



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Wednesday, 1st August, 2018

The House met at 2:35p.m.

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

PRAYERS

The Deputy Speaker (Hon. Mwalimu): Have your seats. Yes Clerk?

COMMUNICATION FROM THE CHAIR

Hon. Members I wish to bring to the attention of this Honourable House that today we have visitors from Jocham Academy, Umoja and I would like the visitors plus their teachers or the head of the delegation to stand and bow for recognition in this Honourable House.

(The teachers and pupils from Jocham Academy, Umoja stood and bowed)
(Applause)

And on behalf of the Assembly I welcome you all to the County Assembly of Mombasa, *karibuni sana* and the Hon. Members the visitors have come to learn from us, they have come for a study tour so it is upon us Hon. Members to show them what they have come for, thank you. Yes Clerk?

MOTION

PURCHASE OF THE COUNTY SOCIAL WELFARE BUSES FOR THE RESIDENTS

Yes Hon. Charles Kitula?

(The Chief Whip (Hon. Kitula) moved the Motion)

THAT AWARE that the welfare of residents of Mombasa County especially sports persons and pre primary pupils priorities the agenda of County government of Mombasa as stipulated in the 2010 Constitution under the Fourth Schedule Part 2, 4 (h) and Part 2, 9 respectively;

FURTHER AWARE that the welfare of sports persons and pre primary pupils has been hindered due to lack of ready means of transport during trips;

NOTING THAT sports and early childhood education forms pillars of an optimistic society;

CONCERNED that our youth in sports and kids in schools have not been able to afford the costs of trips to tournaments and academic purposes respectively;

I therefore urge this Assembly to **RESOLVE** that;

The County government through the Department of Devolution to partner with sponsors, CDF Committees and well wishes to facilitate the availability of buses for the County for the benefit of the residents;

Mr. Speaker may I ask Hon. Ramla to second my Motion.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Ramla?

(Hon. (Ms.) Ramla Said bowed)

Now that the Motion has been seconded. I propose a question that the Motion by Hon. Charles Kitula, Chief Whip on purchase of the County social welfare buses for the residents to be debated in this Honourable House as moved?

(Question proposed)

(Applause)

...Yes what is it Hon. Fahad?

Hon. Abdallah Fahad Kassim: We kindly request for division.

The Deputy Speaker (Hon. Mwalimu): In a division you have to stand almost five Honourable Members.

Hon. Abdallah Fahad Kassim: Thank you Hon. Members we are more than 10.

(Laughter)

The Deputy Speaker (Hon. Mwalimu): Okay then the division bell to be rung.

(Division bell rung)

So Hon. Members the Ayes on my left and the Nays on my right and remember when you are passing you have to bow.

(Honourable Members moved to their respective voting positions)

(Consultations)

Yes Clerk proceed for the roll call voting. Serjeant close the doors.

(Serjeant -At- Arms Closed the Chamber Doors)

Yes proceed Clerk?

(Applause)

(Honorable Members voted)

(Interruption)

Hon. Murfad Amur: Hon. Fahad Kassim has stood up on behalf of Hon. Ali Omar Shariff is not accepted Hon. Speaker.

Hon. Abdallah Fahad Kassim: Sorry Mr. Speaker but yesterday we were told that someone can be represented.

(Laughter)

Hon. Murfad Amur: Mr. Speaker with all due respect...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Amur we have able Table Clerks who are taking the votes.

(Voting continued)

Hon. Members the Nays got 10 votes and the Ayes have got 19 votes.

(Applause)

So the Motion will proceed. Yes Members the Motion is on the floor, yes Hon. Kitula?

The Chief Whip (Hon. Kitula): Mheshimiwa Spika ahsante kwa kuweza kunipatia fursa hii. Vile vile niwapatie kongole Waheshimiwa walioweza kuniunga mkono na vile vile ningewapatia pia kongole Waheshimiwa ambao wako katika upande wa upinzani. Mheshimiwa Spika hili waweza kunisikiliza kwa makini huenda wakaweza kwenda kubadilisha mioyo yao kuhusiana na hoja hii; hoja hii ni kuweza kupata hali ya usafiri kuweza kugharamikia *welfare* ya watu wetu ambao ni wananchi tunaowawakilisha katika Bunge hili.

Jambo la kwanza Mheshimiwa Spika ni katika masuala ya elimu; sisi kama Wabunge katika Bunge hili tumeweza kupatiwa kulingana na Katiba huduma ya kuweza kuwahudumia wanafunzi wa chekechea au *Pre Primary* katika serikali yetu ya Kenya. Mheshimiwa Spika inakuwa donda sugu kwa wanafunzi wetu wa shule za chekechea wanaopata mualiko katika Kaunti nyengine au mualiko katika eneo Bunge lengine inakuwa vigumu sisi kama viongozi maana barua zile zinaletwa kwetu kuweza kuweka mchango kuweza kugharamikia mchango wa usafiri. La pili Mheshimiwa Spika sisi kama Bunge la Mombasa tumeweza kupigiwa kura na wana michezo wa kandanda na michezo ya aina mbali mbali na kama unavyofahamu ligi yetu ya mashinani na ligi kuu ya hapa nchini Kenya na Mombasa Kaunti inawastahili hizi timu kuweza kuelekea katika Kaunti mbali mbali au vile vile maeneo mbali mbali ili kuweza kwenda kuchuana na timu zengine, vile vile gharama zinakuja kwetu sisi kama viongozi kugharamikia usafiri wa klabu hizi mashinani.

Jambo lengine mimi kama Mheshimiwa Spika natoka katika Kaunti za bara hii leo nikiwa nimefariki sitaweza kuweza kuzikwa kwa Kaunti ya Mombasa inakuwa ni gharama vile vile kuweza kusafirisha mwili wangu hadi Kaunti za nyumbani, gharama zile zinakuja kwetu sisi viongozi ili kuweza kugharamikia gharama za mazishi na vile vile ikiwa leo hii tutapitisha hoja hii Wabunge wenzangu ambao haswa mko katika upande wa upinzani tutakuwa tumekata gharama zote hizi za kuwagharamikia wananchi wetu maana usafiri utakuwa upo na itakuwa ni sisi serikali ya Kaunti kuweza kukarabati magari haya kuweza kuhakikisha kwamba yanatoa huduma kwa watu wetu. Kwa hivyo ningependa kupendekeza sana hasa wabunge wako katika hali ya upinzani Mheshimiwa Spika tuwakumbukeni wananchi wetu hawana uwezo wa kuweza kugharamikia usafiri lakini leo hii tukiwaletea usafiri huu kwa kushirikiana na Kamati za CDF na vile vile wafadhili kutakuwa na usafiri bora zaidi na watakuwa wameweza kutupatia kipao mbele kwa masuala ya maendeleo katika maeneo yetu tunayoyawakilisha. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Murfad?

