 | Bomet | 6,977,924,070 | 1.74 | 2,753,550,000 | 1.86 | 4,497,578,230 | 7,251,128,230 |
| 3 | Bungoma | 11,111,983,608 | 2.81 | 4,446,825,000 | 2.93 | 7,096,216,769 | 11,543,041,769 |
| 4 | Busia | 7,475,585,295 | 1.9 | 3,006,750,000 | 1.97 | 4,757,851,080 | 7,764,601,080 |
| 5 | Elgeyo Marakwet | 4,801,453,188 | 1.22 | 1,930,650,000 | 1.26 | 3,056,468,183 | 4,987,118,183 |
| 6 | Embu | 5,341,810,744 | 1.36 | 2,152,200,000 | 1.40 | 3,395,894,359 | 5,548,094,359 |

| | | FY 2023/24 | FY 2024/25 | | | | |
|----|-----------|----------------|-------------------------|-----------------|--|-----------------|---------------------------|
| | | | 0.5 (Allocation Ratio*) | | (Equitable Share** - 0.5 Allocation Ratio) *(Formula***) | | Total Equitable Share**** |
| | | | Allocation ratio | Equitable Share | Allocation ratio | Equitable Share | |
| SN | County | Column A | Column B | Column C | Column D | Column E | Column F=C+E |
| 7 | Garissa | 8,248,748,101 | 2.22 | 3,513,150,000 | 2.08 | 5,041,865,575 | 8,555,015,575 |
| 8 | Homa bay | 8,128,387,250 | 2.13 | 3,370,725,000 | 2.09 | 5,065,355,677 | 8,436,080,677 |
| 9 | Isiolo | 4,899,041,209 | 1.34 | 2,120,550,000 | 1.22 | 2,958,185,614 | 5,078,735,614 |
| 10 | Kajiado | 8,300,213,576 | 2.03 | 3,212,475,000 | 2.24 | 5,416,780,865 | 8,629,255,865 |
| 11 | Kakamega | 12,912,646,262 | 3.29 | 5,206,425,000 | 3.39 | 8,204,610,025 | 13,411,035,025 |
| 12 | Kericho | 6,703,129,925 | 1.7 | 2,690,250,000 | 1.77 | 4,272,407,506 | 6,962,657,506 |
| 13 | Kiambu | 12,227,552,449 | 2.98 | 4,715,850,000 | 3.31 | 7,997,509,169 | 12,713,359,169 |
| 14 | Kilifi | 12,109,200,498 | 3.3 | 5,222,250,000 | 3.03 | 7,332,353,733 | 12,554,603,733 |
| 15 | Kirinyaga | 5,420,217,528 | 1.34 | 2,120,550,000 | 1.45 | 3,513,069,143 | 5,633,619,143 |
| 16 | Kisii | 9,258,588,608 | 2.46 | 3,892,950,000 | 2.36 | 5,712,654,088 | 9,605,604,088 |
| 17 | Kisumu | 8,361,797,770 | 2.16 | 3,418,200,000 | 2.18 | 5,263,316,388 | 8,681,516,388 |
| 18 | Kitui | 10,829,486,936 | 2.79 | 4,415,175,000 | 2.82 | 6,829,147,462 | 11,244,322,462 |
| 19 | Kwale | 8,584,103,693 | 2.46 | 3,892,950,000 | 2.06 | 4,994,546,757 | 8,887,496,757 |
| 20 | Laikipia | 5,358,246,532 | 1.32 | 2,088,900,000 | 1.44 | 3,480,787,183 | 5,569,687,183 |
| 21 | Lamu | 3,237,350,707 | 0.82 | 1,297,650,000 | 0.85 | 2,065,148,128 | 3,362,798,128 |
| 22 | Machakos | 9,547,295,309 | 2.45 | 3,877,125,000 | 2.50 | 6,036,878,936 | 9,914,003,936 |
| 23 | Makueni | 8,455,460,962 | 2.34 | 3,703,050,000 | 2.09 | 5,059,766,136 | 8,762,816,136 |
| 24 | Mandera | 11,633,191,646 | 3.23 | 5,111,475,000 | 2.87 | 6,943,499,661 | 12,054,974,661 |
| 25 | Marsabit | 7,560,398,412 | 2.14 | 3,386,550,000 | 1.84 | 4,443,784,637 | 7,830,334,637 |
| 26 | Meru | 9,892,625,172 | 2.54 | 4,019,550,000 | 2.59 | 6,252,907,095 | 10,272,457,095 |
| 27 | Migori | 8,341,446,108 | 2.14 | 3,386,550,000 | 2.18 | 5,275,346,842 | 8,661,896,842 |
| 28 | Mombasa | 7,861,523,820 | 2.23 | 3,528,975,000 | 1.91 | 4,612,750,357 | 8,141,725,357 |
| 29 | Murang'a | 7,473,786,703 | 1.99 | 3,149,175,000 | 1.90 | 4,604,299,531 | 7,753,474,531 |
| 30 | Nairobi | 20,072,059,115 | 5.03 | 7,959,975,000 | 5.33 | 12,895,415,632 | 20,855,390,632 |
| 31 | Nakuru | 13,593,424,693 | 3.31 | 5,238,075,000 | 3.68 | 8,895,720,185 | 14,133,795,185 |
| 32 | Nandi | 7,305,294,033 | 1.69 | 2,674,425,000 | 2.04 | 4,930,362,567 | 7,604,787,567 |
| 33 | Narok | 9,196,276,899 | 2.54 | 4,019,550,000 | 2.28 | 5,511,524,923 | 9,531,074,923 |
| 34 | Nyamira | 5,334,198,486 | 1.52 | 2,405,400,000 | 1.29 | 3,118,214,355 | 5,523,614,355 |

| | | FY 2023/24 | Y 2024/25 | | | | |
|----|---------------|------------------------|-------------------------|------------------------|--|------------------------|---------------------------|
| | | | 0.5 (Allocation Ratio*) | | (Equitable Share**-0.5 Allocation Ratio) *(Formula***) | | Total Equitable Share**** |
| | | | Allocation ratio | Equitable Share | Allocation ratio | Equitable Share | |
| SN | County | Column A | Column B | Column C | Column D | Column E | Column F=C+E |
| 35 | Nyandarua | 5,905,976,056 | 1.54 | 2,437,050,000 | 1.53 | 3,693,274,412 | 6,130,324,412 |
| 36 | Nyeri | 6,485,331,051 | 1.71 | 2,706,075,000 | 1.66 | 4,023,674,120 | 6,729,749,120 |
| 37 | Samburu | 5,594,312,489 | 1.46 | 2,310,450,000 | 1.45 | 3,496,242,471 | 5,806,692,471 |
| 38 | Siaya | 7,263,019,462 | 1.83 | 2,895,975,000 | 1.92 | 4,649,475,410 | 7,545,450,410 |
| 39 | Taita taveta | 5,040,427,430 | 1.34 | 2,120,550,000 | 1.29 | 3,108,716,247 | 5,229,266,247 |
| 40 | Tana River | 6,790,702,542 | 1.85 | 2,927,625,000 | 1.70 | 4,112,915,708 | 7,040,540,708 |
| 41 | Tharaka Nithi | 4,378,234,821 | 1.24 | 1,962,300,000 | 1.06 | 2,572,180,732 | 4,534,480,732 |
| 42 | Trans Nzoia | 7,499,822,440 | 1.82 | 2,880,150,000 | 2.03 | 4,918,443,372 | 7,798,593,372 |
| 43 | Turkana | 13,143,946,933 | 3.33 | 5,269,725,000 | 3.47 | 8,383,475,352 | 13,653,200,352 |
| 44 | Uasin Gishu | 8,426,072,635 | 2 | 3,165,000,000 | 2.32 | 5,601,325,224 | 8,766,325,224 |
| 45 | Vihiga | 5,267,026,885 | 1.47 | 2,326,275,000 | 1.29 | 3,130,941,386 | 5,457,216,386 |
| 46 | Wajir | 9,853,656,422 | 2.7 | 4,272,750,000 | 2.46 | 5,941,842,219 | 10,214,592,219 |
| 47 | West Pokot | 6,573,866,403 | 1.58 | 2,500,350,000 | 1.79 | 4,336,964,170 | 6,837,314,170 |
| | Total | 385,424,616,067 | 100 | 158,250,000,000 | 100 | 241,866,788,147 | 400,116,788,147 |

* This is the Ksh. 316.5 billion allocations as Equitable Share to counties in the financial year 2019/20. Thus, the allocation to county governments under this component is one half of Ksh. 316.5 billion, amounting to Ksh. 158.25 billion.

** This is the Equitable share of revenue raised nationally allocated to county governments in FY2024/25 amounting to Ksh.400.117 billion. Once you net out one half of the amount of Allocation Ratio or Ksh. 158.25 billion from the Equitable share of Ksh.400.117 billion, the resulting balance of Ksh. 241.867 billion shall be allocated among county governments using the Formula.

*** Formula= $0.18 * \text{Population Index} + 0.17 * \text{Health Index} + 0.10 * \text{Agriculture Index} + 0.05 * \text{Urban Index} + 0.14 * \text{Poverty Index} + 0.08 * \text{Land Area Index} + 0.08 * \text{Roads Index} + 0.20 * \text{Basic Share Index}$.

****Total Equitable Share to County Governments = $0.5 (\text{Allocation Ratio}) + ((\text{Equitable Share} - (0.5 \text{ Allocation Ratio})) * (\text{Formula}))$.

SECOND SCHEDULE

THAT the Bill be amended by deleting the Second Schedule and substituting therefor the following new schedule-

SECOND SCHEDULE (S.5)

| County Government Budget Ceilings on Recurrent Expenditure in FY 2024/25 (Figures in Kenya Shillings) | | | | | |
|---|-----------------|--------------------------|---------------|---------------------------|---------------|
| SN | County | County Assembly Ceilings | | County Executive Ceilings | |
| | | 2023/24 | 2024/25 | 2023/24 | 2024/25 |
| 1 | Baringo | 828,250,102 | 880,134,270 | 628,507,168 | 811,330,131 |
| 2 | Bomet | 826,903,256 | 748,458,555 | 525,981,274 | 675,271,762 |
| 3 | Bungoma | 1,030,966,304 | 1,166,950,433 | 593,145,551 | 794,269,934 |
| 4 | Busia | 890,557,352 | 891,698,127 | 565,353,297 | 740,954,156 |
| 5 | Elgeyo-Marakwet | 688,567,522 | 731,876,015 | 540,143,817 | 682,571,452 |
| 6 | Embu | 655,164,072 | 696,347,072 | 470,665,205 | 599,617,223 |
| 7 | Garissa | 928,822,377 | 1,034,099,730 | 517,163,240 | 693,214,915 |
| 8 | Homa-Bay | 951,617,005 | 967,160,105 | 612,652,603 | 807,946,650 |
| 9 | Isiolo | 539,314,722 | 556,240,773 | 384,717,582 | 483,811,987 |
| 10 | Kajiado | 836,365,718 | 825,532,961 | 543,625,285 | 705,785,753 |
| 11 | Kakamega | 1,400,821,103 | 1,482,723,167 | 702,976,417 | 954,360,037 |
| 12 | Kericho | 828,466,755 | 829,314,633 | 574,171,331 | 742,119,652 |
| 13 | Kiambu | 1,352,347,776 | 1,354,132,186 | 689,615,145 | 937,949,817 |
| 14 | Kilifi | 942,241,093 | 901,685,828 | 552,882,777 | 732,390,410 |
| 15 | Kirinyaga | 673,319,674 | 685,609,542 | 463,453,685 | 591,357,406 |
| 16 | Kisii | 1,112,890,743 | 1,114,637,995 | 635,010,868 | 842,938,395 |
| 17 | Kisumu | 827,121,358 | 1,008,619,656 | 548,429,020 | 720,990,566 |
| 18 | Kitui | 1,042,409,957 | 1,062,587,992 | 787,239,883 | 1,034,274,047 |
| 19 | Kwale | 667,712,409 | 685,501,295 | 436,816,651 | 561,039,626 |
| 20 | Laikipia | 545,809,049 | 548,716,069 | 429,430,142 | 543,968,003 |
| 21 | Lamu | 493,148,394 | 507,472,589 | 349,978,277 | 439,219,777 |
| 22 | Machakos | 1,021,331,660 | 1,094,313,264 | 618,887,863 | 817,384,477 |
| 23 | Makueni | 882,052,960 | 870,638,166 | 597,330,868 | 772,648,310 |
| 24 | Mandera | 983,911,204 | 955,086,307 | 537,192,934 | 709,410,958 |
| 25 | Marsabit | 714,092,325 | 765,337,855 | 477,791,217 | 620,635,223 |

| County Government Budget Ceilings on Recurrent Expenditure in FY 2024/25 (Figures in Kenya Shillings) | | | | | |
|---|---------------|--------------------------|-----------------------|---------------------------|-----------------------|
| SN | County | County Assembly Ceilings | | County Executive Ceilings | |
| | | 2023/24 | 2024/25 | 2023/24 | 2024/25 |
| 26 | Meru | 1,105,946,626 | 1,110,234,818 | 802,472,137 | 1,046,885,894 |
| 27 | Migori | 1,003,508,709 | 1,006,160,215 | 609,089,597 | 803,308,177 |
| 28 | Mombasa | 837,169,783 | 773,735,933 | 414,726,825 | 550,949,872 |
| 29 | Murang'a | 830,709,033 | 841,956,442 | 633,050,405 | 822,212,796 |
| 30 | Nairobi City | 1,924,120,608 | 1,925,111,836 | 640,180,465 | 924,648,890 |
| 31 | Nakuru | 1,160,413,432 | 1,189,221,758 | 703,777,688 | 949,692,125 |
| 32 | Nandi | 796,999,461 | 881,813,047 | 647,212,948 | 829,614,196 |
| 33 | Narok | 911,202,495 | 912,668,217 | 545,667,285 | 715,936,269 |
| 34 | Nyamira | 746,578,493 | 709,762,663 | 458,194,685 | 584,106,355 |
| 35 | Nyandarua | 770,438,804 | 783,592,426 | 533,107,285 | 683,959,845 |
| 36 | Nyeri | 776,126,610 | 854,822,168 | 605,347,631 | 779,895,747 |
| 37 | Samburu | 593,254,286 | 611,949,367 | 482,789,720 | 611,274,116 |
| 38 | Siaya | 775,678,151 | 784,422,102 | 540,322,777 | 701,924,604 |
| 39 | Taita-Taveta | 681,840,554 | 706,520,871 | 439,488,905 | 567,140,475 |
| 40 | Tana-River | 677,653,973 | 733,643,957 | 436,641,663 | 558,967,389 |
| 41 | Tharaka-Nithi | 517,563,626 | 545,776,919 | 445,463,668 | 561,403,884 |
| 42 | Trans-Nzoia | 685,259,476 | 700,394,742 | 427,107,865 | 557,198,937 |
| 43 | Turkana | 966,834,859 | 895,679,650 | 526,961,505 | 704,903,707 |
| 44 | Uasin-Gishu | 796,524,510 | 805,657,536 | 474,407,171 | 623,694,943 |
| 45 | Vihiga | 714,071,318 | 724,667,651 | 487,678,963 | 628,658,777 |
| 46 | Wajir | 992,922,326 | 992,609,870 | 599,569,960 | 791,932,190 |
| 47 | West Pokot | 683,634,469 | 720,096,706 | 589,135,145 | 743,044,332 |
| | Total | 40,612,656,492 | 41,575,373,479 | 25,825,556,393 | 33,756,814,187 |

Dated 10th June, 2024.



Sen. Ali Ibrahim Roba,
Chairperson,
Committee on Finance and Budget.



REPUBLIC OF KENYA

THE NATIONAL TREASURY & ECONOMIC PLANNING

VIEWS OF THE NATIONAL TREASURY ON THE COUNTY ALLOCATION OF REVENUE BILL, 2024 (SENATE BILLS NO. 25 OF 2024) AND THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL, 2024 (SENATE BILLS. NO. 19 OF 2024) SUBMITTED TO THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET.

I. County Allocation of Revenue Bill, 2024 (*Senate Bills No. 25 of 2024*)

a. National Treasury Submission

1. The National Treasury prepared and submitted to Parliament the County Allocation of Revenue Bill (CARB), 2024 on **15th February, 2024**.
2. The Bill provided for the allocation of an equitable share of revenue raised nationally among the county governments, in accordance with the resolution approved by Parliament under Article 217 of the Constitution for the financial year 2024/25.
3. The Bill proposed to allocate an equitable share of **Ksh. 391,116,788,147** to the 47 county governments in accordance with the third determination of the basis of the division of revenue among counties approved by Parliament pursuant to Article 217 (7) of the Constitution.

b. Published County Allocation of Revenue Bill, 2024 (Senate Bills No. 25 of 2024)

4. The Published County Allocation of Revenue Bill, 2024 (*Senate Bills No. 25 of 2024*) proposes to allocate an equitable share of **Ksh. 415,952,200,000** to the 47 county governments in accordance with the third determination of the basis of the division of revenue among counties approved by Parliament pursuant to Article 217 (7) of the Constitution.

5. This is in variance from what was submitted to Parliament by the National Treasury by **Ksh. 24,385,411,583**.

c. Mediation on Division of Revenue Bill, 2024

6. As you are aware, the equitable share between the two levels of Government is determined by Parliament via the Division of Revenue Bill enacted pursuant to Article 218 of the Constitution. This Bill once enacted, determines the equitable share to county governments, thus informing what is to be shared among the 47 counties through the County Allocation of Revenue Bill.
7. Although the National Assembly passed the Division of Revenue Bill, 2024 with an allocation of **Ksh. 391,116,788,147** as equitable share to county governments in FY 2024/25, as proposed by the National Treasury, the Senate passed the Bill with an amendment that allocated **Ksh. 415,952,200,000** as equitable share to county governments
8. This occasioned appointment of a Mediation Committee pursuant to Article 113 of the Constitution to come up with an agreed version of the Division of Revenue Bill, 2024 for approval by Parliament.
9. The Committee has since prepared a mediated version of the Division of Revenue Bill, 2024 which has recommended allocation of **Ksh. 400,116,788,147** as equitable share to county governments in FY 2024/25. This Bill has since then been enacted by Parliament, and awaits assent by His Excellency the President.

d. Recommendation on Published County Allocation of Revenue Bill, 2024 (Senate Bills No. 25 of 2024)

10. The National Treasury recommends that the Published County Allocation of Revenue Bill, 2024 (*Senate Bills No. 25 of 2024*) **be amended** to indicate allocation amounting to **Ksh. 400,116,788,147** as equitable share to county governments in FY 2024/25, as contained in the approved Division of Revenue Bill, 2024.

II. The County Governments Additional Allocations Bill, 2024 (*Senate Bills. No. 19 of 2024*)

We have reviewed the CGAAB, 2024 (*Senate Bills. No. 19 of 2024*) against the proposed allocations to respective Ministries, Departments and Agencies (MDAs) as contained in the final Budget Estimates for FY 2024/25 to ensure consistency in the amounts allocated to additional allocations to county governments.

In this regard, and in order to ensure that the additional allocations in the proposed Bill are aligned to the final budgetary allocations, we wish to propose that the CGAAB, 2024 (*Senate Bills. No. 19 of 2024*) be amended in: -

Clause 4

- Sub-Clause (2) as follows:
 - by deleting the phrase “except allocations under section 5(1)(a)” appearing immediately after the words “this section shall”

Rationale

Counties should also include in their Budget, allocations for the Construction of County Headquarters Project. These projects were handed over to the five (5) beneficiary county governments that are expected to complete the project within the scope of the contracts and as per the duly signed Intergovernmental Partnership Agreements with the National Government through the State Department for Public Works. As such, these counties are expected to include in their budget estimates, allocations for the grant and ensure that the allocation is used specifically for completion of their headquarters.

Clause 5

- i. sub-clause (3) as follows:
 - by deleting the phrase “2023/24” appearing immediately after the words “for the financial year “and replacing therefor with the phrase “2024/25”

Rationale

The unconditional allocations are for financial year 2024/25 and not financial year 2023/24.

- by deleting paragraph (b)

Rationale

Ksh. 2,934,923,147.61, being the total sum of 20% mineral royalties due to counties up to and including 30th June, 2022 (from the FY 2016/17 to FY 2021/22) (see attached schedule), has been included in the County Governments Additional Allocations Act, 2024 for the current FY 2023/24. Thus the proposed allocation of **Ksh. 1,055,205,814.07** for mineral royalties in FY 2024/25 is already part of the **Ksh. 2,934,923,147.61** allocated in FY 2023/25 and as such this would amount to double allocation.

ii. sub-clause (4) as follows:

➤ by deleting paragraph (d) and replacing therefor the following paragraph: -

(d) conditional allocations amounting to Kenya Shillings One Billion, two hundred million financed by proceeds from a KfW (German Development Bank) loan for co-financing of FLLoCA - County Climate Resilience Investment (CCRI) Grant as set out in Column E;

➤ by deleting paragraph (e) and replacing therefor the following paragraph: -

(e) conditional allocations amounting to Kenya Shillings Three Billion, Seven Hundred and Twelve million financed by proceeds from an IDA (World Bank) loan for co-financing of FLLoCA - County Climate Resilience Investment (CCRI) Grant as set out in Column F;

Rationale

To specify the total amount as the above two components of FLLoCA – CCRIG grant from both KfW and IDA (World Bank) are performance-based conditional additional allocations and so actual allocations to each the beneficiary county government shall be determined upon carrying out an assessment of each county as per the specified criteria.

iii. sub-clause (5) as follows:

➤ by inserting the words “and (c)” at the end of paragraph (d): -

Rationale

The allocations to be published by notice in the Kenya Gazette are those determined in terms of both paragraphs (b) and (c) and not paragraph (b) only.

iv. sub-clause (6) as follows:

- by deleting the words “subsection (2)” appearing immediately after the words “allocation under “and replacing therefor with the words “subsections (1), (2), (3) and (4)”

Rationale

All additional allocations to county governments under subsections (1), (2) (3) and (4) shall all be transferred to the respective County Revenue Fund in accordance with a payment schedule (read County Governments Additional Allocations Cash Disbursement Schedule) published in the Kenya Gazette by the Cabinet Secretary in accordance with Section 17 of the Public Finance Management Act.

v. sub-clause (7) as follows:

- by deleting the words “subsections (1) and (2)” appearing immediately after the words “allocations under “and replacing therefor with the words “subsections (1), (2), (3) and (4)”

Rationale

All additional allocations (conditional and unconditional) to county governments are to be appropriated and hence must be included in the budget estimates of the National Government and submitted to Parliament for approval

Clause 8

Paragraph (b) as follows:

- by deleting the phrase “section 5(1), (2) and (3)” appearing immediately after the words “made under “and replacing therefor with the phrase “section 5(1), (2) and (4)”

Rationale

In regard to the CGAAB, a county treasury shall report the actual expenditure by the county government of the conditional additional allocations made as either: conditional allocations from National Government’s Share of Revenue [section 5(1)]; conditional allocations for RMLF [section 5(2)]; and conditional allocations financed by proceeds of loans and grants from development partners [section 5(4)].

