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REPUBLIC OF KENYA

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THIRTEENTH PARLIAMENT - SECOND SESSION

APPROVED

THE SENATE

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31/5/23

STANDING COMMITTEE ON FINANCE AND BUDGET

REPORT ON THE COUNTY ALLOCATION OF REVENUE BILL,
2023 (SENATE BILLS NO.16 OF 2023)

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May, 2023

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LIST OF ABBREVIATIONS/ACRONYMS

CAF	-	County Assemblies Forum
CARB	-	County Allocation of Revenue Bill
CoG	-	Council of Governors
CRA	-	Commission on Revenue Allocation
FY	-	Financial Year
SOCATT	-	Society of Clerks At-the-Table
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, MP | - | Member |
| 6) Sen. Mohamed Faki Mwinyihaji, 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, 2023 (Senate Bills No.16 Of 2023) was published on 27th April, 2023 and read a First Time in the Senate at its sitting held on Tuesday, 2nd May, 2023. 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 (CARB), 2023 has been prepared in accordance with Article 218 of the Constitution. The Bill divides among the counties the revenue allocated to the county level of government through the Division of Revenue Act, 2023. The Bill is introduced in the Senate within seven days after enactment of the Division of Revenue Act in line with standing order 188(1) of the Senate Standing Orders.

The County Allocation of Revenue Bill, 2023 proposes to share the allocation of Kshs.385.425 billion equitably amongst the county governments for FY 2023/24 in accordance with the third basis of revenue allocation criteria. It contains two schedules relating to the following-

- a) The First Schedule contains the amounts to be received by each county government from the equitable share allocation of Kshs.385.425 billion as approved in the Division of Revenue Act, 2023 for financial year 2023/24.
- b) The Second Schedule contains the county assembly and county executive budget ceilings of recurrent expenditure for the financial year 2023/24 as per the Commission on Revenue Allocation (CRA) ceiling recommendations.

The total County Assemblies recurrent ceiling for FY 2023/24 amounts to Ksh.39,597,635,636. This is a 14.5 percent increase as compared to allocation for the FY 2022/23. On the other hand, the County Executive ceilings for FY 2023/2024 amounts to Kshs.25,825,556,396, representing an allocation is a 9.34 percent reduction from the allocation in FY 2022/23.

During consideration of the County Allocation of Revenue Bill, 2023, the Committee held consultative meetings and received views from the following key 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 Forum (CAF);
- e) The Society of Clerks At the Table (SOCATT) Kenya; and
- f) The County Assemblies of Tana River, Mandera, Nairobi City, Wajir, Kilifi, Kajiado, Mombasa, Bomet, Kiambu, Nyamira, Isiolo and Makueni.

Committee Observations

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

- a) The CRA approach of allocation for the public participation component under the operations and maintenance expenditure does not fully take into account the unique needs of each county. Several counties have requested for an increase in allocation due to costs associated with the vastness of the counties; that is, distance, fuel, vehicle maintenance and/or transport hire as well as security. There is a need therefore, to reconsider the approach in funding this component so as to ensure that the unique factors in each county are taken into account.
- b) The structure used by CRA to submit the ceilings to the Senate does not include actual expenditures items by the counties making it difficult to determine whether the ceilings were adhered to. A comparison of actual expenditure with the ceiling is useful in determining whether counties are adhering to the ceilings and challenges encountered, if any, that may warrant an upward adjustment of the ceiling.
- c) The Committee notes with concern that counties continue to incur high costs associated with the provision of legal services such as litigation thereby further straining the resources available for development.
- d) Several counties have submitted requests for increased allocation towards insurance costs due to adjustment in cost by the insurance providers. The

Committee notes that insurance premiums may be adjusted if risk factors are high and as such, insurance costs are likely to vary upwards.

- e) Some counties submitted requests for additional staffing to various departments. The Committee notes that the Senate resolved in May 2021, that the county assemblies should rationalize their staff to the CRA staff capping of one hundred (100) by June 2023. To this extent, the Committee cannot allow for additional recruitment of staff to a level exceeding one hundred (100).
- f) According to the High Court Ruling on Petition No. 252 of 2016, the Division of Revenue bill cannot deal with any matter other than vertical sharing of nationally raised revenue between the two levels of government. Thus the issue of additional funds for transfer of library function to the counties cannot be included in the Bill.

Committee Recommendations

The Committee having considered the Bill recommends that-

- (a) the Senate approves the Bill with the following amendment-
 - deletion of the Second Schedule to the Bill setting out recurrent expenditure ceilings for the county assembly and county executive substituted therefor with a new Second Schedule reflecting the adjusted recurrent expenditure ceilings for county assemblies in accordance with the Committee's resolutions;
- (b) any additional revenue to be transferred to counties should be from the proceeds of the national government's share of nationally raised revenue pursuant to Article 202(2) or loans and grants from development partners and can only be allocated to the respective counties through the County Governments Additional Allocations Bill under section 109(3A) of the PFMA.
- (c) the CRA and CAF undertake a review of staffing needs for county assemblies within six months of tabling of this report with a view to making appropriate recommendations to the Senate on guidelines on capping of staff establishment in county assemblies;

- (d) within ninety-days of tabling of this report, county assemblies to submit to CRA the number of committees and number of members in each of the respective county assemblies for purposes of monitoring compliance with the guidelines on committee composition;
- (e) county assemblies should recruit in-house legal counsels, set up a panel of legal advisors through the Public Procurement and Asset Disposal Act and enter into retainer agreements with law firms on the basis of negotiated and stable amounts of payment as a means to reduce costs associated with provision of legal services.

Acknowledgement

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, 2023 successful.

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

Lastly, I wish to thank the stakeholders who submitted written memoranda and who appeared before the Committee to present their comments on the Bill.

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, 2023.

Signature..........Date.....30/05/2023.....

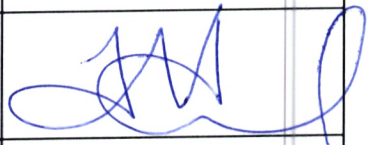
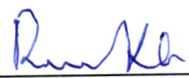
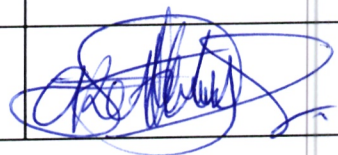
SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP,

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, 2023 (SENATE BILLS NO.16 OF 2023)**

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, MP	Member	
5.	Sen. Joyce Chepkoech Korir, MP	Member	
6.	Sen. Mohamed Faki Mwinyihaji, 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, 2023

Introduction

1. The County Allocation of Revenue Bill, Senate Bills No. 16 of 2023 has been prepared in accordance with Article 218(1)(b) of the Constitution and divides among the counties the revenue allocated to the county level of government through the Division of Revenue Act, 2023. The Bill is introduced in the Senate within seven days after enactment of the division of revenue act in line with Senate standing order 188(1). The Bill is also accompanied by a memorandum providing an explanation of the revenue allocations proposed in the Bill, and an evaluation of the Bill in relation to article 203(1) of the constitution.
2. The horizontal allocation of revenue among all counties is undertaken on the basis determined in accordance with the revenue sharing formula in force under Article 217 of the Constitution. In this regard, the FY 2023/24 county allocation of Ksh.385.425 billion is shared among the counties on the basis of the third revenue allocation criteria which is applicable from FY 2020/21 to 2024/25.
3. Additionally, the Bill contains the budget ceilings for recurrent expenditure for all County Assemblies as well as the County Executives for each county. The inclusion of the recurrent budget ceilings is as per the amendment of section 107 of PFM Act, 2012 which took effect in FY 2015/16; to have the CRA recommend to the Senate the recurrent expenditure budget ceilings of county governments.

First Schedule on equitable share

4. The First Schedule to the County Allocation of Revenue Bill, 2023 contains the amounts received by each county government from the equitable share allocation of Kshs.385.425 billion as approved in the Division of Revenue Act,

2023 for financial year 2023/24. The horizontal distribution of the equitable share among the 47 County governments is achieved using the formula approved by Parliament in September, 2020.

5. Notably, the allocation of the equitable share among counties is based on an allocation ratio and the formula. The allocation ratio distributes 50 percent of the equitable share allocated to counties in FY 2019/20 which is netted out from the equitable share and the remaining balance subjected to the formula. Thus, of the Ksh.385.425 billion equitable allocation to counties, Ksh.158.25 billion has been shared using an allocation ratio and the remaining balance of Kshs.226.75 billion has then been allocated among county governments using the formula approved by Parliament.

Second Schedule on recurrent expenditure ceilings for the County Assembly and Executive

6. The Second Schedule to the Bill contains the county assembly and county executive budget ceilings for recurrent expenditure for the financial year 2023/24. The ceiling recommendations are in fulfilment of the requirement of Articles 216(2) and (3c) of the Constitution and Section 107(2)(a) of the Public Finance Management Act (PFMA) 2012.

County assembly ceilings

7. The total county assemblies' recurrent ceiling for FY 2023/24 amounts to Ksh.39,597,635,636. This is a 14.5 percent increase by Ksh.5,021,160,667 from the 2022/23 ceiling of Ksh.34,576,474,969. The recurrent ceilings are to cater for personnel emoluments including mileage allowance for all MCAs, public participation, training and induction costs and other Operations & Maintenance. It also includes allocation for the operationalization of an audit committee based on SRC circular and a one-off payment of motor vehicle reimbursement of Ksh.4,819,948,000.

County Executive Ceilings

8. The County Executive ceilings for FY 2023/2024 amounts to Ksh.25,825,556,396. The allocation will cover expenses on personnel emoluments, training and insurance among other operations & maintenance costs. Notably, the FY 2023/24 allocation is a 9.34 percent reduction by Ksh.2,661,175,271 from the allocation of Ksh.28,486,731,667 in FY 2022/23.
9. In arriving at the recommended county executive ceilings for the FY 2022/23, the CRA considered gazette notices and circulars issued by the Salaries and Remunerations Commission (SRC) as well as feedback from stakeholders engagement meeting held on 5th December, 2022 at Safari Park Hotel Nairobi.
10. Notably, other items in the ceiling include salaries and allowances for village administrators, PFM Staff (CECM, County Chief Officer and seven directors under the county treasury), insurance covers (retained at status quo of FY 2022/23), training and induction costs.

CHAPTER TWO

SUBMISSIONS BY STAKEHOLDERS

This Chapter summarises submissions from various stakeholders on the Bill. The following stakeholders appeared before the Committee to submit views on the Bill-

1. The National Treasury and Economic Planning;
2. The Council of Governors (CoG);
3. The Commission on Revenue Allocation (CRA);
4. The County Assemblies Forum (CAF)
5. The Society of Clerks At-the-Table (SOCATT) Kenya.
6. The County Assemblies of-
 - a) Tana River,
 - b) Mandera,
 - c) Nairobi City,
 - d) Wajir,
 - e) Kilifi,
 - f) Kajiado,
 - g) Mombasa,
 - h) Bomet,
 - i) Kiambu,
 - j) Nyamira,
 - k) Isiolo, and
 - l) Makueni.

THE COUNTY ASSEMBLIES FORUM AND SOCIETY OF CLERKS AT THE TABLE (SOCATT) KENYA

The two stakeholders appeared before the Committee and jointly submitted the following on the Bill-

Operations and Maintenance costs

11. Inflation is currently at 6.5 % annually, thus need for revenue allocation to anticipate effects of the inflation and cushion the County Governments from the same.
12. Medical Insurance- Annual growth on the cost as well as the work injury benefits not provided for in the ceilings.

13. Public Participation- Provide for an independent budget line for it as County Assemblies currently incur 15% of the budget on Public Participation.
14. Oversight- Oversight has been a huge challenge to county Assemblies largely due to limited funds that hinder sectoral committees from visiting various projects being implemented by the executive. Therefore, propose an allocation increment of 5% of the budget towards an oversight fund.
15. Annual Increment of Staff Salaries- The proposed recurrent budget ceilings have not adequately considered the annual increment of the emoluments for County Assembly service.

County Specific needs

16. Tana River County Assembly-The Bill proposed a reduction in the Tana River County Assembly expenditure ceiling from Ksh.582,990,790.00 in the FY 2022-2023 to Ksh.571,992,609.00. This reduction of Ksh.10,998,181.00 from Tana River County Assembly is the only one proposed in the Bill without any justification. They requested the Committee to consider reviewing this allocation. An additional allocation of Ksh.92,827,479.00 in the FY 2023/2024 expenditure ceiling is requested to address the matter of car reimbursement to members to the tune of Ksh.57,512,000 and car maintenance allowance of Ksh.9,412,104. Further the assembly seeks an addition of Ksh.10,000,000 to cater for training and a further Kshs.14,905,194 for personal emoluments.
17. Kilifi County Assembly is proposing an increment to their ceilings to the tune of Ksh.97,814,977 which is broken down as follows: personal emoluments, medical covers and WIBA, training of members and staff as well as house committee operations totaling to Ksh.56,259,977 with a further addition of Kshs.41,555,000 to cater for the operation and maintenance.
18. Kajiado County Assembly is proposing an increment to their ceilings with the tune of Ksh.60,361,507 which has been necessitated by the following factors-
 - a) Mileage allowance was computed at a figure of Ksh.3,184,242 in place of Kshs.4,281,980 which translates to Ksh.51,383,760.

- b) Further, there was an under provision of public participation considering the vastness of the County.
- c) In addition, Operations and Maintenance, the Speaker's Residence maintenance and service and the Speaker's partisan staff have not been factored in the current proposed allocations. Further, under provision of the insurance cost including Medical cover, building and plant, Group Personal Life, Group Personal Accident, Ex-gratia and motor vehicle insurance. The above add up to Ksh.8,977,747.

THE NATIONAL TREASURY AND ECONOMIC PLANNING

The Cabinet Secretary appeared before the Committee and submitted the following proposals on the Bill-

- 19. The County Allocation of Revenue Bill has been prepared in fulfilment of the requirements of Article 218(2) of the Constitution and Section 191 of the Public Finance Management Act (PFMA), 2012.
- 20. The National Treasury submitted to Parliament the County Allocation of Revenue Bill, 2023 on 14th February, 2023 pursuant Section 191 of the PFMA, 2012.
- 21. The Bill proposed to allocate and transfer to County Governments Ksh.385.425 billion for the FY 2023/24 as equitable share of revenue raised nationally.
- 22. The county government's equitable share of revenue amounting to Ksh.385 billion was allocated in accordance with the third basis of the revenue allocation criteria approved by Parliament pursuant to Article 217 of the Constitution.
- 23. The equitable share amounting to Ksh.425 million for payroll relating to the library services transferred from the Kenya National Library Services, was allocated based on the actual payroll amount for the respective county governments to which library services staff were transferred.

24. The published County Allocation of Revenue Bill, 2023 (Senate Bills No.16 of 2023) proposes to allocate and transfer to county governments Ksh.385.425 billion in the FY 2023/24 as equitable share of revenue raised nationally.
25. Whereas there is no difference on the proposed total allocation and transfer to County Governments of Ksh.385.425 billion, for the FY 2023/24 as equitable share of revenue raised nationally, there are differences on the basis for allocating Ksh.385 billion as follows-
- a) The published Bill has proposed that the total equitable share of Ksh.385.425 billion for the FY 2023/24 be allocated among the county governments.
 - b) The Bill submitted to Parliament by the National Treasury had proposed-
 - to allocate county governments' equitable share of revenue amounting to Ksh.385 billion among the county governments
 - to allocate Ksh.425 million which was obtained from the Kenya National Libraries Services as a transfer to 33 county governments that currently have libraries, based on the actual payroll amount for the respective county governments to which library services staff were transferred to, and not based on the Third Basis Formula.
 - c) Whereas National Treasury had proposed that the object is "to provide for the allocation of equitable share related to attendant resources for the payroll of transfer of library services from the Kenya National Library Services" be one of the objects and purpose in Section 3(b) of the Bill, the Bill published by the Senate has omitted that objective.
26. Library being a devolved function was unbundled and attendant resources amounting to Ksh.425 million identified and proposed to be fully transferred to county governments as part of the equitable share in FY 2023/24.
27. This amount would be included in the Equitable share allocation for the 33 county governments in a phased approach starting from FY 2023/24 at 100%,

75% for FY 2024/25 (balance of 25% to be shared as equitable) and 25% for FY 2025/26 (balance of 75% to be shared as equitable).

28. From the Fourth FY, that is 2026/27, the 33-county government's will be required to integrate the salaries of these staff into their pay roll, after which the entire Ksh.425 million will be available for sharing as equitable share among the 47 county governments, in line with the principle of transferring resources to devolved functions.
29. National Treasury requested that, in order to hold counties harmless, attendant resources for transferred Library Services amounting to Ksh.425 million be included in the Equitable Share Allocation.
30. In addition, consider and amend Clause 3 of the published Bill to include a third objective of the Bill to read as "provide for the allocation of equitable share related to attendant resources for the payroll of transfer of library services from the Kenya National Library Services", immediately after Clause 3 (a).

THE COUNCIL OF GOVERNORS

The Chief Executive Officer (CEO) appeared before the Committee and informed the Committee that having reviewed the Bill, the Council of Governors submits the proposals highlighted below-

31. On Equitable share allocation- The Council notes that the Bill proposes to allocate and transfer to County Governments Ksh.385,424,616,067 for the financial year 2023/24 as equitable share of revenue raised nationally and in accordance with the third basis of the revenue allocation criteria approved by Parliament. This is an increase of a paltry Ksh.15.425 billion. However, the County Governments will face major challenges in the performance of these functions and delivery of services to citizens in FY 2023/24 given this allocation.
32. On transfer of resources for the Library Function- The fiscal framework underpinning the sharing of revenue as set out in the 2023 BPS, provided for the transfer of approximately Ksh.425 million to 33 Counties, being the

attendant pay roll for Libraries function which we note has not yet been transferred to the County Governments.

33. The Council observes that even though a library is a devolved function, the allocation is conditional in nature as it is specifically to cater for the payroll of the staff of the libraries as opposed to the total cost of performing the function.
34. The Senate to cause availing of the resources meant for the library function to the 33 Counties besides the (Ksh.385,424,616,067) equitable share of revenue in FY 2023/24.
35. The Senate should ensure that the Ksh.424,616,067 earmarked for the library function in the 33 Counties is captured under the legal framework for transfer of additional allocations to Counties in the FY 2023/24.
36. On County Government Budget Ceilings on Recurrent Expenditure in FY 2023/2024-The Council notes that the whereas the Budget Ceilings for the County Assemblies have increased those of the County Executives have been significantly reduced for FY 2023/24.
37. The budget ceilings provided for County Executives for FY 2023/24 are much lower than what was approved in the last three Financial Years. That is; Ksh.28,486,731,667 for FY 2022/23 and Ksh.26,708,080,067 for both FY 2021/22 and FY 2020/21.
38. The Senate to consider reviewing the ceilings for the County Executives and in any case not lower than the allocation of FY 2022/23 to allow the County Executives to clear pending bills, support their operations for the FY among other expenditure priorities.
39. Specific concern- The Second Schedule to be amended to adjust the Budget Ceilings for both the County Assemblies and the County Executives.

THE COMMISSION ON REVENUE ALLOCATION

The Commission submitted that they had reviewed the Bill and made the following observations-

40. Clause 5- Budget Ceilings for Recurrent Expenditure- It should be clearly indicated that the provision that the ceilings for the FY 2023/24 include one-off

payment for MCAs motor vehicle reimbursement. This is so as to cushion against misunderstanding between the assemblies and executives on the resources.

41. Secondly, the provision should reflect that those county assemblies that have already implemented the MCAs motor vehicle reimbursement in the FY 2022/23 are not eligible for the one-off amount. This is to cushion against double provision where funds could be misapplied.
42. First Schedule on Allocation of each county governments equitable share of revenue raised nationally- Total amount indicated as Ksh.385,424,616,067 under the Schedule should be rectified to read Kshs.385,000,000,000. This is informed by the fact that Ksh.424,616,067 was a conditional grant to 33 county governments for the library function.
43. Second Schedule-County Government Budget Ceilings on Recurrent Expenditure- The adjustment for four county assemblies of Garissa, Kakamega, Laikipia and Turkana are one-off which should be expressly indicated. This is to prevent scenario where the assemblies may use it as a basis for requesting the same in the subsequent ceilings.
44. The basis for allocating Laikipia County Assembly Ksh.378,000 annually for utilities should be clarified since utilities have been provided for under Operation and Maintenance Costs. If not clarified, other assemblies may follow the same route, and this may distort CRA's ceiling recommendation model going forward.

SUBMISSION BY COUNTY ASSEMBLIES

The following County Assemblies appeared before the Committee to submit their views on the Bill.

NAIROBI CITY COUNTY

The representatives from the County Assembly presented the following-

45. Increase in litigation costs- The County Assembly has been incurring heavy litigation costs over the years due to a number of sensitive matters with a lot of public interest considered by the Assembly such as impeachments and

enactment of various County Laws. Due to this influx of litigations, the demand on litigations alone amounts to Kshs.400 million.

46. Increase in the cost of Public Participation exercises- The County Assembly engages the public through request for submission of written memoranda and inviting residents to Charter Hall, for them to give their views on business before the Assembly and its Committees.
47. The Assembly has been sued for failure to conduct meaningful/reasonable public participation leading to some of its decisions being nullified by courts of law. The Assembly will therefore, require an additional allocation of Ksh.40,000,000 for public participation.
48. Increase in Insurance costs- Insurance costs have increased mainly driven by factors within the insurance industry. The Assembly will therefore, require an additional allocation of Ksh.30,000,000 on insurance costs.
49. Annual Salary increment for staff- The staff of the County Assembly are entitled to annual salary increment as per their respective job groups therefore additional Ksh.10 million is required to cater for the increase.
50. Fringe Benefit Tax Pending Bill- During the tax reconciliation exercise with KRA FY 2022/23, it was established that the County Assembly owed KRA Ksh.41.8 million arising from the Fringe benefit tax that had been pending since 2018 to 2022.
51. Training and continuous Capacity Building for Members of the Third Assembly-The cost of training for Nairobi has significantly increased due to the increased number of members in the Third Assembly, reconstitution of committee membership from 17 to 23. Therefore, to sufficiently facilitate the training of Hon. Members require Kshs.70 million and Ksh.40 million for the secretariat.
52. Acquisition of new equipment and furniture- Most of Assembly's furniture and equipment have run down and the assembly is incurring costs to maintain them while they are past their useful life. The Assembly will therefore need additional funding amounting to Ksh.273,000,000 in order to replenish this equipment and furniture.

TANA RIVER COUNTY ASSEMBLY

The representatives from the County Assembly presented the following-

53. The recommended expenditure ceiling of the County Assembly of Tana River in the County Allocation of Revenue Bill 2023 is Ksh.571,922,609, and it is inadequate to finance operations for the FY 2023/2024.
54. The cumulative amount recommended for operations and maintenance and training is Ksh.160,730,740 and is inadequate to defray the operation and maintenance budget.
55. The Assembly requested the Committee for an additional allocation of Ksh.181,107,241 in order to supplement the following budget items-
 - a) Public participation and oversight-Ksh.57,744,408
 - b) Training cost-Ksh.17,862,729
 - c) Conference cost- Ksh.24,576,000
 - d) Maintenance Expenses - Motor Vehicles-Ksh.9,412,104
 - e) Purchase of motor vehicles- Ksh.14,000,000
 - f) Motor Vehicle reimbursement-Ksh.57,512,000

MANDERA COUNTY ASSEMBLY

The representatives from the County Assembly appeared before the Committee and submitted that-

56. The Commission on Revenue Allocation (CRA) did not factor in the ceilings all necessary costs or in some cases have understated the cost elements.
57. The proposed ceilings of the Assembly indicated a total figure of Ksh.903,911,204. The Assembly requested the ceilings be adjusted upwards by a figure of Ksh.110,000,000. The areas that require review are as follows-
 - a) Security costs- The assembly require extra security personnel and police escort vehicles in order to effectively support Committees while carrying out public participation. This will require an extra Kshs.30 million.
 - b) Understatement of number Committee chairpersons by 3 and the vice chairpersons by 1.

- c) Understatement of staff-Speaker's staff have been omitted. In addition, the assembly's approved staff establishment in the permanent and pensionable of 110 and not 97 as indicated in CRA's computations, out of which 103 vacancies have been filled.
- d) Medical insurance costs currently amount to Ksh.42,591,496. This is substantially above the figure of Ksh.27,623,731 as indicated in the computation provided by CRA.
- e) Mileage adjustments-The town is located at the extreme end of the county and hence making most of the wards to fall within the maximum band where a maximum of Ksh.147,000 is payable per member per month.
- f) Due to geographical location, the 30% of Operations and Maintenance (O & M) be adjusted to 35% of the computed figures.

WAJIR COUNTY ASSEMBLY

The representatives from the Assembly appeared before the Committee and submitted that-

58. The County Assembly Service Board noted that the draft ceilings for the FY 2023/24 were not adequately tabulated.

59. Some of the areas for review are as follows-

- a) Committee sittings- CRA has indicated a total of 14 chairs leading to a deficit of 7 chairpersons. In addition, the Vice Chairpersons are 21 while the Commission indicated as 16. Total deficit is Ksh.5,491,200.
- b) Mileage-The County Assembly pays a monthly mileage of Ksh.6,284,703 giving an annual amount of Ksh.75,416,436. CRA has indicated a monthly mileage of Ksh.3,985,335 giving an annual amount of Kshs.47,824,020 leading to a deficit of Kshs.27,592,416.
- c) Insurance cost-In the FY 2021/22, NHIF raised the premium to Ksh.62 million from Ksh.31 million for staff and Ksh.22 million for MCAs from Ksh.15 million. The Assembly floated a tender for the provision of medical cover. The Assembly is expected to pay Ksh.53,130,999 for

staff and MCAs in the FY 2023/24. CRA has allocated a budget of Ksh.25,469,609. This led to a deficit of Ksh.27,634,390.

- d) Security- There is rampant insecurity in settlements bordering Somalia. County assembly committees need high level security while undertaking public participation. Assembly requests Ksh.23,280,000.
- e) Training and capacity building- Assembly has a deficit of Ksh.35,582,802.
- f) Oversight-There was no provision for oversight as a line item. The amount required is Ksh.91,444,000.
- g) Public participation- Request the amount be revised to Ksh.149,688,000 and the total deficit is Ksh.125,722,802.
- h) Staff salaries- The Assembly has 186 staff recruited by the service board in the FY 2014/15. The Assembly requests for a one time send-off package of Ksh.44,508,800.
- i) Court ruling payment of Ksh.73,228,320.
- j) Furnishing of the new county assembly headquarters- This is projected to cost Kshs.36 million for furniture, fittings and related works such as the Hansard system.
- k) Acquisition of new vehicles- Assembly would require a 62-seater bus and two land cruisers. The new Assembly headquarters is located 8 km from Wajir CBD. This is projected to cost Ksh.34,500,000.
- l) Inflation-Assembly requested for Ksh.5,600,000 to cover the cost of inflation.
- m) Litigation cost- The County Assembly has a number of active court cases. The Assembly requires an allocation for litigation of Kshs.30 million.

60. In total, the assembly requested for an additional of Ksh.561,084,730.

KAJIADO COUNTY ASSEMBLY

The representatives from the Assembly appeared before the Committee and submitted that-

61. The Commission on Revenue Allocation has proposed a ceiling of Ksh.710,943,718 for the FY 2023/2024. Further, the proposed ceiling is based on the actual expenditure totaling to Ksh.746,452,573.

62. In review of the Commission on Revenue Allocation ceiling computation, the following areas had not been captured correctly or not captured at all contributing to a difference of Ksh.35,508,855 as narrated below-

- a) Mileage Allowance-Kajiado County spans over an area of 21,292.7 Km² and has only 25 wards. The distance between the Assembly headquarters and the ward offices is quite vast. The mileage allowance computed was Ksh.3,184,242 per month. However, the actual mileage allowance per month is Ksh.4,281,980 which translates to Kshs.51,383,760 in the FY and not Ksh.38,210,904 as captured. The Assembly therefore requested an additional amount of Ksh.13,172,856.
- b) Speaker's Partisan Staff-The Speaker's partisan staff have not been factored, which is adding up to Ksh.4,130,910.
- c) Insurance-Insurance was determined at Ksh.23,794,911. However, the total insurance cost including medical cover, building and plant, Group Personal Life, Group Personal Accident, Ex-gratia and motor vehicle insurance comes to Kshs.42 million. The Assembly therefore requested an additional amount of Ksh.18,205,089.