Hon. Murfad Amur: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nasimama kidete kuunga mkono pendekezo lililoletwa na ndugu yangu Mheshimiwa Kitula nikiwa na sababu kabambe. Mheshimiwa Spika ni dhahiri shahiri kwamba Waheshimiwa ambao walikuwa wanapinga wanakutana na changamoto kila wiki; aidha watoto wa shule wanatakikana kwenda semina fulani ama kutembea eneo fulani inabidi wazazi wachangishwe pesa ili vijana wale wafikie katika lengo lile...

(Applause)

Ni dhahiri shahiri Mheshimiwa Spika Waheshimiwa hawa hawa wamewahi kufuatwa majumbani kwao na ndugu zetu ambao kama alivyosema Mheshimiwa Kitula kwamba kuchangia wakati ndugu zetu wanaenda...

(Interruption)

Hon. Aran: Point of Information!

Hon. Murfad Amur: I do not want to be informed.

The Deputy Speaker (Hon. Mwalimu): Okay he does not want to be informed...

(Applause)

Hon. Members we are in a House, okay Hon. Amur let him inform the House okay proceed.

Hon. Aran: Thank you Mr. Speaker. This habit of Honourable Members refusing to be informed is not appropriate Mr. Speaker; with all due respect the Member who was on the floor let him address you not us, thank you.

The Deputy Speaker (Hon. Mwalimu): Okay Hon. Amur when you are addressing just address the Speaker.

Hon. Murfad Amur: Mr. Speaker the issue on the floor is not for the Members on this side or on the other side, we are all facing the same problem.

The Deputy Speaker (Hon. Mwalimu): There is a point of order, what is your point of order.

Hon. Aran: Am rising on Standing order 73.

The Deputy Speaker (Hon. Mwalimu): Hon. Amur use one language.

Hon. Murfad Amur: Mr. Speaker I express myself in English; the issue is not about Hon. Members on the other side or on this side, the issue is a fact.

The Deputy Speaker (Hon. Mwalimu): Hon. Amur you started with Kiswahili, proceed with Kiswahili.

Hon. Murfad Amur: Mr. Speaker the fact remains we are the Hon. Members and we are being faced with these challenges.

The Deputy Speaker (Hon. Mwalimu): Hon. Amur, proceed with Kiswahili.

Hon. Murfad Amur: Thank you Mr. Speaker. Mr. Speaker...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Amur, Kiswahili.

Hon. Murfad Amur: Bwana Spika ukweli wa mambo ni kwamba Waheshimiwa hawa katika Bunge hili kila siku wanafuatwa na wananchi wakiwa na shida za aina tofauti tofauti; mojawapo ikiwa ni usafiri. Wakati tunapatwa na majanga Mheshimiwa Spika ni Waheshimiwa hao hao wanalia kwamba wanafuatwa na wananchi kwenda kuombwa michango na ndipo wanapokimbia wananchi wao ukweli wa mambo wakifuatwa kwa jambo kama hili.

Mheshimiwa Spika hoja ilioletwa hapa ni kwamba sisi tutafute wafadhili, tushirikiane pamaoja na CDF ili tuweze kupata mabasi ya kusaidia shule zetu za chekechea, za msingi na kadhalika ili inapotokea kwamba shule inatakiwa kusafiri isiwe ni jambo la kuendewa Mheshimiwa kutakiwa mchango au mzazi, basi liwe linatoka Kaunti ya Mombasa liweze kusafirisha vijana wale, waende kwenye shirikisho lile na waweze kurudi bila ya kunyimwa nafasi ya kuenda.

Mheshimiwa Spika ni mashule mangapi ndani ya Mombasa wakati huu wanatakiwa kwenda kuwakilisha katika shule za kitaifa ambazo saa hii tunaona wanaandika kwenye magazeti wanataka wasaidiwe na hali ya usafiri, je tungekuwa na basi hizi aibu hizi ndogo ndogo zingetufikia sisi Waheshimiwa? Kwa haya machache ahsante sana Mheshimiwa.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mwamwiri.

Hon. Athman Mwamwiri: Ahsante sana Mwenyekiti kwa fursa hii, nasimama kupinga hoja hii...

(Applause)

Kwa sababu kwanza imejengwa na vipengele vilivyo na wingi wa upungufu. Mheshimiwa Mwenyekiti kwa mujibu wa ratiba aliyoipeana mwenyewe akaita *schedule*, ratiba ya nne sehemu ya pili inazungumzia majukumu na nguvu za ugatuzi ambazo sehemu aliyonukuu sehemu ya nne (a) na kipengele cha tisia kinataja vyenzo lakini hakija zungumzia suala zima la kupatikana usafiri, kwa sababu sehemu ya nne inasema kwamba ni jukumu letu kusimamia michezo, utamaduni na katika hayo kupatikane vifaa vyake. Kwa hivyo tukizungumzia vifaa vya michezo ni sare za michezo, ni viatu vya michezo lakini hakuna gari la michezo Mheshimiwa Mwenyekiti. Mheshimiwa Mwenyekiti katika suala la utamaduni ni kuenzi mila na desturi za jamii ama wakaazi wa Gatuzi hili lililozungumziwa; tukizungumzia Kaunti yetu ama Gatuzi letu la Mombasa tunajua utamaduni wetu ni wa aina gani na nashukuru kupitia kwa Wizara ya Michezo, Jinsia na Tamaduni wana tarehe maalum kila mwaka kuwekeza ama kukuza utamaduni wa Kaunti yetu ya Mombasa almaarufu Tukutane Mombasa...

(Applause)

Mheshimiwa Mwenyekiti sehemu ya tisa inazungumzia masomo ya chekechea, vyuo vya ufundi, vyuo vya anuwai na usimamizi wa watoto ambapo katika haya hapajatajwa kama katika shule ya chekechea kuwe na basi; hakujatajwa kwamba vyuo vya ufundi viwe na mabasi, cha msingi kwa hizi nukuu alizoleta hapa angesema katika Mswada wake, ni bora tunapozungumzia chekechea ziwe na vifaa vinavyo stahiki kwa malezi bora na mafunzo sahihi kwa watoto wetu...

(Applause)

Mheshimiwa Mwenyekiti ni masikitiko ukitembelea hizi chekechea hali zilivyo; badala alete Mswada wa kuboresha hali halisi ya chekechea na vifaa vitakavyo wezesha watoto wetu kusoma katika mazingira sahihi, anatuambia tununue basi, Kaunti yetu ya Mombasa tunajua uzito tulio nao wa masuala ya kifedha. Kupitisha hoja ya Kaunti itafute fedha ni lazima wanunue mabasi Mheshimiwa Mwenyekiti ni kuibebesha mzigo ambao sio kipao mbele. Wale wenzetu wasomi kidogo wasema *priotity*...

(Applause)

Mheshimiwa Mwenyekiti tusidanganye wananchi ya kwamba kila leo tunapitisha Miswada ambayo haina natija kwao; tukizungumzia suala la basi, sio kipao mbele kwa mwananchi wa Mombasa, ndio tunataka watoto wetu wasome, kitu muhimu ni vifaa viwe sahihi katika maeneo wanayosoma na wala sio kuwekeza basi kwa sababu pia tutatengeza fitna, uwezo wa Kaunti kununua basi kila Wodi, kila Wodi ina shule kadha wa kadha, ina timu za michezo kadha wa kadha tutaweza kukimu kila shule, tutaweza kukimu kila timu, tutaweza wale ndugu zetu ambao wametuacha ama wanapoteza maisha na wanastahiki kusafirishwa kuenda maeneo ya bara kila atakae kufa tutakuwa na uwezo wa kununua mabasi yatakayo watosheleza...