This shall exclude actual expenditure by the county government of the unconditional additional allocations whose expenditures are considered same to those financed from unconditional equitable share.

SECOND SCHEDULE

THAT, in line with the rationale provided above, the Third Schedule (S.5(3)) in the CGAAB, 2024 (Senate Bills. No. 19 of 2024) be amended as follows:

- By deleting Column C. The National Treasury is of the view that **Ksh. 1,055,205,814.07** unconditional allocations from mineral royalties be revised to **nil** as the amount is already provided for in the current financial year as part of the **Ksh. 2,934,923,147** included in the CGAAA, 2024 for FY 2023/24.


NJUGUNA NDUNG'U, EGH
CABINET SECRETARY

3RD JUNE, 2024

Encls



Promoting an Equitable Society

**MEMORANDA ON THE COUNTY ALLOCATION OF REVENUE
BILL, 2024**

In accordance with the requirements of Article 205 of the Constitution, the Commission on Revenue Allocation has considered the provisions of the County Allocation of Revenue Bill (CARB), 2024 and makes the following observations:

1. Shareable revenue between the national and county governments for the financial year 2024/25

The County Allocation of Revenue Bill, 2024 allocates to county governments Ksh. 415,952,200,000 as equitable share. This figure has been revised by Parliament to Ksh. 400,116,788,147. The figure in the Bill should be changed to reflect the new allocation.

2. Equitable share allocations to each county government.

- i. The CARB, 2024, in SCHEDULE (s.4(1)) shares Ksh. 415,952,200,000 among county governments based on the third revenue sharing criteria as approved by Parliament. The Commission notes that while columns A, B, C and D of SCHEDULE (s.4(1)) are correct, columns E and F are incorrect and should be amended to reflect the revised equitable share allocation to county governments of Ksh. 400,116,788,147. The revised SCHEDULE (s.4(1)) is shown in Table 1.
- ii. The second paragraph of the CARB, 2024 (page 514) should be amended to capture the equitable share allocation of Ksh. 400.117 billion instead of Ksh. 415.952 billion and the amount shared using the Formula should be revised from Ksh. 257.70 billion to Ksh. 241.87 billion.

3. County government Budget ceilings on recurrent Expenditure in Financial year 2024/25

The Commission agrees with the figures as captured in the first schedule (s5) on County Government Budget Ceilings on recurrent expenditure in the financial year 2024/25 comprising of Ksh. 40,196,186,165.00 for County Assemblies and Ksh. 33,756,814,187.00 for County Executives.

Table1: Allocation of Ksh. 400,116,788,147 among County Governments

| S/No | County | 2023/2024 | 2024/2025 | | | | Total Equitable Share**** |
|------|-----------------|----------------------------|------------------------|-----------------|---|--|---------------------------|
| | | | 0.5 (Allocation Ratio) | | (Equitable Share **- 0.5Allocation Ration)*(Formula***) | | |
| | | Actual Allocations 2023/24 | Allocation Ratio | Equitable Share | Allocation Index: 3rd Basis | 3rd Basis Formula: Ksh. 239,890 million 241,887 | |
| | A | B | C | D | E | F=C+E | |
| 1 | Baringo | 6,647,771,186 | 1.61% | 2,547,825,000 | 1.80% | 4,365,211,792 | 6,913,036,792 |
| 2 | Bomet | 6,977,924,070 | 1.74% | 2,753,550,000 | 1.86% | 4,497,512,926 | 7,251,062,926 |
| 3 | Bungoma | 11,111,983,608 | 2.81% | 4,446,825,000 | 2.93% | 7,096,129,697 | 11,542,954,697 |
| 4 | Busia | 7,475,585,295 | 1.90% | 3,006,750,000 | 1.97% | 4,757,761,590 | 7,764,511,590 |
| 5 | Elgeyo-Marakwet | 4,801,453,188 | 1.22% | 1,930,650,000 | 1.26% | 3,056,470,602 | 4,987,120,602 |
| 6 | Embu | 5,341,810,744 | 1.36% | 2,152,200,000 | 1.40% | 3,395,809,706 | 5,548,009,706 |
| 7 | Garissa | 8,248,748,101 | 2.22% | 3,513,150,000 | 2.08% | 5,041,955,066 | 8,555,105,066 |
| 8 | Homa-Bay | 8,128,387,250 | 2.13% | 3,370,725,000 | 2.09% | 5,065,416,144 | 8,436,141,144 |
| 9 | Isiolo | 4,899,041,209 | 1.34% | 2,120,550,000 | 1.22% | 2,958,272,686 | 5,078,822,686 |
| 10 | Kajiado | 8,300,213,576 | 2.03% | 3,212,475,000 | 2.24% | 5,416,848,587 | 8,629,323,587 |
| 11 | Kakamega | 12,912,646,262 | 3.29% | 5,206,425,000 | 3.39% | 8,204,605,188 | 13,411,030,188 |
| 12 | Kericho | 6,703,129,925 | 1.70% | 2,690,250,000 | 1.77% | 4,272,334,946 | 6,962,584,946 |
| 13 | Kiambu | 12,227,552,449 | 2.98% | 4,715,850,000 | 3.31% | 7,997,567,217 | 12,713,417,217 |
| 14 | Kilifi | 12,109,200,498 | 3.30% | 5,222,250,000 | 3.03% | 7,332,433,549 | 12,554,683,549 |
| 15 | Kirinyaga | 5,420,217,528 | 1.34% | 2,120,550,000 | 1.45% | 3,513,115,098 | 5,633,665,098 |
| 16 | Kisii | 9,258,588,608 | 2.46% | 3,892,950,000 | 2.36% | 5,712,651,669 | 9,605,601,669 |
| 17 | Kisumu | 8,361,797,770 | 2.16% | 3,418,200,000 | 2.18% | 5,263,263,177 | 8,681,463,177 |
| 18 | Kitui | 10,829,486,936 | 2.79% | 4,415,175,000 | 2.82% | 6,829,108,763 | 11,244,283,763 |
| 19 | Kwale | 8,584,103,693 | 2.46% | 3,892,950,000 | 2.07% | 4,994,549,175 | 8,887,499,175 |
| 20 | Laikipia | 5,358,246,532 | 1.32% | 2,088,900,000 | 1.44% | 3,480,704,948 | 5,569,604,948 |
| 21 | Lamu | 3,237,350,707 | 0.82% | 1,297,650,000 | 0.85% | 2,065,058,637 | 3,362,708,637 |
| 22 | Machakos | 9,547,295,309 | 2.45% | 3,877,125,000 | 2.50% | 6,036,995,032 | 9,914,120,032 |
| 23 | Makueni | 8,455,460,962 | 2.34% | 3,703,050,000 | 2.09% | 5,059,853,208 | 8,762,903,208 |
| 24 | Mandera | 11,633,191,646 | 3.23% | 5,111,475,000 | 2.87% | 6,943,511,754 | 12,054,986,754 |
| 25 | Marsabit | 7,560,398,412 | 2.14% | 3,386,550,000 | 1.84% | 4,443,818,499 | 7,830,368,499 |
| 26 | Meru | 9,892,625,172 | 2.54% | 4,019,550,000 | 2.59% | 6,252,982,074 | 10,272,532,074 |
| 27 | Migori | 8,341,446,108 | 2.14% | 3,386,550,000 | 2.18% | 5,275,356,516 | 8,661,906,516 |
| 28 | Mombasa | 7,861,523,820 | 2.23% | 3,528,975,000 | 1.91% | 4,612,883,384 | 8,141,858,384 |
| 29 | Murang'a | 7,473,786,703 | 1.99% | 3,149,175,000 | 1.90% | 4,604,418,046 | 7,753,593,046 |
| 30 | Nairobi City | 20,072,059,115 | 5.03% | 7,959,975,000 | 5.33% | 12,895,369,677 | 20,855,344,677 |
| 31 | Nakuru | 13,593,424,693 | 3.31% | 5,238,075,000 | 3.68% | 8,895,618,601 | 14,133,693,601 |
| 32 | Nandi | 7,305,294,033 | 1.69% | 2,674,425,000 | 2.04% | 4,930,454,476 | 7,604,879,476 |
| 33 | Narok | 9,196,276,899 | 2.54% | 4,019,550,000 | 2.28% | 5,511,418,502 | 9,530,968,502 |
| 34 | Nyamira | 5,334,198,486 | 1.52% | 2,405,400,000 | 1.29% | 3,118,146,633 | 5,523,546,633 |
| 35 | Nyandarua | 5,905,976,056 | 1.54% | 2,437,050,000 | 1.53% | 3,693,305,855 | 6,130,355,855 |

| | | | | | | | |
|----|---------------|------------------------|----------------|------------------------|----------------|------------------------|------------------------|
| 36 | Nyeri | 6,485,331,051 | 1.71% | 2,706,075,000 | 1.66% | 4,023,695,888 | 6,729,770,888 |
| 37 | Samburu | 5,594,312,489 | 1.46% | 2,310,450,000 | 1.45% | 3,496,184,423 | 5,806,634,423 |
| 38 | Siaya | 7,263,019,462 | 1.83% | 2,895,975,000 | 1.92% | 4,649,405,269 | 7,545,380,269 |
| 39 | Taita-Taveta | 5,040,427,430 | 1.34% | 2,120,550,000 | 1.29% | 3,108,713,828 | 5,229,263,828 |
| 40 | Tana-River | 6,790,702,542 | 1.85% | 2,927,625,000 | 1.70% | 4,112,944,732 | 7,040,569,732 |
| 41 | Tharaka-Nithi | 4,378,234,821 | 1.24% | 1,962,300,000 | 1.06% | 2,572,253,292 | 4,534,553,292 |
| 42 | Trans-Nzoia | 7,499,822,440 | 1.82% | 2,880,150,000 | 2.03% | 4,918,361,137 | 7,798,511,137 |
| 43 | Turkana | 13,143,946,933 | 3.33% | 5,269,725,000 | 3.47% | 8,383,102,877 | 13,652,827,877 |
| 44 | Uasin-Gishu | 8,426,072,635 | 2.00% | 3,165,000,000 | 2.32% | 5,601,392,947 | 8,766,392,947 |
| 45 | Vihiga | 5,267,026,885 | 1.47% | 2,326,275,000 | 1.29% | 3,130,965,573 | 5,457,240,573 |
| 46 | Wajir | 9,853,656,422 | 2.70% | 4,272,750,000 | 2.46% | 5,941,941,384 | 10,214,691,384 |
| 47 | West Pokot | 6,573,866,403 | 1.58% | 2,500,350,000 | 1.79% | 4,336,913,378 | 6,837,263,378 |
| | Totals | 385,424,616,067 | 100.00% | 158,250,000,000 | 100.00% | 241,866,788,147 | 400,116,788,147 |



COUNCIL OF GOVERNORS

**LEGISLATIVE MEMORANDUM ON THE COUNTY ALLOCATION OF REVENUE BILL, 2024 (SENATE BILLS
NO. 25 OF 2024)**

TO

THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET

FROM

THE COUNCIL OF GOVERNORS



COUNCIL OF GOVERNORS

THE COUNCIL OF GOVERNORS,

In recognition of the fact that sovereign power of the state is exercised at two levels of government, that is, the National Government and the County Governments, whose distinctness is recognized by Article 6 (2);

In further recognition of the need to ensure that all legislation is cognizant of devolved governments; and

Aware of the need for coordinated action between the National and County Governments to ensure that legislation properly respond to the key issues, and further reflects the spirit and purpose of devolution.

Having reviewed the County Allocation of Revenue Bill, 2024 (Senate Bills No. 25 of 2024), the Council of Governors on behalf of the 47 County Governments submits the proposals highlighted herein below for consideration:

A. GENERAL COMMENTS

The Council of Governors, on behalf of the 47 Counties, appreciates the Senate for the continued support of devolution, the Counties and their governments. Specifically, the Council is grateful for the Senate's push to increase the Counties equitable share of revenue from Ksh.385.4 billion to Ksh.415.95 billion which we note, has since been reduced to Ksh.400.1 billion through the mediation process.

The Council assures you of our commitment to enhancing collegiality and collaboration for the betterment of our Counties.

B. SPECIFIC CONCERNS

The Council proposes the following specific amendment to the County Allocation of Revenue Bill, 2024:



COUNCIL OF GOVERNORS

| Section | Provision | CoG's Proposal | Rationale/Justification |
|---|--|---|--|
| <p>Consequential Amendments</p> <p>No. 18 of 2012</p> | <p>Proposed amendment to the Public Finance Management Act, 2012</p> | <p>11. Section 191 of Public Finance Management Act is amended by inserting the following new subsections immediately after subsection (3 (a))—</p> <p>(b) When the County Allocation of Revenue Bill is submitted to Cabinet and to Parliament for approval, it shall be accompanied by the proposed disbursement schedule contemplated under Section 17 (7) of the Act.</p> <p>(c) Cabinet and Parliament shall consider the proposed disbursement schedule alongside the County Allocation of Revenue Bill, and may approve the schedule with or without amendments</p> | <p>By the time the County Allocation of Revenue is being considered, the Counties equitable share of revenue is known for sure and thus the disbursement schedule is only mathematical.</p> <p>Therefore, to avoid the unnecessary delays after the CARA is passed, the disbursement schedule should be considered concurrently.</p> |



**ELGEYO MARAKWET COUNTY GOVERNMENT
OFFICE OF THE CLERK
ELGEYO MARAKWET COUNTY ASSEMBLY**

Telephone: +254 718-028-028
Email: info@emcassembly.go.ke
Website: www.emcassembly.go.ke

Elgeyo/Marakwet County Assembly
P.O. Box 53 - 30700
ITEN

YOUR REF:

REF: EMCA/PARL/VOL. 1(8)

Date: 27th May, 2024

The Clerk of the Senate,
Parliament of the Republic of Kenya,
P.O Box 41842-00100.

NAIROBI.

Dear Sir,

**RE: MEMORANDUM, FOR REQUEST FOR ENHANCEMENT OF COUNTY
ASSEMBLY RECURRENT EXPENDITURE CEILING**

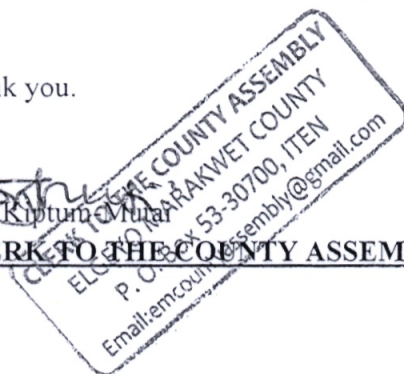
We refer to your letter Ref: SEN/DSEC/F&B/2024/40(p) dated 24th May, 2024.

Attached herein is additional information and other documents concerning this matter as requested by the committee.

Thank you.

Jane Kiptum Mular

CLERK TO THE COUNTY ASSEMBLY



RE: REQUEST FOR ENHANCEMENT OF COUNTY ASSEMBLY RECURRENT EXPENDITURE CEILING.

INTRODUCTION

The County Assembly of Elgeyo Marakwet were allocated Kshs 592,408,337; Kshs 688,567,522 and Kshs 701,876,015 for FY 2022/2023; 2023/2024 and 2024/2025 respectively as per approved CARA 2023 and CRA Recommendation to senate. **(Annex 1 (a) and (b))**

The Assembly comprises of 33 Hon. Members (including Hon. Speaker), 83 Staffs and 101 partisan staff all of whom consume the budget in fulfillment of the assembly's mandate of oversight, legislation and representation.

Below is a summary of how the assembly has allocated its resources over medium term.

ANALYSIS OF COUNTY ASSEMBLY RECURRENT EXPENDITURE BUDGET FOR 3 YEARS

| | 2022/2023 FY | 2023/2024 FY | PROPOSED 2024/2025 FY |
|----------------------|--------------|--------------|--------------------------|
| DETAILS | AMOUNT | AMOUNT | AMOUNT |
| TOTAL BUDGET CEILING | 592,408,337 | 688,567,522 | 701,876,015 |

EXPENDITURE

| | | | |
|---------------------------------|--------------------|--------------------|--------------------|
| COMPENSATION OF EMPLOYEES | 247,558,046 | 299,405,495 | 322,510,978 |
| GRATUITY | 14,468,393 | 18,634,747 | 22,173,602 |
| ACQUISITION OF ASSETS | 26,855,563 | 6,534,523 | 5,876,171 |
| TRANSFER TO CAR & MORTGAGE FUND | 24,000,000 | 61,850,000 | - |
| TOTAL | 312,882,002 | 386,424,765 | 350,560,751 |

| | | | |
|----------------------------------|--------------------|--------------------|--------------------|
| USE OF GOODS AND SERVICES | 279,526,335 | 302,142,757 | 351,315,264 |
|----------------------------------|--------------------|--------------------|--------------------|

| | | | |
|--------------------|------------|------------|------------|
| INSURANCE EXPENSES | 24,943,469 | 24,670,433 | 26,500,000 |
| COMMITTEE SERVICES | 58,964,821 | 65,179,450 | 80,179,450 |

CLERK TO THE COUNTY ASSEMBLY
 ELGEYO MARAKWET COUNTY
 P. O. Box 53-30700, ITEN
 Email:emcountyassembly@gmail.com



| | | | |
|---------------------------------|--------------------|--------------------|--------------------|
| FOREIGN TRAVEL AND SUBSISTENCE | 3,984,989 | 19,980,224 | 20,000,000 |
| WARD OFFICE EXPENSES | 10,483,200 | 10,483,200 | 10,483,200 |
| DOMESTIC TRAVEL AND SUBSISTENCE | 73,779,924 | 81,622,553 | 79,000,000 |
| TRAINING EXPENSES | 24,943,469 | 24,454,373 | 25,000,000 |
| TOTAL | 197,099,872 | 226,390,233 | 241,162,650 |

| | | | |
|------------------------|-------------------|-------------------|--------------------|
| GENERAL O&M | 82,426,463 | 75,752,524 | 110,152,614 |
|------------------------|-------------------|-------------------|--------------------|

The County Assembly has 20 committees. Committee Services expenses are allocated through committee work plans and approved by liaison committee as per attached minutes. **(Annex 2)**

The entire domestic travel and subsistence budget is consumed by Hon. Speaker and Members, Staffs, Members of the County Assembly Service Board and audit committee members.

General O&M covers all the other running expenses for the assembly. The assembly prioritizes budgeting of essential items under O&M hence the amount is not sufficient to meet all projected needs.

MULTIMEDIA CONGRESS SYSTEM

The current Multimedia Congress System was bought and installed in June 2014 at the plenary chambers. The assembly has been doing periodic maintenance over the same. **(Annex 3a)**. Therefore, this system needs overhaul hence the need to replace at a cost of Kshs. 37 Million **(Annex 3 (b))**

MOTOR VEHICLES FOR OVERSIGHT.

The current vehicles used for oversight were bought more than 5 years ago. The maintenance costs related to these vehicles keeps escalating and therefore needs replacement. **(Annex 4 (a) (b) and (c))**

DEVELOPMENT EXPENDITURES.

The Elgeyo/Marakwet County Resource envelope 2023/24 FY is as below:

| | Item | Amount |
|---|---------------|---------------|
| 1 | CRA Share | 4,801,453,188 |
| 2 | Local Revenue | 270,326,632 |

| | | |
|---|------------------------|----------------------|
| 3 | Conditional Allocation | 789,891,721 |
| 4 | Balance b/d | 932,430,814 |
| | TOTAL | 6,794,102,355 |

The above resources are subjected to Equitable Development Act (EDA) which allocates the resources to the 20 wards equitably. Our development budgets majorly have concentrated on the ward projects.

In the current financial year the county proposed to implement Aggregated Industrial Park Programme which costs Ksh.250 Million as a flagship. This amount was sourced from EDA projects.

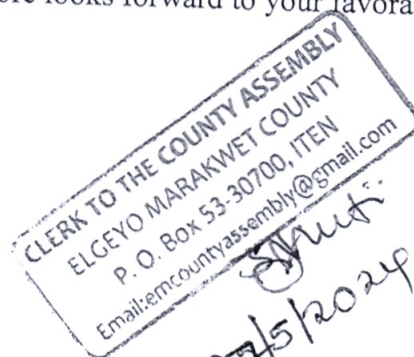
The entire resource envelop was spent has follows:

| | Item | Amount (ksh) |
|---|-----------------------|----------------------|
| 1 | Recurrent Expenditure | 4,241,226,805 |
| 2 | EDA projects | 1,099,447,279 |
| 3 | Other Development | 520,997,457 |
| 4 | Roll over Projects | 932,430,814 |
| | | 6,794,102,355 |

The increase on Personnel Emoluments has pushed the growth of recurrent expenditure reducing resources to development. Therefore more funds are prioritized to the wards during public participation making it difficult to balance the citizen's needs and development of the county assembly's administration block and the speaker's residence. **(Annex 5 (a) Administration Block. (Annex 5 (b) Circular for Speaker's residence.**

CONCLUSION

The County Assembly would appreciate upward review of its ceiling in order to deliver its mandate and therefore looks forward to your favorable consideration and responses.