KIAMBU COUNTY ASSEMBLY

The representatives from the Assembly appeared before the Committee and submitted that-

63. The proposed recurrent expenditure ceilings for Kiambu County Assembly in the CARB, 2023 is Ksh.1,269,783,227. It is, however, worth noting that the increment cited above is meant to cater for car reimbursement for the Members of the County Assembly as provided in the SRC Kenya Gazette Notice No.8792.

64. The following are therefore the observations and presentation in regard to the budget ceilings as per CARB 2023-

- a) Inadequate funding for the car reimbursement-the amount allocated for the Car reimbursement is not sufficient to cater for all the Members. The County Assembly of Kiambu consists of 86 Members which translates to a total required amount for the car reimbursement is Ksh.190,232,000. This therefore results in an underfunding variance of Ksh.35,147,306.00.
- b) Enhancement of Public Participation and capacity building kitty for Members and Staff of the County assembly- The budget allocated by CARB, 2023 towards capacity building is insufficient to cater for public participation in all the wards and further enhance continuous capacity building to the newly elected Members. There is therefore a need to enhance this vote by Ksh.25,500,000.
- c) Mileage Allowance and Vehicle Reimbursement- the expenditure factored by the CRA of Ksh.3,150,759 per month is erroneous. The County Assembly is expected to spend Ksh.43,520,328 per year giving a variance of Kshs.5,711,220 from the estimates of Ksh.37,809,108 by the CRA.
- d) Medical Insurance- Insurance cost has increased due to inflation. Accordingly, the Assembly requests for an additional Ksh.5 million over and above the allocated amount of Ksh.43,855,570.
- e) Chairperson/ Vice chairperson-The Commission of Revenue Allocation project that Kiambu consists of 14 Chairpersons at Ksh.56,548,086 and 16 for vice chairperson at Ksh.60,056,784. With 22 chairperson and vice chairperson the total cost per year is Ksh.88,861,278, and Ksh.82,578,078 respectively giving a variance of Ksh.54,834,486.
- f) Utilities and furnishing of new buildings- The leased offices for nominated members require fabrication and equipping with office furniture, computers among other crucial items. In the FY 2023/2024 the County Assembly is prioritising the Construction of the Speaker's residence, ward offices and office space and will require additional funds towards furnishing of these buildings. Accordingly, the Assembly

requested an additional amount of Ksh.32,290,000 towards this expenditure.

- g) Car loan and mortgage for Members of the County Assembly- in the current FY, the County Treasury has released Ksh.49 million and therefore not all members have received this benefit. Therefore, it is requested that this kitty be enhanced by Ksh.188 million to enable members access this facility.
- h) Purchase of Motor vehicles-The County Assembly has got eight (8) vehicles out of which 2 have been declared unserviceable by deputy regional mechanical engineer Kiambu County. The Assembly is requesting for an additional Ksh.15,000,000.

KILIFI COUNTY ASSEMBLY

The representatives from the Assembly appeared before the Committee and submitted that-

65. The County Assembly of Kilifi requests for adjustment of its recurrent expenditure budget ceiling for the FY 2023/24 on the following budget ceiling components -

- a) Personal emoluments – Ksh.7,541,577
- b) Medical Insurance – Ksh.4 million
- c) Insurance WIBA/GPA – Ksh.6 million
- d) General personal insurance – Ksh.1 million
- e) Training – Kshs.8 million
- f) Public participation – Ksh.5,206,000
- g) House Committee operations expenses – Ksh.24,512,400
- h) Utilities – Ksh.500,000
- i) Domestic Travel – Ksh.4 million
- j) Hospitality supplies – Ksh.5,255,000
- k) Fuel and lubricants - Ksh.5.5 million
- l) Routine maintenance, vehicles and assets – Ksh.500,000
- m) Purchase of office furniture – Ksh.25 million

- n) Security – Ksh.1 million
- o) The total budget deficit for the FY.2023/24 is Ksh.97,814,977.
- p) Car reimbursement of Ksh.112 million, is not part of the ceiling.

ISIOLO COUNTY ASSEMBLY

The representatives from the Assembly appeared before the Committee and submitted that-

- 66. An average cost of taking one Bill through public participation throughout the County cost Ksh.2.5 million. The County Assembly budget estimate for public participation is Ksh.67.1 million. CRA gave a recommendation of Ksh.29.6 million which leaves a deficit of Ksh.37.5 million.
- 67. The County Assembly appeals for enhancement of car loan/reimbursement of Ksh.37,800,000.
- 68. Bunge Mashinani planned for the three sub counties of Garba Tullah, Merti and Central Sub County at Kshs.6 million per Sub County. In three Sub Counties, the total cost will be Kshs.18 million.
- 69. For staff promotion and annual salary increment, the County Assembly requires an additional amount of Kshs.6 million. This is to promote 40 members of staff.
- 70. County Assembly Security and Escort - Every field visit by the County Assembly requires security from Isiolo town. This has not been provided by the proposed CRA ceiling leaving the County Assembly with a deficit of Ksh.2,880,000.
- 71. Settlement of pending Bills and domestic payables by Ksh.50 million.
- 72. More training and capacity enhancement for staff and Members, the County Assembly requests and additional Ksh.50 million. The budget for FY 2023/24 is Kshs.25 million against a recommendation by CRA of Kshs.10 million, giving a deficit of Ksh.14,700,000.
- 73. To cushion against inflation, the County Assembly requests its budget to be raised by 6.5%, equivalent to Ksh.29,120,000.

74. The Assembly requests an increment over and above the current ceiling on recurrent budget by Ksh.196,000,000.

MAKUENI COUNTY ASSEMBLY

The County Assembly of Makueni appeared before the Senate Committee on Finance and Budget and requested for a review of its recurrent ceiling based on the following proposals-

75. Establishment and strengthening of the budget office- Assembly requested for revision of the staff ceiling to cater for recruitment of 5 Fiscal Analysts which will consequently require a budget amounting Ksh.4,291,740.
76. Strengthening the Hansard Department- The Department is understaffed. The cost of the Hansard proposal is Ksh.2,750,280 to be used to recruit principal Hansard Reporter, Chief Hansard Editor and Hansard Reporter II.
77. Installation of E-Assembly- The estimated cost of the project is Ksh.25 million.
78. Establishment of Broadcasting Unit-The projected cost of the broadcasting unit is Ksh.15 million.
79. Installation of Solar Lighting systems at County Assembly and Speaker's Residence-The County Assembly is planning to install a solar system that is estimated to cost Ksh.15 million during the FY 2023/24.
80. In conclusion, the County Assembly requested the Committee for an upward revision of staff ceiling by eight and total recurrent budget ceiling will be revised by Ksh.62,042,020.

MOMBASA COUNTY ASSEMBLY

The representatives from the Assembly appeared before the Committee and submitted that-

81. The County Assembly of Mombasa is of the view that the ceiling of Ksh.764,582,283 proposed in the County Allocation of Revenue Bill, 2023 is low for the proper functionality of the institution.
82. The County Assembly of Mombasa is categorised among those Assemblies that should have employees not exceeding 100 persons. However, the current

number stands at 267 staff members. The Assembly therefore requested for a review of the 100 employees capping placed on our Assembly.

83. The Assembly has twenty-one committees. It is noted that CRA takes into consideration only 16 committees in accordance with county functions. The current budget allocation of legislative and oversight activities for the FY 2022/2023 is Ksh.80,670,320. This amount is to cater for all the activities carried out by the twenty-one committees.
84. The limited resources have forced the Assembly to scale down plans to conduct public participation activities that match what county executive counterparts do.
85. The current budget is insufficient to sustain training of MCAs.
86. The County Assembly of Mombasa recognizes the need to have a well-established library that will serve as a framework for collection, processing, preservation, timely retrieval and dissemination of information for informed decision making, planning, administrative and legislative purposes.
87. The Assembly intends to have an e-parliament and e-library infrastructure in place. The costs of having these up and running have been estimated to be Ksh.35 million and Ksh.15 million, respectively.
88. In view of the foregoing, the Assembly seeks Committee's consideration to have the recurrent budget adjusted by Kshs.269,926,714 as listed below-
 - a) Staff establishment-Ksh.94,276,714
 - b) Utilities -Kenya Power-Ksh.14,400,000
 - c) Utilities -Building Insurance-Ksh.7,500,000
 - d) E-Parliament-Ksh.35,000,000
 - e) E-Library-Ksh.15,000,000
 - f) Domestic and Foreign Travel-Ksh.58,100,000
 - g) Training Expenses-Ksh.12,450,000
 - h) Hospitality Expenses-Ksh.8,300,000
 - i) Assets Maintenance Costs-Ksh.1,037,500
 - j) Supplies and Other Services-Ksh.14,525,000
 - k) Other Operating Expenses-Ksh.9,337,500

BOMET COUNTY ASSEMBLY

89. The Assembly appeared before the Committee and submitted that the County Assembly requests the Committee to consider adjustment of ceiling to unlock additional resources to address the following critical needs-

- a) Ksh.16,071,000 to furnish the newly completed main Chamber as per the exact cost from the Kenya Prison Industries.
- b) Ksh.50 million to furnish the newly completed offices.
- c) Ksh.120 million for an ultra-modern Hansard production system.
- d) Ksh.40 million for robust computer network backbone installation.

NYAMIRA COUNTY ASSEMBLY

90. The Assembly appeared before the Committee and submitted that-

- a) In the FY2023/24 The County Assembly of Nyamira requests for additional funding for the purchase of furniture and equipping of Assembly Ward Offices whose total cost has been approximated to Ksh.50,700,000 and other additional cost of Kshs.23,843,880 respectively -
 - i. Electricity installation in 20 Wards- Ksh5 million
 - ii. Security Services at Ward offices (night guards)- Ksh.9.6 million
 - iii. Operationalization of Ward offices-Ksh.3,267,720
 - iv. Employer's contribution to proposed housing levy Ksh.5,500,000
 - v. Additional employer contribution to NSSF Tier I- Ksh.476,160
- b) It is in this view, therefore, that the County Assembly requested for an additional allocation of its recurrent ceiling from the proposed Ksh.703,010,773 to Ksh.773,140,783 to accommodate the above-mentioned new priority shifts and interventions.

CHAPTER THREE

SUBMISSION OF REQUESTS BY VARIOUS COUNTY ASSEMBLIES

91. Following the call for submission of memorandum on the bill, the counties 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 resolutions with respect to each County Assembly that requested an adjustment of their recurrent expenditure ceiling.

a) MANDERA COUNTY ASSEMBLY

Committee Resolution		
No.	Item	Resolution
1.	Security costs	Ksh.20,000,000
2.	Furnishing of completed new chambers	Ksh.40,000,000
3.	Medical Insurance costs	Ksh.20,000,000
Total		Ksh.80,000,000

b) Tana River County Assembly

Committee Resolution		
No.	Item	Resolution
1.	Public participation and Oversight	Ksh.27,000,000
2.	Training Cost	Ksh.8,932,364

3.	Conference cost	Ksh.12,281,200
4.	Car reimbursement	Ksh.57,512,000
Total		Ksh.105,731,364

c) Wajir County Assembly

Committee Resolution		
No.	Item	Resolution
1.	Committee sittings	Ksh.3,137,828
2.	Insurance cost	Ksh.27,634,390
3.	Public Participation	Ksh.35,722,802
4.	Court rulings (damages for demotion)	Ksh.36, 614,160
5.	Furnishing of new assembly buildings	Ksh.36,000,000
Total		Ksh.139,109,180

d) Nairobi City County Assembly

Committee Resolution		
No.	Item	Resolution
1.	Litigation costs	Ksh.200,000,000
2.	Insurance costs	Ksh.30,000,000
Total		Ksh.230,000,000

e) Kilifi County Assembly

Committee Resolution		
No.	Item	Resolution
1.	Medical Insurance	Ksh.4,000,000
2.	Insurance WIBA/GPA	Ksh.6,000,000
3.	General Personal Insurance	Ksh.1,000,000
4.	Public Participation	Ksh.5,206,000
5.	House Committees Operations Expenses	Ksh.7,003,543
6.	Purchase of Office Furniture	Ksh.25,000,000
7.	Security	Ksh.1,000,000
Total		Ksh.49,209,543

f) Mombasa County Assembly

Committee Resolution		
No.	Item	Resolution
1.	Building insurance	Ksh.7,500,000
2.	E-Parliament	Ksh.35,000,000
3.	Domestic and foreign travel	Ksh.29,050,000
4.	Assets maintenance costs	Ksh.1,037,500
Total		Ksh.72,587,500

g) Kajiado County Assembly

Committee Resolution		
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No.	Item	Resolution
1.	Mileage Allowance	Ksh.13,172,856
2.	Public participation	Ksh.1,317,286
3.	Operations and Maintenance	Ksh.22,218,081
4.	Speaker's partisan staff	Ksh.5,448,195
5.	Insurance	Ksh.18,205,089
Total		Ksh.35,000,000

h) Kiambu County Assembly

Committee Recommendations		
No.	Item	Resolution
1.	Car reimbursement	Ksh.35,147,306
2.	Medical insurance	Ksh.5,000,000
3.	Responsibility Allowance for Chairperson and vice-chairperson	Ksh.27,417,243
4.	Purchase of vehicles	Ksh.15,000,000
Total		Ksh.82,564,549

i) Bomet County Assembly

Committee Resolution		
No.	Item	Resolution
1.	Furnishing Chamber	Ksh.16,071,000
2.	Furnishing offices	Ksh.25,000,000
3.	Ultra-modern Hansard system	Ksh.50,000,000
Total		Ksh.91,071,000

j) **Nyamira County Assembly**

Committee Resolution		
No.	Item	Resolution
1.	Ward Offices Furniture and fittings	Ksh.30,700,000
2.	Security services at ward offices	Ksh.9,600,000
3.	Operationalization of ward offices	Ksh.3,267,720
Total		Ksh.43,567,720

k) **Isiolo County Assembly**

Committee Resolution		
No.	Item	Resolution
1.	Public participation	Ksh.20,500,000
2.	Motor vehicle reimbursement	Ksh.37,800,000
3.	Security and escort	Ksh.2,880,000
Total		Ksh.61,180,000

l) **Makueni County Assembly**

Committee Resolution		
No.	Item	Resolution
1.	Establishment of e-assembly	Ksh.25,000,000
Total		Ksh.25,000,000

CHAPTER FOUR

COMMITTEE OBSERVATIONS

92. The Committee having considered and analysed submissions from various stakeholders, made the following observations-

- a) The CRA approach of allocation for the public participation component at 15% of operations and maintenance does not fully take into account the unique needs of each county. Several counties have requested for an increase in allocation due to costs associated with the vastness of the counties; that is, distance, fuel, vehicle maintenance and/or transport hire as well as security. There is a need therefore, to reconsider the approach in funding this component so as to ensure that the unique factors in each county are taken into account.
- b) The structure used by CRA to submit the ceilings to Senate does not include actual expenditures by the counties making it difficult to determine whether the ceilings were adhered to. A comparison of actual expenditure with the ceiling is useful in determining whether counties are adhering to the ceilings and challenges encountered, if any, that may warrant an upward adjustment of the ceiling.
- c) Many of the counties still have unsettled pending bills and have submitted requests to the Committee for some allocation towards this item. The Committee is of the opinion that counties should endeavour to meet this expenditure item from their own revenues. Notably, in FY 2021/22, the county assemblies' recurrent ceiling was adjusted by Ksh.2.41 billion to cater for pending bills of Ksh.980 million and staff annual salary increments of Ksh.1.42 billion. However, many of the counties did not use these funds to settle the pending bills and so the problem continues to persist.
- d) Some counties have presented requests for additional funding for equipment, furniture and motor vehicles. The Committee observes that some counties are operating with old equipment especially Hansard

equipment which may require an upgrade in order to improve service delivery in the county assemblies.

- e) The counties have expressed concern that the ceilings do not take into account the increased cost of operations given the prevailing inflation rate. While acknowledging the increased cost of goods and services, the Committee notes that the domestic economic outlook is uncertain due to various internal and external shocks and there may not be adequate resources to fund every additional request. To this extent, both levels of government have to manage with the available resources.
- f) The Committee notes with concern that counties continue to incur high costs associated with the provision of legal services such as litigation thereby further straining the resources available for development.
- g) Several counties have submitted requests for increased allocation towards insurance costs due to adjustment in cost by the insurance providers. The Committee notes that insurance premiums may be adjusted if risk factors are high and as such, insurance costs are likely to vary upwards.
- h) Some counties submitted requests for additional staffing to various departments. The Committee notes that the Senate resolved in May 2021, that the county assemblies should rationalize their staff to the CRA staff capping of one hundred (100) by June 2023. To this extent, the Committee cannot allow for additional recruitment of staff to a level exceeding one hundred (100).
- i) Some counties have submitted that the CRA has underestimated the number of committees in the county assemblies. The Committee notes that the CRA and the counties agreed in previous engagements, that the number of committees of the county assemblies should be fourteen (14) and this is the number that has been applied by the CRA. Thus, the Committee can only allow for a maximum of four additional committees.

- j) Pursuant to the provisions of Articles 202(1) and 218(1) of the Constitution and the Judgment in Council of County Governors vs AG & 5 Others (HC Petition No. 252 of 2016), the National Treasury's proposal that the Bill allocates county government's equitable share of revenue amounting to Ksh.385 billion among the county governments in accordance with the third basis of the revenue allocation criteria approved by Parliament pursuant to Article 217 of the Constitution; and allocate Ksh.425 million to be transferred to 33 county governments that currently have libraries for the payment of personnel emoluments for staff of those libraries is unconstitutional.

Pursuant to Article 218 (1) of the Constitution the Division of Revenue Bill provides for the vertical allocation of revenue between the national and county level of government. The County Allocation of Revenue Bill then divides the county share of nationally raised revenue among the forty-seven counties on the basis determined under Article 217 of the Constitution. The Division of Revenue Bill and the County Allocation of Revenue Bill can therefore not deal with any other matter other than the vertical and horizontal division of nationally raised revenue.

The court holds this position and in HC Petition No. 252 of 2016 held that-

".....it is trite from the language used in Article 202 as read with Article 218(1)(a) of the Constitution, conditional or non-conditional grants are not an item to be provided for under the Division of Revenue Act. Conditional and non-conditional grants can be issued to the county level of government under the auspices of Article 190 of the Constitution or through an agreement between the two levels of government that respects the institutional and functional integrity of the either level of government."

The Division of Revenue Act was assented to on 27th April, 2023, and provides for the county equitable share of Ksh.385,425,000 in financial year 2023/2024. Pursuant

to Article 218(1)(b) of the Constitution, the County Allocation of Revenue Bill therefore divides the Ksh.385,425,000 between the forty-seven counties using the third basis for revenue sharing among counties as approved under Article 217.

CHAPTER FIVE

COMMITTEE RECOMMENDATIONS

93. Having considered the Bill, the Committee recommends as follows. That-

a) the Senate approves the Bill with the following amendment-

-deletion of the Second Schedule to the Bill setting out recurrent expenditure ceilings for the county assembly and county executive substituted therefor with a new Second Schedule reflecting the adjusted recurrent expenditure ceilings for county assemblies in accordance with the Committee's resolutions;

b) any additional revenue to be transferred to counties should proceed from the national government's share of nationally raised revenue pursuant to Article 202(2) or loans and grants from development partners. These additional revenues would then be allocated to the respective counties through the County Governments Additional Allocations Bill under section 109(3A) of the PFMA. Therefore, financing to facilitate the transferred library function should be from the National governments share of revenue and be allocated to the 33 counties through the County Governments Additional Allocations Bill.

c) the CRA and CAF undertake a review of staffing needs for county assemblies within six months of tabling of this report with a view to making appropriate recommendations to the Senate on guidelines on capping of staff establishment in county assemblies;

d) within ninety-days of tabling of this report, county assemblies should submit to CRA the number of committees and number of members in each of the respective County Assembly for purposes of monitoring compliance with the guidelines on Committee composition;

e) county assemblies should recruit in-house legal counsels, set up a panel of legal advisors through the Public Procurement and Asset Disposal Act and enter into retainer agreements with law firms on the basis of negotiated and

stable amounts of payment as a means to reduce costs associated with provision of legal services.



MINUTES OF THE FIFTIETH MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON FRIDAY, 19TH MAY 2023 AT THE WALNUT 1, PANARI HOTEL FROM 2.00 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. Mohamed Faki Mwinyihaji, MP -	Member
5. Sen. Richard Momoima Onyonka, MP -	Member
6. Sen. Eddy Gicheru Oketch, MP -	Member

ABSENT WITH APOLOGY

1. Sen. Shakila Abdalla Mohamed, MP -	Member
2. Sen. Joyce Chepkoech Korir, MP -	Member
3. Sen. Tabitha Karanja Keroche, MP -	Member

SECRETARIAT

1. Mr. Boniface Lenairoshi -	Deputy Director, DSEC
2. Mr. Christopher Gitonga -	Clerk Assistant
3. Ms. Beverlyne Chivadika -	Clerk Assistant
4. Ms. Lucy Radoli -	Legal Counsel
5. Ms. Millicent Makina -	Fiscal Analyst
6. Mr. Elijah Ichwara -	Audio Officer
7. Mr. Fredrick Ouma -	Sergeant-at-Arms

MIN/SEN/SCF&B/266/2023

PRELIMINARIES

The Chairperson called the meeting to order at 2:15 p.m. This was followed by a word of prayer and introductions.

MIN/SEN/SCF&B/267/2023

ADOPTION OF THE RETREAT PROGRAMME

The programme for the retreat was adopted after it was proposed by Sen. Mohamed Faki Mwinyihaji, MP, and seconded by Sen. (Dr.) Boni Khalwale, CBS, MP, as listed below-

1. Consideration of stakeholders' submissions on the County Allocation of Revenue Bill, 2023.
2. Consideration of the CARB 2023 report.

MIN/SEN/SCF&B/268/2023

**CONSIDERATION OF THE DRAFT REPORT
ON COUNTY ALLOCATION OF REVENUE
BILL, 2023**

The Committee considered draft report on the County Allocation of Revenue Bill, 2023. The report comprised on the following-

- a) Overview of the Bill;
- b) Summary of submissions from various stakeholders: National Treasury, Council of Governors, County Assemblies Forum, Society of Clerks At the Table, Commission on Revenue Allocation, County Assemblies of Mandera, Tana River, Nairobi City, Wajir, Kilifi, Kajiado, Mombasa, Bomet, Kiambu, Nyamira, Isiolo and Makueni;
- c) Submission of requests by various county assemblies on adjustment of recurrent expenditure budget ceilings for the FY 2023/24;
- d) Committee observations; and
- e) Committee recommendations.

MIN/SEN/SCF&B/269/2023

**ADOPTION OF THE REPORT ON COUNTY
ALLOCATION OF REVENUE BILL, 2023**

The report on the County Allocation of Revenue Bill, 2023 was unanimously adopted having been proposed by Sen. Mohamed Faki Mwinyihaji, MP, and seconded by Sen. Eddy Gicheru Oketch, MP with the following recommendations-

- (a) the Senate approves the Bill with the following amendment-
 - deletion of the Second Schedule to the Bill setting out recurrent expenditure ceilings for the county assembly and county executive be deleted and substituted therefor with a new Second Schedule reflecting the adjusted recurrent expenditure ceilings for county assemblies in accordance with the Committee's resolutions;
- (b) any additional revenue to be transferred to counties proceed from the national government's share of nationally raised revenue pursuant to Article 202(2) or loans and grants from development partners. These additional revenues would

then be allocated to the respective counties through the County Governments Additional Allocations Bill under section 109(3A) of the PFMA. Therefore, financing to facilitate the transferred library function should be from the National governments share of revenue and be allocated to the 33 counties through the County Governments Additional Allocations Bill.

- (c) the CRA and CAF undertake a review of staffing needs for county assemblies within six months of tabling of this report with a view to making appropriate recommendations to the Senate on guidelines on capping of staff establishment in county assemblies;
- (d) within ninety-days of tabling of this report, county assemblies to submit to CRA the number of committees and number of members in each of the respective County Assembly for purposes of monitoring compliance with the guidelines on Committee composition;
- (e) county assemblies should recruit in-house legal counsels, set up a panel of legal advisors through the Public Procurement and Asset Disposal Act and enter into retainer agreements with law firms on the basis of negotiated and stable amounts of payment as a means to reduce costs associated with provision of legal services

MIN/SEN/SCF&B/270/2023

ADJOURNMENT

There being no other business the meeting was adjourned at 3:55 p.m. Next meeting shall be by notice.

SIGNATURE..........DATE...30th May, 2023.....

SEN. (CAPT.) ALTIBRAHIM ROBA, EGH, MP
(CHAIRPERSON)



**MINUTES OF THE FORTY-NINTH MEETING OF THE SENATE
STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON FRIDAY,
19TH MAY 2023 AT THE WALNUT 1, PANARI HOTEL FROM 11.30 A.M.**

PRESENT

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

ABSENT WITH APOLOGY

1. Sen. Maureen Tabitha Mutinda, MP -	Vice-Chairperson
2. Sen. Shakila Abdalla Mohamed, MP -	Member
3. Sen. Joyce Chepkoech Korir, MP -	Member
4. Sen. Tabitha Karanja Keroche, MP -	Member

SECRETARIAT

1. Mr. Boniface Lenairoshi -	Deputy Director, DSEC
2. Mr. Christopher Gitonga -	Clerk Assistant
3. Ms. Beverlyne Chivadika -	Clerk Assistant
4. Ms. Lucy Radoli -	Legal Counsel
5. Ms. Millicent Makina -	Fiscal Analyst
6. Mr. Elijah Ichwara -	Audio Officer
7. Mr. Fredrick Ouma -	Sergeant-at-Arms

MIN/SEN/SCF&B/262/2023

PRELIMINARIES

The Chairperson called the meeting to order at 11.35 a.m. This was followed by a word of prayer and introductions.

The programme for the retreat was adopted after it was proposed by Sen. Mohamed Faki Mwinyihaji, MP, and seconded by Sen. (Dr.) Boni Khalwale, CBS, MP as listed below-

1. Consideration of the submissions on recurrent expenditure budget ceilings from various county assemblies.
2. Consideration of submissions on the County Allocation of Revenue Bill, 2023.
3. Consideration of the CARB 2023 report.

The Committee considered requests by the county assemblies of Mandera, Tana River, Nairobi City, Wajir, Kilifi, Kajiado, Mombasa, Bomet, Kiambu, Nyamira, Isiolo and Makueni regarding adjustment of the recurrent budget expenditure ceilings for the FY 2024/24.