(Applause)

Mheshimiwa Mwenyekiti suala la kufiliwa ni suala la kawaida na suala la matanga ni suala la kijamii ambapo jamii hushikana ikaungana na ambao sisi kama viongozi bado ni wanajamii tuna haki kuchangia kusimama na watu wetu na jamaa zetu kuhakikisha wanapata kusafirishwa salama na kwenda zikwa sehemu wanazo stahiki na wala sio tununue mabasi kwa kuwangojea wafe kwani hatuna mapenzi nao?

(Applause)

Tuna mapenzi na watu wetu na kufa ni kwa Mwenyezi Mungu lakini suala la kuwekeza kwa mabasi kwa sababu tusafirishe watu wa kufa Mheshimiwa kama ni muoga ya kwamba lazima azikwe bara basi akijihisi anakaribia kufa basi atangulie kule asubiri mauti yampate kule...

(Laughter)

Mheshimiwa tuna mengi ambayo jamii hupitia na hata sisi kama Waheshimiwa tunapitia hatuja afikia na kuishurutisha Kaunti itekeleze majukumu mengine; mwisho wa siku tutakuja simama hapa tuseme tulipitisha Miswada mia lakini Kaunti ama kile kitengo cha *Executive* kilitubwaga hatukuweza kutekeleza lakini tumekibebesha majukumu ambayo hawana uwezo nayo. Lakini tuweni wakweli, tusipigeni ngonjera hapa kuonekana twazungumza sana hali ya kwamba twadanganya wananchi, lazima tusimame na ukweli tuwaambie wananchi wetu ukweli ya kwamba uwezo wetu kama serikali ni huu, na tutatekeleza haya, yale yenye natija na kipao mbele kwa wananchi wa Mombasa. Ahsante Mheshimiwa Mwenyekiti.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Naliaka.

Hon. (Ms.) Wafula: Ahsante sana Bwana Spika kwa kunipa nafasi hii. Mimi ningependa kupinga hoja hii ya leo kwa sababu zifuatazo; Mheshimiwa ni dhahiri shahiri kwamba Wahenga walisema usipoziba ufa utajenga ukuta kwa sababu hii, sisi tuko hapa ili kuboresha maisha ya watu wetu.

Tukiboresha kama vile tukipeana huduma nzuri kule upande wa afya tujali labda upande wa biashara watu wapate kazi wapate kuishi maisha bora hata vifo tutakuwa tumepunguza Mheshimiwa Spika...

(Applause)

Na hatutahitaji mapeni ya kununua magari kwa sababu ya kuwasafirisha. Bwana Spika lazima hapa pia tuweze kujua ya kwamba wenye kutafuta hizi kazi hapa mijadala mingi tunapitisha si kwa sababu ya kufaidi yule mwananchi wa kawaida ambae kwa lugha ya katiba anaitwa Wanjiko, lakini ingine ni ya kufaidisha wale wanakandarasi ambao watapewa hii kazi...

(Applause)

Bwana Spika kama tutamjali yule mwananchi wa kawaida kule mashinani maana ugatuzi maana yake ni maendeleo mashinani lakini inasikitisha wakati huu badala ya maendeleo mashinani ni ufisadi mashinani. Bwana Spika nikiwa mbele yako..., Bwana Spika nilinde.

The Deputy Speaker (Hon. Mwalimu): Hon. Members consult on a low tone.

Hon. (Ms.) Wafula: Bwana Spika ikija hata haya masuala ya mashule kupata magari hili ni jambo la usimamizi wa shule ifanye jitihada zipate shule maanake hizi shule magari yatakuwa yao hayatakuwa ya kila mtu. Hata saa hizi ukienda kwa shule fulani ukitaka kuchukua hilo gari ni lazima utalipia, ina maana ya kwamba hiyo ni biashara pale shuleni. Bwana Spika jambo lengine ningependa kusema kuna hizi *welfare* ama vikao vya kijamii ambavyo vinahusika sana na upande wa kusafirisha marehemu, maana huyu marehemu kuna mahali anatoka na hiyo pia inafanya hizo *welfare* inapata nguvu maana zinapata kushikamana na sasa ikiwa haya magari yanapeanwa na Kaunti, wale watu watapata muda gani wa kukaa pamoja wakasemezana maana pia kifo wakati mwingine ni kama sherehe maana yake vinaleta watu kwa pamoja. Ahsante Bwana Spika.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Nyiro.

Hon. Nyiro: Thank you Mr. Speaker, before I proceed in support of this very good Motion allow me to extend a special invitation to my brother's son Alvin Lewa J. Mwachiraba who said that his son will be in the House today so I need to recognize him in a special way because he is part of my family. I also wish to extend the invitation of Jocham School, welcome to the House...

(Applause)

As I continue to submit my support, my points in support to this Motion I think we have to be sincere as we debate Hon. Members. I think the issue of transport is a very thorny issue even in this Assembly, we have travelled to many other Counties and if we have to be true to ourselves live alone the residents and people of Mombasa, if we have to remain true to ourselves we need transport. We went to Machakos for sports Mr. Speaker and we were held in a 1996 old bus, when we reached Machakos we found that each and every County attending had their own buses and vans, the same vans are used by the House Committees, the same vans are used by...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): You had been in an information or point of order.

Hon. Nyiro: Is he informing me?

The Deputy Speaker (Hon. Mwalimu): Just give him a chance to inform the House.

Hon. Abdallah Fahad Kassim: Mr. Speaker thank you for the opportunity I would like to inform the House that this thing is very clear, I think my follow Hon. Member has not interpreted it properly. It is clearly stating in that Motion, purchase of the County social welfare buses for the residents, not Hon. Members not the County Assembly.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Fahad, proceed Hon. Nyiro.

Hon. Nyiro: Hon. Fahad I think Governor 001 is resident number one of the Mombasa County...

(Applause)

Being a Honourable Member does not, and I repeat does not remove the title of you being a resident of Mombasa. You are a resident of Mombasa because whatever services people of Mombasa are getting you are subject to the same services, you go to the same hospitals, you are drinking the same water, you go to the same Churches and Mosque so you are a resident of Mombasa. Kindly be informed.

The Deputy Speaker (Hon. Mwalimu): Hon. Members let Hon. Nyiro proceed.

Hon. Nyiro: Thank you for your protection Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Let Hon. Nyiro proceed, you will inform the House at a later stage. Just let Hon. Nyiro to proceed.

Hon. Nyiro: Thank you Mr. Speaker, thank you for your wisdom, I think you are getting better like wine...