REPUBLIC OF KENYA
OFFICE OF THE CLERK
COUNTY ASSEMBLY OF TANA RIVER



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P.o Box 113 – 70101 Hola,
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Email:info@tanariverassembly.go.ke
website: www.tnariverassembly.go.ke

REF: CTR/CA/SEN/VOL.1/2

May 23, 2024

Clerk of the Senate,
Parliament Buildings,
P.O BOX 41842-00100,
Nairobi.

Attn:
Chairperson – Senate Committee on Finance and Budget

Dear Sir/Madam,



RE: REQUEST FOR ADDITIONAL ALLOCATION IN THE FY 2024/2025

The above subject refers.

We are kindly requesting your honorable committee to consider allocating us additional Kshs 277.6M in the FY 2024-2025 expenditure ceiling to supplement the following areas;

| S/No | Item | Amount | Justification |
|------|------------------------------------|--------------|---|
| 1. | Public participation and oversight | Kshs. 14.7M | Tana River County is the fifth largest county with approximately Thirty Five Thousand Square Kilometers with serious security threats across the county. Our annual budgetary requirement for public participation and oversight is Kshs. 53,760,000 compared to 39M proposed by the commission on revenue allocation. Attached Annex 1 find an extract of our public participation and oversight budget. |
| 2. | Training cost | Kshs. 12.4 M | Education levels in Tana River is amongst the lowest in the Country, and this fact is firmed up by the County statistical abstract by the KNBS 2015 that indicate that the Adult Literacy rate in Tana river is 33.9% compared to the national rate of 87.38 percent. That being the case, we are requesting an additional Kshs.12.4M on top of Kes 19M proposed by the CRA for Training purposes to enable our members to perform their functions more effectively. Attached Annex 2 find an extract of our training Cost budget. |

| S/No | Item | Amount | Justification |
|------|---|---------------|---|
| 3. | Inherited Tax arrears from the County Executive | Kshs. 35M | An unpaid tax of kes. 487,125,111 to KRA as indicated in the demand letter dated 22 Oct 2022 was inherited from the County Treasury which had accrued for the period that the County Assembly payments were processed at the County Treasury. We have been engaging the KRA on this issue but due to Financial constraints we are yet to clear Kes 35M as indicated in the Agency notice attached. We therefore request an additional 35M clear with the KRA. See Annex 3 (Demand letter) and Annex 4 (Agency notice) |
| 4. | Purchase of 8 vehicles inclusive of the speakers official vehicle and 15 Motor cycles | Kshs. 138.5M | The County Assembly speaker doesn't have an official vehicle. All the cars have been grounded due to mechanical failures and they are due for disposal. These vehicles were acquired in 2014 while others were inherited from the defunct local authority. Attached find Annex 4 the inspection report and Annex 5 – Quotation from the dealer. |
| 5. | Procurement and installation of Hansard equipment | Kshs. 16M | This equipment are very critical in the County Assembly chambers yet what we are currently using is old and dilapidated apart from it not functioning properly. Attached find Annex 5 being a quotation for the supply and installation of Hansard equipment. |
| 6. | Office furniture and computers for 15 ward offices | Kshs 45M | The county assembly has constructed 15 ward offices, however due to financial constraints; we have not been able to equip them hence posing a great challenge for the MCAs to discharge their mandate. Attached Annex 6 is a quotation for the supply of ward office furniture and Computers. |
| 7. | Insurance Cost | Kshs. 16M | The recommended inpatient medical insurance cover for the MCAs is Provided by the gazette notice No. 10350 as Kshs. 3 million. However, we have been providing an inpatient medical cover of Kshs. 2M due to the financial constraints. We are therefore requesting an additional 16M to supplement the 24M already allocated by the CRA. Refer to attached Annex 7 being the SRC circular. |
| | Totals | 277.6M | |

Having made the above submission, it is our prayer that you will find it sufficient to warrant your consideration and approval.

Thank you for your continued support.



Abdullahi Dayib Hussein,
CLERK - COUNTY ASSEMBLY OF TANA RIVER

COUNTY GOVERNMENT OF GARISSA



COUNTY ASSEMBLY OF GARISSA

Our Ref: GCA/SEN/Vol.1/2024(009)

27th MAY 2024

THE CHAIRMAN
FINANCE AND BUDGET COMMITTEE

THRO'
THE CLERK
SENATE OF THE REPUBLIC OF KENYA
P.O. BOX 41842 – 00100
NAIROBI.

**RE: REQUEST FOR ENHANCEMENT OF GARISSA COUNTY ASSEMBLY
RECURRENT EXPENDITURE BUDGET CEILING FOR 2024/2025**

The Assembly leadership acknowledges receipt of your letter **REF SEN/DSEC/F&B/2024/40(M)** and dated 22nd May 2024 inviting us to appear before the Senate, Standing Committee on Finance and Budget on Tuesday 28th May 2024. It's our humble request for consideration of extra funds amounting to **149,550,130** above our Ceiling to support the following critical programs;

1. Workmen Injury Benefit Act (WIBA) for Garissa County Assembly Members and Staff

The commission on revenue Allocation provided WIBA under insurance costs in the recurrent budget ceiling amounting 50 Million, which includes medical insurance for members and staff of the Assembly. The prevailing market price for medical insurance is 45, 842,014 million, leaving 4,157,986 million specifically for WIBA, Totaling **25,200,000**. The minimum and the maximum requirement per employee per month for WIBA is 3,000 and 18,000 respectively.

2. Staff retrenchment

Pending the SRC circular on staff rationalization, The Garissa County Assembly Service board has deliberated the matter and came up with a rationale that will see fairness with staffs retrenched given three (3) months pay per year served for a maximum of 7 years and golden handshake of Ksh. 150,000 per employee. Our estimated cost for it is **Ksh. 58,013,922** that will be done in one phase.

3. Consultancy service for Human resource firm to help in the retrenchment

Pursuant to section 24 (4) of the county Assembly Service Act, 2017, the board shall for purposes of reviewing the organizational structure appoint a reputable human resource firm to advise on the effectiveness and efficiency of the intended review in respect of the said provision. In respect of the above provision, the Assembly service Board resolved to conduct a retrenchment and, in that case, planned to engage a competent Human resource firm to help us come with a strategy to ensure relevant laws are adhered to in carrying out this important exercise at a cost of **Ksh. 7,859,000**.

4. Buying of lease of land in front of the Assembly

The assembly intends to acquire a lease for a piece of land situated in front of the Assembly at a cost of **Ksh. 50,000,000** to address pressing security concerns posed by temporary kiosks. This is based on the rent he would have received from his tenants for the unexpired 36 years. The Assembly has already engaged lease holder and is willing to sell the lease to the Assembly. Copy of lease agreement between former Municipal Council of Garissa and Lessie attached. In the meantime, we have initiated the process of acquiring the lease awaiting valuation report from Government valuer and the final agreement.

| COMPARISON OF CRA PROPOSAL VS ESTIMATES | | | | |
|---|----------------|-----------------------|-----------------------|--|
| Budget Items | CRA Allocation | Proposed | Variance | Remarks |
| WIBA | - | 25,200,000.00 | 25,200,000.00 | WIBA not factored, this is highly needed as an institution |
| Staff Retrenchment | - | 58,013,922.00 | 58,013,922.00 | Staff retrenchment not factored. |
| Consultancy service for human resource | - | 7,859,000.00 | 7,859,000.00 | Consultancy fee for human resource firm not factored. |
| Purchase of Lease | - | 50,000,000.00 | 50,000,000.00 | The leased space is located Infront of the assembly |
| House Levy | - | 8,477,208 | 8,477,208 | This house levy relates to the Financial year 23/24 |
| | | 149,550,130.00 | 149,550,130.00 | |

We thank the Committee of Finance and Budget for the noble work and look forward for your positive feedback.

Kind Regards,



M.A SANTUR
CLERK-GARISSA COUNTY ASSEMBLY

COUNTY GOVERNMENT OF NANDI



NANDI COUNTY ASSEMBLY

P.O. Box 673-39300, Kapsabet

Telephone Number: 0780000029 / 0412000029

E-mail: info@nandiassembly.go.ke

Website: www.nandiassembly.go,

NCA/SEN./21/05/2023-2024

21st May 2024

The Clerk of the Senate,
Parliament of the Republic of Kenya,
PO Box 41842-00100,
NAIROBI, KENYA.

Dear Sir,

RE: A REQUEST FOR ENHANCEMENT OF NANDI COUNTY ASSEMBLY RECURRENT EXPENDITURE CEILING BY KSHS.193, 808,766 FROM CRA'S RECOMMENDED CEILING OF KSHS. 807,468,047 TO A NEW CEILING OF KSHS. 1,661,276,807

The County Assembly recurrent expenditure is constrained by upper ceilings set by the Parliament of Kenya during the enactment of the County Allocation of Revenue Act. In the Public Finance Management Act 2012 Section 8 (1) a Committee of the Senate is established to deal with budgetary and financial matters has responsibilities for the following matters, in addition to the functions set out in the Standing Orders review the County Allocation of Revenue Bill and the Division of Revenue Bill in accordance with Article 218(1)(b) of the Constitution at least two months before the end of the financial year.

It is hereby our considered opinion thereof that the upper ceiling of **KShs.807, 468,047** as proposed in Commission on Revenue Allocation (CRA) for the Nandi County Assembly to the Senate shall be insufficient to defray the recurrent expenditure as anticipated of the peculiar circumstances of relocation to new county assembly office complex.

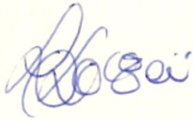
We are kindly requesting that you consider our request based on the following information;

- 1) The County Assembly requests for a favorable outcome in respect to the following other requests that were listed in our letter dated 8th April 2024 previously sent to you;
 - i. Equipping of the County Assembly Office Complex Hansard and Chambers totaling **KShs. 93,922,000** as per the as per the proposed list in Appendix 1 of proposed Hansard and audio services purchases, works and goods to be procured.

- II. ^b New expenses as a result of relocation to newly built office complex-contracted services totaling KShs. **78,690,000** as per the proposed list in Appendix 2 of proposed purchases, works and services to be procured.
- III. ^c Purchases of Motor Vehicles for Monitoring and Evaluation of County Programs totaling **KShs. 21,196,760** as per the proposed list in Appendix 3 of proposed purchases, works and services to be procured. The 10 vehicles that are in use are very old, bought at the commencement of the County Assembly operations in FY 2013/2014 and are becoming extremely expensive to run.

Our request therefore is that the Senate considers, in the light of these circumstances, to enhance our recurrent expenditure ceiling (for budgetary expenditure to be incurred in FY 2024/2025 only) by at least this **KShs.193, 808,760** as per our attached detailed proposed expenditures.

Thank you,



BARNABA GK KOSGEI,
CLERK OF THE COUNTY ASSEMBLY OF NANDI

APPENDIX 1: EQUIPPING OF THE NEW HANSARD, CHAMBERS AND COMMITTEE ROOMS

| | ITEM | QUANTITY | UNIT PRICE | TOTAL |
|-----|--|----------|------------|-------------------|
| 1. | Bosch Dicontis DCNM-WDE – Wireless Conference System | 150 | 145,000 | 21,750,000 |
| 2. | Parliamentary Digital Paperless System | 1 | 25,000,000 | 25,000,000 |
| 3. | Video Cameras | 4 | 750,000 | 3,000,000 |
| 4. | Still Cameras | 4 | 200,000 | 800,000 |
| 5. | Chambers & Server room Power Backup System | 4 | 700,000 | 2,800,000 |
| 6. | Public Gallery Audio Systems | 10 | 100,000 | 1,000,000 |
| 7. | Dell PowerEdge R760 Server | 2 | 3,000,000 | 6,000,000 |
| 8. | Display Screens | 15 | 500,000 | 7,500,000 |
| | Cisco Routers | 5 | 350,000 | 1,750,000 |
| 10. | Network Switches | 10 | 250,000 | 2,500,000 |
| 11. | Biometric System | 15 | 50,000 | 750,000 |
| 12. | CCTV | 1 | 2,000,000 | 2,000,000 |
| 13. | Server Room AC & Environmental Control System | 1 | 2,000,000 | 2,000,000 |
| 14. | Wireless Hotspot Gadgets | 15 | 80,000 | 1,200,000 |
| 15. | Computers | 77 | 156,000 | 12,012,000 |
| 16. | Stand by Generator – 3 phase | 1 | 3,860,000 | 3,860,000 |
| | GRAND TOTAL | | | 93,922,000 |

APPENDIX 2: NEW EXPENSES AS A RESULT OF RELOCATION

- It is in the interest of the County Assembly that the project be completed as early as July 2024 to ease operations of the Assembly and realize value for tax payers' money.
- In the aforesaid, the County Assembly is requesting for funds to furnish offices and the chamber. The equipment is estimated to cost at least **KShs. 61,165,000**

1) Speaker's office

| S/NO | Item Description | Quantity | Unit Cost | Total |
|------|---|----------|------------|---------------------|
| 1. | Reception and office couches (7 seater) | 3 | 500,000.00 | 1,500,000.00 |
| 2. | Tables | 4 | 150,000.00 | 600,000.00 |
| 3. | Coffee tables | 5 | 80,000.00 | 400,000.00 |
| 4. | Cabinets | 3 | 80,000.00 | 240,000.00 |
| 5. | Speaker's Seats | 1 | 120,000.00 | 120,000.00 |
| 6. | Speaker's secretary seats | 2 | 30,000.00 | 60,000.00 |
| 7. | Seats for the speaker's conference room | 15 | 85,000.00 | 1,275,000.00 |
| | Conference table | 1 | 50,000.00 | 50,000.00 |
| | TOTAL | | | 4,245,000.00 |

2) Clerk's office

| S/NO | Item Description | Quantity | Unit Cost | Total |
|------|---|----------|------------|---------------------|
| 1. | Reception and office couches (7 seater) | 3 | 500,000.00 | 1,500,000.00 |
| 2. | Tables | 4 | 150,000.00 | 600,000.00 |
| 3. | Coffee tables | 5 | 80,000.00 | 400,000.00 |
| 4. | Cabinets | 3 | 80,000.00 | 240,000.00 |
| 5. | Speaker's Seats | 1 | 120,000.00 | 120,000.00 |
| 6. | Speaker's secretary seats | 2 | 30,000.00 | 60,000.00 |
| 7. | Seats for the speaker's conference room | 15 | 85,000.00 | 1,275,000.00 |
| 8. | Conference table | 1 | 50,000.00 | 50,000.00 |
| | TOTAL | | | 4,245,000.00 |

3) Offices

| S/NO | Item Description | Quantity | Unit Cost | Total |
|------|--|----------|------------|----------------------|
| 1. | Seats (Staff and MCAs offices) | 600 | 30,000.00 | 18,000,000.00 |
| | Tables with lockers (Staff and MCAs offices) | 150 | 20,000.00 | 3,000,000.00 |
| | Coffee tables | 50 | 20,000.00 | 1,000,000.00 |
| | Cabinets | 50 | 30,000.00 | 1,500,000.00 |
| | Members Lounge (7 seater seats) | 10 | 200,000.00 | 2,000,000.00 |
| | Curtains, sheers and blinders | 77 | 20,000 | 1,540,000.00 |
| | TOTAL | | | 27,040,000.00 |

4) Gym

| S/NO | Item Description | Quantity | Unit Cost | Total |
|------|----------------------------------|----------|------------|--------------|
| 1 | Gym -Treadmill | 7 | 300,000.00 | 2,100,000.00 |
| 2 | Commercial elliptical machine | 7 | 300,000.00 | 2,100,000.00 |
| | Dumbbells 50 kgs adjustable sets | 8 | 80,000.00 | 640,000.00 |
| 4 | Olympic military press bench | 4 | 350,000.00 | 1,400,000.00 |
| 5. | Commercial stair master | 2 | 750,000.00 | 1,500,000.00 |
| 6. | Chest and shoulder press machine | 2 | 400,000.00 | 800,000.00 |
| 7. | Adjustable abdominal bench | 4 | 100,000.00 | 400,000.00 |
| 8. | Commercial tbar lying row | 2 | 190,000.00 | 380,000.00 |
| 9. | 2.2 m olympic barbell | 4 | 115,000.00 | 460,000.00 |

| S/NO | Item Description | Quantity | Unit Cost | Total |
|------|-------------------------------------|----------|------------|----------------------|
| 10. | Training tyre | 4 | 95,000.00 | 380,000.00 |
| 11. | Leg curl plus leg extension machine | 2 | 400,000.00 | 800,000.00 |
| | TOTAL | | | 10,960,000.00 |

5) Cafeteria

| S/NO | Item Description | Quantity | Unit Cost | Total |
|------|--|----------|--------------|---------------------|
| 1. | Coffee/ tea machine | 1 | 1,000,000.00 | 1,000,000.00 |
| 2. | Cutlery- spoons, knives, and general kitchenware | | 500,000.00 | 500,000.00 |
| 3. | Tables | 40 | 10,000.00 | 400,000.00 |
| 4. | Seats | 200 | 15,000.00 | 300,000.00 |
| | TOTAL | | | 2,200,000.00 |

6) Chambers

furnishing of the

| NO | Item Description | Quantity | Unit Cost | Total |
|----|---|----------|------------|---------------|
| 1. | Special Chamber Seats fixed with speakers and tabs to facilitate paperless proceedings, | 100 | 150,000.00 | 15,000,000.00 |
| 2. | Speaker's gallery permanent seats | 30 | 50,000.00 | 1,500,000.00 |
| 3. | Public gallery permanent seats | 100 | 25,000.00 | 2,500,000.00 |
| 4. | Clerk at the table seats | 12 | 30,000.00 | 360,000.00 |

| S/NO | Item Description | Quantity | Unit Cost | Total |
|------|--|----------|-----------|----------------------|
| 5. | Executive chairs for the Speaker, Governor, senator, women representative | 5 | 50,000.00 | 250,000.00 |
| 6. | Tables for the clerks at the table and speaker | 4 | 50,000.00 | 200,000.00 |
| 7. | Furnishing of the chambers and the gallery (sound proofing) and equipping 2 conference halls | | | 10,190,000.00 |
| | TOTAL | | | 30,000,000.00 |

SUMMARY

| Item Description | Total (KShs.) |
|--------------------|-------------------|
| 1. Speakers office | 4,245,000.00 |
| 2. Clerk's office | 4,245,000.00 |
| 3. Offices | 27,040,000.00 |
| 4. Gym | 10,960,000.00 |
| 5. Cafeteria | 2,200,000.00 |
| 6. Chambers | 30,000,000.00 |
| TOTAL | 78,690,000 |

APPENDIX 3: COUNTY PROGRAMS MONITORING AND EVALUATION MOTOR VEHICLES

| S/No | Item Description | Purpose | Units | Market Price | Total (KShs.) |
|--------------|---------------------------|---|-------|--------------|-------------------|
| 1. | 4 wd Double Cabin Pick-up | For continuous review of county budgeted programs | 3 | 7,065,586.7 | 21,196,760 |
| TOTAL | | | | | 21,196,760 |

**SERVICE, REPAIR & MAINTENANCE OF MOTOR VEHICLES FOR THE ONE YEAR PERIOD
BETWEEN 01/05/2023 – 30/04/2024**

| CAR MODEL | PASSENGERS | REG NO. | YEAR OF MANUFACTURE | TOTAL |
|----------------------------------|------------|----------|---------------------|---------------------|
| TOYOTA HILLUX -4 WD DOUBLE CABIN | 5 SEATER | KBR 844U | 2012 | 324,584.50 |
| TOYOTA HILLUX -4 WD DOUBLE CABIN | 5 SEATER | 29CG060A | 2013 | 907,867.10 |
| TOYOTA VAN | 14 SEATER | 29CG061A | 2014 | 398,450.60 |
| TOYOTA PRADO S WAGON | 7 SEATER | 29CG062A | 2013 | 680,430.70 |
| TOYOTA HILLUX -4 WD DOUBLE CABIN | 5 SEATER | 29CG063A | 2014 | 363,292.40 |
| TOYOTA STATION WAGON | 9 SEATER | 29CG055A | 2014 | 287,833.10 |
| TOYOTA STATION WAGON | 9 SEATER | 29CG056A | 2014 | 152,549.40 |
| TOYOTA STATION WAGON | 9 SEATER | 29CG057A | 2014 | 93,643.42 |
| TOYOTA HIACE VAN | 14 SEATER | 29CG058A | 2014 | 286,820.80 |
| TOYOTA LAND CRUISER S WAGON | 7 SEATER | 29CG059A | 2013 | 1,613,705.00 |
| TOYOTA LAND CRUISER S WAGON | 7 SEATER | 29CG224A | 2018 | 3,741,047.00 |
| TOTAL | | | | 8,850,224.02 |

From the above;

- (1) The cost of maintaining the three Toyota Double Cabin vehicles and the two Prados 29CG059A and 29CG224A is relatively high and this is attributed to the fact that they are relatively old vehicles.
- (2) An assessment for the three double cabins and Prado 29CG059A shows that the Cost of maintenance per year is almost half the value of those vehicles. This has informed us on the alternative of Disposing off the said vehicles and replacing with new ones.
- (3) Cost of repair, maintenance and servicing, there is need for increase in budgetary allocation for the maintenance of motor vehicle vote.