Below is a summary of the Committee's resolutions with respect to each County Assembly requests for adjustment of their recurrent expenditure ceiling-

- a) Mandera County Assembly: Committee approved additional amount of Kshs.80 million to be expended on the following -
 - i. Security -Kshs.20 million.
 - ii. Furnishing of completed new chambers-Kshs.40 million.
 - iii. Medical insurance costs-Kshs.20 million.
- b) Tana River County Assembly: Committee approved additional amount of Kshs.105,731,364 to be expended on the following -
 - i. Public participation and oversight-Kshs.27,000,000
 - ii. Training cost-Kshs.8,931,364
 - iii. Conference cost-Kshs.12,288,000
 - iv. Car reimbursement-Kshs.57,512,000
- c) Wajir County Assembly: Committee approved additional amount of Kshs.139,109,180 to be expended on the following -
 - i. Committee sittings-Kshs.3,137,828
 - ii. Insurance cost-Kshs.27,634,390
 - iii. Public participation-Kshs.35,722,802

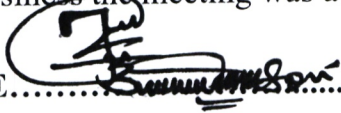
- iv. Court rulings-Kshs.36,614,160
- v. Furnishing of new assembly buildings-Kshs.36,000,000
- d) Nairobi City County Assembly: Committee approved additional amount of Kshs.230,000,000 to be expended on the following -
 - i. Litigation costs (Pending bills)- Kshs.200,000,000
 - ii. Insurance costs-Kshs.30,000,000
- e) Kilifi County Assembly: Committee approved additional amount of Kshs.49,209,543 to be expended on the following -
 - i. Medical Insurance-annual adjustments-Kshs.4,000,000
 - ii. Insurance WIBA/GPA-Kshs.6,000,000
 - iii. General Personal Insurance-Kshs.1,000,000
 - iv. Public participation-Kshs.5,206,000
 - v. House Committees operations expenses-Kshs.7,003,543
 - vi. Purchase of office furniture-ward offices and assembly-Kshs.25,000,000
 - vii. Security-Kshs.1,000,000
- f) Mombasa County Assembly: Committee approved additional amount of Kshs.72,587,500 to be expended on the following -
 - i. Utilities-Building insurance-Kshs.7,500,000
 - ii. E-Parliament- Kshs.35,000,000
 - iii. Domestic and foreign travel-Kshs.29,050,000
 - iv. Assets maintenance costs-Kshs.1,037,500
- g) Kajiado County Assembly: Committee approved additional amount of Kshs.35,000,000 to be expended on the following -
 - i. Mileage Allowance-Kshs.13,172,856
 - ii. Public participation -Kshs.1,317,286
 - iii. Operations and maintenance-Kshs.22,218,081
 - iv. Speaker's partisan staff-Kshs.5,448,195
- h) Kiambu County Assembly: Committee approved additional amount of Kshs.82,564,549 to be expended on the following -
 - i. Car reimbursement (omitted by CRA)-Kshs.35,147,306
 - ii. Medical insurance-inflation adjustment-Kshs.5,000,000
 - iii. Responsibility allowance for Chairs and vice-chairs-Kshs.27,417,243
 - iv. Purchase of vehicles-Kshs.15,000,000.
- i) Bomet County Assembly: Committee approved additional amount of Kshs.91,071,000 to be expended on the following -
 - i. Furnishing chamber-Kshs.16,071,000
 - ii. Furnishing offices-Kshs.25,000,000
 - iii. Ultra-modern Hansard system- Kshs.50,000,000
- j) Nyamira County Assembly: Committee approved additional amount of Kshs.43,567,720 to be expended on the following -

- i. Ward offices furniture and fittings-Kshs.30,700,000
- ii. Security services at ward offices-Kshs.9,600,000
- iii. Operationalization of ward offices-Kshs.3,267,720
- k) Isiolo County Assembly: Committee approved additional amount of Kshs.61,180,000 to be expended on the following -
 - i. Public participation-Kshs.20,500,000
 - ii. Motor vehicle reimbursement-Kshs.37,800,000
 - iii. Security and escort-Kshs.2,880,000
- l) Makueni County Assembly: Committee approved additional amount of Kshs.25,000,000 to be expended on establishment of e-assembly.

In total, the Committee approved adjustment of county assembly ceiling by Kshs.1,015,020,856.

MIN/SEN/SCF&B/265/2023 **ADJOURNMENT AND DATE OF THE NEXT MEETING**

There being no other business the meeting was adjourned at 1:00 p.m.

SIGNATURE..........DATE.....31/05/2023.....
 SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
 (CHAIRPERSON)



**MINUTES OF THE FORTY-EIGHTH MEETING OF THE SENATE
STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON FRIDAY,
19TH MAY 2023 AT THE WALNUT 1, PANARI HOTEL FROM 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 Faki Mwinyihaji, MP -	Member
4. Sen. Richard Momoima Onyonka, MP -	Member
5. Sen. Eddy Gicheru Oketch, MP -	Member

ABSENT WITH APOLOGY

1. Sen. Maureen Tabitha Mutinda, MP -	Vice-Chairperson
2. Sen. Shakila Abdalla Mohamed, MP -	Member
3. Sen. Joyce Chepkoech Korir, MP -	Member
4. Sen. Tabitha Karanja Keroche, 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. Elijah Ichwara -	Audio Officer
6. Mr. Fredrick Ouma -	Sergeant-at-Arms

IN ATTENDANCE

THE COMMISSION ON REVENUE ALLOCATION

1. Mr. James Katule -	Chief Executive Officer
2. Mr. David Shikumo -	Fiscal Analyst

MIN/SEN/SCF&B/258/2023

PRELIMINARIES

The Chairperson called the meeting to order at 9:01 a.m. This was followed by a word of prayer and introductions.

The programme for the retreat was adopted after it was proposed by Sen. Mohamed Faki Mwinyihaji, MP, and seconded by Sen. (Dr.) Boni Khalwale, CBS, MP as listed below-

1. Meeting with CRA to consider and deliberate on the issues raised by the County Assemblies regarding adjustment of the recurrent budget expenditure budget ceilings for the FY 2023/24.
2. Consideration of the submissions on recurrent expenditure budget ceilings from various county assemblies.
3. Consideration of submissions on the County Allocation of Revenue Bill, 2023.
4. Consideration of the CARB 2023 report.

PRESENTATION BY CRA ON THE ISSUES
RAISED BY THE COUNTY ASSEMBLIES
REGARDING ADJUSTMENT OF THE
RECURRENT BUDGET EXPENDITURE
BUDGET CEILINGS FOR THE FY 2023/24

The Chairperson informed the team from CRA that having met with various county assemblies during consideration of County Allocation of Revenue Bill, 2023, the Committee noted cross cutting issues raised by different county assemblies regarding recurrent expenditure budget ceiling. These include, *inter alia*, increase in cost of insurance, the issues of security and vastness of some counties which increases cost of public participation, furnishing of newly constructed ward offices or chambers, staffing levels, and errors in computation of ceilings.

Upon invitation, the Chief Executive Officer, CRA informed the Committee that they had reviewed the issues raised by various county assemblies regarding the adjustment of recurrent budget expenditure and made the following recommendations-

- a) Understatement of staff-The ceilings included provided for optimum staffing levels. The Committee in its report of May, 2021 indicated that the assemblies should undertake to rationalize their staff to the allowable staffing levels by June 2023. This was guided by the CRA circular of 28th June 2018.
- b) Understatement of number of Committee Chairpersons and Vice-Chairpersons-The ceilings submitted to the Senate included provision for fourteen (14) chairpersons and vice-chairpersons. This was guided by the 14 devolved functions in county governments as per the fourth schedule of the Constitution.
- c) Office furniture- Purchase of furniture is not recurrent expenditure. It is capital in nature. Therefore, if granted, it should be a one-off provision.
- d) Cost public participation-CRA recommendation is that they do not deal with the issue of public participation in the current Financial Year. The Committee may allow CRA to incorporate the parameters of distance and population for all counties. It is true vast counties require higher amount for public participation.
- e) Security- This should be catered for under provision for operations and

maintenance. For specific counties with security issues, CRA will have a consultative meeting with the Ministry of interior so as to have a justifiable cost for the required costs.

- f) Mileage allowance-The amount provided for was based on the distances provided by the Assembly.
- g) Pending bills- county assemblies benefitted from a Senate resolution one-off provision for pending bills in the 2021/22.
- h) Increase in litigation costs of Kshs.400 million for Nairobi City County Assembly- the Assembly has provision for operations and maintenance. The Committee should not approve the amount requested. CRA recognized litigation that included impeachment process for Governor Mike Mbuvi Sonko.

After deliberation, the Committee resolved the following-

- a) The CRA should reconsider the costs of public participation bearing the parameters such as land area of the county and population
- b) The CRA and CAF should undertake a review of staffing needs for county assemblies with a view of making appropriate recommendations to the Senate on guidelines on capping of staff establishment in county assemblies.
- c) County assemblies to submit to CRA the number of committees and number of members in each of the respective County Assembly for purposes of monitoring compliance with the guidelines on Committee composition. In addition, CRA to provide guidance on the optimal number of Committees to be incorporated in the ceilings for the FY 2024/25. Committee recommended a maximum of 18 Committees.
- d) As a way of reducing litigation costs, county assemblies should consider setting up a panel of legal advisors through the Public Procurement and Asset Disposal Act and enter into agreements with law firms on the basis of negotiated and stable amounts of payment.
- e) In order to ensure cost effectiveness and expenditure in security the CRA should consult the National Police Service in determination of appropriate compensation rates. In addition, there is need to come up with cost effective ways of public participation in counties that have security issues.

The Committee expressed gratitude to the team from CRA for the continued collaboration and corporation.

MIN/SEN/SCF&B/261/2023

ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business the meeting was adjourned at 11: 00 a.m.

SIGNATURE..........DATE. 31/05/2023.....

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



**MINUTES OF THE FORTY-SEVENTH MEETING OF THE SENATE
STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON
THURSDAY, 18TH MAY 2023 AT THE GROUND FLOOR BOARDROOM,
COUNTY HALL, PARLIAMENT BUILDINGS FROM 1.00 P.M.**

PRESENT

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

ABSENT WITH APOLOGY

- | | |
|---------------------------------------|------------------|
| 1. Sen. Maureen Tabitha Mutinda, MP - | Vice-Chairperson |
| 2. Sen. Joyce Chepkoech Korir, MP - | Member |
| 3. Sen. Tabitha Karanja Keroche, 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. Elijah Ichwara - | Audio Officer |
| 6. Mr. Nandemu Barasa - | Media Relations Officer |
| 7. Mr. Ibrahim Oduor - | Sergeant-at-Arms |
| 8. Mr. Jeff M Mburu - | Attachee |

IN ATTENDANCE

A.THE COUNTY ASSEMBLY OF MAKUENI

- | | |
|--------------------------|------------------------|
| 1. Mr. Kevin Mutuku - | Clerk |
| 2. Mr. Francis Nzyoka - | Director Finance |
| 3. Mr. Griffins Mutevu - | Deputy Director Budget |

B. THE COUNTY ASSEMBLY OF ISOLO

- | | | |
|-----------------------|---|-----------------------|
| 1. Mr. Salad Boru | - | Clerk |
| 2. Mr. Rahima Atikiya | - | Chief Finance Officer |
| 3. Mr. Issadin Muktar | - | Accountant |

MIN/SEN/SCF&B/253/2023

PRELIMINARIES

The Chairperson called the meeting to order at 1.02 p.m. This was followed by a word of prayer and introductions.

MIN/SEN/SCF&B/254/2023

ADOPTION OF THE AGENDA

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

1. Prayer;
2. Introduction;
3. Adoption of the agenda;
4. Confirmation of Minutes of the 42nd sitting
5. Matters Arising from the minutes of the previous meeting;
6. Meeting with County Assemblies of Makueni and Isiolo to deliberate on the County Allocation of Revenue Bill, 2023 (Senate Bill No.16 of 2023) (*Committee Paper No. 42*).
7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MIN/SEN/SCF&B/255/2023

CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING

The Minutes of the Forty-Second Sitting held on Tuesday, 16th May, 2023 at 9.00 a.m. were confirmed as a true record of the proceedings of the Committee having been proposed by Sen. Eddy Gicheru Oketch, MP, and seconded by Sen. Mohamed Faki Mwinyihaji, MP.

MIN/SEN/SCF&B/256/2023

MEETING WITH THE COUNTY ASSEMBLIES OF MAKUENI AND ISOLO TO DELIBERATE ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023 (SENATE BILLS NO. 16 OF 2023)

1. Meeting County Assembly of Makueni

Upon invitation, the Clerk of the Assembly requested for a review of assembly's recurrent ceiling based on the following proposals-

- a) Establishment and strengthening of budget office – this be revised to cater for recruitment of 5 Fiscal Analysts which will consequently require a budget amounting Kshs.4,291,740.
- b) Strengthening the Hansard Department. The cost of hiring 3 Hansard officers is Kshs.2,750,280. The Assembly is already at the maximum allowable staffing levels. Thus, requests for exception from this requirement.
- c) Installation of E-Assembly – The estimated cost of the project is Kshs.25 million.
- d) Establishment of Broadcasting Unit. The projected cost of the broadcasting unit is Kshs.15 million.
- e) Installation of Solar Lighting systems at County Assembly and Speaker's Residence. The County Assembly is planning to install a solar system that is estimated to cost Kshs.15 million during the FY 2023/24.
- f) In conclusion, the total recurrent budget ceiling will be revised by Kshs.62,042,020.

After deliberation, the Chairperson informed the team from the Assembly that the Committee will analyse and consider the request on adjustment of ceiling.

2. Meeting with County Assembly of Isiolo

Upon invitation, the Clerk of the Assembly requested for a review of assembly's recurrent ceiling based on the following proposals-

- a) An average cost of taking one Bill through public participation throughout the County was Kshs.2.5 million. The Assembly budget estimate for public participation is Kshs.67.1 million. CRA gave a recommendation of Kshs.29.6 million which leaves a deficit of Kshs.37.5 million.
- b) The County Assembly appeals for enhancement of car loan/reimbursement of Kshs39,816,000
- c) Bunge Mashinani planned for the three sub counties of Garba Tullah, Merti and Central Sub County at Kshs.6 million per Sub County. In three Sub Counties, the total is Kshs.18 million.
- d) For staff promotion and annual salary increment, the County Assembly requires an additional amount of Kshs.6 million. This is to promote 40 members of staff.
- e) County Assembly Security and Escort - Every field visit by the County Assembly requires security from Isiolo town. This has not been provided by proposed CRA ceiling leaving the County Assembly with a deficit of Kshs.2,880,000.
- f) Settlement of pending Bills and domestic payables at Kshs.50 million.
- g) More training and capacity enhancement for staff and Members the County

2023/24 is Kshs.25 million against a recommendation by CRA of Kshs.10 million, a deficit of Kshs.14,700,000.

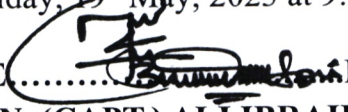
- h) To cushion against inflation, the County Assembly requests its budget to be raised by 6.5%, equivalent to Kshs.29,120,000. The Assembly requests an increment over and above the current ceiling on recurrent budget by Kshs.196,000,000.

After deliberation, the Chairperson informed teams from the Assemblies of Isiolo that the Committee will retreat to consider and analyze the request on adjustment of ceilings and revert back.

MIN/SEN/SCF&B/257/2023

ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business the meeting was adjourned at 2:10 p.m. Next meeting was set to be held on Friday, 19th May, 2023 at 9:00 a.m.

SIGNATURE..........DATE.....31/05/2023.....

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



**MINUTES OF THE FORTY-SIXTH MEETING OF THE SENATE
STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON
THURSDAY, 18TH MAY 2023 AT THE GROUND FLOOR BOARDROOM,
COUNTY HALL, PARLIAMENT BUILDINGS FROM 11.40 A.M.**

PRESENT

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

ABSENT WITH APOLOGY

1. Sen. Maureen Tabitha Mutinda, MP -	Vice-Chairperson
2. Sen. Joyce Chepkoech Korir, MP -	Member
3. Sen. Tabitha Karanja Keroche, 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. Elijah Ichwara -	Audio Officer
6. Mr. Nandemu Barasa -	Media Relations Officer
7. Mr. Ibrahim Oduor -	Sergeant-at-Arms
8. Mr. Jeff M Mburu -	Attachee

IN ATTENDANCE

A. THE COUNTY ASSEMBLY OF KIAMBU

1. Hon. Charles Thiongo -	Speaker
2. Hon. Erick W. Ndungu -	Vice Chair, CASB
3. Hon. Joachim Njama -	Member CASB
4. Mr. John Mutie -	Clerk
5. Ms. Sarah Kiruki -	Director, Finance
6. Mr. David Ngunjiri -	Deputy Clerk

B.THE COUNTY ASSEMBLY OF BOMET

- | | | |
|------------------------|---|-----------------------------|
| 1. Hon. Cosmas Korir | - | Speaker |
| 2. Mr. Isaac Kitur | - | Clerk |
| 3. Mr. Clement Kirui | - | Director Corporate services |
| 4. Mr. Ronald Sang | - | Deputy Director Budget |
| 5. Mr. Geoffrey Manlim | - | Deputy Director Finance |

C.THE COUNTY ASSEMBLY OF NYAMIRA

- | | | |
|-------------------------|---|---------------------------------|
| 1. Mr. Daniel Orina | - | Clerk |
| 2. Mr. Alloice King'ala | - | Head of Supply Chain Management |
| 3. Mr. Gilbert Onduko | - | Payroll Manager |
| 4. Ms. Jeremiah Chibane | - | Budget Officer |

MIN/SEN/SCF&B/249/2023

PRELIMINARIES

The Chairperson called the meeting to order at 11:45 a.m. This was followed by a word of prayer and introductions.

MIN/SEN/SCF&B/250/2023

ADOPTION OF THE AGENDA

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

1. Prayer;
2. Introduction;
3. Adoption of the agenda;
4. Confirmation of Minutes of the 42nd sitting
5. Matters Arising from the minutes of the previous meeting;
6. Meeting with County Assemblies of Bomet, Kiambu, and Nyamira to deliberate on the County Allocation of Revenue Bill, 2023 (Senate Bill No.16 of 2023) (*Committee Paper No. 42*).
7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MIN/SEN/SCF&B/251/2023

MEETING WITH THE COUNTY ASSEMBLIES OF KIAMBU, BOMET AND NYAMIRA TO DELIBERATE ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023 (SENATE BILLS NO. 16 OF 2023)

1. Meeting with County Assembly of Kiambu

Upon invitation, the Clerk of the Assembly informed the Committee that-

- a) The proposed recurrent expenditure ceilings for Kiambu County Assembly in the bill translates to an increment of Kshs.155,084,694.00 from budget ceilings in the FY 2022/2023.
- b) It is worth noting that the increment cited above is meant to cater for car reimbursement for the Members of the County Assembly as provided in the SRC Kenya Gazette Notice No.8792.
- c) The following are therefore the observations and requests in regard to the budget ceilings as per CARB 2023-
 - i. Inadequate funding for the car reimbursement- total required amount for the car reimbursement is Kshs.190,232,000 and therefore an underfunding variance of Kshs.35,147,306.
 - ii. Enhancement of Public Participation and capacity building kitty- There is need to enhance this vote by Kshs.91,500,000.
 - iii. Mileage Allowance and Vehicle Reimbursement- the expenditure factored by the CRA of Kshs.3,150,759.00 per month is erroneous. The County Assembly is expected to spend Kshs.43,520,328 per year giving a variance of Kshs.5,711,220.
 - iv. Medical Insurance- Insurance cost has increased due to inflation. Assembly requests for an additional Kshs.5 million.
 - v. Chairperson/ Vice chairperson- With 22 chairperson and vice chairperson the total cost per year is Kshs.88,861,278.00 and Kshs.82,578,078.00 respectively giving a variance of Kshs.54,834,486.
 - vi. Furnishing of Speakers residence and ward offices- the Assembly is requesting for additional Kshs.32,290,000 towards this expenditure.
 - vii. Car loan and mortgage for Members of the County Assembly- County Assembly requested that this kitty be enhanced by Kshs.188 million to enable members access this facility.
 - viii. Purchase of Motor vehicles-To replace old unserviceable vehicles, the Assembly is requesting for an additional Kshs.15,000,000.

After deliberation, the Chairperson informed the team from the Assembly that the Committee will analyse and consider the request on adjustment of ceiling.

2. Meeting with County Assembly of Bomet

Upon invitation, the Speaker of the Assembly informed the Committee that the Assembly requests the Committee to consider adjustment of ceiling to unlock additional resources to address the following critical needs-

- a) Kshs.16,071,000 to furnish the newly completed main Chamber as per the exact cost from the Kenya Prison Industries.
- b) Kshs.50 million to furnish the newly completed offices.
- c) Kshs.120 million for ultra-modern Hansard production system.

d) Kshs.40 million for robust computer network backbone installation.

After deliberation, the Chairperson informed the team from the Assembly that the Committee will analyse and consider the request on adjustment of ceiling.

3. Meeting with County Assembly of Nyamira

Upon invitation, the Clerk of the Assembly informed the Committee that-

a) the Assembly was requesting for additional funding for the purchase of furniture and equipping of Assembly Ward Offices whose total cost has been approximated to Kshs.50,700,000 and other additional cost of Kshs23,843,880 respectively-

- i. Electricity installation in 20 Wards – Kshs.5 million
- ii. Security Services at Ward offices (night guards) – Kshs.9.6 million
- iii. Operationalization of Ward offices – Kshs.3,267,720
- iv. Employer's contribution to proposed housing levy Kshs.5,500,000
- v. Additional employer contribution to NSSF Tier I -Kshs.476,160

b) It is in this view, therefore, that the County Assembly was requesting for an additional allocation of its recurrent ceiling from the proposed Kshs.703,010,773 to Kshs.773,140,783 to accommodate the above-mentioned new priority shifts and interventions.

After deliberation, the Chairperson informed the team from the Assembly that the Committee will analyse and consider the request on adjustment of ceiling.

MIN/SEN/SCF&B/252/2023

ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business the meeting was adjourned at 12:55 p.m.

SIGNATURE..........DATE.....31/05/2023.....

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

(CHAIRPERSON)



MINUTES OF THE FORTY-FIFTH MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON THURSDAY, 18TH MAY 2023 AT THE GROUND FLOOR BOARDROOM, COUNTY HALL, PARLIAMENT BUILDINGS FROM 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 Faki Mwinyihaji, MP -	Member
4. Sen. Shakila Abdalla Mohamed, MP -	Member
5. Sen. Richard Momoima Onyonka, MP -	Member
6. Sen. Eddy Gicheru Oketch, MP -	Member

ABSENT WITH APOLOGY

1. Sen. Maureen Tabitha Mutinda, MP -	Vice-Chairperson
2. Sen. Joyce Chepkoech Korir, MP -	Member
3. Sen. Tabitha Karanja Keroche, 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. Elijah Ichwara -	Audio Officer
6. Mr. Nandemu Barasa -	Media Relations Officer
7. Mr. Ibrahim Oduor -	Sergeant-at-Arms
8. Mr. Jeff M Mburu -	Attachee

IN ATTENDANCE

A. THE COUNTY ASSEMBLY OF KILIFI

1. Hon. Teddy Mwambire -	Speaker
2. Mr. Michael Ngala -	Clerk
3. Mr. Charles M. Lwiga -	Director Finance
4. Mr. Mwanengo Shaban -	Principal Fiscal Analyst

B. THE COUNTY ASSEMBLY OF MOMBASA

1. Hon. Ahrub Ebrahim -	Speaker
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2. Hon. Ali Sharif	-	MCA/Member, CASB
3. Hon. Florence Kachumbo	-	MCA/Member, CASB
4. Mr. Salim Juma	-	Clerk
5. Mr. Jilo Kidai	-	Senior Fiscal Analyst
6. Mr. Babu Ali	-	Principal Finance Officer

C. THE COUNTY ASSEMBLY OF KAJIADO

1. Hon. Justus Ngossor	-	Speaker
2. Mr. Leboo Saisa	-	Clerk
3. Ms. Jemimah Kilesi	-	Director Finance
4. Mr. William Koitumet	-	Deputy Director Finance
5. Ms. Margaret Methu	-	Fiscal Analyst

MIN/SEN/SCF&B/245/2023 **PRELIMINARIES**

The Chairperson called the meeting to order at 9.30 a.m. This was followed by a word of prayer and introductions.

MIN/SEN/SCF&B/246/2023 **ADOPTION OF THE AGENDA**

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

1. Prayer;
2. Introduction;
3. Adoption of the agenda;
4. Confirmation of Minutes of the 42nd sitting
5. Matters Arising from the minutes of the previous meeting;
6. Meeting with County Assemblies of Kilifi, Kajiado, and Mombasa to deliberate on the County Allocation of Revenue Bill, 2023 (Senate Bill No.16 of 2023) (*Committee Paper No. 42*).
7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MIN/SEN/SCF&B/247/2023 **MEETING WITH THE COUNTY ASSEMBLIES OF KILIFI, MOMBASA, AND KAJIADO TO DELIBERATE ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023 (SENATE BILLS NO. 16 OF 2023)**

1. Meeting with County Assembly of Kilifi

Upon invitation, the Clerk of the Assembly informed the Committee that the County Assembly of Kilifi requests for adjustment of its recurrent expenditure budget ceiling

for the FY 2023/24 by Kshs.97,814,977 to be expended on the following budget ceiling components-

- a) Personal emoluments - Kshs.7,541,577
- b) Medical Insurance - Kshs.4 million
- c) Insurance WIBA/GPA- Kshs.6 million
- d) General personal insurance- Kshs.1 million
- e) Training - Kshs.8 million
- f) Public participation- Kshs.5,206,000
- g) House Committee operations expenses - Kshs.24,512,400
- h) Utilities - Kshs.500,000
- i) Domestic Travel - Kshs.4 million
- j) Hospitality supplies- Kshs.5,255,000
- k) Fuel and lubricants - Kshs.5.5 million
- l) Routine maintenance, vehicles and assets - Kshs.500,000
- m) Purchase of office furniture - Kshs.25 million
- n) Security - Kshs.1 million

After deliberation, the Chairperson informed the team from the Kilifi County Assembly that the Committee will analyse and consider the request on adjustment of ceiling.

2. Meeting with County Assembly of Mombasa

Upon invitation, the Clerk of the Assembly informed the Committee that-

- a) The County Assembly of Mombasa is of the view that the ceiling of Kshs.764,582,283 proposed in the Bill is quite low for the proper functionality of the institution.
- b) The Assembly requests for a review of the 100 employees capping placed on the assembly.
- c) The Assembly thus seeks the Senate's consideration to have the recurrent budget adjusted by Kshs.269,926,714 as listed below-
 - i. Staff establishment-Kshs.94,276,714
 - ii. Utilities -Kenya Power-Kshs.14,400,000
 - iii. Utilities -Building Insurance-Kshs.7,500,000
 - iv. E-Parliament-Kshs.35,000,000
 - v. E-Library-Kshs.15,000,000
 - vi. Domestic and Foreign Travel-Kshs.58,100,000
 - vii. Training Expenses-Kshs.12,450,000
 - viii. Hospitality Expenses-Kshs.8,300,000
 - ix. Assets Maintenance Costs-Kshs.1,037,500
 - x. Supplies and Other Services-Kshs.14,525,000
 - xi. Other Operating Expenses-Kshs.9,337,500

The Committee noted the discrepancy in the aggregate amount requested. The

Thursday, 18th May, 2023, 2:00 p.m. giving clarification on each amount requested for. In addition, provide for the amount for domestic and foreign travel separately.

3. Meeting with County Assembly of Kajiado

Upon invitation, the Clerk of the Assembly informed the Committee that-

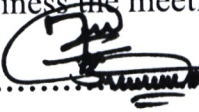
- a) The Assembly requested for the recurrent expenditure budget ceiling be revised by Kshs.35 million.
- b) The mileage allowance computed was Kshs.3,184,242 per month. However, the actual mileage allowance per month is Kshs.4,281,980 which translates to Kshs.51,383,760 in the Financial Year and not Kshs.38,210,904 as captured. The Assembly therefore request for additional amount of Kshs.13,172,856.
- c) Public participation-Amount given in the draft ceiling of Kshs.21,685,106 is below the actual amounts which is Kshs.23,002,392.
- d) O &M- provided in the ceiling is Kshs.192,527,229 of which the actual amount is Kshs.214,745,310.
- e) Speaker's Partisan Staff-The Speaker's partisan staff have not been factored, which was adding up to Kshs.5,448,195.
- f) Insurance- The Assembly request for additional amount of Kshs.18,205,089.
- g) Staffing-Number of staff used to compute the salary cost was 97 while the exact number is 100.

The Committee noted that the amount requested for was higher than Kshs.35m. The Chairperson directed the County Assembly to revise its documents and resubmit to the Committee on Thursday, 18th May, 2023 at 3:00 p.m. Thereafter, the Committee will consider and analyse the request and revert back.

MIN/SEN/SCF&B/248/2023

ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business the meeting was adjourned at 11:20 a.m.

SIGNATURE..........DATE. 31.10.2023.....

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

(CHAIRPERSON)



**MINUTES OF THE FORTY-FOURTH MEETING OF THE SENATE
STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON
WEDNESDAY, 17TH MAY 2023 AT THE GROUND FLOOR BOARDROOM,
COUNTY HALL, PARLIAMENT BUILDINGS FROM 11.00 A.M.**

PRESENT

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

ABSENT WITH APOLOGY

1. Sen. Maureen Tabitha Mutinda, MP -	Vice-Chairperson
2. Sen. Richard Momoima Onyonka, MP -	Member
3. Sen. Joyce Chepkoech Korir, MP -	Member
4. Sen. Tabitha Karanja Keroche, 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. Elijah Ichwara -	Audio Officer
6. Mr. Nandemu Barasa -	Media Relations Officer
7. Mr. Ibrahim Oduor -	Sergeant-at-Arms
8. Mr. Jeff M Mburu -	Attachee

IN ATTENDANCE

THE NATIONAL TREASURY

1. Prof. Njuguna Ndungu, CBS -	Cabinet Secretary
2. Mr. Albert Mwenda -	Director General, Fiscal
3. Ms. Josephine Kanyi -	Senior Director, Fiscal
4. Mr. Joshua Musyoka -	Senior Economist

MIN/SEN/SCF&B/240/2023

PRELIMINARIES

The Chairperson called the meeting to order at 11:15 a.m. This was followed by a

word of prayer and introductions.