(Laughter)

Mr. Speaker I want to speak the truth and ashame the devil, may be the devil is in the House or the devil is outside but he needs to be ashamed wherever he is. Mr. Speaker we are talking of the welfare buses and the Hon. Mover has said we are partnering with CDF, we are partnering with other like-minded who would like the people of Mombasa to live in a descent life style. So I repeat we need transportation, like for example I wonder seeing Hon. Moses Aran on that side because he is the Chair of Youth gender and Sports...

(Applause)

With all due respect, how can you support talents and sport without us having transportation.

The Deputy Speaker (Hon. Mwalimu): Hon. Nyiro, let Hon. Nzai inform the House, it seems the seat is very hot, Yes Hon. Nzai.

Hon. Nzai: Mheshimiwa Spika ahsante sana kwa kunipa nafasi hii kueleza Jumba hili haya ninayoyasema.

The Deputy Speaker (Hon. Mwalimu): Inform the House.

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Hon. Nzai: Naomba kueleza hili Jumba namna hii Mheshimiwa Spika; hakuna haja ya mtu kuongea na jazba na ilhali anaeleza haja ambayo hata wageni nao ni waisikie kwa uzuri, mtu anapoongea kwa hasira anapoteza utamu wa ule ujumbe ambao anataka kupeana na atatatiza wengine kuelewa kwa kwa haraka.

The Deputy Speaker (Hon. Mwalimu): Thank you. Okay Hon. Members do not be emotional when you are contributing on your issues.

Hon. Nyiro: Thank you Mr. Speaker but I think I went to school and English language and any other language i know that your facial expression and tonal variation, the tonal variation and facial expression is part of the communication...

(Applause)

I went to school Mr. Speaker so I will change the tone where need be, I will have to give facial expression as the communication goes so enjoy the communication. Mr. Speaker protect me I need to finish, protect me Mr. Speaker I need to finish, am I protected?

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Aran has been mentioned so let him.

Hon. Aran: Thank you Mr. Speaker. I want to inform the Hon. Member,

The Deputy Speaker (Hon. Mwalimu): Inform the Speaker.

Hon. Aran: I want to inform the Speaker sorry, or the House that we have our own rights and it is upon me to support the Motion or oppose the Motion so kindly this habit of somebody branding you being a Chair that you are in opposing side should stop. Secondly Mr. Speaker the Hon. Member has said he went to school and we all know he was taken to school, thank you.

The Deputy Speaker (Hon. Mwalimu): Okay Hon. Nyiro you have one minute left.

Hon. Nyiro: One minute is enough, thank you our able Chair but do not come to us for money for transportation of your teams; as I finish let us support this noble cause because these welfare vehicles will be a help even to us, remember in the next two weeks we will be traveling maybe for sports, I will be waiting to see if we use Mash buses or you go by SGR or you go by air because we do not own any of those. So this is a noble cause which we need to support and whoever says otherwise let God be the Judge.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Fahad.

Hon. Abdallah Fahad Kassim: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Ningependa kupinga Mswada huu na nia na sababu za kupinga Mswada huu sio kwa ubaya au wala sio ati tuko na matatizo na Mheshimiwa ndugu yangu Mheshimiwa Kitula, ni kwa sababu tuliletwa hapa kwa lugha ya Kiingereza ama kwa kusaidia wananchi kwa lugha ya Kiingereza lazima tuangalie *first priority. Priorities are very important* Mheshimiwa Spika ningependa kukujulisha ya kwamba sisi tuna husika na shule za chekechea, hivi tunavyo ongea ndani ya Wodi yangu na ndani ya eneo langu la Kisauni mashule hayana hata vyoo, madirisha hawana, watoto hawana hata mahali kwa kukaa...

(Applause)

Vipi leo nyumbani hauna hata kula, unafikiria kujenga gorofa haiwezekani lazima tuanze na vitu ambavyo vitasaidia hawa watoto Mheshimiwa Spika, la pili...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Fahad, Chief Whip is up, what is it Chief Whip?

POINT OF ORDER

The Chief Whip (Hon. Kitula): Mheshimiwa Spika, *Point of order under Standing Order 104 (f).*

The Deputy Speaker (Hon. Mwalimu): Just read the 104 (f).

The Chief Whip (Hon. Kitula): When conduct is grossly disorderly; if the Member concerned deliberately gives false information to the County Assembly. *Mheshimiwa Spika hoja ambayo iko katika meza yetu ni kuhusu County Social welfare buses, ikiwa yeye ana shida na Mejambere, wacha atengeze hoja kuhusiana na Mjambere lakini leo ni County Social welfare buses Mheshimiwa Spika. Ahsante.*

Hon. Abdallah Fahad Kassim: Mheshimiwa Spika siongei kuhusu Mjambere tafadhali naongea kuhusu Mombasa Nzima, natunaweza kutoka hapa tutembelee shule zetu za chekechea haziangaliliki hakuna vyoo, hakuna madawati, hakuna madawati hakuna choki, hakuna hata waalimu kwa hivyo Mheshimiwa Spika...

Hon. Abdallah Fahad Kassim: Ningeomba Nyumba hii...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): There is an information.

Hon. Abdallah Fahad Kassim: If he is informing me, I do not want to be informed.

The Deputy Speaker (Hon. Mwalimu): So whom are you informing?

Hon. Thoya: Mheshimiwa Spika nimesimama kwa hoja nataka nitaarifu Jumba hili. Hoja ambayo iko hapa...

(Interruption)

POINT OF ORDER

Hon. Aran: Point of order Mr. Speaker!

The Deputy Speaker (Hon. Mwalimu): What is your point of order?

Hon. Aran: I am rising on a Standing order.

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Be audible, use your microphone.

Hon. Aran: Mr. Speaker Sir I am rising again under Standing order 73...

(Applause)

He said Mr. Speaker Sir then...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Thoya if you start using Kiswahili proceed in Kiswahili.

Hon. Thoya: Ahsante Mheshimiwa Mwenyekiti nataka nimfurahishe kwamba pia upande huu kama kwamba tulienda shule hatukusoma kiingereza pekee yake na Kiswahili pia tulikisoma na tutakizungumza Kiswahili mufti...

(Applause)

Ambaye ameweza kuleta huu mjadala amezungumzia kuhusu...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Inform the House what was your point of information?

Hon. Thoya: Ninasema kwamba ikiwa kulikuwako kuna hoja ya mashule vyoo havijajengwa, madirisha yamevunjika vunjika alikuwa ana wakati yeye wa kuleta huu Mswada hapa alikuwa asingoje Mswada huu halafu ndio aje azungumze hayo...

(Applause)

The Deputy Speaker (Hon. Mwalimu): Okay. Thank you. Hon. Fahad proceed.

Hon. Abdallah Fahad Kassim: Ahsante sana Mheshimiwa Spika tuachane na hiyo ya kwanza, wacha tuifanye rahisi. Mheshimiwa Spika nafikiri tuko na Wodi 30 ndani ya Mombasa na uwezo wa kununulia mashule ama Wodi 30 pesa hizo hatuna; kwa hiyo ningependa badala ya kupitisha Mswada 100 ambayo haitofanyiwa kazi tungejaribu tuangalie zile ambazo ni muhimu tuweze kupitisha hizo mwanzo halafu wakati tumemaliza...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): What is it Hon. Nyiro?