REPUBLIC OF KENYA
COUNTY GOVERNMENT OF MACHAKOS
COUNTY ASSEMBLY OF MACHAKOS



County Hall
Along MwatuaNgoma Rd
P O Box 1168 – 90100
MACHAKOS – KENYA



Email: assemblymks@gmail.com

**Submission of the County
Assembly of Machakos to the
Senate Standing Committee on
Finance and Budget.
(On FY 24/25 Proposed Recurrent Budget Ceiling)**

**REPUBLIC OF KENYA
COUNTY GOVERNMENT OF MACHAKOS
COUNTY ASSEMBLY OF MACHAKOS**



County Hall
Along Mwatia wa Ngoma Rd

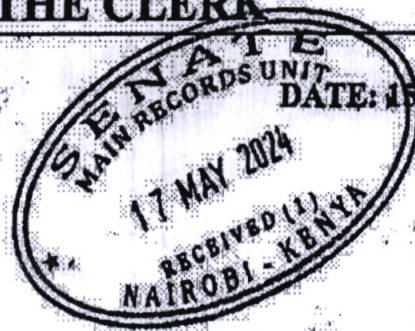


Email: assemblymka@gmail.com

OFFICE OF THE CLERK

Our Ref: MKSCA/ADM/SEN/VOL.2/43

The Clerk of the Senate
Parliament Buildings
P.O Box 41842-00100
NAIROBI.



DATE: 15th May, 2024

RE: REVIEW OF BUDGET CEILING FOR FY 2024/2025

The Assembly is in cognizance of the Senate functions key among them;

- i. Representing the Counties, serving to protect the interest of the Counties and their Governments.
- ii. Participating in the law-making function of parliament by considering, debating, approving bills concerning Counties as provided in Articles 109 to 113 of the Constitution.
- iii. Determining the allocation of National Revenue among Counties as provided in article 217, and exercises oversight over national revenue allocated to the County Governments.

The Senate has in the past supported County Assemblies in terms of availing resources to enable them function as per the law. At times, the resources appropriated are not adequate hence Assemblies have had difficult or challenging times trying to achieve their obligations. In view of the challenges that the Assemblies have faced as a result of the recurrent budgetary ceilings, the County Assembly of Machakos has identified some areas where it feels have not been provided adequately under the budget ceilings, and we are kindly requesting the Senate

CAB 2021
2/22

Standing Committee on Finance & Budget to consider enhancing our budget ceiling for FY 2024/2025 by taking them into consideration. These are:

i. Staffing/Compensation

The Assembly operates under the category where we are allowed to have 115 members of staff, and we request for a review of the number to 145, this is to facilitate the institution to discharge its mandate in a more effective and efficient way.

Under compensation, the Assembly intends to promote most of its members of staff, who have stagnated in the same positions for more than 10 years, and in line with fair labor practices, the Assembly is obligated to promote them in order to enhance their productivity and morale.

The annual amount needed for this is approximately Kshs 10M.

ii. Security for the Ward Offices

The Assembly has already constructed Ward Offices in most of its 40 Wards and the Offices are already in use.

There has been an issue of the security of the Offices/Equipment's therein, and the Assembly requests for additional funding so as to engage security guards in the 40 Wards (i.e. one guard in each ward). The annual amount required for this approximately totals to Kshs 8,160,000.

iii. Motor Vehicles

The Assembly has not been able to purchase new Motor Vehicles in the recent past due to the budgetary constraints, as Motor Vehicles are normally classified under the Recurrent Budget. We are currently operating using old fleet of vehicles, and the costs of Repairs/Maintenance is too high hence the reason why we need 2 extra new Motor Vehicles.

The funding required for purchasing of the two new motor vehicles is approximately Kshs 18M.

iv. Pending Bills

As of to date, the Assembly has kshs.103,207,288.50 in Pending Bills. These Bills have accumulated over the years and they have continued to impact negatively on the operations of the Assembly.

v. Severance Pay for Ward Office staff for first Assembly

The County Assembly was sued by the ward office staff of the first County Assembly seeking a severance pay for the services rendered. These funds had not been provided for in

the budget ceilings of those years. A decree has been issued directing the County Assembly to pay a total of kshs. 24,410,437/- (to the former ward staff) and the costs thereof. The Assembly therefore seeks an additional allocation of kshs.30, 000,000.00 to cater for this additional expenditure.

vi. Public Participation costs

The assembly is required to conduct public participation/engagements in carrying out the business of the house. All bills and policies passed by the Assembly require public participation. Statutory documents that require mandatory public participation are:

- 1) Annual Development Plan (ADP)
- 2) County Fiscal Strategy Paper (CFSP)
- 3) Annual Budget Estimates
- 4) Finance Bill
- 5) Supplementary Appropriation Bill

The assembly projects to process at least 6 bills in the next financial year. Public participation is usually carried out across the 40 wards with each consuming at least ksh.100, 000.00. The allocation caters for stationery, photocopying and printing, refreshments, allowances for 4 officers, transport and venue. For the 40 wards the approximate cost is Ksh.44, 000,000.00.

vii. Fringe Benefit Tax (FBT)

Fringe Benefit Tax (FBT) is charged on the taxable value of a Fringe Benefit provided by employer in a month and is due and payable on or before 9th the following month. The employer pays FBT in respect of a loan provided to an employee at interest rate lower than the market interest rate.

Currently, the KRA Deemed Interest Rate is 15% while the interest rate charged on the loans is 3% giving a benefit of 12%. The benefit of 12% is higher than the rate of return been given by the banks on repayments. This means continued payment of FBT from the scheme will affect the seed capital of the fund hence the need to provide the element of FBT on the recurrent ceilings.

The proposed budgetary requirement for this is kes 12 million.

xiii) Training and Capacity Building

The Assembly has identified some training needs under the following areas for its members;

- a) Legislative and Procedural matters
- b) Budget Processing/Public Finance Management & procurement processes provisions.

The proposed trainings will enhance member's capacity in relation to their legislative, representation and oversight roles.

The proposed budget requirement for this is kes 10 million.

ix) Legal Drafting

The Assembly has identified some areas where there is great need to put in place some legislations, but unfortunately, it does not have the required internal expertise on legal drafting.

In view of the above, the Assembly intends to engage external legal drafters to assist in drafting the said bills.

The proposed budgetary requirement for this important service is kes 10 million.

Attached is a schedule summarizing the above submissions.

It is our sincere hope that the Senate through the Standing Committee on Finance and Budget will take into consideration our submissions and enhance our ceiling accordingly.

Thank you for your continued support.



DENIS MUTUI
Ag. CLERK OF COUNTY ASSEMBLY 0100,
CC:
MACHAKOS

MACHAKOS COUNTY ASSEMBLY
MACHAKOS COUNTY

16 MAY 2024

Hon. Speaker
County Assembly of Machakos

**Proposed Budget Ceiling FY 24/25 (By
CRA)**

Kshs.1,028,153,264.00

REPUBLIC OF KENYA



THE COUNTY ASSEMBLY OF NYERI

REQUEST FOR ADDITIONAL ALLOCATION OF RECURRENT EXPENDITURE FY 2024/2025

MAY, 2024

**Clerk's Chamber
County Assembly of Nyeri
County Assembly of Nyeri Buildings
RURING'U NYERI**

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BACK GROUND INFORMATION

The County Assembly of Nyeri is the Legislative Arm of the County Government of Nyeri established under Article 176(1) of the Constitution of Kenya 2010. The Assembly is headed by Hon. Speaker who is responsible for the general policies and strategic direction of the Assembly. The Third Assembly has a total of 43 Honourable Members comprised as follows:- 30 elected Members, 12 nominated Members representing special groups and special interest, the Honourable Speaker who is an ex-officio Member. The MCAs are responsible for making laws for effective performance, approving plans, policies and playing the oversight role over the County Executive.

ACKNOWLEDGEMENT

The Clerk of the Assembly takes this opportunity to thank the Senate Committee on Finance and Budget for giving the Assembly an opportunity to present their proposal. On behalf of the Nyeri County Assembly service Board, I have the honour and pleasure to present the proposal for increased allocation for recurrent expenditure for the financial year 2024/2025 to this honourable Committee.



Jenard N. Mwiggeh

Clerk- County Assembly of Nyeri

1.0 BUDGET TRENDS AND ACTUAL EXPENDITURE FOR THE LAST THREE YEARS

1.1 Budget Allocation and Absorption Trend for the last 3 Financial Years.

- The audited financial report for the year ended June 2023 had an absorption rate of **96%** for the recurrent expenditure with an approved budget of **Kshs.762, 693,761** and an actual expenditure of **Kshs.733,125,743**. The 4% under-absorption was attributed to non-performance of Own Source Revenue. OSR target was **Kshs. 800,000,000** against an actual collection of **Kshs. 610,737,307**.
- The audited financial report for year ended June 2022 had an absorption rate of **97%** for the recurrent expenditure with an approved budget of **Kshs.746,500,292** and an actual expenditure of **Kshs.719,199,443**. The 3% under-absorption was attributed to non-performance of Own Source Revenue. Own Source Revenue target was **Kshs. 800,000,000** against an actual collection of **Kshs. 605, 934,746**.
- The audited financial report for year ended June 2021 had an absorption rate of **95%** for the recurrent expenditure with an approved budget of **Kshs. 706,085,232** and an actual expenditure of **Kshs.688,539,441**. The 5% under-absorption was attributed to non-performance of Own Source Revenue. OSR target was **Kshs. 800,000,000** against an actual collection of **Kshs. 886,940,830**

1.2 Compensation to Employees & Operations and Maintenance

| S/No | Particulars | 2020/21 | 2021/22 | 2022/23 |
|------|---|--------------------|--------------------|--------------------|
| 1. | Compensation to Employees | 232,915,121 | 255,632,309 | 216,859,659 |
| 2. | Use of goods and services | 393,971,031 | 433,873,771 | 392,862,237 |
| 3. | Transfer to other government services(Mortgage) | 30,000,000 | - | - |
| 4. | Social Security benefit | 19,306,111 | 25,997,905 | 21,638,907 |
| 5. | Acquisition of Assets | 12,032,492 | 909,000 | 101,764,940 |
| 6. | Finance Costs. | 314,675 | - | - |
| | Actual Expenditure | 688,539,441 | 716,412,985 | 733,125,743 |

2.0 REQUEST FOR ADDITIONAL ALLOCATION FOR RECURRENT EXPENDITURE

The Commission on Revenue Allocation (CRA) proposed a recurrent expenditure budget ceiling for FY 2024/2025 of **Kshs.809,707,000**. The Assembly appreciates the positive variance which will go a long way to cater for non-discretionary expenses such as Insurance costs, financial adjustments e.g housing levy, NHIF, salary market adjustment. However, the County Assembly has some emerging needs that require additional funding to enable the Hon. Members deliver and execute their legislative, oversight and representation roles. From the foregoing, we request a further additional allocation of **Kshs. 156,500,490** to cater for the following items. Purchase of new motor vehicles, equip Hon. Speaker's official residence, upgrading of staff canteen and ICT Equipment, furniture, hansard equipment and automation of various modules and apportioned as follows;

| S/No. | ITEM | AMOUNT (Kshs). |
|-------|---|--------------------|
| | Acquisition of Asset(Motor Vehicles) | 80,000,000 |
| 2. | Equipping Hon. Speakers' official residence | 4,500,000 |
| 3. | Upgrading and Equipping of staff canteen | 7,000,490 |
| 4. | Automation(ERP), | 15,000,000 |
| 5. | ICT Equipment and Hansard Equipment | 30,000,000 |
| 6. | Purchase of furniture | 20,000,000 |
| | Total | 156,500,490 |

3.0 JUSTIFICATION

3.1 Acquisition of new assets (vehicles) - The County Assembly has 8 vehicles. 4 of them were inherited from the defunct local authority. Recently, one was involved in an accident and subsequently written off. The motor vehicles that are currently operational are not sufficient to cater for the day to day Assembly operations. Thus, the County Assembly requires an additional **Kshs.80,000,000** for purchase of more vehicles.

The table below shows the current stock of the Motor vehicles.

| S/No. | Vehicle Reg. no. | Model | Ownership Status | Year of Manufacture | Condition of vehicle |
|-------|------------------|-----------------------------|------------------|---------------------|----------------------|
| 1 | KBG288C | TOYOTA DOUBLE CABIN | Inherited | 2009 | Old |
| 2 | KBJ743U | SUZUKI MARUTI | Inherited | 2009 | Old |
| 3 | KBJ783U | TOYOTA AVANZA | Inherited | 2009 | Old |
| 4 | KBQ101D | ACA30R-AWPXKW STATION WAGON | Inherited | 2009 | Old |
| 5 | 19CG063A | TOYOTA PRADO VXL | Purchased | 2014 | Old |
| 6 | 19CG095A | KDJ1150M -TOYOTA PRADO | Purchased | 2014 | Written off |
| 7 | 19CG093A | TOYOTA HIACE | Purchased | 2017 | Old |
| 9 | 19CG031A | CHEVROLET TRAILBLAZER | Purchased | 2017 | Old |

The aforelisted vehicles call for frequent maintenance which is quite costly on the Assembly budget. Audited reports for the last three (3) years indicates an upward trend towards maintenance expenses of the vehicles as shown below making them uneconomical to operate on.

| S/No. | Financial Years | Amount (Kshs) |
|-------|-----------------|---------------|
| 1. | 2020/2021 | 2,535,962 |

| | | |
|----|-----------|-----------|
| 2. | 2021/2022 | 1,463,396 |
| 3. | 2022/2023 | 2,544,579 |

From the foregoing, the Assembly is in dire need of the following vehicles:

- a) **2 Toyota Landcruisers, 2.8 LT Hardtop 12 seater (with accessories)- Kshs. 17,186,920 each**-This will be used by the Assembly committees for field work while they are undertaking their duties across the 30 wards, especially in rough terrains. Currently, the Assembly has no single vehicle that can be used to access such terrains and this has inhibited service delivery in the past.
- b) **Toyota Prado 2.8Ltrs TXL automatic Japan-Kshs 20,467,179-** The vehicle currently being used by Hon. Speaker has a high mileage and is facing constant breakdowns necessitating frequent maintenance hence affecting its performance. Further, its interior is worn out.
- c) **Isuzu FTR 90N(FSR90SU-NCYN), complete built 51 seater Bus with seat belts, speed-Ksh.11,482,000**-The county Assembly currently has no vehicle with a capacity exceeding 10 passengers. This has necessitated the Assembly to incur extra costs in hiring buses from other public institutions when the need arises.
- d) **Isuzu Double Cab Pick up TFS86D-C14X4 Dilux- Ksh.6,989,000-** The Assembly requires a double cab pick-up to facilitate members of staff while undertaking various activities e.g public participation, tender evaluation, field visits among others.
- e) **Toyota Rumion KH15BR-HMPSKN-R3 GL-Kshs. 6,687,981**-The Assembly requires an additional pool vehicle to facilitate small group movements. This will be key in ensuring committees undertake their oversight role more effectively.

The Table below shows the estimated costs required to purchase the four vehicles.

| S/no. | Type/Model | Qty | Unit Cost(Kshs) | Total Cost(Kshs) |
|-------|---|-----|-----------------|------------------|
| i. | Toyota Landcruisers, 2.8 LT Hardtop 12 seater | 2 | 17,186,920 | 34,373,840 |

| | | | | |
|------|--|---|------------|-------------------------|
| ii. | Toyota Landcruiser 2.8Ltrs TXL | 1 | 20,467,179 | 20,467,179 |
| iii. | Isuzu FTR 90N(FSR90SU- NCYN), Complete built 51 seater Bus with seat belts, speed governor. | 1 | 11,482,000 | 11,482,000 |
| iv. | Toyota Rumion KH15BR-HMPSKN- R3 GL-Kshs. | 1 | 6,687,981 | 6,687,981 |
| v. | Isuzu Double Cab Pick up TFS86D- C14X4 Dilux | 1 | 6,989,000 | 6,989,000 |
| | Total Cost | | | Kshs. 80,000,000 |

3.2 Equipping Hon. Speakers' official Residence- The Hon. Speaker's official residence is currently under construction as per the SRC circular no. SRC/TS/COG/6/61/48 VOL.II(64) dated 20th May, 2019 and is due for completion by December 2024. Once completed, the Assembly will need to furnish and equip the house to allow occupation. It is in this regard that the County Assembly requires additional funding of **Kshs. 4,500,000** for furnishing and equipping. The following items will be prioritized.

| S/No. | Items | Specifications | Amount(Kshs) |
|-------|-----------------------------|---|--------------|
| 1. | Assorted Household Items | Mattresses, Linens, Cutlery, cooking pots, Electric pressure cooker, coffee machines, blender & toasters, dough mixers, table linens, shoe racks, grill, home theatres, wall clocks, Smart Television, Washing machine, dryer, vacuum | 780,000 |

| | | | |
|----|---------------------------------|--|------------------|
| | | cleaner, buckets, gas cylinders, Iron boxes and boards(<i>Annex</i>) | |
| 2. | Furniture and fittings | Sofa sets(12 Seater), 8 seater dining set, 4 Beds,2 coffee tables, Bookshelf, office desks and chairs, bedside cabinets, outdoor furniture. | 1,200,000 |
| 3. | Kitchen Appliances | 6 burner gas + 2 electric Cooker, Double door Refrigerator Smart Inverter Compressor, Dishwasher machine 12 Settings- RW/300, 32L Microwave Oven, Kitchen hood, | 1,100,000 |
| 4 | Furnishing Materials | Curtains and Sheers, Carpets, Wall arts, rugs, bathmats sets, fireplace and heater | 700,000 |
| 5 | ICT Equipment and power back-up | CCTV system, Intercom system, Network devices and cables, desktop computers and printers, scanners, diesel generator back-up generator set, water pump, solar heating system, booster pump | 720,000 |
| | Total | | 4,500,000 |

3.3 Purchase of furniture for Ward Offices-There's dire need to replace the office furniture for the 30 ward offices as the ones in use were purchased during the inception of devolution and are hence worn out. A sum of **Kshs. 20,000,000** is needed to equip the Ward Office with adequate furniture such as Office desks, Office chairs.

3.4 Purchase of ICT Equipment and Hansard Equipment- The Assembly ICT Equipment and hansard equipment are now obsolete since they were purchased during the first County Assembly. To this end, we require a sum of **Kshs. 30,000,000** to purchase the aforementioned equipment.

3.5 Equipping and upgrading the staff Canteen- The County Assembly operates a staff canteen with subsidized prices. The canteen has significantly improved the staff and Hon. Members' wellbeing and productivity. However, the facility requires modern and efficient equipment and appliances to save energy and cut maintenance costs. To this end, we require to upgrade the staff canteen at a cost of **Kshs. 7,000,049 Million** tabulated below.

| S/no. | Item | Qty | Unit Price | Total Price |
|-------|---|---------|------------|-------------|
| 1 | 6 burner gas + 2 electric Cooker | 2 | 245,000 | 490,000 |
| 2 | Double door Refrigerator Smart Inverter | 2 | 189,995 | 379,990 |
| 3 | Chest/ Deep Freezer | 1 | 130,000 | 130,000 |
| 4 | Chiller fridge | 1 | 235,000 | 235,000 |
| 5 | 65 Inch 4K HDR Smart LED TV | 2 | 125,000 | 250,000 |
| 6 | Dishwasher machine 12 Settings- RW/300 | 1 | 315,000 | 315,000 |
| 7 | Samsung 32L Convection Microwave Oven | 1 | 53,500 | 53,500 |
| 8 | Electric pressure Cooker | 1 | 105,000 | 105,000 |
| 9 | Espresso Dedic Coffee Maker | 1 | 213,000 | 213,000 |
| 10 | Electric dough mixer | 1 | 35,500 | 35,500 |
| 11 | Heavy duty Blenders | 2 | 80,000 | 160,000 |
| 12 | Juicers | 1 | 50,000 | 50,000 |
| 13 | Dish drain racks | 1 | 65,000 | 65,000 |
| 14 | Stainless Steel Deep Fryer, 2500W. | 1 | 84,500 | 84,500 |
| 15 | Table Linens | 200 | 1,550 | 300,000 |
| 16 | Small kitchen items and crockery sets | Various | 500,000 | 500,000 |
| 17 | Modern cooking Pots | 15 | 35,000 | 525,000 |
| 18 | Home theatre system | 1 | 126,000 | 126,000 |
| 19 | Stainless Kitchen Flexi Taps/ Faucets | 5 | 25,000 | 125,000 |
| 20 | Chips Slicer | 1 | 57,000 | 57,000 |
| 21 | Commercial Toaster | 1 | 140,000 | 140,000 |
| 22 | Steel working tables(Medium size) | 3 | 25,000 | 75,000 |
| 23 | Commercial Buffet Serving dishes | 5 | 17,000 | 85,000 |
| 24 | Buffet serving table | 2 | 16,500 | 33,000 |
| 25 | POS(Billing Machine) | 1 | 62,000 | 62,000 |

| | | | | |
|----|-----------------------------------|---------|---------|------------------|
| 26 | Tea urns | 7 | 18,000 | 126,000 |
| 27 | Tea maker | 1 | 120,000 | 120,000 |
| 28 | Cutlery | 1 | 175,000 | 175,000 |
| 29 | Executive Furniture)-(VIP LOUNGE) | 1 set | 350,000 | 350,000 |
| 30 | Interior decorations | Various | 150,000 | 150,000 |
| 31 | Grill | 1 | 260,000 | 260,000 |
| 32 | Additional tables | 30 | 5,000 | 150,000 |
| 33 | Additional seats | 110 | 3,000 | 330,000 |
| 34 | Potato Peelers and Masher | 2 | 35,000 | 70,000 |
| 35 | Commercial plate warmer | 1 | 175,000 | 175,000 |
| 36 | Service Tents | 3 | 100,000 | 300,000 |
| 37 | Bain-marie food warmer | 1 | 200,000 | 200,000 |
| | TOTAL | | | 7,000,490 |

3.6 ERP System (Enterprise Resource Planning)- The County Assembly has in the past suffered accidental data loss. There is dire need to mitigate against such eventualities in future through installation of a Cloud Computing System. Automation will be done in 3 modules i.e. Records management system, Inventory management system and Cloud back-up system. The system will be implemented at a cost of **Kshs. 15,000,000** depending on the modules, existing infrastructure and the scope of work to be done.