MIN/SEN/SCF&B/241/2023 **ADOPTION OF THE AGENDA**

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

1. Prayer;
2. Introduction;
3. Adoption of the agenda;
4. Meeting the Cabinet Secretary for National Treasury and Economic Planning to Deliberate on the County Allocation Of Revenue Bill, 2023 (Senate Bills No. 16 of 2023);
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/SCF&B/242/2023 **MEETING THE CABINET SECRETARY FOR
NATIONAL TREASURY AND ECONOMIC
PLANNING TO DELIBERATE ON THE
COUNTY ALLOCATION OF REVENUE BILL,
2023 (SENATE BILLS NO. 16 OF 2023)**

Upon invitation, the Cabinet Secretary, National Treasury and Economic Planning presented the following views on the County Allocation of Revenue Bill, 2023-

- a) The published bill proposed to allocate and transfer to County Governments Kshs.385.425 billion for the FY 2023/24 as equitable share of revenue raised nationally, an increase from an allocation of Kshs.370 billion in the FY 2022/23.
- b) However, the draft County Allocation of Revenue Bill, 2023 submitted to Parliament by the National Treasury had proposed-
 - i. to allocate county governments' equitable share of revenue amounting to Kshs.385 billion among the county governments in accordance with the third basis of the revenue allocation criteria approved by Parliament pursuant to Article 217 of the Constitution.
 - ii. to allocate Kshs.425 million which was obtained from the Kenya National Libraries Services as a transfer to 33 county governments that currently have libraries, based on the actual payroll amount for the respective county governments to which library services staff were transferred to, and not based on the Third Basis Formula.
- c) the draft submitted proposed and additional object of the bill is "*to provide for the allocation of equitable share related to attendant resources for the payroll of transfer of library services from the Kenya National Library Services*" but the Bill published by the Senate had omitted that objective.

- d) National Treasury requested that, in order to hold counties harmless, attendant resources for transferred Library Services amounting to Kshs.425 million be included in the Equitable Share Allocation for the 33 county governments in a phased approach starting from the FY 2023/24 at 100%, 75% for FY 2024/25, and 25% for FY 2025/26. This allocation should not be subjected to the Third Basis but rather be shared based on the number of employees transferred to the respective counties.

The Committee noted with concern that-

- a) the National Treasury's proposal that the Bill allocates county government's equitable share of revenue amounting to Ksh.385 billion among the county governments and Ksh.425 million to be transferred to 33 county governments that currently have libraries for the payment of personnel emoluments for staff of those libraries.
- b) the Division of Revenue Act which was assented to on 27th April, 2023, and provides for the county equitable share of Ksh.385,425,000,000 in the FY 2023/2024. Pursuant to Article 218(1)(b) of the Constitution, the County Allocation of Revenue Bill therefore divides the Ksh.385,425,000,000 between the forty-seven counties using the third basis for revenue sharing among counties as approved under Article 217.
- c) Based on the High Court Ruling on case no. 252 of 2016 the additional resources to counties cannot be reflected in the DORB and consequently not transferrable through the CARB.

After deliberation, the Committee resolved that the additional allocation of Kshs.425 million should be allocated to the 33 counties through the County Governments Additional Allocations Bill.

MIN/SEN/SCF&B/243/2023

ANY OTHER BUSINESS

The Chairperson requested the CS to submit to the Committee a plan on how it intends to clear the arrears from the Equalization Fund. The Committee noted that this information has requested twice and no response was availed.

MIN/SEN/SCF&B/244/2023

ADJOURNMENT

The meeting was adjourned at 1:17 p.m. Date of next meeting Thursday, 18th May, 2023 at 9:00 a.m.

SIGNATURE..........DATE...31/05/2023.....

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

(CHAIRPERSON)



MINUTES OF THE FORTY-THIRD MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON WEDNESDAY, 17TH MAY 2023 AT THE GROUND FLOOR BOARDROOM, COUNTY HALL, PARLIAMENT BUILDINGS FROM 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 Faki Mwinyihaji, MP -	Member
4. Sen. Shakila Abdalla Mohamed, MP -	Member
5. Sen. Eddy Gicheru Oketch, MP -	Member

ABSENT WITH APOLOGY

1. Sen. Maureen Tabitha Mutinda, MP -	Vice-Chairperson
2. Sen. Richard Momoima Onyonka, MP -	Member
3. Sen. Joyce Chepkoech Korir, MP -	Member
4. Sen. Tabitha Karanja Keroche, 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. Elijah Ichwara -	Audio Officer
6. Mr. Nandemu Barasa -	Media Relations Officer
7. Mr. Ibrahim Oduor -	Sergeant-at-Arms
8. Mr. Jeff M Mburu -	Attachee

IN ATTENDANCE

A. THE COUNTY ASSEMBLIES OF MANDERA

1. Hon. Omar Mohamed -	Speaker
2. Hon. Issac Dahir Abdi -	MCA/Vice-Chair, CASB
3. Mr. Ahmed Surow -	Clerk
4. Mr. Abdirizak Adan Maalim -	Fiscal Analyst

B. THE COUNTY ASSEMBLY OF TANA RIVER

1. Hon. Osman Galole -	Speaker
2. Hon. Mahamud A. Gabo -	Vice Chair, CASB

- | | | |
|-------------------------|---|-------------------|
| 3. Hon. Boru Masha | - | MCA/ Member, CASB |
| 4. Mr. Abdulahi Hussein | - | Clerk |
| 5. Mr. Nicholas Nyaga | - | Fiscal Analyst |

C. THE COUNTY ASSEMBLY OF WAJIR

- | | | |
|-------------------------|---|------------------------|
| 1. Mr. Abdille Yussuf | - | Speaker |
| 2. Hon. Ibrahim Hussein | - | MCA/Member, CASB |
| 3. Mr. Shalle Sheikh | - | Clerk |
| 4. CPA. Ibrahim Ahmed | - | CFO |
| 5. Mr. Hassan Aden | - | Senior Finance Officer |

D. THE COUNTY ASSEMBLY OF NAIROBI

- | | | |
|-----------------------|---|------------------------------|
| 1. Hon. Ken Ngondi | - | Speaker |
| 2. Mr. Edward Gichana | - | Clerk |
| 3. Mr. Paul Kimani | - | Director, Financial Services |
| 4. Mr. Namodi Stephen | - | Principal Finance Officer |

MIN/SEN/SCF&B/236/2023

PRELIMINARIES

The Chairperson called the meeting to order at 9:24 a.m. This was followed by a word of prayer and introductions.

MIN/SEN/SCF&B/237/2023

ADOPTION OF THE AGENDA

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

1. Prayer;
2. Introduction;
3. Adoption of the agenda;
4. Meeting with County Assemblies of Mandera, Tana River, Wajir, and Nairobi City and the Cabinet Secretary, National Treasury and Economic planning to deliberate on the County Allocation of Revenue Bill, 2023 (Senate Bill No.16 of 2023) (*Committee Paper No. 41*).
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/SCF&B/238/2023

MEETING WITH COUNTY ASSEMBLIES TO DELIBERATE ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023

1. Meeting with the County Assembly of Mandera

Upon invitation, the Clerk of the County Assembly presented the following requests on the recommended ceilings by CRA -

- a) Recurrent expenditure budget ceilings be adjusted upwards by a figure of Kshs.90,000,000 to be expended on items listed below-

- i. Security costs-Kshs.30 million

- ii. Furnishing of completed new chambers-Kshs.50,000,000.
- iii. Understatement of number Committee chairpersons by 3 and the vice chairpersons by 1.
- iv. Understatement of Staff- Speaker's staff have been omitted. Further, the assembly's approved staff establishment in the permanent and pensionable of 110 and not 97 as indicated in CRA's computations, out of which 103 vacancies have been filled.
- v. Medical insurance-an additional Kshs.30,000,000.
- vi. Mileage adjustments – Due to geographical location, O&M to be adjust to 35% of recommended amount.

The Committee observed that the aggregate of the items listed exceeded the amount requested and that some items had not been costed.

After deliberation, the Chairperson informed the team from the Mandera County Assembly that the Committee will analyse and consider the request on adjustment of ceiling and revert back.

2. Meeting with the County Assembly of Tana River County

Upon invitation, the Clerk of the County Assembly presented the following proposals on the recommended ceilings for the Tana River County Assembly-

- a) The recommended expenditure ceiling for the County Assembly is Kshs.571,922,609.
- b) The amount recommended is inadequate to finance the operations for the FY 2023/2024.
- c) The cumulative amount recommended for operations and maintenance and training is Kshs.160,730,740 and is inadequate to defray the operation and maintenance budget.
- d) The Assembly requested the Committee for an adjustment of Kshs.150,339,479 in order to discharge the core mandate of legislation, representation and oversight as enshrined in the Constitution. This will supplement the following budget items-
 - a) Public participation and oversight-Kshs.57,744,408
 - b) Training cost-Kshs.17,862,729
 - c) Conference cost- Kshs.24,576,000
 - d) Maintenance Expenses - Motor Vehicles-Kshs.9,412,104
 - e) Purchase of motor vehicles- Kshs.14,000,000
 - f) Motor Vehicle reimbursement-Kshs.57,512,000

The Committee noted that the aggregate amount to supplement budget items exceeded the amount requested for. Therefore, the Committee directed the County Assembly to revise their submission, provide justification for each additional amount and re-submit the information to the Committee on Tuesday, 17th May, 2023 by 5:00 p.m.

After deliberation, the Chairperson informed the team from the Tana River County Assembly that the Committee will analyse and consider the request

3. Meeting with the County Assembly of Wajir

Upon invitation, the Clerk of the County Assembly presented the following proposals on the recommended ceilings-

- a) The draft ceilings for the FY 2023/24 were not adequately tabulated.
- b) Some of the areas that require review are-
 - i. Committee sittings- CRA has indicated a total of 14 chairs leading to a deficit of 7 chairpersons. In addition, the Vice Chairpersons are 21 while CRA indicated as 16. Total deficit is Kshs.5,491,200.
 - ii. Mileage-The County Assembly pays a monthly mileage of Kshs.6,284,703 giving an annual amount of Kshs.75,416,436. CRA has indicated a monthly mileage of Kshs.3,985,335 leading to a deficit of Kshs.27,592,416.
 - iii. Insurance cost- The Assembly is expected to pay Kshs.53,130,999 for staff and MCAs in the FY 2023/24. CRA has allocated a budget of Kshs.24,469,609. Thus, a deficit of Kshs.27,634,390.
 - iv. Security- requested Kshs.23,280,000 since County assembly committees needs enhance security while on public participation since the county is prone to insecurity challenges.
 - v. Training and capacity building- Assembly has a deficit of Kshs.35,582,802.
 - vi. Oversight-There was no provision for oversight. The amount required is Kshs.91,444,000.
 - vii. Public participation- Request the amount be revised to Kshs.149,688,000. Total additional allocation required is Kshs.125,722,802.
 - viii. Staff salaries-The Assembly requests for one time send-off package of Kshs.44,508,800.
 - ix. Court ruling payment of Kshs.73,228,320 for staff who were degraded.
 - x. Furnishing of the new county assembly headquarters projected to cost Kshs.36 million.
 - xi. Acquisition of new vehicles- Assembly would require 62-sitter bus and two land cruisers projected to cost Kshs.34,500,000.
 - xii. Inflation-Assembly requires Kshs.5,600,000 to cover cost of inflation.
 - xiii. Litigation Cost-Allocation for litigation of Kshs.30 million.
- c) In total, the assembly requests for an additional amount of Kshs.561,084,730 on recurrent budget expenditure ceilings for the FY 2023/24.

After deliberation, the Chairperson informed the team from the Assembly that the Committee will analyse and consider the request on adjustment of ceiling.

4. Meeting with the County Assembly of Nairobi

Upon invitation, the Clerk of the County Assembly presented the specific requests on the recurrent expenditure ceilings for the FY 2023/2024 as listed below-

- a) Increase in litigation costs- Due to influx of litigations, the demand on litigations alone amounts to Kshs.400 million.

- b) Increase in the cost of Public Participation exercises- The Assembly will require an additional allocation of Kshs.40,000,000 for public participation.
- c) Increase in Insurance costs- Insurance costs have increased mainly driven by factors within the insurance industry. The Assembly will therefor require an additional allocation of Kshs.30,000,000 on insurance costs.
- d) Annual Salary increment for staff- additional Kshs.10 million is required to cater for the increase.
- e) Fringe Benefit Tax Pending Bill- County Assembly owed KRA Kshs.41.8 million arising from the Fringe benefit tax that had been pending since 2018 to 2022.
- f) Training and continuous Capacity Building for Members of the Third Assembly- to sufficiently facilitate the trainings of Hon. Members we require Kshs.70 million and Kshs.40 million for the secretariat.
- g) Acquisition of new equipment and furniture- The Assembly will need additional funding amounting to Kshs.273,000,000 in order to replenish equipment and furniture.
- h) In total, the Assembly requested for additional Kshs.900,000,000 to recurrent expenditure budget ceilings.

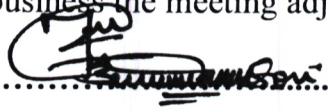
The Committee noted with concern the high litigation costs owed by the County Assembly of Nairobi City. The Committee advised the County Assembly to consider procurement of legal advisors or enter into agreements with law firms on the basis of negotiated and stable amounts of payment as a means to reduce costs associated with provision of legal services.

After deliberation, the Chairperson informed the team from the Nairobi City County Assembly that the Committee will analyse and consider the request on adjustment of ceiling.

MIN/SEN/SCF&B/239/2023

ADJOURNMENT

There being no other business the meeting adjourned at 10:50 a.m.

SIGNATURE..........DATE. 31.05.2023.....

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

(CHAIRPERSON)



**MINUTES OF THE FORTY-SECOND MEETING OF THE SENATE
STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON
TUESDAY, 16TH MAY 2023 AT THE GROUND FLOOR BOARDROOM,
COUNTY HALL, PARLIAMENT BUILDINGS FROM 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 Faki Mwinyihaji, MP | - | Member |
| 4. Sen. Richard Momoima Onyonka, MP | - | Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - | Member |
| 6. Sen. Eddy Gicheru Oketch, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|-------------------------------------|---|-------------------------|
| 1. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 2. Sen. Tabitha Karanja Keroche, 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. Ian Otieno | - | Audio Officer |
| 6. Mr. Ibrahim Oduor | - | Sergeant-at-Arms |
| 7. Mr. Jeff M Mburu | - | Attachee |

IN ATTENDANCE

A. THE COUNCIL OF GOVERNORS

- | | | |
|------------------------|---|-------------|
| 1. Ms. Mwiti Mary | - | CEO |
| 2. Mr. Stephen Momanyi | - | Secretariat |
| 3. Ms. Joyce Chepkoech | - | Secretariat |

B. THE COMMISSION ON REVENUE ALLOCATION

- | | | |
|--------------------------|---|------------------|
| 1. Mr. Koitamet Ole Kina | - | Vice-Chairperson |
| 2. CPA James Katule | - | CEO |

- | | | |
|--------------------------|---|------------------------|
| 3. Mr. Roble Nuno | - | Director |
| 4. Ms. Carolyn Kinyuluzi | - | Manager, Communication |
| 5. Ms. Sheila Chelimo | - | Intern, Legal |

C. THE COUNTY ASSEMBLIES FORUM

- | | | |
|---------------------------|---|-------------------------------------|
| 1. Hon. Teddy Musambire | - | Speaker, Kilifi County Assembly |
| 2. Hon. Josiah Thiriku | - | Speaker, Embu County Assembly |
| 3. Hon. Osman Noor Galole | - | Speaker, Tana River County Assembly |
| 4. Mr. Austine Munene | - | Legal Officer |

D. The Society of Clerks At the Table (SOCATT-Kenya)

- | | | |
|------------------------|---|--|
| 1. Ms. Regina Mutheu | - | Executive Director |
| 2. Mr. John Kamau Aidi | - | Chairperson/Clerk of Kirinyaga County Assembly |

MIN/SEN/SCF&B/230/2023 PRELIMINARIES

The Chairperson called the meeting to order at 9:28 a.m. This was followed by a word of prayer and introductions.

MIN/SEN/SCF&B/231/2023 ADOPTION OF THE AGENDA

The agenda was adopted after it was proposed by Sen. (Dr.) Boni Khalwale, CBS, MP, and seconded by Sen. Richard Momoima Onyonka, MP, as listed below-

1. Prayer;
2. Introduction;
3. Adoption of the Agenda;
4. Confirmation of Minutes of the 38th sittings;
5. Matters arising from minutes of the previous meeting;
6. Meeting with COG, CAF and CRA to deliberate on the County Allocation of Revenue Bill (Senate Bills No. 16 of 2013) (Committee Paper No.40).
7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MIN/SEN/SCF&B/232/2023 CONFIRMATION OF MINUTES

The Minutes of the Thirty-Eighth Sitting held on Thursday, 4th May, 2023 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. Richard Momoima Onyonka.

MIN/SEN/SCF&B/233/2023

**MEETING WITH STAKEHOLDERS TO
CONSIDER COUNTY ALLOCATION OF
REVENUE BILL, 2023 (SENATE BILLS NO.16
OF 2023)**

a) Meeting with Council of Governors

Upon invitation, the Chief Executive Officer of the Council of Governors presented to the Committee the following views on the County Allocation of Revenue Bill, 2023-

- a) The Second Schedule to be amended to adjust the Budget Ceilings for both the County Assemblies and County Executives. County Assemblies budget ceilings to include motor vehicle reimbursement for members as per the SRC circulars.
- b) The Budget ceilings in the Bill for County Executives significantly reduced as compared to allocations in the previous Financial Years.
- c) The Senate should ensure that the Kshs.424 million earmarked for library function in the 33 counties is captured in the legal framework for transfer of additional allocations to counties in the FY 2023/24.

b) Meeting with County Assemblies Forum and Society of Clerks-At-the Table

Upon invitation, the Chairperson of SOCCAT presented to the Committee the following proposals on the Bill-

- a) That the Senate adjusts the budget ceilings for the recurrent expenditure to allow county assemblies to deal with challenges such as staff pensions and gratuity, remittance for LAPFUND LAPTRUST, payment of pending bills, mileage allowance and inflationary adjustment to cushion county governments.
- b) Propose the increase of budget ceilings to accommodate MCAs non-partisan staff.
- c) Further, they had received requests on adjustment of recurrent expenditure budget ceilings for the County Assemblies of Tana River, Kilifi and Kajiado.
- d) Request that the Senate intervenes to have disbursement to Counties be quarterly and not monthly to mitigate accumulation of pending bills and ensure other statutory obligation are met on time.
- e) Guidance should be provided on the projected increments, mileage, and staff for nominated members and costs of inflation that are not provided for the FY 2023/24.
- f) Clause 6(2) be amended by deleting the requirement for threshold on the minimum of the resources to be transferred to commensurate functions and powers thereof.

The Committee observed that there is need to amend the PFM Act to ensure financial autonomy by county assemblies. Requisition for funds is done through the CEC Finance.

The Chairperson informed the team that the Committee has invited county assemblies which have submitted memorandum on the County Allocation of Revenue Bill, 2023 regarding the adjustment of recurrent expenditure budget ceilings to a meeting to deliberate on the issue.

c) Meeting with Commission on Revenue Allocation

Upon invitation, the Vice-Chairperson of the Commission presented the following proposals on the Bill to the Committee as summarized below-

- a) Clause 5- Budget Ceilings for Recurrent Expenditure- Provision that the ceilings for the FY 2023/24 include one-off payment for MCAs motor vehicle reimbursement.
- b) County assemblies that have already implemented for MCAs motor vehicle reimbursement in FY 2023/24 are not eligible for the one-off amount.
- c) Kshs.424.6 million was conditional grant to 33 county governments for transfer of library services.
- d) The adjustment for four county assemblies of Garissa, Kakamega, Laikipia and Turkana should be one-off.
- e) The basis for allocating Laikipia county assembly Kshs.378,000 annually for utilities should be clarified since utilities have been provided for under Operation and maintenance costs.

The Committee advised the Commission to base their determinations on scientific data and further consider the uniqueness of counties while coming up with budget ceilings. In addition, there is need to rationalize staffing in counties.

MIN/SEN/SCF&B/234/2023

ANY OTHER BUSINESS

- a) The Committee was apprised on the retreat scheduled between 18th to 21st May, 2023 to consider stakeholders' submission on County Allocation of Revenue Bill, 2023 in Machakos County.
- b) Further, the Committee was informed that the County Assemblies of Kilifi, Kajiado, Mombasa, Bomet, Kiambu, Nyamira, Isiolo and Makueni have been invited to a meeting on Thursday, 18th May, 2023, to deliberate on issues raised regarding recurrent expenditure budget ceilings for the FY 2023/24.
- c) The Committee resolved to invite technical officers from CRA to the retreat of the Committee to be held between 18th and 21st May, 2023 to deliberate on the issues raised by various county assemblies. Additionally, Commission on Revenue Allocation (CRA) should prepare and submit a report on responses to the issues raised by the above County Assemblies

MIN/SEN/SCF&B/235/2023

ADJOURNMENT

The meeting was adjourned at 11:58. a.m. Next meeting to be held on Wednesday, 17th May, 2023 at 9:00 a.m.

SIGNATURE..........DATE.....18/5/2023.....

Sen. (Capt.) Ali Ibrahim Roba, EGH, MP

(CHAIRPERSON)

30th May, 2023

The Clerk of the Senate,
Parliament Buildings,
NAIROBI.

**COMMITTEE STAGE AMENDMENTS TO THE COUNTY ALLOCATION OF
REVENUE BILL, SENATE BILLS NO. 16 OF 2023**

NOTICE is given that Sen. (Capt.) 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. 16 of 2023, at the Committee Stage-

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 Financial Year 2023/2024 (Figures in Kenya Shillings)					
No.	County	County Assembly Ceilings		County Executive Ceilings	
		2022/2023	2023/2024	2022/2023	2023/2024
1	Baringo	712,229,059	828,250,102	607,049,529	628,507,168
2	Bomet	621,143,848	826,903,256	588,023,141	525,981,274
3	Bungoma	873,284,854	1,030,966,304	664,128,690	593,145,551
4	Busia	765,019,229	890,557,352	626,075,916	565,353,297
5	Elgeyo/Marakwet	592,408,337	688,567,522	568,996,754	540,143,817
6	Embu	594,786,279	655,164,072	568,996,754	470,665,205
7	Garissa	815,801,264	928,822,377	607,049,529	517,163,240
8	Homa Bay	872,842,726	951,617,005	645,102,303	612,652,603
9	Isiolo	451,013,358	539,314,722	492,255,576	384,717,582
10	Kajiado	699,076,887	836,365,718	562,230,871	543,625,285
11	Kakamega	1,097,653,117	1,400,821,103	721,207,850	702,976,417
12	Kericho	708,995,621	828,466,755	607,049,529	574,171,331
13	Kiambu	1,114,698,533	1,352,347,776	721,207,850	689,615,145
14	Kilifi	779,167,171	942,241,093	626,075,916	552,882,777
15	Kirinyaga	582,922,761	673,319,674	556,100,619	463,453,685
16	Kisii	940,958,856	1,112,890,743	664,128,690	635,010,868
17	Kisumu	718,886,210	827,121,358	626,075,916	548,429,020
18	Kitui	862,047,458	1,042,409,957	645,102,303	787,239,883

County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2023/2024 (Figures in Kenya Shillings)					
No.	County	County Assembly Ceilings		County Executive Ceilings	
		2022/2023	2023/2024	2022/2023	2023/2024
19	Kwale	617,790,583	667,712,409	568,996,754	436,816,651
20	Laikipia	467,754,457	545,809,049	524,178,098	429,430,142
21	Lamu	419,261,939	493,148,394	492,255,576	349,978,277
22	Machakos	865,126,181	1,021,331,660	645,102,303	618,887,863
23	Makueni	729,754,316	882,052,960	607,049,529	597,330,868
24	Mandera	864,090,152	983,911,204	616,986,522	537,192,934
25	Marsabit	678,317,733	714,092,325	568,996,754	477,791,217
26	Meru	938,478,295	1,105,946,626	664,128,690	802,472,137
27	Migori	857,185,385	1,003,508,709	645,102,303	609,089,597
28	Mombasa	674,783,021	837,169,783	607,049,529	414,726,825
29	Murang'a	753,378,653	830,709,033	626,075,916	633,050,405
30	Nairobi City	1,446,962,393	1,924,120,608	816,339,786	640,180,465
31	Nakuru	1,006,312,104	1,160,413,432	702,181,463	703,777,688
32	Nandi	666,771,490	796,999,461	607,049,529	647,212,948
33	Narok	734,655,062	911,202,495	607,049,529	545,667,285
34	Nyamira	610,515,511	746,578,493	568,996,754	458,194,685
35	Nyandarua	651,697,338	770,438,804	588,023,141	533,107,285
36	Nyeri	692,693,761	776,126,610	607,049,529	605,347,631
37	Samburu	517,964,444	593,254,286	533,708,983	482,789,720
38	Siaya	683,152,880	775,678,151	607,049,529	540,322,777
39	Taita/Taveta	620,545,692	681,840,554	568,996,754	439,488,905
40	Tana River	582,990,790	677,653,973	537,074,233	436,641,663
41	Tharaka -Nithi	434,745,770	517,563,626	524,178,098	445,463,668
42	Trans Nzoia	643,357,859	685,259,476	588,023,141	427,107,865
43	Turkana	818,680,328	966,834,859	607,049,529	526,961,505
44	Uasin Gishu	703,027,730	796,524,510	607,049,529	474,407,171
45	Vihiga	637,128,800	714,071,318	588,023,141	487,678,963
46	Wajir	853,371,986	992,922,326	597,112,535	599,569,960
47	West Pokot	603,044,748	683,634,469	568,996,754	589,135,145
	Total	34,576,474,969	40,612,656,492	28,486,731,667	25,825,556,396

Dated 30th May, 2023.



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

REPUBLIC OF KENYA



THIRTEENTH PARLIAMENT THE SENATE

The County Allocation of Revenue Bill, 2023
(Senate Bills No. 16 of 2023)

RECEIPT OF MEMORANDA

The County Allocation of Revenue Bill, 2023, (Senate Bills No. 16 of 2023), was read a First Time in the Senate on Tuesday, 2nd May, 2023 and thereafter stood committed to the Senate Standing Committee on Finance and Budget.

Pursuant to the provisions of Article 118 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 Bill.

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, 12th May, 2023.

The Bill 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.



Society of Clerks-At-The-Table in Kenyan Legislatures

1st Floor, Room 104, Transnational Plaza, Mama Ngina Street, P.O. Box 12654-00100, Nairobi, Kenya
Telephone : 0726428903 Email: info@socattkenya.org website: www.socattkenya.org

REF: SOCATT/SENATE/VOL 1(47)

Mr. Jeremiah Nyegenye, CBS
The Clerk of the Senate, and
Secretary to the Parliamentary Service Commission,
Parliament Buildings
Nairobi.



RE: SUBMISSION OF MEMORANDUM ON THE COUNTY ALLOCATION REVENUE BILL (SENATE BILLS NO. 16 OF 2023)

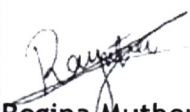
The Society of Clerks at the Table in Kenyan County Legislatures - SOCATT (K) is a membership organization of all the County Assembly Services (CAS) across the 47 County Assemblies in Kenya. Our objective is to facilitate the harmonization of procedure and practice while creating platforms that enhance experience sharing, collaboration and networking for the County Assembly Service.

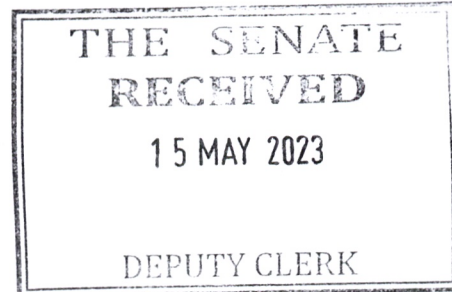
SOCATT (K) appreciates the past successful engagements with the Senate, and specifically its Standing Committee of Finance and Budget which is mandated to investigate, inquire into and report on all matters relating to coordination, control and monitoring of the county budgets and to consider all matter relating to resolution and bills of appropriations, share of national revenue to counties.