Hon. Abdallah Fahad Kassim: Are you informing me?

Hon. Nyiro: *(Inaudible)* There is no money.

The Deputy Speaker (Hon. Mwalimu): Hon. Member...

(Interruption)

Hon. Abdallah Fahad Kassim: Mheshimiwa Spika nafikiri juzi tulipitisha bajeti hapa. Mheshimiwa Spika juzi tulipitisha bajeti na kitu ambacho hakiko kwa bajeti sijui *Supplementary* haiko karibu Mwenyekiti wa Finance anaweza thibitisha hiyo. Siku ya *Supplementary* tutaangalia tutafanya vipi Mheshimiwa Nyiro. Kwa hiyo Mheshimiwa Spika nasimama kupinga Mswada huo tena naupinga vikali na wale wenzangu ambao wako ng'ambo ile ningependa mvuke hivi ili tusipoteze wakati tufuate shughuli nyengine muhimu mashinani. Ahsanteni sana.

The Deputy Speaker (Hon. Mwalimu): Hon. Ramla?

Hon. (Ms.) Ramla Said: Mheshimiwa Mwenyekiti ahsante sana kwa kunipa hii nafasi naunga huu Mswada kwa nguvu zote...

(Applause)

Kwa sababu hii changamoto ya mabasi inatukumba watu ambao wanaishi na ulemavu...

(Applause)

Hivi sasa Mheshimiwa Mwenyekiti tunasikitika kuwa Kaunti ya Mombasa hii hakuna basi hata moja ambayo iko kitengo changu...

(Applause)

Ambayo inaweza kubeba mlemavu na walemavu hawa wana shule na kuna *activities*; kuna michezo kila aina ambayo inafanyika na kila leo tunachangisha masafari yao. Mabasi ambayo yako hapa Mombasa walemavu wanabwebwa na ukienda nchi za ng'ambo mlemavu anapanda basi mwenyewe, habebwi kwa nini leo hii Kaunti ya Mombasa haijawahi kununua gari za usafiri hata moja ambayo inabeba mtu ambaye anaishi na ulemavu?

(Applause)

Kwa hivyo hiyo ni nukta moja. Nukta ya pili kila sherehe ambayo tunafanya hapa Kaunti ya Mombasa huwa hakuna mabasi ya kuwabeba walemavu waje kwenye sherehe mpaka twende kuomba kutoka kwa mashule ya wanafunzi. Kwa hivyo itakuwa sawa kuwa na mabasi yetu wenyewe ili tuweze kupata kuwasahilishia. Ahsante.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Aran Moses.

Hon. Aran: Shukran Mheshimiwa Mwenyekiti. Mimi pia nasimama kupinga vikali hoja ilioletwa na ndugu yangu. Kwa sababu mimi nashangaa ndugu yangu tena rafiki yangu wa karibu Mheshimiwa wewe ni kiranja wetu unafaa uangalie maslahi yetu kabla uangalie wengine...

(Applause)

Na pia mmoja aliyeunga mkono kwa upande huu alisema kwamba yeye alitoka nje ya mada Mheshimiwa Spika akasema kwamba sisi wenyewe hatuna basi na mimi naomba hata ningejadiliana na Mheshimiwa Kitula kwanza ndio alete Hoja hii. Mheshimiwa Spika mimi naona hili jambo ni jambo linafaa lijadiliwe katika zile Kamati na mimi nasimama kama Mwenyekiti wa Kamati ya Youth, Gender sports and Cultural affairs na sisi tulikaa chini na Waziri wetu na saa hii tunavyoongea kwa bajeti iko ndani tutakuwa na basi yetu...

(Applause)

Na pia nashangaa naona Mwenyekiti wa Elimu Mheshimiwa Bomoa atasimama na Kiingereza kingi hapa na hata basari hajatuletea Mheshimiwa Spika. Kwa hivyo mimi naomba tafadhali mambo mengine tusikimbilie kuleta tu lakini tuangalie kwanza tukae na wakuu wa vitengo vya serikali ya Kaunti tujadilie halafu tulete hapa...

(Applause)

Kwa sababu hatuwezi kusema kwamba tuwaambie kila Kitengo kwamba Kaunti ya Mombasa wachukue basi Mheshimiwa Spika, tunaelekea wapi? Ama ni kufurahishana tu! Sisi kama Kitengo cha Vijana tumeona; amenukuu hapa Mheshimiwa Kitula kwamba mambo na michezo hiyo iko ndani, sisi tushajua wachezaji wetu wanasumbuka ndio maanake tumekaa chini na hivi vitu vimepitia *public participation*. Tufuate sheria kwa hivyo mimi nasimama na naomba Mheshimiwa Spika kwa heshima na taadhima Mheshimiwa Kitula simama tu utoe huu Mswada ulete Mswada tununuliwe mabasi hapa; anza na Bunge la Kaunti kwanza, mtu huanza kwake kabla uende nje...

(Applause)

Ahsante.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Shebe Athuman?

Hon. Shebe Athuman: Ahsante sana Mheshimiwa Mwenyekiti. Kwanza kabisa niko chini ya himaya yako, ningeomba Mheshimiwa Mwenyekiti uweze kunilinda na alama kielimishi kwa kizungu *point of order* na vile vile alama kielimishi. Niko chini ya himaya yako kuwa Bunge hili litanipatia nafasi ya kuweza kufafanua kinaga ubaga na tatu kuna alama ya kuelimisha Bunge hili pia ningependa uweze kunilinda kwa himaya yako pindi atakaposimama Mheshimiwa yoyote ningeomba Waheshimiwa wenzangu katika kitengo cha *Ayes* tuweze kusimama sote tutakuwa tumemaliza kuafikisha maswala hayo.

Tatu Mheshimiwa Mwenyekiti Waheshimiwa wenza, Wenyekiti wenza wengi wametuaambia mengi kuhusu maswala mazima ya hii Hoja yetu iliyoletwa hapa mbele. Wallahi inakuwa kinaya kikubwa sana Mheshimiwa Mwenyekiti ikiwa lalama ziko mitaani hatuzion kwanza kabisa Mheshimiwa Mwenyekiti napenda kuutia uhai kabla sijatandika rasmi jamvi kuweza kuhakikisha alama zangu za kuunga mkono Hoja hii Mheshimiwa Mwenyekiti.

Naitia uhai Hoja hii iliyoletwa mbele na Kiranja wetu Mheshimiwa Mwenza Mheshimiwa Kitula na tatu Mheshimiwa Mwenyekiti tafadhali Waheshimiwa wenza Bunge limetupatia uhuru kuna lugha mbili zinatumiwa katika Bunge letu; kwanza kabisa lugha tunayoifahamu zaidi, lugha tuliozaliwa tukijua ni lugha ya Kiswahili, Kiswahili mufti. Mheshimiwa Mwenyekiti vile vile kuna lugha ya mayai ambayo ni lugha imekuja na meli na ndege kwa hivyo ningeomba Waheshimiwa wenzangu Mwenyekiti haina haja nimesononeka sana nikiwa chini hapa Kiswahili changu ninachokienzi kinaumwaumwa, kinahujumiwa.