Module 1: Records management system BOQ

| S/No | Item/description | Unit price | Estimated cost |
|------|---|------------|----------------|
| 1. | Creating the features and modules of the system | 1 | 1,500,000 |
| 2. | Customization and app integrations | 1 | 800,000 |
| 3. | Data migrations into the system | Annually | 500,000 |
| 4. | Training of users | 1 | 500,000 |
| 5. | Maintenance and upgrades | Annually | 500,000 |

| | | | |
|----|-----------------------------|---|------------------|
| 6. | License fees | 1 | 200,000 |
| 7. | Total Estimated cost | | 4,000,000 |

Module 2: Inventory management system BOQ

| S/No. | Item/description | Unit price | Estimated cost |
|-------|---|------------|------------------|
| 1. | Creating the features and modules of the system | 1 | 1,000,000 |
| 2. | Customization and app integrations | 1 | 600,000 |
| 3. | Data migrations into the system | 1 | 800,000 |
| 4. | Training of users | Annually | 200,000 |
| 5. | Maintenance and upgrades | Annually | 200,000 |
| 6. | License fees | 1 | 200,000 |
| 7. | Total Estimated cost | | 3,000,000 |

Module3: Cloud Back up system BOQ

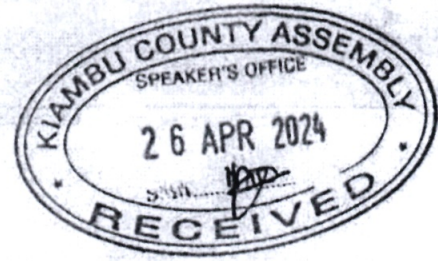
| S/No. | Item/description | Unit price | Estimated cost |
|-------|--|------------|----------------|
| 1. | Cloud infrastructure set up, switches, cabinet and client machines | 1 | 3,000,000 |
| 2. | Microsoft server 2022 installation and configuration | 1 | 1,000,000 |

| | | | |
|----|---|----------|------------------|
| 3. | Onsite server and offsite server configuration | 1 | 1,000,000 |
| 4. | Data migrations into the system/data population and retrieval | Annually | 1,500,000 |
| 5. | Training of users | Annually | 600,000 |
| 6. | Maintenance and upgrades | Annually | 500,000 |
| 7. | License fees | 1 | 400,000 |
| 8. | Total Estimated cost | | 8,000,000 |

Grand Total for the 3 modules: Kshs. 15,000,000

ANNEXURES

- 1) Photos of the ongoing construction of Hon. Speakers official residence.
- 2) Quotations of Proposed vehicles to be purchased.
- 3) Quotations of Proposed household items to be purchased.
- 4) Quotations of Proposed furniture to be purchased.
- 5) Quotations of Proposed ICT equipment to be purchased.



**COUNTY GOVERNMENT KIAMBU
COUNTY ASSEMBLY OF KIAMBU**

Clerk's Chambers
County Assembly of Kiambu
Assembly Buildings
P.O. Box 1492-00900
KIAMBU

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Email: info@kiambuassembly.go.ke
kiambucountyassembly@gmail.com
Web: www.kiambuassembly.go.ke

When replying please quote

REF: CAK/1/19/10VOL 2(6)

April 25, 2024

Mr. Jeremiah M. Nyegenye, CBS,
Clerk of the Senate,
Parliament Buildings,
P.O. Box 41842- 00100
NAIROBI



Dear Sir,

**RE: SUBMISSION OF MEMORANDA ON THE COUNTY GOVERNMENTS'
RECURRENT EXPENDITURE BUDGET CEILINGS FOR FY 2024/25**

The above matter refers.

The recommendation by the Commission on Revenue Allocation ("The Commission") forms the basis for the preparations of the County Allocation of Revenue Bill (CARB) in accordance with Articles 217 and 218 of the Constitution. The CARB provides budget ceilings for the County Assemblies as per Article 216 (2) and (3) of the Constitution and Section 107 (2) (a) of the Public Finance Management Act (PFMA) 2012. To this end, the Kiambu County Assembly engaged the Commission with a view of enhancing its ceiling, however, the Commission advised that we engage the Senate of the Republic of Kenya after the Commission had forwarded its recommendations. Noting that the Commission has already forwarded its recommendation on County Governments' Recurrent Expenditure Budget Ceilings for FY 2024/25 to the Senate as required by law, the County Assembly wishes to make the following submission to the Senate with regard to the review of our ceiling.

I. County Assembly of Kiambu recurrent budget ceiling for FY 2024/2025

The proposed recurrent expenditure ceiling for Kiambu County Assembly for the FY 2024/25 is Kshs. 1,352,347,776.00. It is worth noting that the ceiling has taken into account the new employer obligations occasioned by the Finance Act No. 4 of 2023, however, the amount allocated is insufficient to address emerging and pressing needs of the County Assembly.

The Assembly is therefore requesting the Senate to consider our request for the enhancement of our ceiling to cater for the below pressing needs

II. Improvement of the ICT infrastructure in the Assembly

ICT is a critical component in enhancing institutional efficiency in this era of digitization. The Assembly has grown tremendously since its inception but the ICT infrastructure has been a major challenge due to limited budgetary allocation making it difficult to provide the critical necessary services within the Assembly and hampering the ability of the Assembly to carry out its core functions. Notably, in the recent past the Assembly has experienced frequent breakdown of the Hansard system which is critical in the Assembly's discharge of its core mandate, slow internet connectivity, breakdown of printers and photocopying machines printers and other electronic equipment. To address these challenges, we request the Senate to consider the below highlighted areas to facilitate the smooth and uninterrupted operations of the Assembly.

a) Hansard system and Broadcasting Unit

The Assembly installed a Hansard automation system in 2014. The system has served the Assembly since then but the system has gradually become obsolete owing to general wear and tear and the rapid technological advancement thus making the system unserviceable and uneconomical to maintain. We have further faced the challenge of lack of critical spare parts in which the manufacturer indicated during the last maintenance cycle that they no longer support the specific system model due to technological advancements. The manufacturer is compelled to produce specific spare parts for the system on demand thus making it very costly and expensive to maintain. Further, the Assembly has on several instances been forced to operate without the Hansard system due to the frequent breakdowns and we have been severally forced to make use of hand-held microphones to carry out Assembly business. This poses a challenge as the Assembly is unable to keep records of proceedings of the Assembly and committees when the Hansard system is not working. The manufacturer has recommended a replacement of the existing Hansard system on priority basis due to the frequent outages and breakdowns of the system and has further advised

that the high cost of maintenance of the system is unsustainable. The Assembly also intends to set up a broadcasting unit to air the proceedings of plenary and committee sittings in line with the constitutional requirement of public bodies carrying out their activities transparently and further ensuring that the public has access to operations and information of public bodies.

The replacement of the system complete with an audio/visual system will require Kshs. 60,000,000.00 for automation of both plenary and committee sittings. Additionally, implementation of a broadcasting unit and media center will require an estimated Kshs. 30,000,000.00 both of which will cost a total of Kshs. 90,000,000.00. (see Appendix I)

a) Acquisition and installation of Electronic Documents and Records Management System

The Assembly has grown tremendously over the years and more records are being generated which require to be safely and securely stored and managed. Due to the limited storage space, the Assembly has been forced to convert some offices into small registries a situation that may not be sustainable in the long run. As an Assembly, we have thus deemed it necessary to implement an electronic documents and records management system to address the challenge of storing key documents. The system will automate the generation, processing, storage, retrieval and archiving of records. The system requires a huge capital investment but can be implemented in phases. The total estimated cost for the system is Kshs. 18,000,000.00, that is, Kshs. 12,000,000.00 for the computerized system and an additional Kshs. 6,000,000.00 for conversion of the already existing documents.

b) Documentation and printing

The Assembly has one heavy duty copier and two light duty copies for the office of the Clerk and Speaker. The heavy-duty printer acquired in 2015, is currently faulty and has become obsolete since some of the spare parts are not available in the market. It has also become extremely expensive to maintain. The ICT budget has not been able to support the acquisition of another copier which has greatly affected the Assembly operations. It is estimated to cost approximately Kshs. 4,000,000.00 for acquisition of two document manager units which will also support the automation or records management system (for scanning and organizing documents). Additionally, the Assembly has a total of 117 printers for both the Assembly headquarters and the ward offices out of which 25 are faulty and unrepairable. There is need to replace the obsolete and unrepairable machines which is estimated to cost Kshs. 2,000,000.00.

c) Upgrading of Intercom Telephone System, Local Area Network and increasing of the internet bandwidth

The Assembly intercom system was installed in 2013 in which it has become obsolete making it impossible to re-configure or upgrade to cater for the growing staff population. This system needs to be replaced with a modern IP telephony which will be at an estimated cost of **Kshs. 2,800,000.00**. Additionally, the government network (GCCN) has become very unreliable, being unavailable at least three (3) days in a week. This caused the Assembly to acquire a **20Mbps** which has proved to be insufficient with the current population and need to be upgraded to at least **100Mbps** which will cost **Kshs. 3,200,000.00** per year.

The Assembly further requires to fast track the installation of a local area network (LAN) and internet connectivity in the offices for the nominated members. The LAN will cost **Kshs. 1,200,000.00** and internet connectivity at least **Kshs. 1,200,000.00** per year.

d) Customized application systems

The Assembly is in need of some critical customized systems in the areas of car loan and mortgage management, information sharing (e-parliament), asset management and stores management. These assorted systems will require an estimated budget of **Kshs. 6,000,000.00**.

III. Chamber Overhaul

The County Assembly chambers was inherited from the defunct County Council and which was built in 1920 and has suffered the effect of wear and tear due to its continued use over time. The state of the building hosting the chamber is not conducive to the operations of business of the Assembly as there are significant challenges of sitting space considering that Kiambu Assembly is one of the largest Assemblies in the country with 86 Members of County Assembly. To ensure a conducive and professional environment for carrying out of legislative activities, we are seeking the support of the Senate to enable us undertake comprehensive renovation of the chambers. In addition, the current seats in the chamber are worn out and not conducive to Members of the Assembly and in particular to members who are differently abled. To address this challenge, we are seeking to install user-friendly seats for Members including having customized seats to members with severe disabilities. This improvement and enhancement will not only enhance accessibility but also contribute to a more inclusive Assembly.

Further, as the Assembly expands, new committee rooms are being established to facilitate efficient operations of the committees which is key in supporting the Assembly's legislative role. To ensure the efficacy of the committee rooms, the Assembly requires funding for the installation of communication devices, internet connection, cabling, and suitable and appropriate furniture.

The estimated budget for this undertaking is **Kshs. 50,000,000.00** which will cover the renovation and reconfiguring of the chambers, installation of auditorium seats and equipment and the general upgrade of the Chambers to parliamentary status.

IV. Acquisition of utility motor vehicles for the Assembly

The County Assembly operates with old fleet of motor vehicles, some having been inherited from the defunct local authorities while the rest were acquired in the year 2013. The said fleet is unserviceable and therefore there is need to acquire at least three additional utility vehicles at the cost of **Kshs. 30,000,000.00**. Most of the vehicles have already been grounded and are unserviceable. The motor vehicles inspection and valuation report by the Ministry of Roads and Transport reveals this state of affairs. (*see Appendix 2*)

V. Contracted Security Guards

To enhance the security of the County Assembly precincts and assets, we have sought the services of a security company which provides for thirteen (13) security guards and one (1) security dog at a cost **Kshs. 17,000.00** per guard and a dog per month. This amounts to a total of **Kshs. 221,000.00** per month and **Kshs. 2,652,000.00** per year.

Further vide **Legal Notice No. PSRA/005/2023** by the Private Security Regulatory Authority, the minimum wage payable for security guards has been set at minimum of **Kshs. 30,000.00** (*see Appendix 2*). Additionally, the Assembly intends to increase the number of security guards to twenty-one (21). This is to cater for an additional two (2) guards in the Assembly premises and six (6) guards for the security of the offices for the specially elected members.

The ripple effect of this changes is a fiscal deficit of **Kshs. 7,176,000.00**. There is therefore need to enhance this vote from **Kshs. 2,652,000.00** to **Kshs. 9,828,000.00** (*see Appendix 3*).

VI. Salaries and wages vote for Members of the County Assembly

The Commission on Revenue Allocation has factored eighteen (18) committees whereas, the County Assembly of Kiambu Standing Order has established twenty-two (24) committees in the following categories as shown under *Appendix 4-*

- a Ten (10) Sectoral committees;

- b Six (6) Select committees: and,
- c Eight (8) Housekeeping committees.

Sectoral and housekeeping committees mirror the County Executive Committee departments as may be established in line with Article 179 of the Constitution. As per Article 179 (3)(b), Kiambu has ten (10) departments/ County Executive Committee Members. To discharge its oversight mandate, the Standing Orders do provide for the ten (10) sectoral committees.

Select Committees consider matters that cut across departments including but not limited to statutory functions. Some committees are a creation of statutes as follows:

- a Budget and Appropriations Committee established under the Public Finance Management Act;
- b Public Investments and Accounts Committee established under the Public Audit Act;
- c Delegated Legislation Committee is established under the Statutory Instruments Act;
- d Committee on Appointments is established under the Public Appointments (County Assemblies Approval);
- e The Procedure and Rules Committee is established under the County Governments Act;
- f Committee on selection is established under the County Governments Act for the placement of Members to committees;
- g Implementation and Law Affairs is established to consider inter alia intergovernmental affairs in line with Intergovernmental Relations Act; and,
- h Powers and Privileges Committee is established under the County Assemblies Powers and Privileges.

The rest of the Committees are vital to the operations of the Assembly and are similar across Commonwealth Parliaments and Assemblies. For instance, the Assembly Business Committee is responsible for considering and approving all business before the Assembly. In deed section 14 of the County Governments Act empowers a County Assembly to make Standing orders and establish committees in such a manner and for general or special purposes as it considers fit. Accordingly, the Assembly has established the above listed Committees.

Pursuant to the County Assembly's power to make standing orders in accordance with section 14 of the County Governments Act, it took note of the County executive's portfolio structure as established in accordance with section 30 (2) of the County Governments Act. Consequently, for efficient carrying out of its oversight mandate provided for vice chairpersons as per departmental portfolio formation. Thus, pursuant to standing order 191 of the County Assembly of Kiambu Standing Order each Sectoral Committee, Public Accounts and Investment Committee and ICT

committee has two vice chair persons thus the total number of chairpersons and vice chairpersons is 22 and 34 respectively. (See Appendix 4)

Further, the standing orders provides for the membership of chairperson panel at five (5) members while the Commission on Revenue Allocation has only provided for four (4) members and at a rate of Kshs. 20,000.00 responsibility allowance instead of Kshs. 27,000.00 as provided for in the SRC circular.

As per the calculations in the Appendix 5 attached there's a need to enhance salaries vote by Kshs. 21,626,400.00.

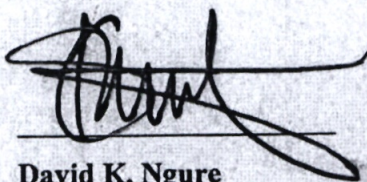
In conclusion, it is therefore requested that the recurrent ceilings for the County Assembly of Kiambu be enhanced by Kshs. 241,302,400.00 to the cater for the pressing needs enumerated above. For ease of reference the breakdown of the specific items we have requested is tabulated hereunder.

| No. | Items | Estimated Cost (Kshs.) |
|-----|---|------------------------|
| 1. | Hansard system and broadcasting Unit | 90,000,000.00 |
| 2. | Acquisition and installation of Electronic Documents and Records Management System | 18,000,000.00 |
| 3. | Documentation and printing | 6,000,000.00 |
| 4. | Upgrading of Intercom Telephone System, Local Area Network and increasing of the internet bandwidth | 6,400,000.00 |
| 5. | Acquisition of computers and laptops | 6,100,000.00 |
| 6. | Customized application systems | 6,000,000.00 |
| 7. | Chamber Overhaul | 50,000,000.00 |

| | | |
|-----------------------------|--|-----------------------|
| 8. | Acquisition of three (3) utility motor vehicles for the Assembly | 30,000,000.00 |
| 9. | Salaries and wages vote for Members of the County Assembly | 21,626,400.00 |
| 10. | Contracted Security Guards | 7,716,000.00 |
| Total Estimated Cost | | 241,302,400.00 |

We trust that you will favourably consider our request to enable our Assembly to efficiently and optimally discharge its functions. We will also appreciate if we can be granted for an opportunity to appear before the relevant committee of the Senate to facilitate an interactive an in-depth engagement concerning the issues we have highlighted in this correspondence.

Yours Sincerely,



David K. Ngure

For: Clerk, County Assembly of Kiambu

Cc. Hon. Speaker, County Assembly of Kiambu



REPUBLIC OF KENYA
COUNTY ASSEMBLY OF ISIOLO

**APPEAL FOR RECURRENT CEILING REVIEW
FOR
COUNTY ASSEMBLY OF ISIOLO**

FY 2024/25

TO

SENATE COMMITTEE ON FINANCE

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REPUBLIC OF KENYA
COUNTY ASSEMBLY OF ISIOLO
THE CLERK, COUNTY ASSEMBLY



*Isiolo County Assembly Building
P.O. Box 195 – 60300
Isiolo, Kenya*

*Cell: 0722 819026
Email: clerkisiolo@gmail.com*

Thank you, hon. Chair and members of this distinguished Committee, for according us this opportunity to interact with you towards fostering devolution. Hon. Chair the county assembly of Isiolo has the following committees;

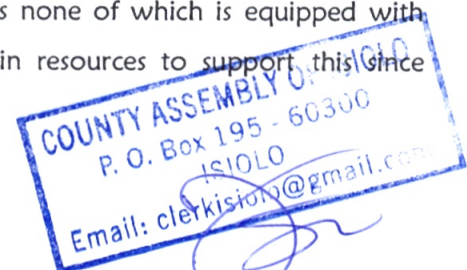
1. Early Childhood, Education and Vocational Training
2. Ethics, Justice, Legal Affairs, Cohesion, Intergovernmental Relations and Coordination Committee
3. Health Services Committee
4. Liaison Committee
5. Agriculture, Livestock, Fisheries and Special Programme Committee
6. House Business, Rules, Powers and Priviledges Committee
7. Water, Environment and Natural Resources Committee
8. Land, Housing and Urban Development Committee
9. Finance, Budget & Appropriations Committee
10. County Public Accounts & Investments Committee
11. Tourism, Trade and Cooperatives Committee
12. Selection and Appointment Committee

1. BUNGE MASHANANI: 12,000,000

Hon. Chair, to promote citizen participation in the functions of the county assembly, the county assembly of Isiolo intends to hold Bunge Mashinani in all the 3 sub-counties of Isiolo county. This will greatly encourage the county population with low literacy level to participate. This was not factored in the proposed recurrent ceiling. We thus plead with the committee to consider our prayer under this. For supporting document see **(Annex 1)**

2. PROCURE HANSARD EQUIPMENTS FOR COMMITTEE ROOMS – 4: 16,000,000

Hon. Chair, the County Assembly has four committee rooms none of which is equipped with Hansard and P.A systems. The Assembly has been limited in resources to support this since inception. For supporting document see **(Annex 2)**



3. STAFF MORTGAGE: 30,000,000

Hon. Chair, our staff as established have no access to mortgage facilities. Many County assemblies have these funds and these state of affairs in our Assembly is likely to affect our staff output and performance due to low morale. For supporting document see **(Annex 3)**

4. ICT SYSTEMS: 15,000,000

Hon. Chair, ICT is a critical component of a modern management of any public institution. Our limited resources have hindered our access and provision of ICT systems in our County Assembly. This will also improve web based public participation among others. We request this honorable committee for a favorable consideration. For supporting document see **(Annex 4)**

5. PURCHASE OF MORTOR VEHICLE – LANDCRUISER: 11,500,000

Hon. Chair, Isiolo is a vast County with harsh terrains. These terrains require mean of transport that can withstand our kind of road conditions. In the absence of this, the county assembly can only hire transport to reach various part of the county-which resources are not available. We request the support of these committee to be provided with resources to procure a land cruiser 4*4. see **(Annex 5)**

6. GROUP MEDICAL COVER: 15,000,000

Hon. Chair, like many public entities, our medical cover provider was NHIF. However, these was terminated due to structural adjustments in NHIF by operation of the law. We were forced to engage a private insurance provider due to these changes at NHIF. We are now faced with a deficit of 15 million on this which we plead with the committee to consider. For supporting document see **(Annex 6)**

Thank you, Mr. Chairman and members of the committee, for your time.




**S. B. GURACHA
CLERK, COUNTY ASSEMBLY**



REPUBLIC OF KENYA
COUNTY ASSEMBLY OF ISIOLO
THE CLERK, COUNTY ASSEMBLY



*Isiolo County Assembly Building
P.O. Box 195 – 60300
Isiolo, Kenya*

Cell: 0722 819026
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Ref: ICA/SN/VOL.1/08

20th May, 2024

**THE CLERK TO THE SENATE
P. O. BOX 41842 – 00100
NAIROBI**

RE: APPEAL FOR RECURRENT CEILING REVIEW FOR COUNTY ASSEMBLY OF ISIOLO – FY 2024/25 TO SENATE COMMITTEE ON FINANCE

To realize its constitutional mandate of legislation, representation and oversight, the county assembly of Isiolo appeals for increment of its recurrent expenditure ceiling enable its effectiveness in its operations.