We make reference to your call for views on the County Allocation on Revenue Bill (Senate Bill No.16 of 2023). We have considered the Bill and consulted with our membership. Enclosed herewith, is our Memorandum containing an analysis of some of the issues for the consideration and action of the Senate Standing Committee on Finance and Budget.

The SOCATT(K) leadership shall be available for further discussion with the Committee on this Bill.

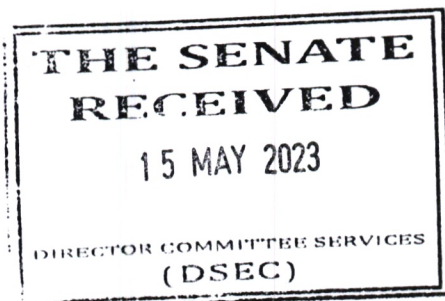
Yours Sincerely,


Regina Mutheu,
EXECUTIVE DIRECTOR.



cc: All Clerks of the 47 County Assemblies

32 Mr. Gwanga
Kindly deal.
Robert
16/05/2023



① DSEC
DHS

kindly deal

② DDSEC
Kindly deal
16/05/2023

Eg 15/05/23

MEMORANDUM ON THE COUNTY ALLOCATION REVENUE BILL (SENATE BILLS NO. 16 OF 2023)

Introduction

The Society of Clerks at the Table in Kenyan County Legislatures - SOCATT (K) is a membership organization of all the County Assembly Services (CAS) across the 47 County Assemblies in Kenya. Our objective is to facilitate the harmonization of procedures and practices while creating platforms that enhance experience sharing, collaboration and networking for the County Assembly Service.

As part of our Strategic Approaches, SOCATT(K) frequently engages the National Parliament and such key institutions responsible for making decisions that impact the functions and management of County Assemblies. We note that the Senate, through the Senate is considering the County Allocation Revenue Bill (Senate Bills No. 16 of 2023) which shall prescribe the budget ceilings for County Assemblies' during the Financial Year 2023/24.

In this regard we have considered the Bill and the invitation by the Senate Standing Committee on Finance and Budget to submit memoranda, and therefore submit the following submission for your consideration;

Operations and Maintenance costs

Inflation

Currently at 6.5 % annually, thus need for revenue allocation to anticipate effects of the inflation and cushion the County Governments from the same.

Medical Insurance

Annual growth on the cost as well as the work injury benefits not provided for in the ceilings.

Public Participation

Provide for as an independent budget line for it as County Assemblies currently incur 15% of the budget on Public Participation.

Oversight

Oversight has been a huge challenge to county Assemblies largely due to limited funds that hinder sectoral committees from visiting various projects being implemented by the executive. We therefore propose an allocation increment of 5% of the budget towards an oversight fund.

**Annual Increment of Staff Salaries**

The proposed recurrent budget ceilings have not adequately considered the annual increment of the emoluments for County Assembly service.

County Specific needs**a) Tana River County Assembly**

The bill proposed a reduction in the Tana River County Assembly expenditure ceiling from Kes.582,990,790.00 in the Fy 2022-2023 to Kes.571,992,609.00. This reduction of kes 10,998,181.00 from Tana River County Assembly is the only one proposed in the Bill without any Justification. We request the committee to consider reviewing this allocation and consider allocating the additional KSh.92,827,479.00 in the FY 2023-2024 expenditure ceiling to address the matter of car reimbursement to members to the tune of KSh57,512,000 and car maintenance allowance of KSh9,412,104 . Further the assembly seeks an addition of KSh 10,000,000 to cater for training and a further 14,905,194 for personal emoluments.

b) Kilifi County Assembly

Kilifi County Assembly is proposing an increment to their ceilings to the tune of KSh.97,814,977 which is broken down as follows: personal emoluments, medical covers and WIBA, training of members and staff as well as house committee operations totaling to KSh.56,259,977 with a further addition of KSh.41,555,000 to cater for the Operation and maintenance.

c) Kajiado County Assembly

Kajiado County Assembly is proposing an increment to their ceilings with the tune of Ksh **60,361,507** which has been necessitated by the following factors: Mileage allowance was computed at a figure of Ksh Kshs. **3,184,242** in place of Kshs. **4,281,980** which translates to Kshs. **51,383,760** . Further there was an under provision of public participation considering the vastness of the County. In addition Operations and Maintenance the Speaker's Residence maintenance and service and the Speaker's partisan staff has not been factored in the current proposed allocations and a further under provision of the insurance cost including Medical cover, building and plant, Group Personal Life, Group Personal Accident, Ex gratia and motor vehicle insurance with the above cumulating to Ksh 8,977,747.

Conclusion

We request that the Senate intervenes to have disbursement to Counties be effected in a timely manner to mitigate the effect of pending bills and ensure that all the statutory obligations are met on time.

NB: Enclosed herewith is data from the above mentioned Assemblies for your reference and consideration.

COUNTY ASSEMBLY OF KILIFI BUDGET CEILING COMPONENTS		
VOTE ACCOUNT	BUDGET FY 2022/2023	BUDGET FY 2023/2024
PERSONEL EMOLUMENTS	486,456,599	493,998,176
MEDICAL INSURANCE	33,000,000	37,000,000
INSURANCE WIBA/GPA	10,000,000	16,000,000
GENERAL PERSONAL INSURANCE	5,000,000	6,000,000
TRAINING	17,000,000	25,000,000
PUBLIC PARTICIPATION	21,044,000	26,250,000
HOUSE COMMITTEES OPERATIONS EXPENSES	115,000,000	139,512,400
	687,500,599	743,760,576
OTHER OPERATION AND MAINTENANCE EXPENSES		
UTILITIES	4,000,000	4,500,000
DOMESTIC TRAVEL	20,000,000	24,000,000
HOSPITALITY SUPPLIES	25,345,000	30,600,000
OFFICE AND GENERAL SUPPLIES	7,000,000	8,800,000
FUEL AND LUBRICANTS	6,000,000	9,500,000
ROUTINE MAINTENANCE VEHICLES AND ASSETS	4,500,000	5,000,000
PURCHASE OF OFFICE FURNITURE(Ward offices and Assembly HQ)	5,000,000	30,000,000
OTHER OPERATING EXPENSES - SECURITY	7,000,000	8,000,000
LEGAL FEES	12,000,000	12,000,000
SUB-TOTAL	90,845,000	132,400,000
TOTAL	778,345,599	876,160,576



REF: CAF-SOCATT/SENATE/VOL 1(01)

May 15th, 2023

To: The Chairperson,
Senate Committee on Finance and Budget,
Parliament Buildings
NAIROBI.

Through: Mr. Jeremiah Nyegenye, CBS
The Clerk of the Senate, and
Secretary to the Parliamentary Service Commission.

RE: **SUBMISSION OF MEMORANDUM ON THE COUNTY ALLOCATION REVENUE
BILL (SENATE BILLS NO. 16 OF 2023)**

The County Assemblies Forum (CAF) is the coordinating body of the 47 County Assemblies of the Republic of Kenya that brings together the Speakers and Members of the Assemblies. It seeks to institutionalize law-making and oversight capacity for the County Assemblies in Kenya and form linkages with other arms of government.

The Society of Clerks at the Table in Kenyan County Legislatures - SOCATT (K) is a membership organization of all the County Assembly Services (CAS) across the 47 County Assemblies in Kenya. Our objective is to facilitate the harmonization of procedure and practice while creating platforms that enhance experience sharing, collaboration and networking for the County Assembly Service.

County Assemblies appreciate the past successful engagements with the Senate, and specifically its Standing Committee of Finance and Budget which is mandated to investigate, inquire into and report on all matters relating to coordination, control and monitoring of the county budgets and to consider all matter relating to resolution and bills of appropriations, share of national revenue to counties.

We make reference to your letter to our two institutions referenced SEN/DSEC/F&B/CORR/2023/66(b) and dated May 3rd 2023, calling for our views on the County Allocation on Revenue Bill (Senate Bill No.16 of 2023). We have considered the Bill and consulted with our membership. Enclosed herewith, is our Memorandum containing an analysis of some of the issues for the consideration and action of the Senate Standing Committee on Finance and Budget inclusive of data from the Assemblies mentioned therein.

Yours Sincerely,

Hon. Philemon Sabulei, MBS
CHAIRPERSON, CAF.

John Kamau,
CHAIRPERSON, SOCATT(K).

cc: All Speakers of the 47 County Assemblies
All Clerks of the 47 County Assemblies



Introduction

The County Assemblies Forum (CAF) is the coordinating body of the 47 County Assemblies of the Republic of Kenya that brings together the Speakers and Members of the Assemblies. It seeks to institutionalize law-making and oversight capacity for the County Assemblies in Kenya and form linkages with other arms of government.

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Background

The principal object of this Bill is to provide for the equitable allocation of revenue raised nationally among the county governments for the 2022/2023 financial year; the responsibilities of national and county governments under such allocation.

General Comments

In line with Article 10 of the Constitution (Public Participation), We appreciate the opportunity to contribute to this Bill and looks forward to the impact of the Bill on the service delivery of both national and County Governments. CAF proposals are as follows:

- a). The County Allocation of Revenue Bill, 2023 proposes to allocate to County Governments KSH.. 385.4 billion in the financial year 2023/24 as the total equitable share from the 370 billion offered in FY22/23. County Assemblies Forum appreciates the increase of the total equitable share as it will allow the County Governments to bear the heavy burden in the providing the very critical and essential services at the lowest levels of government due to hard economic times.
- b). Further, the Forum appreciates the Senate and CRA for the increase of the total budget ceilings of the 47 County Assemblies from a total of KSH. of 34, 576, 474, 969 to a total KSH. 39, 597, 635, 636. The increase of 5 billion mostly cover the Motor Vehicle reimbursement benefit to the Members of County Assemblies and County Assemblies will still be facing myriad of challenges due to the low County Assembly budget ceilings.
- c). Kindly provide Guidance on the projected increments, mileage, and staff for nominated members and the costs of inflation that are not provided for in the financial year 2023/2024.
- d). We therefore, as the legislative family of the County Governments, do petition parliament to consider that county government's need every shilling recommended to them by the CRA and further considering their critical role in ensuring problematic areas at the grassroots are addressed. Any adverse move on the proposed reallocation to the county governments will also impact very negatively to on-going programmes.

In this regard we recommend the following proposals: -



Memorandum on the County Allocation Revenue Bill
(Senate Bills No. 16 off 2023)



1. That the Senate adjusts the budget ceilings for the recurrent expenditure to allow County Assemblies deal with the following challenges: -
 - i). Bills as a result of staff pensions and gratuity inherited from the first and second assemblies and fringe tax benefits due to car loans and mortgages in the Assemblies.
 - ii). Some assemblies have faced in past challenges of non-disbursement of all budgetary allocation there by forcing assemblies not to remit all pay roll recoveries there by creating pending bills for LAPFUND, LAPTRUST and car and mortgage fund. The slow or delayed exchequer releases that have contributed to loss of unspent resources at the end of every financial year.
 - iii). Exchequer issues that have adopted model of releasing fund to assemblies by dividing the assemblies' budget by twelve months other than following the envisaged cash plan in the PFM ACT, makes payment of pending bills from one financial year to the other puts pressure on the inheriting FY budget which leads to continued non-payment of pending bills.
 - iv). On mileage allowance the court ruling in Nakuru High Court Petition No. 1 of 2019 in response to the MCAs prayers for equity and fairness with regards to mileage allowance to members of the County Assembly; directed that all MCAs whether nominated or otherwise are entitled to mileage. This was followed by an advisory/circular from the Salaries and Remuneration Commission (SRC) No. SRC/TS/CGOVT/3/61 on the same. Some Assemblies have not been able to honour due to lack of resources in the recurrent ceilings.
 - v). That the Senate considers a 6.5% inflationary adjustment to cushion the County governments on its negative effects. Further we request the Senate to consider providing an independent budget line for public participation and oversight, with our proposal being 15% of the county Assembly budget.
2. We propose the increase of budget ceilings to accommodate MCAs non-partisan staff. In line with its mandate, CRA issued a circular No. CRA/CSO/CMG/9/VOL. V (43) that provided guidance on the ward operation costs. The CASB deliberated on the circular and the consequent guidance in Circular No. CRA/CSO/CMG/9/VOL V/59 from the CRA on the provision on remuneration for the partisan. It is noted that many Assemblies had the remuneration of the partisan at an amount lower than the proposals from CRA hence the need for additional resources to implement the circular within the recurrent budgets.
3. On staff establishment, Assemblies have been grouped according to sizes and staff capping determined by CRA according to the Circular No. CRA/FA/01/VOL 11 (22). The Senate Finance and Budget Committee in its recommendations on how to curb the personnel costs at 30% gave a directive in 2018 that County Assemblies rationalize their personnel within a period of three years that lapses in June 2021. Several Assemblies have over the years employed different strategies to this end including the freezing of hiring among others. The challenge of the how is still a white elephant for some Assemblies noting the political nature of these institutions. On the flip side, some Assemblies have challenges in service delivery due to the staff needs occasioned by adherence to the CRA staff capping. There is need to review the County Assembly budget ceilings upward to allow County Assemblies meet their human resource needs.



Memorandum on the County Allocation Revenue Bill
(Senate Bills No. 16 off 2023)



4. We further propose that the Senate Increases ceilings for each Assembly that has pending bills as a result of the delayed disbursement of funds factors in an amount equivalent to that which was not disbursed in the last financial year.

5. Attention should be given to the Tana River and Kilifi County Assembly who have requested the Forum to lobby for an increase of budget ceilings for the FY 23/24 reasons thereof explained below and further supporting documents annexed with this memorandum.

a). Tana River County Assembly

The bill proposed a reduction in the Tana River County Assembly expenditure ceiling from KSh.582,990,790.00 in the FY 2022-2023 to KSh.571,992,609.00. This reduction of KSh. 10,998,181.00 from Tana River County Assembly is the only one proposed in the Bill without any Justification. We request the committee to consider reviewing this allocation and consider allocating the additional KSh.92,827,479.00 in the FY 2023-2024 expenditure ceiling to address the matter of car reimbursement to members to the tune of KSh.57,512,000 and car maintenance allowance of KSh. 9,412,104. Further the assembly seeks an addition of KSh.10,000,000 to cater for training and a further 14, 905 194 for personal emoluments.

b). Kilifi County Assembly

Kilifi County Assembly is proposing an increment to their ceilings to the tune of KSh.97,814,977 which is broken down as follows: personal emoluments, medical cover and WiBA, training of members and staff as well as house committee operations totalling to KSh.56,259,977 with a further addition of KSh.41,555,000 to cater for the Operation and maintenance.

c). Kajiado County Assembly

Kajiado County Assembly is proposing an increment to their ceilings with the tune of KSh 60,361,507 which has been necessitated by the following factors: Mileage allowance was computed at a figure of KSh.3,184,242 in place of KSh.4,281,980 which translates to KShs.51,383,760. Further there was an under provision of public participation considering the vastness of the County. In addition Operations and Maintenance the Speaker's Residence maintenance and service and the Speaker's partisan staff has not been factored in the current proposed allocations and a further under provision of the insurance cost including Medical cover, building and plant, Group Personal Life, Group Personal Accident, Ex gratia and motor vehicle insurance with the above cumulating to KSh.8,977,747.

6. We propose that, the Senate, within its mandate also engages in a follow up of the disbursement of the allocations to the County Assemblies to just give an added push to the office of controller of Budget and the CRF towards prudent financial management practices.

7. Further, we request that the Senate intervenes to have disbursement to Counties be affected quarterly and not monthly to mitigate the effect of pending bills and ensure that all the statutory obligations are met on time.



CLAUSES	PROPOSED AMENDMENT	CAF COMMENTS	RECOMMENDATION
Clause 6 (2)	Clause 6(2) provides that: - <i>"The respective county assembly shall appropriate such monies as may be required for the transferred functions in accordance with the determination made under subsection (1) and the allocation shall not be less than the amount appropriated by the County Assembly in the preceding financial year;"</i>	The Constitution of Kenya, 2010 under Article 187 provides for the transfer of functions and powers between the levels of government. Subsection (1)(e) of the Article further stipulates that a function or power can only be transferred to either level if it would be more effectively performed or exercised by the receiving government. In light of this, we note that this provision if left uncorrected may have the spiral effect of making County budgets, in cases where some functions have been transferred, rigid, and therefore non-responsive to changes in revenue performance. The import of budgeting is to ensure that expenditure priorities are determined based on the prevailing scenarios at any given time without unnecessary earmarking of resources. It is proposed that the Senate considers deleting the requirement for the threshold on the minimum of the resources to be transferred to commensurate the functions and powers thereof.	We recommend that the Senate considers deleting the requirement for threshold on the minimum of the resources to be transferred to commensurate the functions and powers thereof.
OTHER PROPOSALS / CONCERNS NOT INCLUDED IN THE BILL			
County Assembly for ceilings FY22/23 to FY23/24:	Consideration on the projected increments, mileage and staff for nominated members and the cost inflation	-Mileage for Nominated MCAs: The Salaries and Remuneration Commission (SRC) circular provided for payment of mileage to nominated members at AA rates. It further advised for payments to three staff members	Kindly provide Guidance on the projected increments, mileage, and staff for nominated members and the costs of inflation that are not provided for in the financial year 2023/2024.



Memorandum on the County Allocation Revenue Bill
(Senate Bills No. 16 of 2023)



SOCATT(K)

		attached to each nominated MCAs. These resources had not been factored in the previous budget ceilings. With the budget ceilings remaining as they were in the previous year, county assemblies are concerned about how this payment will be affected	
		--Inflation: inflation in Kenya is currently at 5.48% annually, there is, therefore, a need for revenue allocation to anticipate the effects of inflation as well as caution county governments from the same.	

REPUBLIC OF KENYA



COUNTY ASSEMBLIES' FORUM (CAF)



SOCATT(K)



COMMENTARY ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023

In accordance with the requirements of Article 205 of the Constitution, the Commission has reviewed the County Allocation of Revenue Bill, 2023 and makes the following observations-

1. Clause 5-Budget Ceilings for Recurrent Expenditure

- i. It should be clearly indicated under this provision that the ceilings for FY 2023/24 include one-off payment for MCAs Motor Vehicle Reimbursement. The rationale for this is so as to cushion against misunderstanding between the assemblies and executives on the resources.
- ii. Secondly, this provision should reflect that those county assemblies that have already implemented the MCAs Motor Vehicle Reimbursement in FY 2022/23 are not eligible for the one- off amount. The justification for this proposal is to cushion against double provision where the funds could be misapplied.

2. First Schedule-Allocation of Each County Governments' Equitable Share of Revenue Raised Nationally

The total equitable share indicated as **Kshs. 385,424,616,067** under this Schedule should be rectified to read **Kshs. 385,000,000,000/-**

. This is informed by the fact that **Kshs. 424,616,067/-** was a conditional grant to 33 county governments for the library function.

3. Second Schedule-County Government Budget Ceilings on Recurrent Expenditure

- i. The adjustments for the four county assemblies i.e. Garissa, Kakamega, Laikipia and Turkana are one-off which should be expressly indicated. This is to prevent a scenario where the assemblies may use it as a basis for requesting the same in subsequent ceilings.
- ii. The basis for allocating Laikipia county assembly Kshs. 378,000 annually for utilities should be clarified since utilities have already been provided for under O&M. If not clarified, other assemblies may follow the same route and this may distort CRA's ceiling recommendation model going forward.



COUNCIL OF GOVERNORS

LEGISLATIVE MEMORANDUM ON THE COUNTY ALLOCATION OF REVENUE BILL, (SENATE BILLS NO. 16 OF 2023)

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, 2023, the Council of Governors on behalf of the 47 County Governments submits the proposals highlighted herein below for consideration:

A. GENERAL COMMENTS

1. **On Equitable share allocation:** The Council notes that the Bill proposes to allocate and transfer to County Governments **Ksh.385,424,616,067** for the financial year 2023/24 as equitable share of revenue raised nationally and in accordance with the third basis of the revenue allocation criteria approved by Parliament. This is an increase of a paltry **Ksh. 15.425 billion**, that is meant to facilitate County Governments enhance service delivery in performance of their assigned functions under the Fourth Schedule of the Constitution. However, we reiterate our position that County Governments will face major challenges in the performance of these functions and delivery of services to citizens in FY 2023/24 given this allocation.
2. **On transfer of resources for the Library Function:** As you are aware, the fiscal framework underpinning the sharing of revenue as set out in the 2023 BPS, provided for the transfer of approximately **Ksh.425 million** to **33 Counties**, being the attendant pay roll for Libraries function which we note has not yet been transferred to the County Governments.



COUNCIL OF GOVERNORS

The 2023 BPS further provided that for the first three FYs, this amount would be disbursed to the 33 County Governments starting from FY 2023/24 in a phased approach after the three FYs, the 33 County Governments will then be required to integrate the salaries of these staff into their pay roll, after which the entire Ksh 425 million will be available for sharing as equitable share among the 47 County Governments.

The Council observes that even though library is a devolved function, the allocation is conditional in nature as it is specifically to cater for the payroll of the staff of the libraries as opposed to the total cost of performing the function.

Our Asks

- I. The Senate to cause availing of the resources meant for the library function to the 33 Counties besides the (Ksh.385,424,616,067) equitable share of revenue in FY 2023/24.
 - II. The Senate to ensure that the **Ksh.424,616,067** earmarked for the library function in the 33 Counties is captured under the legal framework for transfer of additional allocations to Counties in the FY 2023/24. This is in full realization that the said allocation does not form part of equitable share of revenue as it is conditional in nature.
3. **On County Government Budget Ceilings on Recurrent Expenditure in FY 2023/2024:** We note that the whereas the Budget Ceilings for the County Assemblies have increased those of the County Executives have been **significantly reduced** for FY 2023/24. The budget ceilings provided under the Second Schedule of the Bill for County Executives for FY 2023/24 are much lower than what was approved in the last three FYs. That is; **Ksh.28,486,731,667** for FY 2022/23 and **Ksh.26,708,080,067** for both FY 2021/22 and FY 2020/21. This is so despite a slight increase in the Counties' equitable share of revenue allocation. We therefore urge the Senate to consider reviewing the ceilings for the County Executives **and in any case not lower than the allocation of FY 2022/23** to allow the County Executives to clear pending bills, support their operations for the FY among other expenditure priorities.

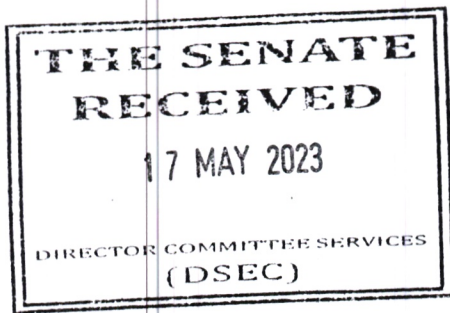


COUNCIL OF GOVERNORS

B. SPECIFIC CONCERNS

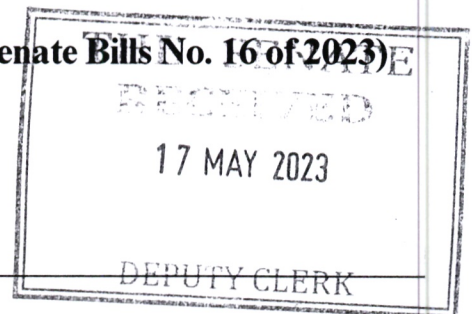
The Council proposes the following specific amendment to the County Allocation of Revenue Bill, 2023:

Section	Provision	CoG's Proposal	Rationale/Justification
THE SECOND SCHEDULE County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2023/2024	The Second Schedule has set the County Assembly Budget Ceilings on Recurrent Expenditure for FY 2023/24 at Ksh.39,597,635,636 and the County Executive Ceilings at Ksh.25,825,556,396	The Second Schedule to be amended to adjust the Budget Ceilings for both the County Assemblies and the County Executives.	For the County Assembly Ceilings, there is need to ensure that the Budget Ceilings include the motor vehicle reimbursement for Members of County Assemblies for the Counties that are yet to process the same. This is to ensure uniformity in the implementation of the Circulars by the Salaries and Remuneration Commission and specifically Gazette Notice No.8795 dated 27th July 2022. For the County Executive Ceilings there is need to review upwards to ensure that the resources are available to clear the outstanding pending bills and also cater for other operations for the FY 2023/24.



REPUBLIC OF KENYA
THE NATIONAL TREASURY & ECONOMIC PLANNING

The Proposed County Allocation Bill, 2023 (Senate Bills No. 16 of 2023)



**Brief by the Cabinet Secretary, National Treasury and Economic Planning
During a Meeting with the Senate Standing Committee on Finance and Budget**

Date of the meeting: May 17th, 2023

③ Mr. Gitonga
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18/05/23

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17/05/2023

7. The Bill proposed to allocate and transfer to County Governments Ksh. 385.425 billion for the financial year 2023/24 as equitable share of revenue raised nationally. The equitable share allocation has been proposed to increase from a base of Kshs. 370 billion allocated in the financial year 2022/23, to an allocation of Ksh. 385.425 billion in FY 2023/24.

8. The county governments' equitable share of revenue amounting to Ksh. 385 billion was allocated among the county governments in accordance with the third basis of the revenue allocation criteria approved by Parliament pursuant to Article 217 of the Constitution.

9. The Equitable share amounting to Ksh. 425 million for pay roll relating to the library services transferred from the Kenya National Library Services, was allocated based on the actual payroll amount for the respective county governments to which library services staff were transferred.

SENATE PUBLISHED COUNTY ALLOCATION OF REVENUE BILL, 2023 (SENATE BILLS NO. 16 OF 2023)

10. The published County Allocation of Revenue Bill, 2023 (Senate Bills No. 16 of 2023) proposes to allocate and transfer to County Governments Ksh. 385.425 billion for the financial year 2023/24 as equitable share of revenue raised nationally. The equitable share allocation has been proposed to increase from a base of Kshs. 370 billion allocated in the financial year 2022/23, to an allocation of Ksh. 385.425 billion in FY 2023/24.

11. The county governments' equitable share of revenue amounting to Ksh. 385.425 billion was allocated among the county governments in accordance with the third basis of the revenue allocation criteria approved by Parliament pursuant to Article 217 of the Constitution.

DIFFERENCES BETWEEN THE BILL SUBMITTED BY THE NATIONAL TREASURY AND THE PUBLISHED COUNTY ALLOCATION OF REVENUE BILL, 2023 (SENATE BILLS NO. 16 OF 2023)

12. Whereas there are no differences on proposed total allocation and transfer to County Governments of **Ksh. 385.425 billion** for the financial year 2023/24 as equitable share of revenue raised nationally, there are differences on the **Basis for allocating Ksh. 385 billion** as follows: -

(a) **Basis applied in the Bill published by Senate:** - The Published County Allocation of Revenue Bill, 2023 (Bill No. 16 of 2023) has proposed that the total equitable share of **Ksh. 385.425 billion** for FY 2023/24 be allocated among the county governments in accordance with the third basis of the revenue allocation criteria approved by Parliament pursuant to Article 217 of the Constitution;

(b) **Basis applied by the National Treasury;** - The County Allocation Bill, 2023 submitted to Parliament by the National Treasury had proposed: -

i. to allocate county governments' equitable share of revenue amounting to **Ksh. 385 billion** among the county governments in accordance with the third

basis of the revenue allocation criteria approved by Parliament pursuant to Article 217 of the Constitution; and

- ii. to allocate **Ksh. 425 million** which was obtained from the Kenya National Libraries Services as a transfer to the 33 county governments that currently have libraries, based on the actual payroll amount for the respective county governments to which library services staff were transferred to, and not ***based on the Third Basis Formula.***

(c) **Object and purpose of the Bill:** - Whereas the National Treasury had proposed that, ***“...to provide for the allocation of equitable share related to attendant resources for the pay roll of transfer of library services from the Kenya National Library Services”*** be one of the objects and purpose in Section 3 (b) of the County Allocation Bill, 2023 it submitted to Parliament, the Bill published by the Senate has omitted that objective.