Mheshimiwa Mwenyekiti hakuna mashule katika Kiswahili ni shule, kwa hivyo tafadhalini hakuna kuziba ufa Mheshimiwa ukileta methali hakikisha methali inaoana ama inauwiana na mpango mzima wa ile hoja unayoileta Mheshimiwa Mwenyekiti. Napenda kwa kutangulia Mheshimiwa kueleza sababu ya kimsingi sababu gani na heshimia Waheshimiwa wenza tuweze kuunga mkono hoja hii; Mheshimiwa unajua hali yetu hali ya jamvi hali ya mkeka Mheshimiwa!

(Applause)

Leo mashinani Mheshimiwa kuna matatizo matatu yametukumba sisi Waheshimiwa tukubali tukataeni tusemeni ukweli. Kwanza kuna kiumbe kimeumbwa na mfalme wa mbingu na ardhi ambaye ni mauti na hichi kiumbe kinatupa mtihani mkubwa sana kule kwetu mashinani Mheshimiwa Mwenyekiti. Wallahi nina imani sote tukitoka hakuna hata mmoja Mheshimiwa atakosa katika Wodi 30 wacha niwatie radhi na niwakumbuke wale waliochaguliwa na vyama vyetu ambao wana kazi muhimu wanafanya almaarufu *nominated*; wakienda mashinani kuna matanga, kuna mazishi hayaepukiki Mheshimiwa Mwenyekiti.

Leo sisi twaletewa hoja hii wewe ukipatikana mashinani unatakikana uchange Mheshimiwa Mwenyekiti shilingi 5,000 wallahi saa zengine inakuwa mtihani unaomba wewe uvalie sura tofauti na Mungu amekupa cheo cha Mheshimiwa hapa panakuwa katika hali ngumu sana. Pili Mheshimiwa Mwenyekiti mimi nazungumza katika nafsi yangu na katika roho yangu ninavyozungumza tarehe 11 mwezi huu tunaoingia watoto wangu wanatakikana kwenda Nyeri kuhakikisha wamewakilisha Kaunti 001. Lakini mtihani hawana mtihani usafiri Mheshimiwa MCA wao hali yake ndio hiyo...

(Laughter)

Kwa hivyo hoja inayoletwa hapa mbele nawaomba Waheshimiwa wenza na Wenyekiti wenza wakiwa kule tuweze kuunga mkono Mheshimiwa Mwenyekiti...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Shebe your time is up.

Hon. Shebe Athuman: Ahsante sana kunipa nafasi...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Shebe your time, yes Hon. Faith?

Hon. (Ms.) Mwende: Thank you very much Mr. Speaker for giving me this opportunity. First of all I want..., is not really supporting do not put words in my mouth the Motion which is in front of us is a good Motion but it has come in the bad time; in wrong time that is...

(Applause)

I am not supporting it as now because the timing is wrong. Mr. Speaker if we can read the Motion very well it talks about pre-primary to go those competitions and my Chair of Youth we have good plans to purchase a bus and we went to Sun and Sand we sat down with the department and we proposed to purchase a bus. So I am surprised because the Hon. Member who has brought this Motion is also a Member in that Committee...

(Applause)

Mr. Speaker, when Hon. Member from Jomvu Kuu was talking about the students going to Nyeri this is primary school and we understand according to our institution, primary and secondary are not devolved. So before we go to do other work for the national government we should first do our own...

(Applause)

Mr. Speaker, I do not see purchasing of the buses as a priority in the County 001 because if we see our pre-primary schools are in pathetic. When I talk on behalf of Kwa Hola Primary where the structures are like chicken cage shed (??) so we should look on the priorities. Mr. Speaker protect me Hon. Amriya is disturbing me!

The Deputy Speaker (Hon. Mwalimu): Proceed Hon. Faith.

Hon. (Ms.) Mwende: So Mr. Speaker I oppose it very dearly, thank you.

The Deputy Speaker (Hon. Mwalimu): Hon. Ogutu?

Hon. Ogutu: Mheshimiwa Spika Ahsante kwa kunipatia hii nafasi. Kwanza kabisa nataka kuunga huu Mswada mkono mia fil mia; sababu ya kwanza ni kwamba mimi katika Wodi yangu iko timu ya mpira ambayo imesambaratika hata leo kwa sababu hawana njia nzuri ya usafiri. Timu hiyo ilikuwa inacheza katika *division one*, Kenya tunasikitika sana kwa sababu timu kama hiyo ilikuwa inawakilisha Kaunti ya Mombasa katika Kenya nzima na leo hawawezi kufanya hivyo.

Mheshimiwa Spika tunasema ya kwamba kazi yetu ni kuhakikisha kwamba zile timu ambazo tunawakilisha zimepata huduma ambayo ni nzuri. Mheshimiwa Spika leo tungekuwa na hiyo basi hata ikitoka kwa *planet* gani ingekuwa leo ile timu ingekuwa iko na ingekuwa inawakilisha Kaunti ya Mombasa bado. Kwa hivyo mimi naunga mkono tuwe na basi itoke wapi. Ahsante sana.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Kushe?

Hon. (Ms.) Fatma Swaleh: *(Technical hitch)* Sitaki kuinama inama!

(Loud consultation)

The Deputy Speaker (Hon. Mwalimu): Hon. Members consult on a low tone.

Hon. (Ms.) Fatma Swaleh: Haina shida. Ahsante sana Mheshimiwa Spika kwa kuweza kunipa fursa hii. Kwanza kabisa namshukuru Mwenyezi Mungu kwa kuniwezesha kuingia ndani ya hili Bunge saa za mchana Mheshimiwa Spika...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Amur you are out of order!

Hon. (Ms.) Fatma Swaleh: Mheshimiwa Spika mimi nimesimama bila kigegezi, bila kuogopa wala tashwishi ndani ya roho yangu na kupinga vikali mjadala ulioletwa na Mheshimiwa Kitula. Mheshimiwa Spika ni jambo la kusikitisha sana kwamba Mheshimiwa ataamka tu atakurupuka atakuja na Mswada kabla hajapitia katika Kamati ya Fedha...

(Applause)

Mheshimiwa Spika mimi nina hakika wewe mwenyewe kabla hujatoka nyumbani kwako asubuhi utahakikisha ndani ya mfuko wako kuna pesa za chai, za saa sita na za jioni. Mheshimiwa Spika nawaomba ama namuomba Mbunge mwenzangu Mheshimiwa Kitula kwanza kabla hujaleta hoja ndani ya hili Jumba mimi ukileta hoja zisizokuwa na msingi mimi nitakupinga tu!

(Applause)

Kwanza kabisa ukiangalia Mheshimiwa Spika mimi nashukuru niko katika Kamati ya Fedha na hizo pesa hatuna, hiyo bajeti hatuna tusidanganyane ama tusipakane mafuta. Mheshimiwa Spika mimi nazungumza na uchungu tuna mambo mengi sana ya kufanya katika Jumba hili; ukiangalia hivi wengine tukisimama hapa mpaka tu *bend over* Mheshimiwa Spika...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Fatma Kushe use parliamentary language please!