This appeal is grounded on the following challenges that is currently not funded thus hindering our roles as envisaged under the constitution;

1. Isiolo county covers an area of approximately 25,700 km², the vastness of the county which comes with the following; high fuel need, high cost of vehicle maintenance, high cost of transport hire. The county assembly intends to purchase one 4-wheel drive land cruiser that can with stand the harsh terrains of Isiolo county.
2. Bunge Mashinani planned for in the 2 sub-counties of Garba-Tulla and merit at Ksh. 6,000,000 per sub-county.
3. Settlement of pending bills and domestic payables at Kshs. 40,000,000.
4. Currently, all county assembly ICT systems are dilapidated and unserviceable. The assembly intends to replace ones to enhance effectiveness of the assembly functions.
5. Due to lack of budgetary allocation, all committee rooms of the county assembly lac Hansard system. This has largely compromised committee operations as none of the 4-committee room is equipped.
6. To enhance staff productivity, the county assembly has put in place mortgage scheme to serve MCAs and staff. However, no staff has ever benefited from this scheme as funds are all taken up by MCAs.

These is illustrated below;



| NO. | DETAILS | RATE | TOTAL |
|-----|--|-------------|-------------------|
| 1. | Bunge mashinani | 6,000,000 | 12,000,000 |
| 2. | Procure Hansard equipment for committee room – 4 | 4,000,000*4 | 16,000,000 |
| 3. | Staff mortgage | 30,000,000 | 30,000,000 |
| 4. | Ict systems | 15,000,000 | 15,000,000 |
| 5. | Purchase of car – Landcruiser | 11,500,000 | 11,500,000 |
| 6. | Group medical cover | 15,000,000 | 15,000,000 |
| | Total | | 99,500,000 |

We pray that the committee considers the above increment over and above our current proposed ceiling on our recurrent budget.

Thank you for your continued support.

Yours sincerely,



COUNTY ASSEMBLY OF ISIOLO
P. O. Box 195 - 60300
ISIOLO
Email: clerkisiolo@gmail.com

Salad B. Guracha,
Clerk, County Assembly

Cc: The Secretary,
Commission for Revenue Allocation (CRA)

The Hon. Speaker, County Assembly of Isiolo

REPUBLIC OF KENYA
BARINGO COUNTY GOVERNMENT

info@baringoassembly.go.ke
www.baringoassembly.go.ke



P. O BOX 159-30400
KABARNET

BARINGO COUNTY ASSEMBLY
OFFICE OF THE CLERK

BCA/ADM/1/VOL.IX/146

16TH MAY, 2024

Mr J. M. Nyegenye
Clerk of the Senate
Parliament Buildings
P.O. Box 41842-00100
NAIROBI, KENYA.

Dear Clerk,

RE: REQUEST FOR ADDITIONAL ALLOCATION OF FUNDS – KSH 132 MILLION

Reference is made to your letter, Ref. No. SEN/DSEC/F&B/2024/40(K), dated 13th May, 2024 on the above matter.

Kindly here attached are supporting documents on our request:

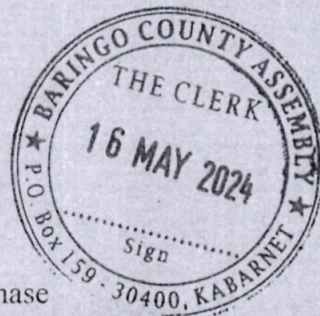
- i) Equipping of the new offices with furniture: Ksh. 20 Million
- ii) Equipping of the Hon. Speaker's residence with furniture and equipment: Ksh. 10 Million
- iii) General Repairs, Maintenance & Improvements of the : Ksh. 20 Million
- iv) Costs related to insecurity and the vastness of the county: Ksh. 27 Million.
- v) Court awards on Litigations of Ksh. : 20 Million
- vi) Acquisition of Motor Vehicles: Ksh. 35 Million

We look forward to your positive response.

Thank you.

Yours faithfully,

Ms. Winnie J Chemase
CLERK, COUNTY ASSEMBLY OF BARINGO.



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BARINGO COUNTY GOVERNMENT



COUNTY ASSEMBLY OF BARINGO

.....

THIRD ASSEMBLY – THIRD SESSION

.....

THE REPORT OF THE BARINGO COUNTY ASSEMBLY

ON THE REQUEST FOR RECURRENT EXPENDITURE CEILING

ADJUSTMENT FOR THE 2024-2025 FINANCIAL YEAR

.....

16TH MAY, 2024



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1.1. Introduction

County Assembly of Baringo was established along with other 47 County Assemblies to represent the people and ensure government by the people under the Constitution, as well as represent the 30 Wards in the County government. Thence the Assembly has a responsibility to ensure that the public participate in democratic processes by understanding the role of Assembly and their involvement in its processes.

1.2. Mandate of the County Assembly

The role of the county assembly is derived from Article 185 of the Constitution of Kenya 2010, which include:

- a) Being the legislative authority of the County;
- b) Making any laws that are necessary the effective performance of the functions under the Fourth Schedule;
- c) Exercise oversight over the county executive committee and any other county executive organs;
- d) Receive and approve plans and policies for; (a) The management and exploitation of the county's resources; and (b) The development and management of its infrastructure and institutions;
- e) Vetting and approving nominees for appointment to county public offices as may be provided for in this Act or any other law;
- f) Performing the roles set out under Article 185 of the Constitution;
- g) Approving the budget and expenditure of the county government in accordance with Article 207 of the Constitution, and the PFMA, 2012, guided by Articles 201 and 203 of the Constitution;

- h) Approve the borrowing by the county government in accordance with Article 212 of the Constitution;
- i) Approving county development planning; and
- j) Performing any other role as may be set out under the Constitution or legislation.

1.3. Vision

To be a leading modern and people centered County Assembly in Kenya.

1.4. Mission

To promote the principle of good governance through legislation, oversight and representation as a contribution to the socio-economic development of Baringo County.

1.5. Core Values

- a) Quality Service.
- b) Teamwork.
- c) Integrity and Professionalism.
- d) Democracy.
- e) People Focus.

1.6. Objectives

- a) To promote effective legislative & oversight role.
- b) To facilitate effective contact between the MCA and the electorate.

- c) To promote professionalization of County Assembly Service.
- d) To ensure Transparency, Accountability and Compliance.
- e) To provide adequate physical, security and ICT infrastructure.
- f) To enhance communication, corporate image; Widen and deepen collaborations & partnerships.

1.7. The background of the County Assembly request

The Assembly is guided by the second Strategic Plan 2021-2025 which provides strategic direction and outlines measurable goals in relation to its mandate. The Strategic Plan identifies key strategic result areas and objectives as important pillars of its operations and long term focus. In promoting legislation, oversight and representation role, the Assembly requires a very supportive and enabling environment for Members and Staff to deliver its mandate effectively. Good working environment remains a key priority delivered through the provision of adequate physical and ICT infrastructure & facilities. Even with this focus and priority, gaps still exist in provision of adequate physical facilities. Challenges faced due to insufficient funds have had a significant impact on our operations. We are unable to function optimally. This has hampered our ability to deliver quality legislation and provide effective oversight. Additionally, limited funds have constrained our capacity to engage with the members, the public and even involve them in the decision-making process.

In light of these challenges, I urge the Senate to consider allocating additional funds to the county Assembly by increasing our budget allocation, we will be able to enhance our capacity to serve the people effectively and contribute to the development of Baringo County. The additional funds will enable us to improve

infrastructure and implementation of programs that address the needs of our county citizens.

1.8. Recurrent Expenditure Ceiling Adjustment for the 2024/2025 Financial Year

With reference made to our letter Ref. BCA/ADM/VOL.IX/142 dated 9th May 2024 and replied vide your letter, Ref. SEN/DSEC/F&B/2024/40(k), dated 13th May, 2024 on the above subject matter, the County Assembly of Baringo requested for a ceiling adjustment of approximately Kshs. 132 Million in addition to Commission on Revenue Allocation (CRA) proposed ceiling (Kshs. 853 Million) to the Senate of Kenya. The priority areas for additional finance are:

i. New Offices Furniture: Ksh. 20 Million;

The County Assembly constructed and completed new offices that accommodate members and staff hence require equipping with the office furniture i.e. Tables, Chairs, work stations, and other office furniture. **Annex 1** attached provides a detailed item description, costs and rationale.

ii. Hon. Speaker's Residence Furniture & Equipment: Ksh. 10 Million;

The County Assembly completed the construction of the Hon. Speaker's residence which require equipping with Furniture, Kitchen, Laundry & Dining materials and equipment. **Annex 2** attached provides a detailed item description and costs.

iii. General Repairs, Maintenance and Improvements: Ksh. 20 Million;

The County Assembly have structures that require general repairs and improvements i.e. renovation works at the main building, lounge, kitchen back side, gallery areas and general renovations to external works. **Annex 3** attached provides a detailed summary of the items description and costs.

iv. Insecurity Costs and the vastness of the County: Ksh. 27 Million;

The balance between security and public access to the chamber continues to be an important concern during these uncertain times due to many security threats especially when the Assembly lacks some security infrastructure such as CCTV, walk-through metal detectors, revolving bars and turnstiles. **Annex 4** attached provides a detailed summary of the items description and costs.

v. Court Awards on Litigation: Ksh. 20 Million;

The county Assembly has four concluded court cases that are awaiting settlement of court award and costs. The consideration in allocation of additional funds shall be of great significance in averting any possible execution for costs by concerned parties as some are long overdue for settlement. **Annex 5** attached provides a detailed summary of the said cases.

vi. Acquisition of Motor Vehicles: Ksh. 35 Million.

The functioning of committees in the County Assembly has been affected because of the challenge of means of transport for field visits, public engagements and project verifications. The acquisition of motor vehicles would facilitate committees to do oversight, legislation and representation effectively. Notably, the vehicles that were inherited from the local authority are no longer reliable and the Assembly is in the process of disposing four of its fleet which has become uneconomical to repair and maintain. The request for additional funds to acquire new motor vehicles is critical to the Assembly. **Annex 6** attached provides a detailed summary of the said cases.

1.9. The County Assembly Recommendation to the Senate.

- a) That, the Senate approves the adjustment of Recurrent Expenditure Ceiling for 2024/2025 financial year by Kenya Shillings One Hundred and Thirty

Two Million (Ksh.132 Million) for the County Assembly of Baringo.

1.10. Conclusion

In conclusion, I respectfully request your support in securing additional funds for the County Assembly of Baringo. This is an investment in good governance, transparency and accountability. By providing us with these necessary resources, you are empowering us to better serve the people of Baringo who have entrusted us with their representation. God bless the Senate. Thank you.



MS. WINNIE JEPKEMOI CHEMASE

CLERK OF THE BARINGO COUNTY ASSEMBLY

NAIROBI CITY COUNTY GOVERNMENT

Telegraphic Address

Tel: +254 20221 6151/0700330846

Email: clerk@nairobiassembly.go.ke

Web: www.nairobiassembly.go.ke



County Assembly
City Hall Buildings
P.O. Box 45844-00100
NAIROBI

NAIROBI CITY COUNTY ASSEMBLY (THIRD ASSEMBLY) OFFICE OF THE CLERK

MEMORANDUM

Presented by **Mr. Edward O. Gichana**, Clerk,
Nairobi City County Assembly, on behalf of the
County Assembly:

Submitted to:
The Clerk, Senate

ENHANCEMENT OF RECURRENT EXPENDITURE CEILINGS FOR THE NAIROBI CITY COUNTY ASSEMBLY FOR THE FY 2024-2025.

1.0. Introduction

1. Nairobi City County Assembly is one of the County Assemblies established pursuant to Article 175 of the Constitution of Kenya and is the legislative arm of the County Government of Nairobi City. The County Assembly has responsibilities of representation, legislation and undertaking oversight over the County Executive to ensure efficient service delivery to the residents of Nairobi City.
2. The Third Assembly constituted following the August, 2022 general elections comprise of **125 Members** being 85 elected, 39 nominated and the Hon. Speaker.

2.0. Objectives of the Memorandum.

3. The objective of this memorandum is to inform Senate on specific unique attributes of Nairobi City County Assembly as a City Assembly and other current expenditure needs which should be taken into account when setting the County Assembly's expenditure ceilings for the FY 2024/25 for optimal output of the County Assembly as a key actor in the County governance.

4. The unique attributes referred herein include; high operating costs in the city set-up, a large County Assembly in terms of numbers (125 Hon. Members), high litigation costs due to enhanced legal awareness of City residents, and high Ward Office operating expenditures for the City County Assembly.
5. Notably, an analysis of County Assemblies expenditure ceilings in Kenya over the years shows that County Assemblies with high membership get relatively smaller allocations compared with county assemblies with lower memberships. Nairobi City County Assembly, being the Assembly with the highest membership is the most disadvantaged.
6. In view of the above, it is prudent that the Senate consider enhancing our recurrent expenditure ceilings for us to be able to accommodate all expenditure needs of the County Assembly.

3.0. Specific County Assembly Requests

7. Due to the stated unique attributes and existing expenditure needs of the County Assembly, we submit and request Senate to consider the following factors when determining the Assembly's ceilings for the FY 2024/25 with a view of enhancing the same as compared to the previous FY: -

(i) Increase in litigation costs.

As already indicated, the County Assembly has been incurring heavy litigation costs over the years. Of particular concern was the FY 2020/2021 and 2021/2022 whose effects continue to be felt in the current financial year 2023/2024.

It should be noted that over time, the advocates who appeared in the impeachment process at all levels from the trial Court through to the Supreme Court have resorted to taxing their bills which cumulatively be for taxation are at the tune of Kshs. 473 Million. In addition, the assembly is in receipt of an Application from Muthomi & Karanja Advocates for Kshs.34 Million which they seek to be recognized as a judgement of the court having been so taxed. Further, whereas we have endeavored to reduce these costs by taking up a number of the matters internally, the Assembly is still saddled with a lot of litigation which often stretch the liner workforce. Thus, still informing the reliance of external counsel some of whose bills can only be

ascertained with finality once they serve us with their fee notes or certificates of taxation. With this in mind, we are staring at possible bill of **Kshs. 507 Million** before factoring in any other compensations and remuneration to continuing matters being handled by external counsel.

From the foregoing, we invite the commission to appreciate that litigation is an expenditure outside the control of any institution even if we were to have capacity to prosecute the same which we reckon we do not have. And thus, the need to plan is paramount this being constant risk all through any given financial year. It is therefore prudent this information is captured at the planning stage, and that it is only fair and justifiable to make necessary financial provisions. Attached is a list of litigations that Nairobi City County Assembly seeks specific financing over and above the expenditure ceilings. It is imperative to note that failure to meet these litigation costs creates more costs in form of penalties imposed by the courts.

Further, regulation 41(2) of the Public Finance Management (County Government) Regulations, 2015 guides that County Assembly should prioritize the pending bills and charge them first while executing its expenditures in the new financial year.

Annexure 1

(ii) Cost of Public Participation.

Public participation is a crucial pillar of the Kenyan Constitution and provides the public with the opportunity to take part in decision-making processes in government. Article 196(b) of the Constitution and Standing Order 131 of Nairobi City County Assembly require public participation in the legislative and other business of the County Assembly and its Committees. The County Assembly has not been achieving meaningful public participation as envisaged under the Constitution due to limited funding. The only avenue of engaging the public has been through inviting residents to Charter Hall, City Hall for them to give their views on business before the Assembly and its Committees. This approach leaves out the views of many residents who cannot congregate at Charter Hall. Notably, the County Assembly has been sued on several occasions for failure to conduct meaningful/reasonable public

participation especially on the Budget process. This has led to unnecessary expenditure on Legal Fees and nullification of laws/policies enacted by the County Assembly thus exposing the County in terms of seamless performance.

Currently the County Assembly has 13 sectoral committees and it is estimated that each committee shall engage in a public participation exercise, which should be carried out in the respective 17 sub counties at a cost of Ksh 500,000 each. This sum up to Ksh 110.5Million. The County Assembly allocates an estimate of Ksh 30Million in its annual budget for the exercise as guided by the CRA ceilings, which is insufficient.

For instance, the **High Court** in *Constitutional Petition No. 104 of 2020; Kaps Parking Limited & another vs the County Government of Nairobi City & Nairobi City County Assembly*, agreed with the Petitioners and issued the following Orders :-

“(a) A Declaration hereby issues that the Nairobi City County Finance Act, 2018 is in violation of Articles 10, 47, 174(c), 196(1)(b) and 201 of the Constitution, Sections 87 and 115 of the County Governments Act, Section 5(1) of the Fair Administrative Actions Act and Standing Order 131(3) of the Nairobi City County Assembly Standing Orders for want of reasonable public participation, stakeholder consultations and administratively fair procedures;

(b) A Declaration hereby issues that the Nairobi City County Finance Act, 2018 further contravenes Article 199(1) of the Constitution and Standing Order 127 of the Nairobi City County Assembly Standing Orders for want of publication in the Kenya Gazette and the County Gazette.

(c) A Declaration hereby issues that the Nairobi City County Finance Act, 2018 is unconstitutional, null and void. It is hereby quashed”.

Annexure 2

(iii) Training and continuous Capacity Building for Members of the Assembly.

Every new election brings in new Hon. Members some of whom have never been to a legislative environment. As such, they are required to be continuously trained on the legislative processes and procedures. The cost of such trainings for Nairobi both on plenary and committee procedures has significantly increased due to the increased number of members in the Third Assembly, reconstitution of committee membership

from 17 to 23 and increase in cost of living. To sufficiently facilitate the Hon. Member's workshops and trainings we shall require and additional **Kshs 61.5 Million** and the secretariat additional **Ksh 38.5Million**

Annexure 3

(iv) Acquisition of new equipment and furniture's.

The County Assembly in its inception in 2013 bought furniture's, workstations, and computers among other things that over the years have depreciated. The Kenya gazette Vol CXX No 48 on report on the financial statement sec 2(d) provides that all categories of property, plant and equipment are stated at cost or valuation less accumulated depreciation and impairment losses. The estimated useful life of equipment/furniture and fittings is 8 years at rate of 12.5% while computers and software's is 3 years at a rate of 30%. Most of Assembly's furniture and equipment's have run down and we are incurring cost to maintain them while they are past their useful life. The Assembly will therefore need additional funding in order to replenish this equipment and furniture.

| | 2013/2014 Employees | New Employees | Total |
|--|------------------------|---------------|-------------------|
| Desk top Computers/Laptops | 12,000,000 | 9,600,000 | 21,600,000 |
| Furniture (4 way work stations and chairs) | 15,000,000 | 12,000,000 | 27,000,000 |
| Heavy Duty Printers | | | 1,400,000 |
| Total | | | 50,000,000 |

Annexure 4

(v) Economic impact on general administration and support services

The Country has been affected by high cost of living in the past years and this has had an impact on the Assembly's budget especially on purchase of use of goods. Most of our budget lines suppliers are not able to supply based on the prices the Assembly had budgeted. Items such as fuel, air tickets, conference costs and generally the

operational items are costly now and therefore additional funds are needed to sustain the harsh economic times. For instance, the County Assembly used to hire conference facilities for committees at a cost of Ksh3500 per person but with time, the cost has increased to Ksh. 4,500 for the same facilities.

Annexure 5

4.0. Summary of Resource Requirements

8. In view of the above, it is the humble submission of the Nairobi City County Assembly that the Senate considers the above factors in recommending resource allocation for Financial Year 2024/2025. In particular, the County Assembly requests additional specific financing as listed hereunder: -

| S/No. | Description | Amount in Ksh. |
|-------|--|--------------------|
| 1. | Litigation cost - as per attached schedule | 400,000,000 |
| 2. | Public Participations costs | 70,000,000 |
| 3. | Training and continuous Capacity Building for Members and staff of the Assembly. | 100,000,000 |
| 4. | Acquisition of new equipment and furniture's. | 50,000,000 |
| 5. | Economic impact on general administration and support services | 80,000,000 |
| | TOTAL | 700,000,000 |

*NB: The above summary represents the **additional amount** the Nairobi County Assembly requests in addition to the current FY2023/24 recurrent budget ceiling.*

6. We are willing to appear before the Senate to respond to any clarifications that may be required. Further, we are grateful for the support the Senate has extended to us since the establishment of the County Assembly and we look forward to continued cooperation. Finally, the Senate's consideration of our requests will be highly appreciated.

EDWARD. O GICHANA
CLERK, NAIROBI CITY COUNTY ASSEMBLY

Summary of Resource Requirements for Nairobi City County Assembly

| S/No. | Description | Amount in Ksh. | Annexures |
|-------|--|--------------------|------------|
| 1. | Litigation cost - as per attached schedule | 400,000,000 | Annexure 1 |
| 2. | Public Participations costs | 70,000,000 | Annexure 2 |
| 3. | Training and continuous Capacity Building for Members and staff of the Assembly. | 100,000,000 | Annexure 3 |
| 4. | Acquisition of new equipment and furniture's. | 50,000,000 | Annexure 4 |
| 5. | Economic impact on general administration and support services | 80,000,000 | Annexure 5 |
| | TOTAL | 700,000,000 | |

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF WAJIR



'Bunge', Wajir
Telephone: 0720 878 278
E-mail: wajirclerk254@gmail.com

The Clerk's Chambers
The County Assembly of Wajir,
P.O. BOX 495 – 70200
Wajir, Kenya.

OFFICE OF THE CLERK

REF: WCA/CLERK/SENATE/01/2024

15th March 2024

**The Clerk,
The Senate,
Parliament Buildings,
P.O Box 41842-00100,
Nairobi.**

**Through
The Hon Speaker/Chair County Assembly Service Board
County Assembly of Wajir.**

Dear Sir,

RE: COUNTY ASSEMBLY OF WAJIR DRAFT CEILING FOR FY 2024/2025

The Assembly is the Legislative Arm of the County Government of Wajir and draws its mandate and authority from the provisions of Article 185 of the Constitution. The three major roles of the County Assembly include representation, Legislation and oversight.