Rationale by the National Treasury to allocate Ksh. 425 million based on the actual payroll amount for the respective county governments to which library services staff were transferred: -

13. Library being a devolved function as provided for under the Fourth Schedule of the Constitution, was unbundled and attendant resources amounting to Ksh. 425 million identified and proposed to be fully transferred to county governments as part of the equitable share in FY 2023/24.

14. For the first three FYs, the National Treasury proposed that these resources should not be shared using the formulae and, therefore, ***counties should be held harmless.***

15. This amount would be included in the Equitable share allocation for the 33 county governments in a phased approach starting from FY 2023/24 at 100%, 75% for FY 2024/25 (balance of 25% to be shared as equitable) and 25% for FY 2025/26 (balance of 75% to be shared as equitable)).

16. From the fourth FY, that is FY 2026/27, the 33-county government's will be required to integrate the salaries of these staff into their pay roll, after which the entire Ksh 425 million will be available for sharing as equitable share among the 47 county governments, in line with the principle of transferring resources to devolved functions.

CONCLUSION

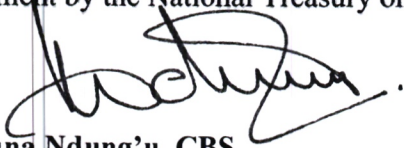
17. The National Treasury appreciate the Senate for concurring with the National Treasury to allocate to county governments total equitable share of Ksh. 385.425 billion for FY 2023/24.

18. Request that, and in order to hold counties harmless, attendant resources for transferred Library Services amounting to Ksh. 425 million be included in the Equitable share allocation

for the 33 county governments in a phased approach starting from FY 2023/24 at 100%, 75% for FY 2024/25 (balance of 25% to be shared as equitable) and 25% for FY 2025/26 (balance of 75% to be shared as equitable)).

19. Consider and amend Clause 3 of the Published County Allocation of Revenue Bill, 2023 (Senate Bills No. 16 of 2023) to include a third objective of the Bill to read as “***provide for the allocation of equitable share related to attendant resources for the pay roll of transfer of library services from the Kenya National Library Services***”, immediately after Clause 3 (a).

20. Consider and approve the County Allocation Bill, 2023 as proposed and submitted to Parliament by the National Treasury on 14th February, 2023.



Njuguna Ndung'u, CBS
Cabinet Secretary/National Treasury and Economic Planning

Dated: May 12th, 2023



REPUBLIC OF KENYA
COUNTY GOVERNMENT OF NYAMIRA
THE COUNTY ASSEMBLY

P.O BOX 590 - 40500, NYAMIRA
Our Ref: CAN/REQ/MAY17/2023

TEL: 0714077302
E-Mail: info@nyamiraassembly.go.ke

OFFICE OF THE CLERK

Date: 17/05/2023

**TO: THE CHAIRPERSON
SENATE STANDING COMMITTEE ON FINANCE & BUDGET**

THRO' THE CLERK OF THE SENATE

Dear Sir,

RE: A MEMORANDUM ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023

Reference is made to our letter Ref No: CAN/REQ/MAY10/2023 dated 10th May 2023 and your letter Ref. No: SEN/DSEC/F&B/CORR/2023/48(n) dated 16th May 2023 on Review of Recurrent Expenditure Budget Ceiling for the FY: 2023/24.

In the FY2023/2024, the County Assembly of Nyamira requests for additional funding for the purchase of furniture & equipping of the Assembly Ward Offices whose total cost has been approximated to Ksh. 50,700,000 & other additional cost of Ksh. 23,843,880 respectively. The County Assembly is also cognizant of the proposed Finance Bill, 2023 before the National Assembly. The Bill has a proposed housing levy as an obligation of both the employers and the employees. Should this proposal be approved, there will be a resultant effect on the County Assembly's budget.

It's in this view therefore, the County Assembly requests for an additional allocation of its recurrent ceiling from the proposed Ksh. 703,010,773 to Ksh. 773,140,783 to accommodate the above-mentioned new priority shifts and interventions.

This request is similar to that of Garissa, Kakamega, Laikipia and Turkana County Assemblies as granted on Pages 369 and 370 of the County Allocation of Revenue Bill, 2023.

Attached herein please find the proposal for the said funding, completion certificates & pictorials on the completed works for your review and consideration.

The County Assembly appreciates your continued cooperation and support as we discharge our respective mandates.

Yours


Daniel Orina
CLERK

17 MAY 2023

COUNTY ASSEMBLY OF NYAMIRA.

WARD OFFICES FURNITURE AND FITTINGS

S/N	ITEM	NO	ESTIMATED COST	AMOUNT
1. ESISE WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
S/N	ITEM	NO	ESTIMATED COST	AMOUNT
2. NYANSIONGO WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
3. MEKENENE WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000

11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
4. KIABONYORU WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
5. EKERENYO WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
6. BOKEIRA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000

[Signature]

17 MAY 2023

12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
7. MAGWAGWA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
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9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
8. BOMWAGAMO WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
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9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
9. NYAMAIYA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
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9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000

13	Insurance	1	500,000	500,000
TOTAL				2,535,000
10. TOWNSHIP WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
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10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
11. BONYAMATUTA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
12. BOGICHORA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000

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17 MAY 2023

TOTAL				2,535,000
13. BOSAMARO WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
14. MANGA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
15. KEMERA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000

16. GACHUBA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
17. RIGOMA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
18. GESIMA WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
19. ITIBO WARD OFFICE				

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17 MAY 2023

1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
20. MAGOMBO WARD OFFICE				
1	Purchase of Conference tables	1	80,000	80,000
2	Purchase of Conference Chairs	20	30,000	600,000
3	Purchase of File Cabinets	1	150,000	150,000
4	Purchase of Executive Tables with side return table	1	70,000	70,000
5	Purchase of Executive Chairs	1	25,000	25,000
6	Purchase of Office Desks	2	50,000	100,000
7	Purchase of Office Chairs	2	25,000	50,000
8	Purchase of Padded 3 Linked Chairs with armrest	1	60,000	60,000
9	Purchase of Desktop Computer	1	150,000	150,000
10	Purchase of Printers	1	150,000	150,000
11	Hire of Security Services	1	400,000	400,000
12	Installation of Fittings / Curtains	1	200,000	200,000
13	Insurance	1	500,000	500,000
TOTAL				2,535,000
TOTAL FOR ALL WARDS				50,700,000
OTHER ADDITIONAL EXPENSES				
1	Electricity Installation in 20 Wards	20	250,000	5,000,000
2	Security Services at the Ward Offices (Night Guards)	20	480,000	9,600,000
3	Operationalization of Ward Offices	20	272,310	3,267,720
4	Employers Contribution to the proposed Housing Levy	1		5,500,000
5	Additional Employer Contribution to NSSF Tier I	248	1,920	476,160
TOTAL				23,843,880
GRAND TOTAL				74,543,880



COUNTY ASSEMBLY

**MEMORANDUM ON PUBLIC PARTICIPATION ON THE COUNTY ALLOCATION
OF REVENUE BILL, 2023 (SENATE BILL NO.16 OF 2023)**

PRESENTED TO:

**THE SENATE
PARLIAMENT BUILDING
NAIROBI**

A. INTRODUCTION

1. The County Assembly of Mombasa is a constitutional body established under Article 176 of the Constitution of Kenya, 2010.
2. Article 185 of the Constitution mandates the County Assembly to make any laws that are necessary for, or incidental to, the effective performance of the functions and exercise of the powers of the county government under the Fourth Schedule of the Constitution, exercise oversight over the county executive committee and any other county executive organs, receive and approve plans and policies for the management and exploitation of the county's resources and the development and management of its infrastructure and institutions.
3. The County Assembly of Mombasa submits this memorandum pursuant to the above mandate and advertisement on the newspaper.

B. PROPOSED RECOMMENDATION ON PUBLIC PARTICIPATION

4. The County Assembly of Mombasa is of the view that the ceiling of Kshs. 764,582,283 proposed in the County Allocation of Revenue Bill, 2023 is low for the proper functionality of the institution.
5. The County Assembly of Mombasa is categorized among those Assemblies that should have employees not exceeding 100. However, our current numbers are 267 staff members which consists of 36 staff members seconded from the defunct municipality, 123 partisan ward staff, 106 county assembly staff and 2 county assembly service board member. These numbers are causing our wage bill to be beyond the lawful limit of 35% of annual budgets. We therefore request for a review of the 100 employees capping placed on our Assembly.
6. The Assembly has twenty-one committees; twelve sectoral committees and nine select committees. We previously had twenty eight committees which have currently been reduced to twenty one. However, for the Assembly to operate properly we need more committees. It is noted that the Commission on Revenue Allocation when considering County Assembly ceiling takes into consideration only 16 committees in accordance with county functions. The current budget allocation of legislative and oversight activities for the financial year 2022/2023 is Ksh.80,670,320. This amount is to cater for all the activities carried out by the twenty-one committees.
7. Most of the legislative work is done at committee level and hence the committees have to be adequately funded. For each financial year, the committees prepare their work-plans which entail activities that they intend to undertake in the next financial year so that the same are incorporated in the programme-based budget. According to the committees'

work-plan, the costing of activities in the work-plan per committee is about Ksh.8.75 Million. This equates to an extra Kshs. 103.7 Million, an amount that is not tenable in the current budget due to the limited resources. The extended Assembly functions also entail public participation and committee work plans also include element costed at ward level as we try moving away from sub-county level. The limited resources have forced the Assembly to scale down plans to conduct public participation activities that match what out county executive counterparts do.

8. The oversight role of the committees is aimed at putting the county executive in check by ensuring they perform their duties in accordance with the law. Effective oversight can only be achieved when the County Assembly is adequately funded to carry out its oversight role since it involves site visits, report writing, engaging stakeholders amongst other activities. The limited budgetary allocation hampers the achievement of this oversight role. This means that the lack of effective oversight which in turn translates to inadequate service delivery to the residents of Mombasa.
9. Site-visits as a toll of oversight also requires adequate funding as it ought to also encompass unforeseen occurrences unfortunately, the current budget allocations cannot meet the expenditures to be incurred in oversight.
10. The members of county Assembly have to be capacitated through trainings to enable them discharge their roles. The MCAs need induction trainings, regular and continuous trainings and committee trainings. The current budget is insufficient to sustain these trainings’
11. The County Assembly has inherited the defunct Municipal town hall buildings that are currently christened County Assembly Buildings. However, we have been housing some County Executive functions (including a banking hall) and since they occupy a majority of the offices, they have been paying for utilities like electricity and building insurance. The county treasury is sourcing for space for their officers and will soon vacate the premises. The County Assembly thus is preparing to take over payment of these utilities as the same vacated offices will fully be converted to County Assembly offices for Staff members and MCAs as well. In light of this, it is noted that the Kenya Power bill is currently Kshs.1.2Million monthly and Building Insurance is Kshs.9Million per annum.
12. The Salaries and Remuneration Commission had set a limit of Kshs.35Million for the construction of our Assembly Speaker’s official residence. However, the provisions and requirements set out had prices of land that are too low for Mombasa which is a city and

the rates of acquiring land are high. The county executive does not have land in which the speaker's residence can be constructed and we need more money to accomplish the construction.

13. The County Assembly of Mombasa recognizes the need to have a well-established library that will serve as a framework for collection, processing, preservation, timely retrieval and dissemination of information for informed decision making, planning, administrative and legislative purposes.
14. The County Assembly envisages being a democratic and people centered County Assembly and moving with the current trends of operating requires that we embrace technology in making work easier as well as cut costs. The Assembly therefore is looking to have an e-parliament and e-library infrastructure in place. The costs of having these up and running have been estimated to be Kshs.35Million and Kshs.15Million respectively. The Assembly thus seeks the Senate's consideration to have the recurrent budget adjusted to accommodate the same.
15. Below is an outline of the Library renovation and sections we anticipate to put in place in order to enhance provision of effective and efficient library and information services.

Library Renovation

S/No	Area	Type of Renovation
1.	Floor	Installation of floor tiles
2.	Wall	Wall painting
3.	Window	Window repair including blinds
4.	Door	Door repair and setting up a rump
5.	Floor plan	Interior design e.g redesign floor plan
6.	Electrical repairs	Electrical wiring (cables and sockets)
7.	Air conditioner	Fixing of Air conditioners
8	Internet	Installation of internet(LAN & WAN) & Wi-Fi

Library Sections

We anticipate having the following Library sections and services:

S/No	Sections	Services
1.	Circulation section	Checks in and out information resources
2.	Reference section	Provide reference services
3.	Reading section	Provide reading space e.g. general and private reading, newspaper reading, etc
4.	Multimedia and internet section	Provide e-reading services e.g. for searching online databases and browsing CD-ROMS
5.	Catalogue section	Computer/Card catalogue for information retrieval
6.	Shelving/stack section	Shelving County collections, general collections, reference books, special collections, Periodicals, etc
7.	Audio-visual section	Provision of Audio-visual materials
8.	Reprographic and binding section	Provide photocopying services, book binding and repairs etc
9.	Archives section	Preserve and conserve information resources for posterity
10.	Staff section	Staff activity area for acquisition, technical services and space for library staff

SUMMARY OF AREAS OF ADJUSTMENT FOR RECURRENT EXPENDITURE

P1	General Administration, Planning and Support Services	Baseline	Current expenditure level	Variance being requested (A)
	Recurrent Expenditure			
	Use of Goods and Services			
	Staff Establishment	313,794,847	408,071,561	94,276,714
	Utilities -Kenya Power	0	14,400,000	14,400,000
	Utilities -Building Insurance	1,500,000	9,000,000	7,500,000
	E-Parliament	0	35,000,000	35,000,000
	E-Library	0	15,000,000	15,000,000
	Recurrent Expenditure Items to be adjusted	315,294,847	466,471,561	166,176,714

P2	Legislation, Oversight and Representation	Baseline	Incremental Request(B)	Total program after increment
	Recurrent Expenditure	112,482,389		216,232,389
	Use of Goods and Services	112,482,389		216,232,389
	S.B.1 Domestic and Foreign Travel	44,292,389	58,100,000	102,392,389
	S.B.2 Training Expenses	9,720,000	12,450,000	22,170,000
	S.B.3 Hospitality Expenses	6,720,000	8,300,000	15,020,000
	S.B.4 Assets Maintenance Costs	1,100,000	1,037,500	2,137,500
	S.B.5 Supplies and Other Services	11,250,000	14,525,000	25,775,000
	S.B.6 Ward Office Operations	32,400,000		32,400,000
	S.B.7 Other Operating Expenses	7,000,000	9,337,500	16,337,500
	Total Recurrent Expenditure	112,482,389	103,750,000	216,232,389

	Recurrent Expenditure Ceiling FY2023 24	764,582,283
	P1 Total Increment	166,176,714
	P2 Total Increment	103,750,000
	New Expected Recurrent Expenditure Ceiling	1,034,508,997

**ADDENDUM TO COUNTY ASSEMBLY OF MOMBASA MEMORANDUM TO
SENATE FINANCE COMMITTEE**

No	Expenditure Item	CRA Ceiling	Assembly Budget	Variance
1	Staff Establishment	313,794,847	408,071,561	94,276,714
2	Utilities -Kenya Power	0	14,400,000	14,400,000
3	Utilities -Building Insurance	1,500,000	9,000,000	7,500,000
4	E-Parliament	0	35,000,000	35,000,000
5	E-Library	0	15,000,000	15,000,000
6	Domestic and Foreign Travel	44,292,389	102,392,389	58,100,000
7	Training Expenses	9,720,000	22,170,000	12,450,000
8	Hospitality Expenses	6,720,000	15,020,000	8,300,000
9	Assets Maintenance Costs	1,100,000	2,137,500	1,037,500
10	Supplies and Other Services	11,250,000	25,775,000	14,525,000
11	Other Operating Expenses	7,000,000	16,337,500	9,337,500
		395,377,236	665,303,950	269,926,714

CONCLUSION

The County Assembly of Mombasa concludes by reiterating the sentiments elucidated above and proposes that Kshs,1,034,508,997 is needed to enable the institution function as desired by the *wananchi* of Mombasa.

Signed by

Signed by

.....

SALIM JUMA

CLERK OF THE COUNTY ASSEMBLY

.....

HON. AHARUB KHATRI

**SPEAKER OF THE COUNTY
ASSEMBLY**

COUNTY GOVERNMENT OF KAJIADO



P.O. BOX 94-01100

KAJIADO



KAJIADO COUNTY ASSEMBLY OFFICE OF THE CLERK

While replying please quote our Ref:
Our Ref: KCA/OC/SNT/16/VOL. 1/06

18th May, 2023

The Clerk of the Senate
Clerk's Chambers
Parliament Buildings
P.O Box 41842 00100
NAIROBI, Kenya

Dear Sir,

**RE: REQUEST FOR FURTHER INFORMATION ON THE REVIEW OF THE
KAJIADO COUNTY ASSEMBLY CEILINGS FOR FY 2023/2024**

The above subject matter refers.

The Kajiado County Assembly was invited to appear before the Senate Standing Committee on Finance and Budget on 18th May, 2023. The County Assembly team appeared on the said date where upon their presentation, the Committee Chair directed for further particulars on the memorandum.

Please therefore, find enclosed, the reviewed information as requested by the Committee. We thank you for your continued support.

Yours Sincerely;

Leboo Saisa
CLERK, KAJIADO COUNTY ASSEMBLY

COUNTY GOVERNMENT OF KAJIADO



KAJIADO COUNTY ASSEMBLY

ADDITIONAL INFORMATION ON THE ALLOCATION OF BUDGET CEILINGS FOR 2023/2024 FOR KAJIADO COUNTY ASSEMBLY BY THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET

OVERVIEW OF KAJIADO COUNTY

Kajiado County spans an area of 21,292.7 Km² with a population of 1,117,840 and has a total of 25 wards. The County Assembly comprises of 25 elected Members, 16 nominated members and the Speaker. The Assembly has been running its own operations fully from the Financial Year 2015/2016 when the Finance operations moved from the Executive to the Assembly. Kajiado County Assembly has a total of 100 Employees, as per the CRA model.

BUDGET CEILING DETERMINANTS

The Commission on Revenue Allocation has continued to be a key player in determining allocation to the County Assemblies by setting of budget ceilings. The ceilings have continued to act as a guide to budgeting and execution in the County Assemblies. However, the Commission on Revenue Allocation shared the workings for the ceilings for the Kajiado County Assembly, in which the County Assembly highlighted some areas that had not been captured at all or not correctly captured in the formulation of the ceiling as per the actual expenditure.

The Commission on Revenue Allocation has proposed a ceiling of **Ksh. 710,943,718** for the Financial Year 2023/2024. Further, the proposed budget ceiling for the next financial year 2023/2024 for the County Assembly is based on the actual expenditure totaling to **Ksh. 746,452,573**.

In review of the Commission on Revenue Allocation ceiling computation, the following areas had not been captured correctly or not captured at all contributing to a difference of **Ksh. 35,508,855** as narrated below;

1. **Mileage Allowance;** Kajiado County spans over an area of 21,292.7 Km² and has only 25 wards. This means that the distance between the Assembly headquarters and the ward offices is quite vast. Therefore, there is a huge expense in mileage compensation to the Honourable members coming to the Assembly to transact their mandate.

The mileage allowance computed was **Kshs. 3,184,242** per month. However, the actual mileage allowance per month is **Kshs. 4,281,980** which translates to

Kshs. 51,383,760 in the financial year and not **Ksh. 38,210,904** as captured. We therefore request for additional amount of Kshs.13,172,856

2. **Speaker's Partisan Staff:** The Speaker's partisan staff have not been factored, which is adding up to **Ksh. 4,130,910**.

Insurance: Insurance was determined at **Ksh. 23,794,911** However the total insurance cost including medical cover, building and plant, Group Personal Life, Group Personal Accident, Ex gratia and motor vehicle insurance comes to **Ksh. 42 million**. We therefore request for additional amount of Kshs.18,205,089.

CEILINGS AS PROPOSED BY KAJIADO COUNTY ASSEMBLY

The proposed budget ceiling for the next financial year 2023/2024 for the County Assembly as proposed by Commission on Revenue Allocation is totaling to **Ksh. 710,943,718**, which is understated by **Kshs. 35,508,855** as tabulated below:

No.	Expenditure item	CRA Ceiling	Assembly Actual budget	Variations
1.	Mileage	38,210,904	51,383,760	13,172,856
2.	Insurance	23,794,911	42,000,000	18,205,089
3.	Speaker's Partisan staff	0	4,130,910	4,130,910
Total Amount requested for consideration				35,508,855

REQUEST

Appreciating all the above, Kajiado County Assembly makes the following humble requests;

- 1) That, all the above factors be considered during setting of the final County Assemblies ceilings.
- 2) That, Senate Standing Committee on Finance and Budget takes the matters stated into account and adjust upward the ceiling to **Ksh. 746,452,573** as the proposed ceiling for Kajiado County Assembly so as to allow for efficient and smooth operations of the Assembly in fulfilling its mandate.
- 3) That, the above figure does not include the one off amount of Ksh. 90,692,000 being allocation for Car Reimbursement. For clarity, the total County Assembly ceiling including the Car Reimbursement for MCAs is proposed to total Ksh. 837,144,573.



REPUBLIC OF KENYA
COUNTY ASSEMBLY OF WAJIR
OFFICE OF THE CLERK



REF: WCA/CLERK/SENATE/01/2023

2nd May 2023

**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 2023/2024

The County Assembly Service Board (Herein the Employer) of the Third Assembly of Wajir County and management wish to convey to you that our draft ceilings for FY 2023/2024 were not adequately tabulated.

The Assembly was allocated Kshs 731,658,858 in the FY 2023/2024 and we would like to point out some areas for review as follows:

1. Committee sittings

The Standing Order of Wajir County Assembly specifies the number of committees as twenty-four (24). The Hon Speaker chairs 4 committees thus reducing the number of chairs to 21. The Commission on Revenue Allocation has

indicated a total of 14 chairs leading to a deficit of 7 chairpersons. The vice chairpersons are 21 in number while the Commission on Revenue Allocation indicated 16. Total deficit is Kshs. 5,491,200. Kindly revise the above. **See annex 1.1**

2. 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. 3,985,335 giving an annual amount of Kshs. 47,824,020 leading to a deficit of Kshs. 27,592,416. **See annex 1.2**

3. 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 is expected to pay Kshs. 15,433,046 for Hon MCAs and Kshs. 37,697,953 for the staff leading to a total of Kshs. 53,130,999 for FY 2022/2023. The CRA has allocated the Assembly a budget of Kshs. 25,469,609. This led to a deficit of Kshs. 27,634,390. **See Annex 1.3**

4. Security

There is 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 1.4**

5. Training and Capacity Building

Due to the distance of Wajir from Nairobi and other cities and the poor state of the roads, the Hon MCAs and other senior staff use air transport. The cost for one way is Kshs. 10,000. This therefore means the Assembly incurs significant amount of money in order to facilitate them. It is our humble request that the figure be revised to Kshs. 59,548,000. Total deficit is Kshs. 35,582,802. **See annex 1.5**

6. Oversight

This is one of the primary roles of the Hon MCAs. It therefore needs to be adequately funded. There was no provision for oversight as a line item. The amount needed is Kshs. 91,444,000. Kindly consider it. **See Annex 1.6**

7. Public participation

The Assembly is required by law to undertake public participation in most matters. Wajir County has an area of 55,840.6 km². This means the Assembly will require more resources to meet its obligation. We therefore request the amount to be revised to Kshs. 149,688,000. Total deficit is Kshs. 125,722,802. **See Annex 1.7**

8. Staff salaries

The County Assembly has 186 staff recruited by the first County Assembly Service Board during the financial year 2014/2015. The Assembly has been meeting the cost thus leading to pending bills. The management on several occasions contacted the Commission on Revenue Allocation asking for any form of assistance. The Assembly requests for a one-time sendoff package of Kshs. 44,508,800. **See Annex 1.8**

9. Court ruling on payment of Kshs. 73,228,320

The CASB engaged a HR firm to undertake rationalization of staff. The firm noted the Assembly had more than the optimal staffing level and recommended the retrenchment of the excess staff. The board, in its wisdom, decreed the review of the job groups downward by one scale for all the Assembly staff instead of rationalization through retrenchment. This decision was informed by the level of unemployment in the county. Though not documented, the board notified all the 196 staff of the review of their job groups through a formal meeting in December, 2015. The decision of the board came into effect in January, 2016.

In October, 2018, the Assembly staff were allowed to join the County Governments Workers Union and in January, 2019, the Union through its National Secretary General filed a case (Petition 38) on violation of labour rights by the County Assembly Service Board at the Employment and Labour Relations Court. Hon Justice Hellen Wasilwa delivered a judgement on 16th January, 2020 that granted the petitioners the prayer to be paid Ksh 73,228,320 as benefits for violation of labour rights for the Staff of the Assembly from January 2016 and restoration of the reviewed job groups. The Court also decreed that the Wajir County Assembly Service Board to pay the cost of the petition and the interest accrued on the decretal sum.

The CASB therefore requests the settlement of Kshs. 73,228,320. **See Annex 1.9**

10. Furnishing of the new County Assembly Headquarters.

The new County Assembly Headquarters will be ready for occupation by September 2023 thus it has to be equipped with appropriate furniture and fittings

and related works such as Hansard system. This is projected to cost Kshs. 36 Million. **See Annex 2.0**

11.Acquisition of new vehicles

The Assembly would require a Sixty-two sitter bus and two land cruisers. The new Assembly Headquarters is located eight KMs from Wajir CBD. This is projected to cost Kshs. 34,500,000. **See Annex 2.1**

12.Inflation

The cost of major goods and services are on the rise and therefore it will be appropriate that some inflation cost be provided. We request for Kshs. 5,600,000 to cover the cost of inflation. **See Annex 2.2**

13.Litigation Cost

The County Assembly has a number of active court cases ranging from the County Government Workers Union, bills/policies/regulations, appointments/ staff related, House Leadership to suppliers'/service providers. We request that you consider allocating funds for litigation of Kshs. 30 Million. **See annex 2.3**

On behalf of the County Assembly Service Board, I request for an addition of Kshs. 561,084,730 from the Senate in regards to the above that significantly affect our operations

Attached, please find relevant documents for your information.

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.

Telegraphic Address
Tel: +254 20 221 6151/070030345
Email: clerk@nairobiassembly.go.ke
Web: www.nairobiassembly.go.ke



County Assembly
City Hall Building,
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:

*Finance and Budget Committee of the Senate of
Kenya*

**ENHANCEMENT OF RECURRENT EXPENDITURE CEILINGS FOR THE
NAIROBI CITY COUNTY ASSEMBLY FOR THE FY 2023-2024.**

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 was constituted following the August, 2022 general elections and 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 the Finance and Budget Committee of the Senate on the unique recurrent expenditure needs of the Nairobi City County Assembly that have arisen in the course of its operations and which have necessitated the need for the enhancement of recurrent expenditure ceilings for the Assembly in the FY 2023/24 for its optimal performance.

4. The unique attributes referred herein include;
 - i) High operating costs in a city set-up;
 - ii) A large County Assembly in terms of numbers (125 Hon. Members);
 - iii) High litigation costs;
 - iv) Need for meaningful public participation; and
 - v) **Increase in insurance costs.**
5. In view of the above, it is proposed that the Senate consider enhancing the Assembly's recurrent expenditure ceiling to enable us accommodate all our recurrent expenditure needs thus ensure that Hon. Members effectively discharge their constitutional mandate.

3.0. SPECIFIC COUNTY ASSEMBLY REQUESTS

6. Due to the stated unique attributes and existing expenditure needs of the County Assembly, we submit and request the Senate through the Finance and Budget Committee to consider the following factors when determining the Assembly's ceilings for the FY 2023/24 with a view of enhancing the same as compared to the previous FY: -

(i) Increase in litigation costs.

7. The County Assembly has been incurring heavy litigation costs over the years due to a number of sensitive matters with a lot of public interest considered by the Assembly such as impeachments and enactment of various County Laws. Of particular concern was the FY 2020/2021 and 2021/2022 whose effects have spilled into subsequent Financial Years. Due to this influx of litigations, we have demands on litigations alone amounting to **Kshs 400 million**. 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 (*Annexure1 - Litigations*).

(ii) Increase in the cost of Public Participation exercises.

8. 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 request for submission of written memoranda and inviting residents to Charter 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 are unable to submit written memoranda and those who cannot congregate at Charter Hall, City Hall.