Hon. (Ms.) Fatma Swaleh: Sawa Mheshimiwa Spika. Mheshimiwa Spika kuna watu wengine hapa waheshimiwa wamepewa vimo. Kwa hivyo wakitaka kuzungumza Mheshimiwa Spika mpaka waweze kuchutama ambayo inatumiza migongo; kuna mambo mengi ambayo tunatakiwa tufanye hapa, tuna wafanyi kazi wetu wengine walistaafu wengine wako hapa ambao hatujawapa hata pesa zao na wanatudai ...

(Interruption)

The Chief Whip (Hon. Kitula): Point of order Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): There is a point of order. Yes, which point of order?

The Chief Whip (Hon. Kitula): Under 104 (h) still the same same Order Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): False information?

The Chief Whip (Hon. Kitula): Yes.

The Deputy Speaker (Hon. Mwalimu): So which false information?

The Chief Whip (Hon. Kitula): Mheshimiwa Spika Mwakilishi kwanza ameweza kusema kwamba mimi kila Hoja inakuja hapa ataweza kunipinga lakini leo hii namuambia kwamba sisi kama Wabunge Hoja ambayo iko katika Bunge letu ni kuhusu County Social welfare buses kama anapinga azingatie kuna maono yake kulingana na hoja ambayo iko katika meza yetu. Mheshimiwa Spika kuhusu wafanyi kazi, kuhusu maswala ya huduma mashinani alete hoja zake kama Mwakilishi hadi kufikia leo na shangaa yeye anawakilisha...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Okay, thank you Chief Whip. Proceed Hon. Fatma?

Hon. (Ms.) Fatma Swaleh: Naregea tena na naomba ninukuliwe kwa makini hoja yoyote ambayo itakuwa haina natija mimi sitoiunga mkono wala siogopi kusema hilo Mheshimiwa Spika. Mheshimiwa Spika tuna mambo mengi ya kuweza kufanya Mheshimiwa Spika; kuna wafanyi kazi wetu mpaka leo wengine hatujawapa pesa zao, kuna wafanyi kazi wetu mpaka leo wengine hatujawapa pesa zao na wamestaafu, naomba unilinde.

The Deputy Speaker (Hon. Mwalimu): Hon. Amur you are out of order.

Hon. (Ms.) Fatma Swaleh: Mheshimiwa Spika ningemuomba Mheshimiwa Kitula aweze kuenda katika Kamati ya Fedha aweze kukaa na sisi chini kwanza alete Mswada wake kule tujadili kama pesa ziko tumwambie kama hakuna pia tumwambie, nasema tena napinga vikali hoja hii.

The Deputy Speaker (Hon. Mwalimu): Okay thank you, yes Hon. Amriya.

Hon. (Mrs.) Amriya Juma: Thank you Mr. Speaker for this opportunity. I wish to support the Motion for the purchase of welfare buses for our children.

In the Governor's maiden speech he made it clear that this House should focus on vision 2035 and one of the missions in our vision 2035...

(Applause)

Mr. Speaker you will agree with me that in our vision according to our Mombasa vision 2035 one of our co-values is to promote better living conditions for each and every resident of Mombasa and you will agree with me that it is high time that this House should not shy away from making laws and regulations in areas which not necessarily have immediate effect but have even...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): There is a Member who is up, yes what is it Hon. Thoya.

Hon. Thoya: Nataka kuchukua nafasi hii kujulisha Nyumba hii ni vizuri pia tuangalie *mood of the House* kwa Kiswahili sijui tutasemaje lakini kufikia saa hii nafikiri wengi wametoa hoja na wale ambao wanapinga walikuwa wakipinga wanaona wanamalizika kutoka mmoja mmoja. Naomba Bwana Mwenyekiti tumalize hii nafikiri tushamalizana, ahsante.

The Deputy Speaker (Hon. Mwalimu): Hon. Thoya you are out of order because the Speaker is around and am the one to guide the House on which way to go, so proceed Hon. Amriya.

Hon. (Mrs.) Amriya Juma: In fact I should demand for an apology because I was on my feet Mr. Speaker, all in all the point I was trying to build on is with regards to the fact that this House should be alive to the fact that we have the mandate to make regulations and policies in areas where we do not have regulations and I think when we come to Public Private Partnerships we need to think about it because this Motion leads me to the thoughts that it talks about the department of Devolution to partner with sponsors, I think that falls very well with Public Private Partnerships. So I do not think that the argument on availability of funds is here nor there, and in my submission I wish also to state that it beats logic if we could have our children have free education and we do not give them means to facilitate that free education; it brings no value, and then building on to that you will agree with me that most of the Members in this House are versed and in better placed and their children are in private schools and academies so they might be tempted to overrule the fact that our kids from the common *mwananchi* are in die and need of assistance...

(Applause)

I think it is high time; we are not shortsighted anymore and we look into the future, ten years to come or 20 years to come where we want this city to be...

(Applause)

The Deputy Speaker (Hon. Mwalimu): Hon. Ibrahim?

Hon. Omondi: Thank you Mr. Speaker Sir for this opportunity. First and foremost I stand here firmly well informed and aware of this particular Motion and I stand here with grounds to support this particular Motion, am not just standing but I have clear grounds to support this particular Motion, number one as the Chair of Education i will be the last person to oppose this particular Motion.

When you look at the ECD the support of the pre primary people to facilitate their transport, this one is a problem to our schools; personally I do not know how to express it I think it is very uncouth, barbaric, animalic kind of behaviour when we see our young children moving around the schools around the roads begging for money from every Peter and Tom that passes around them...

(Applause)

It is very hectic Mr. Speaker Sir and this should stop with immediate effect, begging this money in the name of getting transport to facilitate them to various activities outside Mombasa County, when you got an opportunity you need to strike it, today we have an opportunity this is the time I have been waiting for, thank you very much Hon. Kitula. Mr. Speaker...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Just a minute Hon. Ibrahim, there is a Member who is up, what is it Hon. Nzai?

Hon. Nzai: *(Off microphone).*

The Deputy Speaker (Hon. Mwalimu): Okay.

(Laughter)

Hon. Omondi: Mr. Speaker Sir I heard one of the Hon. Member who is also my friend saying that this particular Motion does not have a constitutional back up, I want to say it loudly and with a lot of confidence that this is a House, one of our mandates as Members of the County Assembly is to make laws, to legislate and therefore Mr. Speaker Sir we have full backing of the law to legislate any law that is not in the Constitution, and therefore today we are speaking loud without fear and favour, we are legislating and we are allowing this particular activity to take place. Number three you will realise that the Member who brought this Motion was very candid, very categorical when he said that this one requires partnership he was very categorical. It is obvious that whether this it is in the budget but not in the budget we have the well wishers, we have companies even foreigners that we can partner with to make this a success, and therefore I do not see anything bad with that Mr. Speaker Sir. Number 4 almost finishing I have fallen a victim as an elected Member in this House personally and this is the time to express myself how I felt it Mr. Speaker Sir, fundraisings which are taking place in our Wards day in day out, in the name of transporting people from one place to another I think there is an opportunity...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Ibrahim your time is up.