Wajir County Assembly consists of 45 Members, who include 30 Ward Representatives, each elected by the registered voters of the wards, and 15 members who are special elect (nominated) by the County Assembly political parties according to their proportional representation in the County Assembly to represent special interests including persons with disabilities, minorities and the youth, and the Hon. Speaker elected from outside the House.

In order for the Honourable members to effectively and efficiently undertake their mandates, they should be properly facilitated with the requisite facilities.

The County Assembly Service Board (Herein the Employer) of the Third Assembly of Wajir County and management wish to request you the inclusion of the following into our draft ceilings for FY 2024/2025 as below.

The Assembly was allocated Kshs 918,609,870 in the FY 2024/2025 and we would like to point out some areas for review as follows:

1) Purchase of staff bus and 2 Land cruisers- Kshs. 40,000,000

The Assembly will relocate in July 2024 to its new Headquarters at Makoror which is eight kilometers from the Wajir Central Business District requiring acquisition of means of transport for the Staff of the County Assembly. Due to security and terrain of Wajir County, the vehicles required should be able to transport the staff and committees during oversight and public participation as shown in the table below;

| S/NO | Vehicle type | Amount (Kshs.) |
|------|----------------------------------|-------------------|
| 1 | Sixty seater bus | 17,000,000 |
| 2 | Toyota Brado Land cruiser (CFAO) | 11,500,000 |
| 3 | Toyota Brado Land cruiser (CFAO) | 11,500,000 |
| | Total | 40,000,000 |

See Annex 1

2) Purchase of 3No. generators for the new County Assembly building

There is rampant power outage in Wajir resulting from the use of old diesel generators that serve the ever growing population of Wajir, Griftu and Tarbaj towns. This coupled with the very high temperatures causes constant engine failures leading to blackout thus disrupting the House business. In order to ensure operations of the House go as planned, there is need to install 3No. generators for lighting and adequate flow of water

for better hygiene. The chambers will be too hot for business to be transacted when there is blackout.

| S/NO | ITEM | UNIT PRICE (Kshs.) | TOTAL (Kshs.) |
|------|-----------------|--------------------|-------------------|
| 01. | 3NO. Generators | 7,000.000 | 21,000,000 |
| | Total | | 21,000,000 |

See Annex 2 on Solar Acquisition and Installation

3) Automation of the building with ICT

The County Assembly chambers and offices should be properly automated in order to ensure the house business is broadcasted live to Wajir residents and Kenya as a whole. This will require complete automation of ICT services. To this end, there is need to avail modern equipment for the task.

| S/NO | ITEMS | UNIT PRICE (Kshs.) | Total (Kshs.) |
|------|-------------------------------|-------------------------|-------------------|
| 01. | ICT equipment | 32,000,000 (Lumpsum) | 32,000,000 |
| 02. | Acquisition of Hansard system | 10,000,000 | 10,000,000 |
| | Total | | 42,000,000 |

See Annex 3

4) Mileage

The Commission on Revenue allocation has requested for details of Hon MCAs, Wards, one and two way distances from the County Assembly headquarters and the same was shared in time. The County Assembly pays a monthly mileage of Kshs. 6,284,703 giving an annual amount of Kshs. 75,416,436. However, the Commission has indicated a monthly mileage of Kshs. 4,500,000 giving an annual amount of Kshs. 54,000,000 leading to a deficit of Kshs. **21,416,436**.

See Annex 4

5) Insurance cost

NHIF has been providing comprehensive medical insurance cover for Hon MCAs and staff. However, in the financial year 2021/2022, NHIF raised the premium to Kshs. 62M from Kshs. 31M for staff and Kshs. 22M for Hon MCAs from 15M. This was beyond the budgetary allocation for medical insurance cover. The Assembly was forced to float a tender for the provision of medical cover for Hon MCAs and staff. The Assembly has paid Kshs. 16,000,000 for Hon MCAs and Kshs. 37,000,000 for the staff leading to a total of Kshs. 53,000,000 for FY 2023/2024. The CRA has allocated the Assembly a budget of Kshs. 36,000,000. This led to a deficit of Kshs. **17,000,000**.

See Annex 5

6) Security

The new County Assembly headquarters is located six kilometers from the Central Business District. There is need to establish a police post in the area. The Assembly will have to construct houses and offices for them. This will require some budgetary allocation. There is also rampant insecurity in the settlements bordering Somalia. The County Assembly committees need high level security while undertaking their roles as enshrined in the constitution. The Commission on Revenue Allocation and Northern Counties have in the past agreed to cater for security cost. To this end, the Assembly requests the above be considered -Kshs. 23,280,000.

See Annex 6

7) Pending Bills

The County Assembly has an accrued pending bills amounting to **Kshs. 100,000,000** emanating from 2014 when the County Assembly's account was domiciled at the County Executive and subsequent years. The County Assembly Service Board and the Public Accounts and Investment Committee verified the authenticity of the County Assembly Pending Bills and confirmed their eligibility for payment.


See Annex 7

On behalf of the County Assembly Service Board, I request for an addition of **Kshs. 294,696,436** from the Senate in regards to the above that significantly affect our operations. The County Executive of Wajir has allocated the County Assembly in its Annual Development Plan (ADP) Kshs. 992,922,326 and therefore will not inconvenience the County Executive.

I am looking forward to your consideration on this matter.

Thank you for your continued cooperation.

Yours Sincerely,



Shalle Sheikh Mursal,
Clerk & Secretary, CASB
County Assembly of Wajir

Copy to:

- Hon. Sheikh Abass Mohamed, Senator, Wajir County
- Hon Capt Ali Roba, Chair Senate Finance and Budget Committee
- All Members of CASB, County Assembly of Wajir.



COUNTY ASSEMBLY OF BUNGOMA

OFFICE OF THE CLERK

Telephone: 0202651905/0208000663
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P.O. BOX 1886-50200,
BUNGOMA, Kenya

BCA/PCOM/7(79)

13th May, 2024

The Clerk of the Senate
Parliament Buildings
P.O Box 41842-00100
NAIROBI.

Dear Sir

**RE: SUBMISSION OF DOCUMENTS IN SUPPORT OF THE
MEMORANDUM ON REQUEST FOR ENHANCEMENT OF RECURRENT
EXPENDITURE BUDGET CEILING FOR FY 2024/2025**

Reference is made to your letter, Ref. No. SEN/DSEC/F&B/2024/40(a), dated 6th May, 2024 communicating the decision of the Standing Committee on Finance and Budget to invite us to appear before it on 14th May, 2024.

Further to the invitation, we hereby submit the following documents concerning the matter:

1. List indicating Item description, Quantity and Estimated amount required for purchase of furniture for offices, committee rooms, auditorium and boardrooms.
2. List of required Library Equipment indicating item description, quantity, unit cost and total cost.
3. Breakdown of the required ICT infrastructure.

Thank you.


Charles W. Wafula

Clerk of the County Assembly

COUNTY GOVERNMENT OF BUNGOMA

CLERK
BUNGOMA COUNTY ASSEMBLY
P. O. Box 1886-50200.
BUNGOMA.



**COUNTY GOVERNMENT OF KISUMU
COUNTY ASSEMBLY OF KISUMU
P.O BOX 86-40100, KISUMU**

REPORT TO THE SENATE COMMITTEE ON FINANCE AND BUDGET

FROM THE COUNTY ASSEMBLY OF KISUMU

ON

**REQUEST FOR ADDITIONAL FUNDING TO FURNISH AND EQUIP
THE ULTRA-MODERN COUNTY ASSEMBLY CHAMBER AND
OFFICES**

DATE: MAY 13, 2024

**Prepared By:
Office of the Speaker
Kisumu County Assembly
P.O. BOX 86 – 40100
Kisumu**



FILE DIVIDERS

12

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TITLE 1
REPORT TO THE SENATE REQUESTING
FOR ADDITIONAL FUNDING

TITLE 2
LETTER FROM SPEAKER TO SENATE COMM
DATED 22ND APRIL 2014

TITLE 3
CIRCULAR FROM MINISTRY OF TRANSPORT
CAPPING CEILING FOR CONSTRUCTION

TITLE 4
COUNTY ALLOCATION OF REVENUE ACT, 2005
CAPPING C/A CEILING AT KSHS, 827, 121, 358

TITLE 5
CONTRACT AGREEMENT BETWEEN THE C/A
AND M/S ASTROMEA CONSTRUCTION OF C/A

TITLE 6
CONTRACT AGREEMENT BETWEEN THE C/A
AND EDDY CONSULTANTS ON DESIGN AND
SUPERVISION

TITLE 7
THE APPROVED DRAWINGS AND ARTISTIC
IMPRESSION OF THE ULTRA-MODERN
C/A CHAMBER & OFFICES

TITLE 8
THE CURRENT STATE AND PROGRESS OF
WORKS AT THE SITE

TITLE 9
THE CURRENT STATE OF C/A OFFICES
AND COMMITTEE ROOMS.

TITLE 10

TITLE 11

TITLE 12

Introduction:

The County Assembly of Kisumu entered into a contract with Astronea Construction Company Ltd on January 19, 2022, to construct an ultra-modern county assembly chamber, offices, and associated works at a cost of **Kshs 418,356,348.60**. The assembly also entered into a contract with M/S Edon Consultants International Ltd for the provision of consultancy services for design and supervision of construction of Ultra-Modern Kisumu County Assembly Chambers/ Offices and Associated Works at a cost of **Kshs. 60,000,000**. This means that the total sum of the project for construction and supervision and designs stands at **Kshs. 478,356,348.60**. A Circular from The Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works Dated 27th August 2018 capped the ceiling for the construction of county assembly chambers and offices at **Kshs. 500,000,000**

The project commenced immediately after the signing of the contracts. It is expected to be completed and commissioned by **December 2024**. The new facility is designed to accommodate 152 members of the county assembly and staffs. The ultra-modern block has provisions for recreation facilities, restaurants, sauna, modern gym with aerobics, and other social amenities.

Current Financial Situation:

The approved County Assembly Revenue Allocation (CARA) ceiling for the fiscal year 2023/2024 is **Kshs 827,121,358**, primarily allocated for recurrent expenditure. Additionally, there is a development expenditure of **Kshs 165,000,000** earmarked for the ongoing completion of the ultra-modern assembly. The assembly is currently operating at an estimated cost of **Kshs 426,928,045.98**, covering day-to-day operations for the assembly and the acquisition of non-financial assets.

Reasons for Additional Funding:

Despite the progress made in the construction of the ultra-modern assembly, the current assembly budget does not provide for the furnishing of the offices and other essential facilities. The assembly recognizes the importance of creating a conducive working environment for its staff and members, and as such, seeks additional funding for the following reasons:

1. Office Furnishing: The assembly requires funding to furnish the offices within the new facility to ensure functionality, comfort, and efficiency for staff and members.

2. Recreational Facilities: Provision of adequate recreation facilities, restaurants, sauna, and a modern gym with aerobics is essential for promoting the well-being and productivity of the assembly members and staff.

Request for Intervention and Approval:

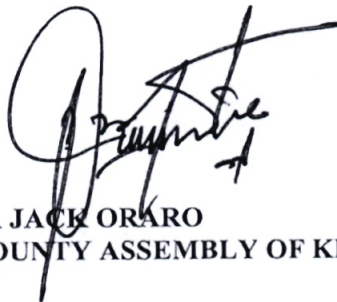
The County Assembly of Kisumu respectfully requests the intervention and approval of the Senate Committee on Finance and Budget to allocate additional funding for the furnishing of the ultra-modern county assembly chamber and offices. The proposed budget for the furnishing and equipping of the project is estimated at **Kshs 337,425,900**

Conclusion:

In conclusion, the County Assembly of Kisumu is committed to providing a conducive and efficient working environment for its staff and members. We believe that with the support of the Senate Committee on Finance and Budget, we can successfully complete and furnish the ultra-modern assembly, meeting the needs and expectations of our stakeholders.

Thank you for considering our request. We look forward to your favorable response and support in this matter.

Sincerely,



HON. ELISHA JACK ORARO
SPEAKER- COUNTY ASSEMBLY OF KISUMU

LIST OF ANNEXURES AND SUPPORTING DOCUMENTS

1. Letter from Speaker Kisumu to the Senate Committee on Finance and Budget dated 22nd April 2024
2. Circular from The Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works Dated 27th August 2018 setting ceiling for the construction of county assembly chambers and offices.
3. The County Allocation of Revenue Act, 2023
4. Contract agreement between the county assembly of Kisumu and M/S Astronea Construction Co. Ltd for the proposed construction of ultra-modern county assembly chamber, offices and associated works

- 5. Contract Agreement between the County Assembly of Kisumu and M/S Edon Consultants International Ltd for the provision of consultancy services for design and supervision of construction of Ultra-Modern Kisumu County Assembly Chambers/ Offices and Associated Works**
- 6. The approved drawings for the interior designs and layout plans for the Ultra-Modern Kisumu County Assembly Chambers/ Offices**
- 7. The current state of works at the site**
- 8. The current state of Kisumu County Assembly Offices**

KAKAMEGA COUNTY ASSEMBLY



COUNTY ASSEMBLY SERVICE BOARD

PRESENTATION TO THE SENATE FINANCE AND BUDGET COMMITTEE ON THE REQUEST FOR ENHANCEMENT OF RECURRENT CEILINGS FOR KAKAMEGA COUNTY ASSEMBLY FOR THE 2024/2025 FINANCIAL YEAR

TUESDAY, 14TH MAY, 2024

1.0 BACKGROUND

1. The devolved system of governance has empowered counties to address local priorities, such as healthcare, education, infrastructure and agriculture, based on the needs of their respective populations. It has also enhanced citizen participation in governance, as communities now have a greater say in how resources are allocated and utilized within their localities.
2. Kakamega County is the fourth most populous county in the country, with the biggest rural population. According to the 2019 Population and Housing Census done, the county has a population growth rate of 1.7% and its population was projected to grow from 1,967,370 in 2022 to 2,072,565 by 2025.
3. Ensuring Members of the County Assembly (MCAs) are well-equipped and adequately facilitated is crucial for effective governance and development at the county level. MCAs serve as representatives of their constituents, requiring resources, information, and training to understand local issues, engage stakeholders and advocate effectively. They play a pivotal role in the legislative process, drafting, reviewing, scrutinizing laws and policies governing their counties, necessitating research skills, legal knowledge, and policy analysis capabilities.
4. Additionally, MCAs are involved in budgetary allocation, necessitating access to financial information, budgetary analysis tools, and training on budget processes to ensure transparency and accountability. Facilitating community engagement, MCAs bridge the gap between the

- county government and the local community, requiring resources to facilitate public fora and gather feedback on development priorities.
5. The County Assembly Service Board (CASB) is established vide statute law as a body corporate with perpetual succession. Its functions are broadly stipulated under Section 12(7) of the County Governments Act, 2012. The Board is responsible for:
- a) **providing services and facilities to ensure the efficient and effective functioning of the county assembly;**
 - b) constituting offices in the county assembly service, and appointing and supervising office holders;
 - c) **preparing annual estimates of expenditure of the county assembly service and submitting them to the county assembly for approval, and exercising budgetary control over the service;**
 - d) undertaking, singly or jointly with other relevant organizations, programmes to promote the ideals of parliamentary democracy; and
 - e) performing other functions—
 - (i) necessary for the well-being of the members and staff of the county assembly; or,
 - (ii) prescribed by national legislation.
6. The Board's additional roles are provided in the County Assembly Services Act, 2017.

2.0 INTRODUCTION

7. The County Assembly is funded primarily by the exchequer and implements one Vote (Vote 04811). The budget ceilings for the County Assembly at the inception of devolution (FY 2013/14) stood at Kshs. 745,504,183. It dipped to Kshs. 651,000,000 in the FY 2014/15 and has progressively increased in the subsequent years to KES. 1,097,653,117 in the FY 2022/23. The current ceiling stands at Kshs. 1,138,953,103 for the FY 2023/24. However, the County Assembly received a one-off allocation of Kshs. 261,868,000 in the FY 2023/24 to cater for car reimbursement to MCAs, and the procurement of Hansard and E-Parliament system, which items would not have been procurable within the set ceiling.
8. The CASB has taken stock of its overall resource requirement for the FY 2024/2025, which is informed by the need to facilitate MCAs in achieving their constitutional mandate as well as promoting the objects of devolution.
9. On this basis, the CASB made a request to the Senate Finance and Budget Committee to consider the issues detailed herein. The CASB has prepared this presentation, with a

breakdown of the affected line items, and justification for the optimal resources required for the specified period, to mitigate perennial shortfalls in its budget.

2.1 OVERALL BUDGET CEILINGS FOR RECURRENT EXPENDITURE

10. In line with Article 201 of the Constitution, the County Assembly requests for an overall ceiling of **Kshs. 1,743,449,432** comprising of **Kshs. 708,982,467** for Personnel Emoluments and **Kshs. 1,034,466,965** for Operations and Maintenance (O&M) as presented in the table below:

| County Assembly of Kakamega | | | | | |
|---|--|--|--------------------|-----------------------------------|-----------------------------------|
| | PROPOSAL TO CRA FOR ENHANCED 2024/25 CEILING | PROPOSED BUDGET 2024/25 WITH CRA/CFSP CEILINGS | Variance | APPROVED BUDGET ESTIMATES 2023/24 | APPROVED BUDGET ESTIMATES 2022/23 |
| No. of MCAs | 90 | 90 | 90 | 90 | 90 |
| MCAs (Salaries, Allowances and Gratuity) | 417,191,245 | 417,191,245 | | 420,013,081 | 453,004,632 |
| County Assembly Staff (Salaries, Pension & Allowances) | 280,006,166 | 282,516,146 | 2,509,980 | 198,204,515 | 167,831,449 |
| CASB Secretariat (Salaries, Gratuity & Allowances) | 8,918,256 | 8,918,256 | | 8,918,256 | 8,918,256 |
| Audit Committee | 2,866,800 | 2,866,800 | | 2,866,800 | 0 |
| Operations & Maintenance (includes O&M based on 30:70, Public participation and Training) | | | | | |
| Car Reimbursement (ONE OFF) | 0 | 0 | 0 | 196,868,000 | |
| Additional by Senate (ONE OFF) | 0 | 0 | 0 | 65,000,000 | |
| Total | 708,982,467 | 711,492,447 | 2,509,980 | 891,870,652 | 629,754,337 |
| Operations and Maintenance | | | | | |
| O&M 30:70 | 802,887,365 | 632,051,641 | 170,835,724 | 492,082,451 | 630,758,649 |
| Public participation | 132,000,000 | 24,000,000 | 108,000,000 | 8,500,000 | 13,100,350 |
| Training | 99,579,600 | 8,098,912 | 91,480,688 | 4,400,000 | 5,550,000 |
| Total O and M | 1,034,466,965 | 664,150,553 | 370,316,412 | 504,982,451 | 649,408,999 |
| TOTAL BUDGET | 1,743,449,432 | 1,375,643,000.00 | 372,826,392 | 1,396,853,103 | 1,279,163,336.00 |

11. The requested ceiling slightly exceeds the ceiling proposed by the Commission on Revenue Allocation (CRA) of **Kshs. 1,375,643,000**. The CRA proposal served as the benchmark during the consideration and approval of the County Fiscal Strategy Paper (CFSP) 2024, which subsequently guided the preparation of the budget estimates for the FY 2024/25 pursuant to Section 129(2)(b) of the Public Finance Management Act, 2012. The requested ceiling reflects essential expenses not factored in by CRA, causing a deficit of **Kshs. 372,826,392, which figure becomes our request for enhancement of our overall ceiling.**

Justification of the variance

A. Personnel Emoluments

12. The estimates for employee compensation/personnel emoluments are the sum of salaries, allowances and gratuity/pension payable to MCAs, County Assembly staff, County Assembly

Service Board (CASB) Secretariat and the Audit Committee (*Annex 1a*). **In computing the figures, the annual wage drift arising from the reviewed remuneration and benefits for both State and Public Officers serving in the County Assembly were factored in.**

The circulars from the Salaries and Remuneration Commission are attached (*Annex 1b and 1c*).

13. The estimates also factored in the recently introduced **Social Health Insurance Fund (SHIF)** and the **Affordable Housing Levy (AHL)** as well as the revised employer contribution rates to the **National Social Security Fund (NSSF)**.
14. **These considerations have led to an increase in employee compensation from Kshs. 618,217,596 in the current FY 2023/2024 to Kshs. 708,982,467 for the next FY 2024/2025. Further, the CASB has budgeted for the recruitment of the Deputy Clerk at Kshs. 2,509,980.00 p.a. which has pushed the budget ceiling requirement to Kshs. 711,492,447.**

B. Operations and Maintenance

i. Public Participation:

15. The CRA developed public participation guidelines, with guidance from the Senate, wherein the following parameters were set:
 - Land area, in relation to the contribution of each county
 - Number of wards in the county
 - Number of documents by the government
 - Daily subsistence allowance for county officers and other allowances for security officers
 - Conference costs at a cost of 5,000 per session
 - Public address system at a cost of 5,000 per session
 - Refreshments at a cost of 50,000 for one hundred participants
 - Transport costs at 50,000 for fuel
 - Contingency costs at 500 per person
 - The county team attending the public participation session outside 50km radius of respective duty stations to be entitled to DSA for two days, while the security officers will be entitled to lunch allowances for two days, as per available SRC guidelines (***of Kakamega's sixty (60) wards, thirty four (34) are beyond 50Kms from the County Assembly Precincts as per the attached schedule***) (*Annex 2, 2a, 2b, and 2c*)
16. Kakamega is the most populous rural county, with a population of over two (2) million. With a total land area of 3,033.8 KM², the county has twelve (12) sub counties and sixty (60) wards.