9. Consequently, the Assembly has been sued for failure to conduct meaningful/reasonable public participation leading to some of its decisions being nullified by courts of law. 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* nullified the **Nairobi City County Finance Act, 2018** for want of reasonable public participation, stakeholder consultations and administratively fair procedures.
10. To address this challenge, the Assembly has tried to widen the scope of public participation by conducting cluster town-hall meetings in the 17 sub-counties for each of the business under consideration by the Assembly. However, this approach has led to an increase in the cost of conducting public participation. In particular, the County Assembly has 15 Committees which considers business such as Bills, Petitions, Budget documents and inquiries that must be subjected to public participation. It is estimated that in a Financial Year, the Assembly will hold **170 town hall meetings** considering estimated **10 items (business)** at a cost broken down as follows: -

a) Cost for one (1) town hall meeting

No.	Items	Cost
1.	Hire of Halls	20,000
2.	Public Address systems	20,000
3.	Transport re-imbursement to Members and Participants	200,000
4.	Security mobilization especially in informal settlements.	20,000

5.	Refreshments	100,000
6.	Documentation	500,000
7.	Mobilization of residents 500pax@ksh 2,000	1,000,000
	Total	1,860,000

b) Cost per FY (170 town hall meetings)

(NB - It is estimated that the Assembly will consider 10 items namely the CFSP, ADP, Budget Estimates, five (5) Bills and two (2) Petitions in a FY that will require public participation in the 17 sub-counties)

Number of Town Hall meetings	Cost	Total
170	1,860,000	158,100,000

11. The Assembly will therefore require **Kshs 158,100,000** for public participation being an increase by **Kshs 40,000,000** from the current allocation.

(iii) Increase in Insurance costs.

12. Over the years, insurance costs have increased mainly driven by factors within the insurance industry. In particular, the Covid-19 pandemic has made many insurance service providers to increase the premiums payable. As a county Assembly, we are paying on average Ksh.80M per year on insurance costs.

Analysis of premiums paid by the County Assembly

	S/No	2018/2019	S/No	2019/2020	S/No	2020/2021	S/No	2021/2022
MCA's	124	30,000,000	122	33,000,000	123	38,300,000	121	41,200,000
STAFF	144	28,546,267	159	33,300,000	172	35,400,000	172	36,811,000
TOTAL		58,546,267		66,300,000		73,700,000		78,011,000

(iv) Annual Salary increment for staff.

13. In line with the PSC guidelines, the staff of the County Assembly are entitled to annual salary increment as per their respective job groups therefore additional **Kshs 10 million** is required to cater for the increase.

(v) Fringe Benefit Tax Pending Bill.

14. Section 12 (b) of the Income Tax Act provides for Fringe Benefit Tax in respect of loan provided to an employee, director or their relatives at an interest rate lower than the market interest rate. During the tax reconciliation exercise with KRA FY 2022/ 23, it was established that the County Assembly owed KRA Kshs 41.8 million arising from the Fringe benefit tax that had been pending since 2018 to 2022.

Year	Principal	Penalty at 5%	Interest at 1% pm	Total Taxes
Jan 2018- June 2018	2,186,252.29	109,312.61	1,313,119.25	3,608,684.15
Jul 2018 - June 2019	5,958,037.72	297,901.89	3,079,897.17	9,335,836.78
Jul 2019 - June 2020	4,890,009.83	244,500.49	1,961,313.71	7,095,824.03
Jul 2020 - June 2021	5,856,408.77	292,820.44	1,584,436.09	7,733,665.30
Jul 2021 - June 2022	7,479,969.98	373,998.50	1,163,135.08	9,017,103.55
Jul 2022 - Dec 2022	4,503,921.67	225,196.08	278,869.03	5,007,986.78
Total	30,874,600.26	1,543,730.01	9,380,770.33	41,799,100.60

(vi) Training and continuous Capacity Building for Members of the Third Assembly.

15. 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 on both 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. Therefore, to sufficiently facilitate the trainings of Hon. Members we require **Kshs 70 million** and **Kshs 40 million** for the secretariat.

(vii) Acquisition of new equipment and furniture's.

16. The County Assembly at its inception in 2013 bought furniture's, workstations, and computers among other things that over the years have depreciated. 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 amounting to **Kshs 273,000,000** in order to replenish this equipment and furniture as follows:-

Item	Staff	MCAS (Leadership offices)	Total
Desk top Computers/Laptops	21,600,000	20,000,000	41,600,000
Furniture (4-way work stations and chairs) Executive desks and chairs	27,000,000	50,000,000	77,000,000
Heavy Duty Printers			4,400,000
Members IPADs		150,000,000	150,000,000
Total			273,000,000

4.0. SUMMARY OF RESOURCE REQUIREMENTS

17. 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 the Financial Year 2023/2024. In particular, the County Assembly requests additional specific financing as listed hereunder: -

S/No.	Description	Amount in Kshs.
1.	Litigation cost – as per attached schedule	400,000,000
2.	Public Participations costs	40,000,000

3.	Insurance costs	30,000,000	
4.	Annual Salary increment for staff	10,000,000	
5.	Fringe Benefit Tax Pending Bill	42,000,000	
6.	Training and continuous Capacity Building for Members and staff of the Third Assembly.	110,000,000	
7.	Acquisition of new equipment and furniture's.	273,000,000	
	TOTAL	900,000,000	

NB: The above items represent the **additional amount** the Nairobi County Assembly requests from the Commission on Revenue Allocation unless the amount has already been included in the draft proposal

18. We are grateful for the support the Committee and the Senate has extended to us since the establishment of the County Assembly and we look forward to continued cooperation. Finally, the Committee's consideration of our requests will be highly appreciated.



EDWARD O. GICHANA

CLERK, NAIROBI CITY COUNTY ASSEMBLY

PENDING FEES REPORT ON THE PENDING LITIGATION MATTERS IN THE NAIROBI CITY COUNTY ASSEMBLY AS OF 10TH MAY 2023.

The following matters are pending payment from the invoices raised by various law firms representing the Nairobi City County Assembly Service Board; The Speaker & Clerk Nairobi City County Assembly; and The Nairobi City County Assembly

S.NO	CASE NO	PARTIES	LAW FIRM	FEES STATUS
1.	IN THE MATTER OF REMOVAL OF HIS EXCELLENCY THE GOVERNOR BY IMPEACHMEN T- In the senate	Nairobi City County Assembly vs The Governor, Nairobi City County	Kibatia & Co Advocates Milimo, Muthomi & Co Adocates Diro Advocates LLP Ashioya, Mogire & Nkatha Advocates Okatch & Partners Advocates	Kibatia- 2,000,000.00 no final fee note raised. Paid- Milimo- Ksh.2,400,000.00 Paid- Pending final Ksh. 28,573,950.00 Diro-- 2,400,000.00 Paid- Pending final- Ksh. 24, 600,000.00 Ashioya- Deposit fee note raised Ksh. 3,620,000.00 Paid-2,400,000.00 Pending final -Ksh. 39,280,000.00 Okatch- Deposit fee note raised -Ksh. 3,000,000.00 Paid- Ksh.2,800,000.00 Pending final fee -

**PENDING FEES REPORT ON THE PENDING LITIGATION MATTERS IN THE NAIROBI
CITY COUNTY ASSEMBLY AS OF 10TH MAY 2023.**

				Ksh.25,600,000.00 Osundwa- Deposit fee note raised Ksh. 3,990,000.00 Paid- Ksh. 2,400,000.00 Pending final -Ksh. 27,140,000.00 Ngira-Paid- Ksh. 2,400,000.00 Ngira pending- ksh.27,140,000 Osundwa & Co Advocates Ngira Advocates LLP
2.	HCCHR No. E348 of 2020	Nairobi City County vs NMS, AG, Nairobi City County Assembly & 11 others	Okatch & Partners Advocates	Kshs. 30,000,000
3.	HCCHR Pet No. E430 OF 2020	Benard Olango vs Chief Justice, Speaker NCCA, Clerfk NCCA, Senate & AG	Okatch & Co Advocates-speaker	Kshs. 11,000,000
4.	HCCHR Pet No. 306 of 2020	Nairobi City County Assembly Vs Perpetua Mponjiwa & ODM	Prof. Tom Ojienda & Associates MMA Advocates	Kshs. 11,800,000/- Kshs. 2, 459,200/-
5.	ELRC Petition No. 92 of 2018	Hon. Beatrice Elachi Vs NCCASB and Another	Prof. Tom Ojienda & Associates	Kshs. 6,000,000/-
6.	ELRC Misc. Application E016 of 2021	Muthomi & Karanja Advocates vs NCCASB	Muthomi & Karanja Advocates	Kshs. 1,236,381/-
7.	ELRC Misc. Application E002 of 2021	Muthomi & Karanja Advocates vs NCCASB	Muthomi & Karanja Advocates	Kshs. 2,131,360.80/-
8.	ELRC Misc.	Muthomi & Karanja Advocates vs	Muthomi &	Kshs. 11,290,500/-

**PENDING FEES REPORT ON THE PENDING LITIGATION MATTERS IN THE NAIROBI
CITY COUNTY ASSEMBLY AS OF 10TH MAY 2023.**

	Application E114 of 2021	NCCASB	Karanja Advocates	
9.	ELRC Misc. Application E113 of 2021	Muthomi & Karanja Advocates vs NCCASB	Muthomi & Karanja Advocates	Kshs. 292,320/-
10.	ELRC Misc. Application E112 of 2021	Muthomi & Karanja Advocates vs NCCASB	Muthomi & Karanja Advocates	Kshs. 1,023,151.40/-
11.	ELRC Misc. Application E111 of 2021	Muthomi & Karanja Advocates vs NCCASB	Muthomi & Karanja Advocates	Kshs. 11,962,231.80/-
12.	ELRC Misc. Application E036 of 2022	Muthomi & Karanja Advocates vs NCCASB	Muthomi & Karanja Advocates	Kshs. 1,013,410.80/-
13.	ELRC Misc. Application E015 of 2022	Muthomi & Karanja Advocates vs NCCASB	Muthomi & Karanja Advocates	Kshs. 1,582,707.88/-
14.	JR civil Appeal E033 of 2020	Republic exparte Maurice Gari vs The Speaker & 4 Others	Osiemo Wanyonyi & Co. Advocates MMA Advocates Osundwa & co Advocates-clerk	Osiemo- Pending Kshs. 3,357,016 MMA- Pending deposit fee Ksh. 1,972,000.00
15.	Constitutional Petition No. 35 of 2019	Hon. Mike Sonko –vs- Clerk, Speaker, NCCA, Peter Imwatok & Speaker Senate	Ashioya Mogire & Nkatha Advocates- Hon Imwatok Diro Advocates LLP- speaker & NCCASB Okatch & Co Advocates- Hon	Ashioya-Paid deposit of Ksh. 1,589,000.00 Diro-Pending deposit Ksh. 2,556,000.00 Okatch pending Ksh.

**PENDING FEES REPORT ON THE PENDING LITIGATION MATTERS IN THE NAIROBI
CITY COUNTY ASSEMBLY AS OF 10TH MAY 2023.**

				Michael Ogada	1,863,418.00	
				Ngira & Associates Advocates-NCCA	Ngira- Pending Ksh. 3,425,000.00	
				Osundwa & co Advocates	Osundwa Kshs. 7,500,000	
16.	Petition No. 38 of 2019,		Mike Mbuvi Sonko vs- Director of Public Prosecutions, Inspector General of National Police Service, Anti-Corruption and Ethic Commission, the Attorney General, the Speaker Nairobi City County Assembly, Chief Magistrate Nairobi Anti- Corruption Court Hon. D.N Ogoti	Diro Advocates, LLP -speaker	Diro-Pending deposit fee Ksh.12,559,000.00	
17.	ELRC No.194/19		The clerk, NCCA VS The Speaker & NCCASB	Diro Advocates LLP- Speaker	Diro-Pending Ksh. 2,204,928.00	
				Okatch & Partners Advocates- NCCASB	Kshs. 3,000,000	
				Osundwa & Co. Advocates- The Clerk	Osundwa- Pending final Ksh. 30,300,000.00	
				Ngira & Co Advocates- Interested party	Ngira- Pending Ksh. 2,300,000.00	

**PENDING FEES REPORT ON THE PENDING LITIGATION MATTERS IN THE NAIROBI
CITY COUNTY ASSEMBLY AS OF 10TH MAY 2023.**

18.	ELRC JR E030 of 2021	Lorraine Njuhi & Others Vs NCCASB	Nyareru & Associates	Kshs. 3,439,400/-
19.	ELRC Petition E201 of 2021	Okiya Omtatah Vs NCCASB	Nyareru & Associates	Kshs. 12,074,400/-
20.	ELRC Pet. No E028 of 2020	Edward O. Gichana Vs NCCASB	Osiemo Wanyonyi & Co	Kshs. 1,053,016
21.	Supreme Court Petition 11 (008) of 2021	Hon. Mike Mbuvi Sonko Vs The Clerk County Assembly of Nairobi	Okatch & Partners Advocates	Kshs. 15,000,000/-
22.	COA APP. E425 of 2021	Hon. Mike Mbuvi Sonko Vs The Clerk, Nairobi City County Assembly and Others	Okatch & Partners	Kshs. 20,528,000/-
	TOTAL			Kshs. 401,757,391.68/-

NB.

1. The Muthomi & Karanja matters have been taken to court for taxation but in any case about only 20% of the fees raised may be taxed off.
2. The anticipated cost of legal fees in the Financial Year 2023-2024 is Kshs. 45,000,000/- for Legislative drafting and about Kshs. 80,000,000/- for Litigation which have not been added to the total above.



REPUBLIC OF KENYA
COUNTY ASSEMBLY OF ISIOLO
THE CLERK, COUNTY ASSEMBLY



Ref: ICA/ SEN/VOL.1/02

3rd May, 2023

The Clerk Senate
P.O BOX 41842-00100
NAIROBI

Dear Sir,

RE: REQUEST FOR ADDITIONAL FUNDING

Reference is hereby made to the above subject as well the County Allocation of Revenue Bill published on 27th April 2023.

Hon Chair, the recommended expenditure ceiling for the County Assembly of Isiolo in the County Allocation of Revenue Bill 2023 is Kes. 478,134,722. This amount was recommended by the CRA as follows;

ITEM	AMOUNT
MCAs (Salaries, Allowances and Gratuity)	258,654,838
County Assembly Staff (Salaries, Pension & Allowances)	17,530,806
CASB Secretariat (Salaries, Gratuity & Allowances)	10,631,380
Audit Committee	1,369,600
Total P.E	288,186,629
Operations & Maintenance	189,948,098
TOTAL	478,134,722

Hon Chair, we would like to demonstrate to this honourable committee that the amount recommended in the draft CARA 2023 is inadequate to finance our operations for the FY 2023/2024.

From the above table, the cumulative amount recommended for operations and maintenance and training is **kes.189,948,098**. Which is inadequate to defray our operation and maintenance budget as illustrated below;

Having said that Hon. Chair, we are humbly requesting your honourable committee to grant us additional Kes. **196,300,000** to supplement the following budget items.

S/No.	DETAILS	TOTAL
1	Public participation	37,500,000
2	Car loan/reimbursement & Mortgage	37,800,000
3	Staff promotions and career progression	6,000,000
4	Bunge Mashinani	18,000,000
5	Security arrangement	2,880,000
6	Trainings for Mcas	15,000,000
7	Pending bills and domestic payables.	50,000,000
8	Inflation	29,120,000
	TOTAL	196,300,000

We pray that you will grant us our request to enable the County Assembly discharge its core mandate of legislation, representation and oversight as enshrined in the constitution.

THE DETAILED JUSTIFICATION IS AS ATTACHED.

Thank you for your continued support.

Respectfully yours,


COUNTY ASSEMBLY OF ISIOLO
P. O. Box 195 - 60300
ISIOLO
Email: clerkisiolo@gmail.com

SALAD B. GURACHA
CLERK, TO COUNTY ASSEMBLY
CC. HON. SPAKER, ISIOLO

Isiolo County Assembly Building, P.O. Box 195 – 60300, phone: 0722819026, clerkisiolo@gmail.com



COUNTY ASSEMBLY OF MAKUENI

P.O. Box 57290300 WOTE, MAKUENI

Email: info@makueniassembly.go.ke Website: www.makueniassembly.go.ke



Office of the Clerk

When replying please quote.

DATE: 11th May, 2023

Our Ref: **MKN/CA/ADM/2023 (56)**

Mr. Jeremiah M. Nyegenye,

The Clerk of the Senate,

Parliament Buildings,

P.O. Box 41842 - 00100.

NAIROBI.

Dear Sir,

RE: MEMORANDUM ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023.

The above subject matter refers;

The County Assembly of Makueni is one of the Forty-Seven assemblies in Kenya established pursuant to Article 176 (1) of the Constitution of Kenya, 2010. The legislative authority of County Assembly is derived from Article 185 of the Constitution of Kenya, 2010. The Senate through print media requested for submission of memorandum on the **County Allocation of Revenue Bill, 2023**. Pursuant to Article 96(1) of the Constitution of Kenya, 2010, the Senate represents the counties, and serves to protect the interests of the counties and their governments.

Reference is made to the Second schedule of the County Allocation of Revenue Bill, 2023 that provide on the County Government Budget Ceilings on Recurrent Expenditure for Financial Year 2023/2024. We appreciate the upward revision of County Assembly recurrent ceiling from **Kshs. 729,754,316.00** to **Kshs. 857,052,960.00**. However, noting that this increment will cater for the Members of County Assembly Motor Vehicle reimbursement, there are other activities that have been inadequately budgeted. The County Assembly of Makueni requests Senate Committee on Finance and Budget to consider revision of its recurrent ceiling based on the following proposed undertakings that are critical for the efficient operation of the institution: -

(1) Establishment and strengthening of a Budget Office

Not Proposed
Staff establishment

That appreciating the role played by Independent Fiscal Institutions, the County Assembly of Makueni is seeking resources to strengthen its Budget Office. Currently, the office has only two fiscal analysts compared to the County Executive that has almost thirty economists. Pursuant to Article 190(1) of the Constitution of Kenya, 2010, Parliament shall by legislation ensure that county governments have adequate support to enable them to perform their function. In addition, Article 185 (3) stipulates that one of the core mandate of County Assembly is to oversight the County Executive committee and any other county executive organs.

The County Executives Budget has grown overtime and also established other organs that require more oversight effort by the County Assembly. This critical constitutional mandate can only be realized through increase in both human and financial resources. Therefore, we seek your support in strengthen the Budget Office to enhance financial, budget and policy oversight. The Committee requests you to revise the staff ceiling to cater for recruitment of **five fiscal analysts**. This will consequently require a budget amounting to **Kshs. 4,291,740.00** to cater for their salaries as tabulated below.

ITEM DESCRIPTION	QUANTITY	ANNUAL SALARY (Kshs.)	OFFICER CORE ROLE
Recruitment of additional Fiscal Analyst at CASB 9 (JG K)	5	4,291,740.00	To provide support to the ten County Assembly sectoral Committees & other functions of the Budget Office and for succession planning purposes

(2) Strengthening the Hansard Department.

The Hansard Department is a critical arm of the County Assembly, responsible for providing accurate and timely reports of Assembly proceedings. The Department is under staff and in order to address the staffing gaps, there is need to recruit a minimum of three qualified officers to serve in the following positions as per the

current staff establishment: **Principal Hansard Reporter, Chief Hansard Editor, and Hansard Reporter II.** Objective of the additional staffing request is to improve efficiency, enhance quality, increase expertise and better succession planning in the department. The County Assembly requests for additional revision in number of staff ceiling by **three officers** with the accompany personnel cost. The cost of the Hansard proposal is **Kshs.2,7250,280.00** as shown in the table below.

No	ITEM DESCRIPTION	QUANTITY	ANNUAL SALARY (Kshs.)	OFFICER CORE ROLE
1	Principal Hansard Reporter CASB 6 (JG N)	1	1,162,440.00	Merging functions which include running audio records against transcripts
2	Chief Hansard Editor CASB 7 (JG M)	1	1,015,800.00	Editorial
3	Hansard Reporter II CASB 10 (JG J)	1	572,040.00	Recording and transcribing Assembly proceedings, inquiries, and other events
	Total		2,750,280.00	

(3) Installation of e-assembly

Further, the County Assembly is planning to automate its processes to cut costs associated with paper work and improve efficiency in its operations. This is in line with the National Government agenda of digitizing government processes and services. The e-assembly comprises of Electronic Data Management System (EDMS), e-library, data storage, cloud data storage including installation of a firewall. The estimates cost of the project is **Kshs. 25 Million**.

(4) Establishment of Broadcasting unit

Notably in order to improve on transparency and accountability, the County Assembly seeks to establish a broadcasting unit. The public will be participants in debate by accessing and following deliberations of Assembly proceedings and its committees on important county issues. Members of the County Assembly will enhance their discourse since they will showcase execution of their mandate. Article

activity dates

May

150,000 - 846

Rose

300,000 - 664

with

950,000

2nd Fe

3rd Feb - PP - Email: alk

232 and 196 (1) (b) provide for the involvement of the public in legislative activities of the County Assembly. The broadcasting unit will enable citizens to follow-up on the plenary and committee proceedings. The Unit is proposed to comprise of the following offices

- a) Public Communication and Media Relations
- b) ICT
- c) Hansard
- d) Legislation and Procedure.
- e) With the authority of the Board, co-opt any other person for purposes of technical
- f) support or information

The projected cost of the Broadcasting unit is **Kshs. 15 Million**.

(5) Installation of solar lighting systems at County Assembly and Speaker's Residence

Makueni is endowed with plenty of sunlight that presents an opportunity for cutting costs by generating solar power. This will save the County Assembly from the huge electricity bills charged by Kenya Power and Lighting Company and power disruptions costs. During black outs, that are rampant, the County Assembly incurs other costs through fueling generators that are the only available alternative source of power.

It is prudent to install solar lighting system at the County Assembly and Speaker's residence to reduce all the above costs. The County Assembly is planning to install solar system that is estimated to cost **Kshs. 15 Million** during the FY 2023/2024.

Therefore, the County Assembly requests the Senate Committee on Finance and Budget for an upward revision of staff ceiling by **eight** and the total recurrent budget ceiling by **Kshs. 62,042,020.00**. The tabulation is provided in the table below; -

No.	Description	Amount (Kshs.)
1	Establishment and strengthening of a Budget Office (five officers)	4,291,740.00
2	Strengthening the Hansard Department (three officers)	2,750,280.00
3	Installation of e-assembly	25,000,000.00
4	Installation of solar lighting systems at County Assembly and Speaker's Residence	15,000,000.00
5	Establishment of a Broadcasting unit	15,000,000.00

Total additional ceiling request	62,042,020.00
----------------------------------	---------------

Your consideration of the memorandum and response will be highly appreciated.

Yours faithfully,

OFFICE OF THE CLERK
COUNTY ASSEMBLY OF MAKUENI

11 MAY 2023

Kevin Mutuku,

P.O. Box 572-90300,

CLERK OF THE COUNTY ASSEMBLY

CC

1. His Excellency the Governor, Government of Makueni County.
2. Hon. Speaker, Makueni County Assembly.
3. Commission on Revenue Allocation
4. Chairperson Budget and Appropriations Committee.



**COUNTY GOVERNMENT OF 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

Ref. No. CAK/8/3/16/1 VOL.5(2)

May 11, 2023

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 ALLOCATION OF
REVENUE BILL, 2023 (SENATE BILLS NO. 16 OF 2023)**

The above matter refers.

Following publication of the County Allocation of Revenue Bill, 2023 (Senate Bills No. 16 of 2023) its reading for a First Time in the Senate on **Tuesday, 2nd May, 2023**, the Kiambu County Assembly wishes to make the following presentation.

I. Background

The County Allocation of Revenue Bill (CARB) is prepared in accordance with Articles 217 and 218 of the Constitution which provides for the allocation of equitable share of revenue raised nationally among County Governments. The CARB is meant to guarantee that County Governments receive their respective share of revenue raised nationally for service delivery to ensure seamless operations at county level.

The CARB further provides budget ceilings for the County Assemblies and the County Executive based on the advisory from the Commission of Revenue Allocation (CRA) as contemplated under Second schedule of the CARB as required by Articles 216 (2) and (3) of the Constitution and Section 107 (2) (a) of the Public Finance Management Act (PFMA) 2012.

Article 216 (3)(a) of the Constitution requires the Commission of Revenue Allocation to promote and give effect to criteria set out in Article 203 (1) in formulating recommendations. Accordingly, Article 203 inter alia requires the commission to take the following into account-

- a) the need to ensure that county governments are able to perform the functions allocated to them;
- b) developmental and other needs of counties;
- c) economic disparities within and among counties and the need to remedy them; and,
- d) the need for flexibility in responding to emergencies and other temporary needs, based on similar objective criteria.

The CRA has already made its recommendations and thus The County Allocation of Revenue Bill, 2023 (Senate Bills No. 16 of 2023) was published and read First Time in the Senate on **Tuesday, 2nd May, 2023**. It was thereafter committed to the Senate Standing Committee on Finance and Budget. The Senate consequently, through a gazette notice invited interested parties to submit memorandum on the proposed County Allocation of Revenue Bill, 2023.

It is for this reason that the County Assembly of Kiambu is making a passionate appeal to the Senate to the Standing Committee on Finance and Budget to consider reviewing our proposed budget ceilings for the following reasons-

- a) The Commission in formulating recommendations relied on inaccurate and unconfirmed data such as the number of committees of the Assembly;
- b) our developmental and other needs were not considered;
- c) the ceilings show a glaring disparity among county assemblies and therefore there is need to remedy the same;
- d) the need and ability and flexibility in responding to emergencies and other emerging needs and requirements, was not taken into account; and,
- e) there is need to ensure that the Assembly is able to perform the functions allocated to it.

We therefore seek to demonstrate the above enumerated state of affairs hereunder.

II. County Assembly of Kiambu recurrent budget ceiling for FY 2023/2024

The proposed recurrent expenditure ceilings for Kiambu County Assembly in the CARB, 2023 is Kshs. 1,269,783,227.00. This translates to an increment of Kshs. 155,084,694.00 from budget ceilings of Kshs. 1,114,698,533.00 in the FY 2022/2023. It is, however, worth noting that the increment cited above is meant to cater for car reimbursement for the Members of the County Assembly as provided in the SRC Kenya gazette notice no.8792.

*The following are therefore our observations and presentations in regard to the budget ceilings as per CARB 2023 -

1. **Inadequate funding for the car reimbursement;** Whereas the consideration by the Commission of Revenue Allocation to allocate the Car reimbursement is welcome, the allocated amount is, however, not sufficient to cater for all the Members. The County Assembly of Kiambu, consists of 86 Members which translates to a total required amount for the car reimbursement is Kshs. 190,232,000.00. This therefore results to an underfunding variance of Kshs. 35,147,306.00. This being a one-off addition to the ceiling, is expected to be dropped in the proceeding financial year. To ensure that every Member of the County Assembly is facilitated, we humbly pray the underfunded amount of Kshs. 35,147,306.00 is provided.
2. **Enhancement of Public Participation and capacity building kitty for Members and Staff of the County assembly;** the County Assembly of Kiambu is the third largest in Kenya and consist of 87 Members of the County Assembly and 90 Staff. The budget allocated by CARB, 2023 towards capacity building is insufficient to cater for public participation in all the wards and further enhance continuous capacity building to the newly elected Members. There is therefore need to enhance this vote by Kshs. 25,500,000.00 from the current allocation of Kshs. 58,500,000 .00 to Kshs. 84,000,000.00.
3. **Mileage Allowance and Vehicle Reimbursement;** The Salaries and Remuneration Commission through a gazette notice No. 8792 (remuneration and benefits for state officers in the County Assembly) provided for mileage allowance for Members of the County Assembly. However, the expenditure factored by the Commission of Revenue

Allocation of **Kshs 3,150,759.00** per month is erroneous. The wards in the Kiambu County fall within all the zone as showed in **(Annexure 1)** giving a total of **Kshs. 3,626,694.00** per month. The County Assembly is expected to spend **Kshs. 43,520,328.00** per year giving a variance of **Kshs. 5,711,220.00** from the estimates of **Kshs. 37,809,108.00** by the CRA.

4. Other operational expenditure

i Medical Insurance;

Insurance cost has increased due to inflation caused by change in industrial rate/regulator requirement, previous claims settlement loading and risk factor occasioned by new child birth and age factor. Accordingly, we request for an additional **Kshs 5 million** over and above the allocated amount of **Kshs. 43,855,570.00**. The Kiambu County Assembly Board approved an Ex-Gracie policy framework that will assist the Members and the staff in the event that the members exhaust the insurance cover. In order to operationalize this policy, the assembly will require an addition of **Kshs. 48,855,570.00**.

ii Chairperson/ Vice chairperson.