Hon. Omondi: That I must utilise to ensure that I do not again fundraise.

The Deputy Speaker (Hon. Mwalimu): Your time is up.

Hon. Omondi: Thank you Mr. Speaker I support it 100 per cent, thank you Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwalimu): Hon. Kombe Nzai.

Hon. Nzai: Ahsante sana Mheshimiwa Spika kwa kunipa nafasi na mimi kuweza kutoa mchango wangu katika mjadala huu ama hoja hii ambayo imeletwa na Kiranja wetu wa Bunge hili. Mimi nasimama napinga mjadala huu na nina sababu mwafaka ambazo niko nazo kupinga hoja hii, *pre-primary schools* kwa kimombo kama ilivyoandikwa hapa shule za chekechea ni swala ambalo ni kweli liko kwa *vision 2030*, na ni swala ambalo kila mmoja ana matamania nayo sana.

Mwanzo nataka nichukue nafasi hii kumpongeza Gavana wetu kwa juhudi ambayo anaziendeleza kujenga hizi shule mwanzo na kuziletea vifaa hii inanambia kwamba kila kitu kinaenda kwa mpango, kwa mpigo sawia na vile inavyo bajetiwa, hivi hapa kusukuma mara moja hii *welfare Bus* na daraja ya zile ECD haijafika kiwango hicho hata zengine ikiwa mojawapo ni ya kwangu na haijaanza hata kusomwa kwa sababu mafundi bado wanaendelea nitakuwa hapo ni sawasawa kulumbukiza mizigo juu ya mizigo na sioni wakati wake umefika Mheshimiwa Spika, shughuli hizi za Waheshimiwa kusumbuliwa Wodi kwao...

(*Interruption*)

The Deputy Speaker (Hon. Mwalimu): There is a point of information.

Hon. Murfad Amur: I want to address the House it is a social welfare not for a particular individual.

Hon. Nzai: Ahsante. Mheshimiwa Spika hoja ya Waheshimiwa kusumbuliwa kwa kupeana usafiri aidha kwa mazuri ama kwa mabaya limekuwa ni swala toka jadi, na hata saa hii kukatokea *social buses* mia moja bado utafuatwa hivyo hivyo upeane mchango wako hivyo hivyo kwa shughuli kama hizo. Mimi naona hapa Mheshimiwa Spika tunakimbia ule ukweli wa Mheshimiwa kuwa Mheshimiwa kwa sababu sidhani kwamba unaweza kutoa cha mwenzako kijiti kwa jicho na chako kiwe kitaendelea hapo hapo. Chembelecho mwenzangu Mwenyekiti wangu ambae namuenzi ambayo hali yake ya mkeka ni hali yangu ya jamvi, mambo na mpango mzima hapa ni kuwezesha Waheshimiwa; Mheshimiwa nadhani akiwa amewezeshwa kisawasawa hakuna chochote atakachofatwa nacho ofisini kwake katika Wodi yake na kiwe kizito Mheshimiwa Spika.

Mimi ningeomba Mheshimiwa mwenzangu ambae ana hizi hoja nzuri nzuri sijui anazitoa wapi maana ni siri kubwa alete hoja ya kuweza kutufanya sisi kama Waheshimiwa tuonekane Waheshimiwa, ile barua inavyosemwa upande wa nyuma na mbele alete Mswada huo angalau na sisi tuwe na nguvu mashinani ili yale mambo mengine yote yawe ni sawa. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika mimi nasimama hapa leo nakumbuka kiongozi wangu Raila Odinga akitoa kisa kimoja akisema kuwa kuna mnyama mmoja hua akija mahali hapa hivi hupigwa pap akakimbia, dakika mbili tatu hua ashasahau hurudi pale pale akapigwa tena, akakimbia akapigwa tena akakimbia. Kwa hivyo Mheshimiwa Spika juzi tarehe 26 mwezi uliopita tulikuwa hapa tukipitisha bajeti na ile bajeti nafikiri silaumu Waheshimiwa lakini ilikuwa kila mmoja ana *interest* ya kuangalia kwake, hakuangalia sisi kama Bunge la Kaunti tumeweka bajeti ya kununua magari mawili bus na *minibus* ilikuwa pia tumeweka kwa bajeti.

Kwa hivyo kama Bunge la Kaunti ilikuwa tuwe na basi tuwe na *minibus* Mheshimiwa Spika kupitia kiti chako naomba utumie Kanuni za Bunge 50(3). Nikisema hivyo nategemea Kanuni za Bunge 205(1)(2) kwa sababu Mheshimiwa Spika nafikiri kuna sheria ambayo inatoa mwongozo wa kusema kuwa kitu chochote kuhusiana na *money bill* ni lazima iwe itapitia Kamati.

Pia ni kusema kuwa kuna vitu vyengine kuwa ni lazima itabidi turegee kwa CIDP ama sina haja kueleza zaidi ni kusema kuwa jambo lolote ambalo halimo kwenye mpangilio hatuwezi kulitumia. Kwa hivyo Mheshimiwa Spika naomba utumie Kanuni za Bunge nambari 50(3) tupate mwelekeo zaidi.

The Deputy Speaker (Hon. Mwalimu): So you are on the opposing side?

(Applause)

Hon. Mohamed Hatimy: Mheshimiwa niko kwenye sheria.

The Deputy Speaker (Hon. Mwalimu): Okay thank you.

Hon. Mohamed Hatimy: Nataka sheria ifuatwe, niko kwa sheria kama tutasoma utakubaliana na mimi Kanuni za Bunge nambari 205, 1 and 2 iko wapi, hatutaki tufanye mambo ambayo watakaokuja mbele yetu watakuja kutucheka Mheshimiwa Spika...

(Applause)

Kwa hivyo nafikiri Kanuni za Bunge 205(1)(2) iko wazi juu ya *money bill*, ukiangalia huu Mswada ukiangalia kwenye *word* ambayo ni *partnership*, inamaanisha kumaanisha kuwa ni ushirika baina ya pande mbili sisi na wale watakaotoka nje. Kwa hivyo itahitaji Kaunti nayo kutoa kitu ndani yake, ukiangalia kwenye maombi yasema kitengo cha ugatuzi ishirikiane na wahisani. Kwa hivyo ni Kaunti ishikane na wahisani itabidi na sisi pia tujikune kidogo tutoe kile ambacho tutatoa kwenye hii, hivyo basi hii ni kupelekwa kwa Kamati ya Fedha iangaliwe alafu iregeshwe ahsante sana Mheshimiwa Spika.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Hon. Members as the Member has raised Standing order 50, 3 I will not call upon the mover to respond I will give him the chance to respond and putting the question will be tomorrow in the afternoon session. So when we start the afternoon session we will give you the exact time of when we are going to put a question of this Motion. Yes Clerk.

ADJOURNMENT

Hon. Members having finished the business for today the House stands adjourned until tomorrow Thursday at 2:30p.m.

The House rose at 3:25p.m.