For effective public participation across the county, bearing in mind the parameters set by the CRA, the County Assembly requires the following budget for the FY 2024/25:

| | Item | Amount (A) | No. of wards (B) | No. of documents (C) | Total amount (A*B*C) |
|---|--|-----------------------|---------------------------------|-------------------------------------|---------------------------------|
| 1 | Conference | 5,000 | 60 | 6 | 1,800,000 |
| 2 | Public address | 5,000 | 60 | 6 | 1,800,000 |
| 3 | Refreshments for 100 people | 50,000 | 60 | 6 | 18,000,000 |
| 4 | Transport costs | 50,000 | 60 | 6 | 18,000,000 |
| 5 | Contingency costs,100 people | 500 | 60 | 6 | 18,000,000 |
| 6 | Lunch allowances for 5 security officers | 1,000 | 60 | 6 | 1,800,000 |
| 7 | DSA for 20 people for 2 days | 14,000 | 34 over 50km | 6 | 114,240,000 |
| | TOTALS | | | | 173,460,000 |

17. An additional amount of **Kshs. 173,460,000** will be required to carry out public participation for several bills, including the Ward Based Projects Bill, following its approval after pre-publication scrutiny. It is anticipated that the Cess Bill and the Alcoholic Drinks Control (Amendment) Bill will be processed upon the enactment of the Finance Act, 2024.
18. Within the same period, the Trade and Markets (Amendment) Bill and the Sexual and Gender Based Violence Control and Management Bill, that have undergone the First Reading in the House, will be processed (*Annex 3*). It is thus estimated that the County Assembly will process a minimum of six bills, in addition to the statutory documents that are processed annually. Accordingly, the County Assembly requires **Kshs. 346,920,000** for public participation.
19. **In the intervening period, the CASB had requested a modest Kshs. 132 million in view of constrained resources. With this illustration, however, it will be appreciated if the Committee, with the concurrence of CRA, considers and approves an allocation of Kshs. 347 million per annum to ensure proper public participation is achieved.**

ii. Trainings:

20. Capacity building of MCAs through training programs and workshops is essential to enhance their skills, knowledge, and effectiveness as elected representatives. Furthermore, well-

equipped MCAs are better positioned to hold the County Executive accountable, conducting inquiries, investigations, and audits to ensure transparency and integrity in the governance process. Ultimately, investing in the capacity and facilitation of MCAs promotes effective governance, citizen representation, and inclusive development, advancing the overall well-being of local communities. The County Assembly, in view of competing financial commitments, had made provision of KES. 8,098,912 for training based on the previous ceiling. However, it is clear that this amount is austere insufficient.

21. A Training Needs Assessment (TNA) was conducted to identify the knowledge, skills, and competencies required by MCAs and staff of the County Assembly to effectively perform their roles and responsibilities. This assessment informed the development of a comprehensive training schedule such that MCAs and staff attend these trainings on a pro rata basis.

22. Based on this assessment, it was established that the CASB would require KES. 250,440,000 for trainings. In light of the constrained resource envelope, the CASB resolved to spread the trainings over a period of two years, cutting down this cost to KES. 99,579,600 annually as tabulated below:

| ITEM | ACTUAL COST (KES) | REQUESTED AMOUNT (KES) |
|-------------------|--------------------|---|
| Local Trainings | 50,760,000 | 25,380,000 (half of the establishment) |
| Foreign Training | 160,140,600 | 53,380,200 (one-third of the establishment) |
| Benchmarking | 37,440,000 | 18,720,000 (half of the Committees) |
| NITA Subscription | 2,099,400 | 2,099,400 (mandatory for all employees) |
| TOTAL | 250,440,000 | 99,579,600 |

23. Implementing this budget will ensure that training efforts are aligned with the Assembly's goals and priorities, leading to improved employee performance, job satisfaction, and effectiveness.

iii. O&M 30:70

17. The CRA has made a raft of recommendations, guiding on the application of the 30:70 ratio in budgeting for the O&M component. However, it cannot be gainsaid that over time the overall costs of running the operations of the County Assembly have increased progressively due to economic and other factors that may not have been entirely captured in the CRA model.

18. Some of the components that contribute majorly to this expenditure and whose costs have been rising over time are illustrated herein below:

a) Insurance:

19. The CRA has maintained the cost of insurance cover at Kshs. 65,950,000 against rising insurance costs over the years without consideration to inflation and the increasing workforce at the County Assembly. This has resulted to the item being underfunded in the budget over the years as illustrated in the table below:

| Insurance | Approved Estimates FY 2023/24 | Projected cost |
|--|--------------------------------------|-----------------------|
| Group personal insurance + WIBA | 12,000,000 | 15,000,000 |
| Group Life insurance | 5,000,000 | 8,000,000 |
| Building insurance | 300,000 | 300,000 |
| Plant, Equipment & machinery insurance | - | 1,000,000 |
| Motor vehicle insurance | 3,000,000 | 6,000,000 |
| Insurance for board members | 650,000 | 1,000,000 |
| Medical insurance - MCAs and Staff | 45,000,000 | 50,000,000 |
| Car loan and mortgage | - | 14,000,000 |
| TOTAL | 65,950,000 | 95,300,000 |

b) Daily Subsistence Allowance:

20. In executing their legislative, oversight and representative roles, MCAs have to be properly and adequately facilitated to generate business for the House. Committees are the primary oversight units of the House, and in accomplishing their respective mandates as per the Standing Orders, they consume the biggest share in respect to monthly facilitations.

21. With a constrained ceiling, and to ensure prudence in fiscal affairs, the CASB resolved to merge individual committee requests for report writing into joint monthly report writing retreats for the whole House, lasting not more than seven days. This ensures that the House has consistent business to prosecute and in the process, guarantees equal distribution of resources. Further, this promotes effective oversight over the County Executive and accountability in the implementation of programs as well as the overall county budget.

22. By so doing, Kakamega residents get value for money since their representatives provide adequate checks and balances. Considering that each member belongs to at least 3 committees, the concept of amalgamating report writing retreats ensures prudent utilization of the scarce resources.

23. With 90 MCAs being supported with a minimum of 30 technical staff, this implies a minimum of 120 people per report writing activity. The resource requirement is presented in the table below:

| Item | Item Cost | No. of Pax | No. of Days | Monthly Total KES. (000's) | Annual Total KES. (000's) |
|--------------|-----------|------------|-------------|-------------------------------|------------------------------|
| DSA | 14,000 | 120 | 7 | 11,760 | 141,120 |
| Transport | 4,000 | 120 | - | 480 | 5,760 |
| Conference | 4,000 | 120 | 6 | 2,880 | 34,560 |
| Total | | | | 15,120 | 181,440 |

24. This single component, under O&M, will consume a minimum of **Kshs. 181,440,000**, assuming the Hon. Speaker, members of CASB, Audit Committee members, MCAs and Staff do not attend any other meetings, seminars, conferences or participate in activities out of Kakamega, statutory or otherwise.

c) Consumables:

25. The charge on consumables over the years has increased as a result of inflation, dollar fluctuation, the changing tax regime, among other factors. As a consequence thereof, the Assembly has realized deficits in the approved budgets **occasioning the accrual of pending bills** in various budget lines such as procurement of fuel and motor vehicle spare parts, water and printing papers as a result of the underfunding. Data from the Kenya National Bureau of Statistics (KNBS), Energy and Petroleum Regulatory Authority (EPRA), and Public Procurement Regulatory Authority (PPRA) is herewith attached (*Annex 4a, 4b and 4c*).

iv. Live Broadcasting of County Assembly Proceedings

26. Article 196 of the Constitution obligates the County Assembly to conduct its business in an open manner, and to hold its plenary and committee sittings, in public. In compliance thereof, and as means of complementing public participation in its discussions and decisions, the County Assembly engaged two local media stations to offer live broadcasting services for its plenary sittings. The proposals received from the two media stations (*Annex 5a and 5b*) indicate that it will cost an average of **Kshs. 58,464,000** per session, for the thirty six weeks of active plenary sittings, **thus we seek consideration of this item under the overall ceiling as a new**

request. Broadcasting plenary sittings will spur regular attendance of MCAs and enrich debate on the floor.

2.2 REQUEST FOR A ONE-OFF ALLOCATION

27. Budget ceilings are a guiding tool in budget preparation, and the specific model is established by the CRA. The ceilings do not cater for certain procurables that may be required by the County Assembly yet they constitute major capital expenditures necessary for efficient service delivery and smooth running of the County Assembly.

28. As a result, the Board is impeded by financial constraints occasioned by the low recurrent ceiling set for the County Assembly. For this reason, the Board hereby seeks your indulgence for a one-off allocation in the next financial year, 2024/2025, to cater for specific items under the recurrent budget-line, as follows:

| Item | Amount (KES.) | Justification |
|---|---------------|---|
| Office furniture for 60 ward offices and 30 nominated MCAs offices | 50M | The furniture procured in 2014 is dilapidated and is due for disposal, pursuant to the provisions of the Public Procurement and Asset Disposal Act, 2015, thus the need for replacement. |
| Purchase of new Mace and safe box | 30M | The County Assembly has been using a dummy Mace since 2013 and is yet to procure a standard Mace, owing to lack of adequate budgetary provisions. |
| Procurement and installation of ICT infrastructure (including Electronic Document Management System, Enterprise Resource Planning, medium capacity server, networking and surveillance system) | 25M | This infrastructure is necessary to support the recently acquired Hansard and e-Parliament system, secure records, integrate the ERP system, ensure a stable and uninterrupted internet connection and to establish a robust surveillance system for security and connected purposes. The EACC has named the Assembly for not having this critical infrastructure in place. |
| Purchase of four vehicles for public participation | 40M | The County Assembly is not able to undertake public participation effectively due to lack of vehicles. The |

| | | |
|--|-------------|---|
| | | County has 34 wards that are over 50kms from the Assembly precincts and acquiring these motor vehicles will improve accessibility. |
| Review of the Strategic Plan: 2025-2030 | 10M | The County Assembly is set to develop its third generation strategic plan to align it to the third generation County Integrated Development Plan. This will enhance planning, promote good governance and accountability. |
| Total | 155M | |

29. Furthermore, there has arisen other **emerging issues** that require imminent attention, occasioning an additional request to the Committee, as enumerated below:

i. Refurbishment of County Assembly Buildings – KES. 60,289,000

30. An inspection exercise conducted by the Kakamega County Government Department of Health Services on **16th February 2024**, reported grievous structural defects on the buildings currently used as offices by MCAs and staff, including the County Assembly chambers. The reported defects pose a threat to an imminent disaster owing to their dilapidated state. The County Assembly has initiated the construction of modern chambers and offices, which is currently at the design stage, however, this might take at least three (3) years to come to fruition. Intermediary measures are therefore required to maintain the current buildings in a habitable state to protect the health and lives of the occupants. The report and Engineer's estimate of costs are herewith attached for reference. (*Annex 6a and 6b*)

ii. Staff Car Loan and Mortgage Scheme Fund – Kshs. 100,000,000

31. The Salaries and Remuneration Commission (SRC), in fulfillment of its constitutional mandate set and advised on the car loan and mortgage benefits for all state and public officers vide a circular dated 17th December 2014 (*Annex 7a*), geared towards motivating the public workforce and retaining them within the service. The County Assembly subsequently approved Regulations (*Annex 7b*) for the establishment of the Staff Car Loan and Mortgage Scheme Fund, wherein it was stipulated that the County Assembly to appropriate an initial seed capital amount of Kshs. 100,000,000 to the Fund.

32. Therefore our overall request for one-off items totals to KES. 315,289,000.

2.3 PENDING BILLS

33. The County Assembly also made a request to the Committee for funds to defray pending bills amounting to **KES 639,249,727**, comprising KES 291,820,098 for recurrent expenditure and KES 347,429,629 for development expenditure (*Annex 8*). Scanned copies of the supporting documents have been provided via email to the Clerk of the Senate. These pending bills have accrued from 2013/2014 FY to date, occasioned majorly by the following:

i. Underfunding

34. Prolonged supply chain disruptions as well as internal and external shocks have resulted in skyrocketing commodity prices. This is amplified by exchange rate instability and inflationary pressure, which recently peaked at 12%. Common user goods and services, for instance, have been under budgeted in favour of other competing expenses against a shrunken ceiling in the preceding financial years. For instance, whereas an average of Kshs. **12 million** has been allocated in successive financial years for consumables such as **drinking water, printing papers, toners & cartridges**, it has been determined based on the current market prices, that the actual cost is Kshs. **38.6 million**. These factors, in addition to the constantly rising demand for the same and the parallel increase in user numbers, have inevitably led to the accrual pending bills.

35. Other crucial line items that have been underfunded over time include public participation, insurance costs, fuel expenses, maintenance of motor vehicles, DSA, consultancy services, catering and conference expenses, among others.

ii. Contingent liabilities

36. The County Assembly has accrued pending bills due to unforeseen expenditures such as litigation costs, arbitration awards, interests and penalties for delayed statutory remittances, among others.

37. To put this in perspective, the County Assembly was served with a demand notice of KES. 32,145,976 from the Kenya Revenue Authority comprising of interest and penalties following a recent audit that was done for the 2021/2022 FY (*Annex 8a*). The Assembly is also expected to settle penalties arising from an outstanding overdraft facility drawn from Family Bank amounting to KES. 41,395,207 (*Annex 8b*). Moreover, the County Assembly is expected to pay Neelcon Construction Services Kshs. 159,465,434 (*Annex 8c*), Sensei Capital Limited Kshs. 52,484,260 (*Annex 8d*) and Scope Design Systems Kshs. 135,479,935 (*Annex 8e*), being arbitration awards, legal and other costs.

3.0 CONCLUSION

38. Overall, the County Assembly is grateful to the Senate Committee on Finance and Budget for taking an interest in our request and the Honourable Senators' desire to gain a deeper understanding of the issues herein. The CASB wishes to emphasize the significance of allocating adequate resources to the County Assembly as a key enabler in the implementation of its legislative, oversight and scrutiny programmes and as a best practice for the advancement of democracy and good governance. The CASB therefore appeals to the Committee to positively consider this request for the interests of the citizenry of Kakamega County towards the realization of the objects of devolution under Article 174 of the Constitution.

James W. Namatsi 14/5/2024

.....
Rt. Hon. James W. Namatsi, CPS (K)
SPEAKER OF THE COUNTY ASSEMBLY
CHAIRPERSON, CASB

Dr. Donald K. Manyala 14/05/2024

.....
Dr. Donald K. Manyala, PhD
CLERK OF COUNTY ASSEMBLY
SECRETARY, CASB

COUNTY ASSEMBLY OF EMBU



SPEAKER OF THE COUNTY ASSEMBLY

Spring Valley Area
Along James Nyaga Crescent Road
Off Embu-Meru Highway
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EMBU
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E-mail:countyassemblyofembu@gmail.com

REF: CAE/SCA/3/171

DATE: 13TH MAY, 2024

The Clerk of the Senate
Parliament of Kenya
P O Box 41842-00100

NAIROBI

Email: clerksenate@parliament.go.ke

Dear Sir

**RE: INVITATION TO THE FINANCE AND BUDGET COMMITTEE MEETING
ON REQUEST FOR ADDITIONAL FUNDS FOR THE COUNTY ASSEMBLY
OF EMBU.**

Reference is made to your letter Ref: SEN/DSEC/F&B/2024/40 (b) dated 7th May, 2024 on the above subject matter.

The County Assembly of Embu is established by the Constitution under Article 176 and is the Legislative Arm of the County Government of Embu. In order to exercise its mandate, the County Assembly requires sufficient resources for its recurrent and development needs.

In this regard, I hereby forward the attached documents providing a comprehensive support of the aforementioned subject for your perusal and review.

After consideration of the Commission on Revenue Allocation proposals, we have narrowed our additional request for the County Assembly funds to the following three (3) issues;

- i. Public Participation of **Kshs. 14, 800, 000**
- ii. Hansard Equipment of **Kshs. 44, 890, 990**
- iii. Completion of the stalled County Assembly Complex of **Kshs. 205, 106, 344**

The County Assembly of Embu looks forward to your consideration and granting of our request for the above mentioned budgetary support.

Thank you.

Yours Sincerely

A handwritten signature in blue ink, appearing to read "Josiah M. Thiriku", is written over a blue circular stamp or seal.

JOSIAH M. THIRIKU
SPEAKER OF THE COUNTY ASSEMBLY

National News

National Prayer Breakfast President publicly meets DP Rigathi Gachagua for the first time since May 19 Ruto calls for calm amid UDA bad blood

Head of State now calls on leaders to work together for common destiny

BY JUSTUS OCHIENG

President William Ruto yesterday sounded a conciliatory tone following weeks of intense anxiety in government pointing to differences between him and his deputy Rigathi Gachagua.

Speaking at this year's annual National Prayer Breakfast at Safari Park Hotel in Nairobi, the Head of State who was publicly meeting his deputy for the first time after May 19 when the DP saw him off at Jomo Kenyatta International Airport for his state visit to the US, called on leaders to embrace the spirit of working together.

"That is why I speak to you leaders as the father figure of the nation that we work together, build bridges and synergy as we have a common destiny.

"There will be no success of one country as against another and



President William Ruto, First Lady Rachel Ruto, Deputy President Rigathi Gachagua, National Assembly Speaker Moses Wetangula (right) and the Majority Leader Kimani Ichungwah (left) arrive for the National Prayer Breakfast at Safari Park Hotel yesterday. PHOTO: IPCS

we must therefore pull together and succeed together as a nation," the Head of State said.

The president spoke amid bad blood between senior leaders in his United Democratic Alliance (UDA) party and in government following recent protests by his

deputy that he was being fought by allies of the Head of State.

Without mentioning names, Mr Gachagua has publicly linked some of the officials to his tribulations, attracting fierce criticism from them. "Some few politicians who are around the Pres-

ident want to meddle with Mt Kenya politics to fight me. Mt Kenya politics are so complicated and what we hate is betrayal.

"As Mt Kenya, we have never interfered with Rift Valley politics and we deserve respect." The DP said in Uasin Gishu over the

weekend.

On Tuesday, UDA Secretary General Cleophas Malala also kicked up another storm when he called on two Cabinet Secretaries Kipchumba Murkomen (Transport) and Moses Kuria (Public Service) to resign for playing politics.

But yesterday, President Ruto, though steered clear of the rivalry in his administration and party, appeared to sound a conciliatory tone, urging leaders to work together.

"I have often reminded my fellow citizens that we must not agree on how to take Kenya forward, but we all agree that we have a common cause to take our country to the next level. And that is what matters," he said.

Our democratic culture, he added, is a powerful source of resilience and dynamism and an anchor of unity and strength.

"Regardless of how intense our political contests get, and despite the heat of our debate, we must never forget what a great country God has bequeathed us, and the opportunity we have to build a strong, secure and prosperous nation," President Ruto said.

Mr Gachagua also steered clear

of his protests, instead focusing on President Ruto's recent State visit to the US. "Kenyans were happy you put Kenya on the world map," the DP said.

President Ruto underscored the need for unity for impactful development of every region.

He also lauded heads of parastatals for heeding to his call to cut their recurrent budget by 30 percent.

"I was pleasantly surprised when I called heads of parastatals, chairmen and CEOs and explained to them the situation we are; each to go back and reduce your budgets especially on recurrent expenditure by 30 percent, each and every parastatal was willing to contribute to making sure that we live within our means.

"Each have submitted their reports and reduced their recurrent budget by 30 percent," the president announced.

Former Ethiopian Prime Minister Tamarit Layne who delivered a keynote address at the prayer breakfast urged leaders to remain true to their calling and serve Kenyans.

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COUNTY GOVERNMENT OF KIAMBU



COUNTY PUBLIC SERVICE BOARD
P.O BOX 2362-00900
KIAMBU

VACANCIES

Kiambu County Public Service Board is a body corporate established under Section 57 of the County Governments Act, 2012 pursuant to Article 235 of the Constitution of Kenya 2010. Section 59 of the County Governments Act 2012 outlines the functions of the CPSB among them being "appoint persons to hold or act in offices of the county public service including in the Boards of cities and urban areas within the County and to confirm appointments."

Pursuant to the above constitutional and legal provision, the Board invites applications from suitably qualified persons who wish to be considered for the positions listed below in the Department of Health Services.

REGISTERED CLINICAL OFFICER (ANAESTHETISTS) - JOB GROUP CPSB 09 (K) - (12 POSTS)

For further details on job description, requirements for appointment and how to apply, please visit our website: www.kiambu.go.ke

Secretary/CEO
County Public Service Board
County Government of Kiambu

REPUBLIC OF KENYA



THIRTEENTH PARLIAMENT THE SENATE

The County Allocation of Revenue Bill, 2024 [Senate Bills No.25 of 2024] and the County Governments Additional Allocations Bill, 2024 [Senate Bills No.19 of 2024]

RECEIPT OF MEMORANDA

The County Allocation of Revenue Bill, 2024 (Senate Bills No. 25 of 2024) and the County Governments Additional Allocations Bill, 2024 (Senate Bills No.19 of 2024) were read a First Time in the Senate on Thursday, 30th May, 2024 and thereafter stood committed to the Senate Standing Committee on Finance and Budget.

Pursuant to the provisions of Article 118 of the Constitution and standing order 145 (5) of the Senate Standing Orders, the Standing Committee on Finance and Budget now invites interested members of the public to submit any representations that they may have on the Bills.

The representations may be made by way of submission of written memoranda on email to clerk.senate@parliament.go.ke / financebudgetcomm.senate@parliament.go.ke to be received on or before Friday, 7th June, 2024.

The Bills may be accessed on the Parliament Website at <http://www.parliament.go.ke/the-senate/house-business/bills>

J.M. NYEGENYE, CBS,
CLERK OF THE SENATE.