The Committee are vital tools in the working process of legislation. The County Assembly of Kiambu Standing Order establishes the following categories of committee namely; Sectoral are ten (10) in number, select five (5) and housekeeping seven (7) this giving a total of 22 committee within the assembly. The Commission of Revenue Allocation project that Kiambu consist of 14 Chairpersons at **Kshs. 56,548,086.00** and 16 for vice chairperson at **Kshs. 60,056,784.00** With 22 chairperson and vice chairperson the total cost per year is **Kshs 88,861,278.00** and **Kshs. 82,578,078.00** respectively giving a variance of **Kshs. 54,834,486.00** **(Annexure 2 list of committees and membership)**

iii Utilities and furnishing of new buildings

In order to accommodate all Members of the County Assembly and Staff, the County Assembly has leased office space for specially elected Members and at the same time constructed three ward offices for elected Members. It is worth mentioning that the County Assembly is in the process of constructing a multicomplex building as a long-term solution to office needs for both Members and staff. The leased offices require fabrication and equipping with office furniture, computers among other crucial items.

In addition, the 60 wards and Assembly office equipment's that were being used by members of the first and second assembly have worn out and therefore require replacement.

Further, in the FY 2023/2024 the County Assembly is prioritizing the Construction of the Speaker's residence, ward offices and office space and will require additional funds towards furnishing of these buildings. Accordingly, we are requesting for additional **Kshs. 10 million** towards this expenditure. Evidence of ongoing projects planned to be completed in the FY 2023/2024.

5. Ceiling shared among the County Assembly

The County Assembly of Kiambu is the third largest county in Kenya. Holding all other matters constant using per capital as a measure of funds allocated, the disparity in the sharing matrix is highly noted. The **Annexure 3** attached shows per capital income per members in the assumption that each member is serviced by one staff. *For illustration purposes, Isiolo County Assembly has a total number of 18 members with a budget of Kshs. 451,013,358 giving it a per capita income of Kshs. 51,112,595.33 in comparison with Kiambu Assembly where it has 86 members with a budget ceiling of Kshs. 1,114,698,533 translating to per capita income of Kshs. 25,923,221.70.* This is clear the difference is twice as much as what Kiambu is getting.

6. Non- ceiling items

The County Assembly of Kiambu proposes to undertake the following programs/ projects in the next financial year as envisioned in the approved Annual development Plan FY 2023/2024;

a. Car loan and mortgage for Members of the County Assembly

- iv. The SRC Gazette Notice No. 8792 provides that the MCA should benefit with car loan of up to **Kshs. 2 million** and a mortgage of up to **Kshs. 3 million**. During the previous Assembly the County Assembly had managed to establish a revolving fund as per the Kiambu County Assembly Car and Mortgage Regulation 2014 and secured total funds of **Kshs. 460 million**. However, this revolving fund reduced after MCAs across the Country were issued with a car grant of **Kshs. 2 million** per member as per the SRC Circular Ref.No.:SRC/TS/COG/3/61/48VOL.II(113). In the current financial year 2022/2023 the County Treasury has released **Kshs 49 million** and therefore not all members have

received this benefit. Therefore, it is requested that this kitty be enhanced by **Kshs 188 million** to enable members access this facility.

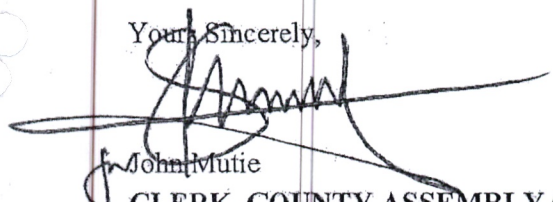
In conclusion, it is therefore requested that the recurrent ceilings for the County Assembly of Kiambu be enhanced by **Ksh.324,193,012.00** during the consideration of the CARB, 2023 to the cater for the pressing needs enumerated above. For ease of your reference the same is tabulated herein below.

No.	Item	Current ceiling (Kshs)	Underfunding/variance (Kshs)	Proposed (Kshs)
1.	Car reimbursement	155,084,694.00	35,147,306.00	190,232,000.00.
2.	Public Participation & Capacity Building for Members and Staff	36,198,297.00	25,500,000.00	61,698,297.00
3.	Mileage allowance	37,809,108.00	5,711,220.00	43,520,328.00
4.	Medical Insurance	43,855,570.00	5,000,000.00	48,855,570.00
5.	Responsibility allowance for Chairpersons and Vice Chairpersons	116,604,870.00	54,834,486.00	171,439,356.00

6.	Utilities & furnishing of new building	0	10,000,000.00	10,000,000.00
7.	Car loan and mortgage for MCAs	0	188,000,000.00	188,000,000.00
Total			324,193,012.00	

Your consideration of the above request will be highly appreciated and further request for an opportunity to appear before the committee for an in-depth engagement concerning the same.

Yours Sincerely,


John Mutie

CLERK, COUNTY ASSEMBLY OF KIAMBU

Cc. Hon. Speaker, County Assembly of Kiambu



COUNTY GOVERNMENT OF KIAMBU
COUNTY ASSEMBLY OF KIAMBU

Clerk's Chambers
County Assembly of Kiambu
Assembly Buildings
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KIAMBU

Tel: 067 586 0000
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kiambucountyassembly@gmail.com
Web: www.kiambuassembly.go.ke

When replying please quote

CAK/8/3/16/1VOL.5 (4)

17th May 2023

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

Dear Sir/Madam,

**RE: ADDENDUM ON SUBMISSION OF MEMORANDA ON THE
COUNTY ALLOCATION OF REVENUE BILL, 2023(SENATE BILLS
NO.16 OF 2023**

Reference is made to our letter reference number CAK/8/3/16/1 VOL.5 (2), dated 11th May 2023 on the submission of memoranda on the County allocation of Revenue Bill, 2023(Senate Bills no.16 of 2023). This is therefore to forward additional information on the said memoranda;

Inadequate funding for the car reimbursement.

The County Assembly of Kiambu consist of 86 members which translate to a total required amount of Ksh 190,232,000 against Ksh 155,084,694 which has been given in the proposed ceiling. This results into a deficit of Ksh 35,147,302.

Enhancement of the public participation and capacity building kitty for the Members and staff of the County assembly.

In order to guarantee effective public participation the County Assembly proposes to extend public participation to the Ward level which the smallest electoral unit. There is therefore the need to enhance this vote by Ksh 91,500,000

to Kshs 150,000,000 to enable us undertake at least 15(fifteen) public participation exercise in a financial year.

Other operational expenditure

The estimated cost of furniture per ward is Ksh 371,500 as per the attached annexure. This translates to Kshs 22,290,000 ($371,500 \times 60$) for all the electoral wards. Further in the financial year 2023/2024 the County Assembly is prioritizing the construction of the Speaker's residence and completion of the ongoing offices as per our CIDP and ADP attached. This will require an additional Ksh 10,000,000 for furnishing.

In total we will require a total Kshs 32, 290,000.

See the attached annexure.

Ceiling shared among the County Assembly

The overall average per capital per member is Ksh 34,150,220.29 whereas County Assembly of Kiambu per capital per member is Ksh 25,923,221.17 therefore we request to be considered for at least Ksh 30,000,000 per capital per member which translate to a ceiling of Ksh 2,580,000,000. This will require an additional of Ksh 1,310,216,773. Cognizance of the fact that our country is currently economically strained we are therefore only requesting a reasonable amount of Ksh 427, 483,012 as per the attached summary of additional funding required.

Purchase of Motor vehicles

The County Assembly has got 8(eight) vehicles out of which 2 have been declared unserviceable by deputy regional mechanical engineer Kiambu County. The cost of maintenance of five (5) vehicles is very high due to their ages. The Assembly is left with only one (1) vehicle that is serviceable and economic to maintain. The Assembly has proposed to purchase 2(two) vehicles in the financial year 2023/2024 as per the CIDP and ADP attached.

Yours Sincerely,



John Mwivithi Mutie

CLERK, COUNTY ASSEMBLY OF KIAMBU

REPUBLIC OF KENYA



MANDERA COUNTY ASSEMBLY
P.O Box 408 – 70300
MANDERA

*Office of the Clerk
Mandera County Assembly
Assembly building*

When replying please quote;

Ref: MCA/SENATE/01/2023

And date

12th May, 2023

The Clerk of the Senate,
National Assembly
Nairobi

Dear Sir,

**RE: REVIEW OF FY 2023/2024 RECOMMENDED CEILINGS FOR MANDERA
COUNTY ASSEMBLY**

The Commission on Revenue Allocation (CRA) submitted to the Senate the draft ceilings for the County Governments sometimes late last year. On assessing their figures based on the workings, we noted that they have not factored in all necessary costs or in some cases have understated the cost elements. Arising from this observation, we wrote to the Commission on January 18th of this year (copy attached) to review the recommended ceilings upwards. Upon receiving our submission, the Commission indicated that the draft ceilings report has already been submitted to the Senate and advised that we petition the relevant Committee of the Senate for consideration.

We have also reviewed that the County Allocation of Revenue Bill, 2023 and in particular, the proposed ceilings of Mandera County Assembly indicated a total figure of Ksh Nine hundred and three million nine hundred eleven thousand two hundred and Four (903,911,204). We however wish that the ceilings be adjusted upwards by a figure of **Ksh ninety million (90,000,000)** for a total of **Ksh nine hundred ninety-three million nine hundred eleven thousand two hundred and four (993,911,204).**

The main areas that are in need of serious considerations by the Committee are as follows:-

1. Security Costs

Even though security challenges have been with us for some time now, the situation has deteriorated over the past few months. Numerous security incidents targeting Government vehicles, and in some cases public service vehicles have been reported lately. As a result we require extra security personnel and police escort vehicles in order to effectively support Committees travelling within the County for Committee businesses. This is particularly relevant in public participation exercises. During such trips, we have our Committee teams escorted by a contingent of armed Police officers, not less than six, throughout the county round trip. This will require an extra Ksh 30 Million on our operational services costs.

2. Furnishing of Completed New Chambers

Our new chamber is ready for occupation and hopefully we shall start operating from there in the second quarter of the financial year 2023/24. This will require new furniture and fixtures and office equipment in the Committee rooms, boardrooms and all new offices and this is expected to require significant one off investment for the Assembly. To actualize this, the Assembly will require about Ksh fifty million (50,000,000).

3. Underestimations of number of committee chairpersons and vice chairpersons

The number of Chairpersons has been understated by 3 while that of vice chairpersons have been understated by 1 (see attached schedules of our committees). The CRA while making their workings on personnel costs made errors by underestimating the numbers of Committee Chairs and the vice chairs. (See attached schedule)

4. Understatement of Staff

In this area, the speaker's personal staff has been totally omitted altogether (Refer to SRC Circular No. SRC/TS/CAF/3/61/49(46) dated 13 December 2017 (schedule attached)

Further, we have an approved staff establishment in the permanent and pensionable of 110 and not 97 as indicated in the computations by the Commission (see attached approved organogram) out of which we have filled vacancies totaling to 103 as of now.

5. Medical Insurance Costs

Our medical Insurance costs currently amounts to **Ksh 42,591,496**. This is substantially above the figure of **Ksh 27,623,731** as indicated in the computation provided by the Commission (see attached extract of the Contract between the Assembly and NHIF). This cost is likely to increase as we renew the cover in the next one month due to the high utilization rate as reported by the provider. If the Assembly goes for commercial firms to cover its staff and members it's likely going to be even higher. This item requires to be adjusted by an additional Ksh thirty million (30,000,000).

6. Mileage adjustments

The location of Mandera town which is the County headquarters and the seat of the Assembly are important in determining the distances claimed by the Hon Members of the Assembly. The Town is located at the extreme end of the County and hence making most

of the wards to fall within the maximum band where a maximum of Ksh 147,000 is payable per member per month.

Further, due to the geographical location of Mandera County, the 30% of Operations and Maintenance used in accounting for all other costs is unfair and we would request that this be adjusted to 35% of the computed figures.

In view of the above, we would request that you review our recommended ceilings upwards to Ksh nine hundred ninety three million, nine eleven thousand two hundred and four (993,911,204) only upon factoring the above issues.

Yours Faithfully



Ahmed H Surow
Clerk of the County Assembly



COUNTY ASSEMBLY OF BOMET
OFFICE OF THE CLERK

MEMORANDUM

ON THE COUNTY ALLOCATION OF REVENUE BILL, 2023
(SENATE BILLS NO. 16 OF 2023)

SUBMITTED TO SENATE.

IN THE MATTER of The County Allocation of Revenue Bill, 2023, (Senate Bills No. 16 of 2023), read a first time in the senate on Tuesday, 2nd May, 2023.

WHEREAS the Senate Standing Committee on Finance and Budget, pursuant to provisions of Article 118 and standing order 145(5) of the Senate Standing orders invited members of the public and other interests' groups to submit any representations that they may have on the Bill on or before 12th May 2023.

AND WHEREAS the Bill has proposed recurrent ceiling for County Assembly of Bomet at **Ksh. 735,832,256.**

FURTHER WHEREAS the proposed ceiling locks out critical resources required to address key areas including furnishing of the new County Assembly Chamber and offices among others espoused herein necessary to ensure smooth and harmonious service delivery.

NOW THEREFORE, pursuant to Article 118 of the Constitution and provisions of senate standing orders, hereby seek for the senate **consideration** for additional special allocations and or adjustment of the ceiling to unlock additional resources to address the following critical needs;

1. **Ksh. 16,071,000** to furnish the newly completed Main Chamber (pictures attached) as per the exact cost (also hereby attached) from the Kenya Prison Industries.
2. **Ksh. 50,000,000** to furnish the newly completed offices
3. **Ksh. 120,000,000** ultra-modern Hansard production system (further clarification hereby attached)
4. **Ksh. 40,000,000** for robust computer network backbone installation (details attached).

DATED..... 12th May2023



ISAAC KITUR
CLERK OF THE ASSEMBLY



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



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Assembly Building
Email:info@tanariverassembly.go.ke
website: www.tnariverassembly.go.ke

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

The Clerk Senate
P.O BOX 41842-00100
NAIROBI

May 17, 2023

Dear Sir,

RE: REQUEST FOR ADDITIONAL FUNDING

Reference is hereby made to the above subject as well the County Allocation of Revenue Bill published on 27th April 2023.

Hon Chair, the recommended expenditure ceiling County Assembly of Tana River in the County Allocation of Revenue Bill 2023 is Kes. 571,922,609. This amount was recommended by the CRA as follows;

ITEM	AMOUNT
MCAs (Salaries, Allowances and Gratuity)	256,735,822
County Assembly Staff (Salaries, Pension & Allowances)	150,413,466
CASB Secretariat (Salaries, Gratuity & Allowances)	2,672,982
Audit Committee	1,369,600
Total P.E	411,191,869
Operations & Maintenance	149,025,469
Training	11,705,271
TOTAL	571,922,609

Hon Chair, we would like to demonstrate to this honorable committee that the amount recommended in the draft CARB 2023 is inadequate to finance our operations for the FY 2023/2024.

From the above table, the cumulative amount recommended for operations and maintenance and training is **kes. 160,730,740.00** Which is inadequate to defray our operation and maintenance budget as illustrated below;

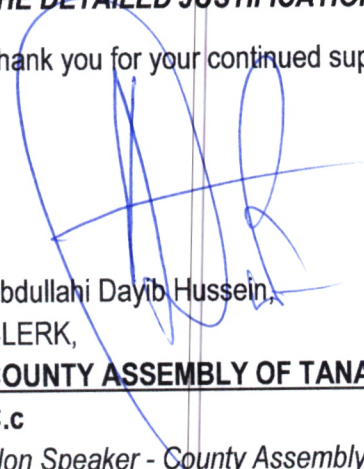
Having said that Hon. Chair, we are humbly requesting your honorable committee to grant us additional Kes. **181,107,241.00** to supplement the following budget items.

s/no	Item	Amount
1.	Public participation and oversight	57,744,408
2.	Training cost	17,862,729
3.	Conference cost	24,576,000.00
4.	Maintenance Expenses - Motor Vehicles	9,412,104.00
5.	Purchase of motor vehicles	14,000,000
6.	Motor Vehicle reimbursement	57,512,000
	Total	181,107,241

We pray that you will grant us our request to enable the County Assembly discharge its core mandate of legislation, representation and oversight as enshrined in the constitution.

THE DETAILED JUSTIFICATION IS AS ATTACHED.

Thank you for your continued support.



Abdullahi Dayib Hussein,
CLERK,
COUNTY ASSEMBLY OF TANA RIVER
C.c
Hon Speaker - County Assembly

COUNTY ASSEMBLY OF KILIFI BUDGET CEILING COMPONENTS		
VOTE ACCOUNT	BUDGET FY 2022/2023	BUDGET FY 2023/2024
PERSONEL EMOLUMENTS	486,456,599	493,998,176
MEDICAL INSURANCE	33,000,000	37,000,000
INSURANCE WIBA/GPA	10,000,000	16,000,000
GENERAL PERSONAL INSURANCE	5,000,000	6,000,000
TRAINING	17,000,000	25,000,000
PUBLIC PARTICIPATION	21,044,000	26,250,000
HOUSE COMMITTEES OPERATIONS EXPENSES	115,000,000	139,512,400
	687,500,599	743,760,576
OTHER OPERATION AND MAINTENANCE EXPENSES		
UTILITIES	4,000,000	4,500,000
DOMESTIC TRAVEL	20,000,000	24,000,000
HOSPITALITY SUPPLIES	25,345,000	30,600,000
OFFICE AND GENERAL SUPPLIES	7,000,000	8,800,000
FUEL AND LUBRICANTS	6,000,000	9,500,000
ROUTINE MAINTENANCE VEHICLES AND ASSETS	4,500,000	5,000,000
PURCHASE OF OFFICE FURNITURE(Ward offices and Assembly HQ)	5,000,000	30,000,000
OTHER OPERATING EXPENSES - SECURITY	7,000,000	8,000,000
LEGAL FEES	12,000,000	12,000,000
SUB-TOTAL	90,845,000	132,400,000
TOTAL	778,345,599	876,160,576

97,814,977

N/B

Car re-embersement of Ksh. 112 million is not part of this ceilings workings

COSTING FOR PUBLIC PARTICIPATION FOR KILIFI COUNTY ASSEMBLY BILLS FY 2023/24

	NUMBER	COST	BUDGET KSHS
TENTS	5	6,000	30,000
CHAIRS	500	30	15,000
PROJECTOR	1		25,000
PUBLIC ADDRESS SYSTEM	1		15,000
REFRESHMENTS (WATER)	1000	45	45,000
SECURITY	3 POLICE OFFICERS	2,000	6,000
TRANSPORT FOR STAFF AND SECURITY	1 ROSSA		20,000
TABLES	5	300	1,500
STATIONERY (PHOTOCOPY, PENS & WRITING MATERIALS)			30,000
TOTAL FOR ONE VENUE (SUB COUNTY)			187,500
TOTAL FOR SEVEN SUB COUNTIES			1,312,500
STATUTORY DOCUMENTS			
CIDP	1		
ADP	1		
CFSP	1		
BUDGET ESTIMATES	1		
FINANCE BILL	1		
OTHER COMMITTEE BILLS	15		
TOTAL BILLS	20		
TOTAL COSTING FOR ALL BILLS	20		26,250,000

**BUDGET COMMITTEE ALLOWANCES FOR PROCESSING BUDGET
STATUTORY DOCUMENTS FY 2023/2024**

PER DIEM RATE TOTAL

ANNUAL DEVELOPMENT PLAN

3 DAYS REPORT WRITING FOR 11 MEMEBERS 14000 462,000

3 DAYS REPORT WRITING FOR 7 STAFF

PRINCIPAL FISCAL ANALYST 14000 42,000

2 FISCAL ANALYST 11200 67,200

2 COMMITTEE CLERKS 11200 67,200

HANSARD REPORTER 11200 33,600

SERGEANT AT ARMS 14000 42,000

TOTAL 714,000

COUNTY FISCAL STARTEGY PAPER

3 DAYS REPORT WRITING FOR 11 MEMEBERS 14000 462,000

3 DAYS REPORT WRITING FOR 7 STAFF

PRINCIPAL FISCAL ANALYST 14000 42,000

2 FISCAL ANALYST 11200 67,200

2 COMMITTEE CLERKS 11200 67,200

HANSARD REPORTER 11200 33,600

SERGEANT AT ARMS 14000 42,000

TOTAL 714,000

MAIN BUDGET

5 DAYS REPORT WRITING FOR 11 MEMEBERS 14000 770,000

5 DAYS REPORT WRITING FOR 7 STAFF

PRINCIPAL FISCAL ANALYST 14000 70,000

2 FISCAL ANALYST 11200 67,200

2 COMMITTEE CLERKS 11200 67,200

HANSARD REPORTER 11200 33,600

SERGEANT AT ARMS 14000 70,000

TOTAL 1,078,000

FIRST SUPPLEMEMNTARY BUDGET

5 DAYS REPORT WRITING FOR 11 MEMEBERS 14000 770,000

5 DAYS REPORT WRITING FOR 7 STAFF

PRINCIPAL FISCAL ANALYST 14000 70,000

2 FISCAL ANALYST 11200 67,200

2 COMMITTEE CLERKS 11200 67,200

HANSARD REPORTER 11200 33,600

SERGEANT AT ARMS 14000 70,000

TOTAL 1,078,000

SECOND SUPPLEMEMNTARY BUDGET

4 DAYS REPORT WRITING FOR 11 MEMEBERS 14000 616,000

4 DAYS REPORT WRITING FOR 7 STAFF

PRINCIPAL FISCAL ANALYST 14000 56,000

2 FISCAL ANALYST 11200 67,200

2 COMMITTEE CLERKS 11200 67,200

HANSARD REPORTER 11200 33,600

SERGEANT AT ARMS 14000 56,000

TOTAL 996,000

CBROP

3 DAYS REPORT WRITING FOR 11 MEMEBERS 14000 462,000

3 DAYS REPORT WRITING FOR 7 STAFF

PRINCIPAL FISCAL ANALYST 14000 42,000

2 FISCAL ANALYST 11200 67,200

2 COMMITTEE CLERKS 11200 67,200

HANSARD REPORTER 11200 33,600

SERGEANT AT ARMS 14000 42,000

TOTAL 714,000

GRAND TOTAL

5,194,000

COSTING FOR PUBLIC PARTICIPATION FOR KILIFI COUNTY ASSEMBLY BILLS FY 2023/24

	NUMBER	COST	BUDGET KSHS
TENTS	5	6,000	30,000
CHAIRS	500	30	15,000
PROJECTOR	1		25,000
PUBLIC ADDRESS SYSTEM	1		15,000
REFRESHMENTS (WATER)	1000	45	45,000
SECURITY	3 POLICE OFFICERS	2,000	6,000
TRANSPORT FOR STAFF AND SECURITY	1 ROSSA		20,000
TABLES	5	300	1,500
STATIONERY (PHOTOCOPY, PENS & WRITING MATERIALS)			30,000
TOTAL FOR ONE VENUE (SUB COUNTY)			187,500
TOTAL FOR SEVEN SUB COUNTIES			1,312,500
STATUTORY DOCUMENTS			
CIDP	1		
ADP	1		
CFSP	1		
BUDGET ESTIMATES	1		
FINANCE BILL	1		
OTHER COMMITTEE BILLS	15		
TOTAL BILLS	20		
TOTAL COSTING FOR ALL BILLS	20		26,250,000

COMMITTEE ALLOWANCES (PER DIEMS) FY 2023/24

HOUSE BUSINESS COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
SELECTION COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	9	14,000	12	1,512,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,083,200
APPOINTMENTS COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	11	14,000	12	1,848,000
SECRETARIAT				
PRINCIPAL CLERKS	2	14,000	12	336,000
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,755,200
ASSEMBLY RULES AND PROCEDURES COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	9	14,000	12	1,512,000
SECRETARIAT				
PRINCIPAL CLERKS	2	14,000	12	336,000
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,419,200
COUNTY PUBLIC INVESTMENTS AND ACCOUNTS (PIAC) COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	9	14,000	24	3,024,000
SECRETARIAT				
PRINCIPAL CLERKS	2	14,000	24	672,000
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				4,838,400
FINANCE AND ECONOMIC PLANNING COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
PRINCIPAL FISCAL ANALYST	1	14,000	24	336,000
FISCAL ANALYST	2	11,200	24	537,600
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				6,384,000
IMPLEMENTATION COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	12	2,184,000

SECRETARIAT				
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,755,200
DELEGATED COUNTY LEGISLATION COMMITTEE				
	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	12	14,000	12	2,184,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,755,200
POWERS AND PRIVILEGES COMMITTEE				
	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	9	14,000	12	1,512,000
SECRETARIAT				
PRINCIPAL CLERKS	2	14,000	12	336,000
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,419,200
LIASION COMMITTEE				
	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	23	14,000	12	3,864,000
SECRETARIAT				
PRINCIPAL CLERKS	2	14,000	12	336,000
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				4,771,200
GENDER EQUALITY COMMITTEE				
	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	9	14,000	24	3,024,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				4,166,400
WARD SCHOLARSHIP COMMITTEE				
	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	12	14,000	12	1,848,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,419,200
AGRICULTURE, LIVESTOCK AND FISHERIES COMMITTEE				
	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800

SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
EDUCATION COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
WATER, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
LANDS, ENERGY, HOUSING AND URBAN DEVELOPMENT COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMEBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
DEVOLUTION, PUBLIC SERVICE AND DISASTER MANAGEMENT COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
HEALTH SERVICES COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
GENDER, CULTURE, SOCIAL SERVICES AND SPORTS COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400

TRANSPORT AND PUBLIC WORKS COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
TRADE, TOURISM AND COOPERATIVE DEVELOPMENT	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	13	14,000	24	4,368,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				5,510,400
JUSTICE AND LEGAL AFFAIRS COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	11	14,000	12	1,848,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,419,200
ICT AND RESEARCH COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	12	14,000	24	3,696,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	24	537,600
HANSARD REPORTER	1	11,200	24	268,800
SERGEANT AT ARMS	1	14,000	24	336,000
				4,838,400
WHOLE HOUSE COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	53	14,000	12	8,904,000
SECRETARIAT				
CLERK	1	16,200	12	194,400
DEPUTY CLERK	1	14,000	12	168,000
HODs	10	14,000	12	1,680,000
PRINCIPAL CLERKS	2	14,000	12	336,000
COMMITTEE CLERKS	12	11,200	12	1,612,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	2	14,000	12	336,000
PUBLIC RELATIONS	1	11,200	12	134,400
COMMUNICATIONS	2	11,200	12	268,800
PA SPEAKER	1	11,200	12	134,400
FISCAL ANALYST	2	11,200	12	268,800
DRIVERS	3	11,200	12	403,200
				14,575,200
GENERAL OVERSIGHT COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	53	14,000	12	8,904,000
SECRETARIAT				
CLERK	1	16,200	12	194,400
DEPUTY CLERK	1	14,000	12	168,000
PRINCIPAL CLERKS	2	14,000	12	336,000

COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	2	14,000	12	336,000
PA SPEAKER	1	11,200	12	134,400
DRIVERS	3	11,200	12	403,200
				10,879,200
ADHOC COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	11	14,000	12	1,848,000
SECRETARIAT				
COMMITTEE CLERKS	2	11,200	12	268,800
HANSARD REPORTER	1	11,200	12	134,400
SERGEANT AT ARMS	1	14,000	12	168,000
				2,419,200
COUNTY ASSEMBLY SERVICE BOARD	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	6	14,000	36	3,024,000
SECRETARIAT				
COMMITTEE CLERK	1	11,200	36	403,200
HANSARD REPORTER	1	11,200	36	403,200
SERGEANT AT ARMS	1	14,000	36	504,000
COMMUNICATION	2	11,200	36	806,400
				5,140,800
AUDIT COMMITTEE	MEMBERSHIP	PER DIEM RATE	SITTINGS PER YEAR	TOTAL PER DIEM
MEMBERS	6	14,000	12	1,008,000
SECRETARIAT				
INTERNAL AUDITORS	1	14,000	12	168,000
				1,176,000
GRAND TOTAL				134,318,400

