

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Tuesday, 12th July 2016

The House met at 2:53p.m.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****COMMUNICATION FROM THE CHAIR**

Deputy Speaker (Hon. Mswabah Rashid): Hon. Members welcome to the 69th sitting of the Assembly 2016. In our last sitting which was held on Tuesday 5th July 2016, a Notice of Motion on removal of Hon Thadius Rajwayi was issued before the Assembly by Hon. Patrick Siminyu, MCA Tudor Ward. The Motion was scheduled to be moved today and as it is that will not be possible because we are in receipt of a court order which was issued on the 11th July, 2016 barring us from debating the issue as the matter is sub judice. We respect the various institutions created by our constitution and we shall not in this sitting debate the Motion. The court order obtained by the applicant who in this case is Thadius Rajwayi reads as follows;

(Deputy Speaker (Hon. Mswabah Rashid) read)

Republic of Kenya, in the Court of Kenya at Mombasa, Constitutional and judicial review division MISC. Application No. 52 of 2016. Thank you very much.

MESSAGES

Hamisi Mwidani.

Leader of Majority (Hon. Mwidani): Ahsante Bwana Spika ningependekeza kutoa taarifa ya uteuzi wa Waziri wa Kaunti atakayesimamia kitengo cha biashara Bwana Hamisi Mwaguya kuweza kudadisiwa kwa hili Bunge. Ahsante sana Bwana Spika.

Deputy Speaker (Hon. Mswabah Rashid): Thank you, and i commit that matter to the Committee on Appointments, so Committee on Appointments take over that matter, thank you.

STATEMENT

Yes Hon. Mwidani you have a statement.

Leader of Majority (Hon. Mwidani): Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii kupeana taarifa katika Nyumba hii yetu tukufu. Nashukuru Gavana wetu alikua mmoja wa waliokuwa wameitwa na Seneti na ile Ripoti ambayo tulipitisha hapa kwa Bunge ndio hiyo imemfanya auliziwe, na tunashukuru kwamba ilikua leo na ikamalizika na tukapata kwamba Gavana amefuata taratibu za kisawasawa kama vile tulivyopitisha kwa hii Nyumba...

(Applause)

Kwa hivyo Bwana Spika namshukuru kwanza Mwenyezi Mungu na twashukuru Bunge hili kwa kuweka makini katika kutengeza Ripoti ya kufanya Gavana wetu aweze kufaulu katika Ripoti hii, ahsante sana Bwana Spika.

*(Applause)***MOTION**

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Saad Faraj.

Hon. Faraj: Thank you so much Mr. Speaker, on behalf of Hon. Mswabah Rashid who was supposed to move this Motion i would like to take this opportunity on his behalf to move.

(Hon. Faraj moved the Motion on behalf of Deputy Speaker (Hon. Mswabah Rashid))

PAINTING OF TUSKS ADJACENT TO UHURU GARDENS

Mr. Speaker Sir, I beg to move the following Motion;

THAT AWARE that the famous decorative elephant tusks along Moi Avenue, Mombasa are an important county landmark and part of our historical heritage;

FURTHER AWARE that the decorative elephant tusks were erected way back in 1953 to commemorate the crowning of Her Majesty Queen Elizabeth II of United Kingdom who then was sovereign ruler in Kenya;

CONCERNED that since their construction the metal plates have been depreciating and there is need to paint them regularly to maintain them and preserve this important county and national landmark;

I therefore urge the County Assembly to RESOLVE that;

The County government to annually paint the landmark decorative tusks on Moi Avenue, Mombasa and replace any worn out metal plates to preserve this important piece of our County and National heritage.

I beg to move this Motion Mr. Speaker, and i call upon Hon. Fadhili Mwalimu Makarani to second the Motion. Thank you so much.

Hon. Mwalimu: I second the Motion.

Deputy Speaker (Hon. Mswabah Rashid): Yes it has been seconded already Members of this House I have no other option but to propose a question.

(Motion proposed and agreed to)

Yes Hon. Saad.

Hon. Faraj: Thanks once again Mr. Speaker, it is of great concern having understood where we are coming from as a community. We need to have our heritage and the tusks at the Moi Avenue have been there ever since and as the Motion is put clearly they have been in existence since 1963 although we have now moved ahead at that time Mr. Speaker, this or rather the Queen Elizabeth were the ones who were the rulers in this Country and because of this kind of heritage and the culture we must maintain what we have so that we can have it as historical to our children, to our people and to our grand children so that they can understand where we are coming from and where we are headed to. So Mr. Speaker I would like to call upon the Members to support the Motion so that we can make sure that whatever we have is properly preserved and i quote Mr. Speaker if there are any cultural sites that are in a state that needs repair then we should also improve them. Thank you very much.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili.

Hon. Mwalimu: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika kwa kweli utalii ni kiungo muhimu katika Kaunti yetu ya Mombasa na hivi vivutio vya utalii pia ni muhimu kama itakuwa tunavipa hadhi zake na hapa kwetu Mombasa yale mapembe ya ndovu ni moja katika vivutio vya watalii wa humu nchini na wa kutoka ng'ambo na ikiwa sisi tutaziacha sehemu kama zile tutaziacha bila kuzishughulikia kuna hatari ya vizazi vyetu vije kukosa kuona sehemu kama zile. Mheshimiwa Spika kila mtu anapenda usafi, na ikiwa patawekwa safi patawekwa nadhifu ziwekwe zipigwe rangi, kama ilivyosemwa nina imani na itazidi kuvutia na itazidi kuweka madhari ya pale mahali pazidi kuwa pazuri. Mheshimiwa Spika twaelewa kuna upungufu wa watalii katika nchi yetu, nchi jirani, nchi ya Zanzibar watalii wamekuwa wakielekea huko na wanapitia sehemu hizi ambazo zimehifadhiwa na sisi Mombasa yetu kokote itakapokwenda zile pembe ni moja wapo kati ya mauzo ama tunauza Kaunti yetu ya Mombasa na pembe zile ikionekana pembe zile za ndovu inajulikana hii ni Mombasa. Mimi naunga mkono aliyeleta hoja hii ndani ya Nyumba hii kuwa tupitishe hoja hii ya kwamba pahali pale pawekwe nadhifu na pia vile vile kuwe panaangaliwa ikiwa kuna

ukarabati unatakikana ufanywe basi uwe unafanywa kwa sababu ya kuvutia watalii na vile vile kuangalia kizazi kijacho kitakuja kupata pembe zile na tutakapo fanya hivi nina imani pia ni moja katika tutavutia watu, tukivutia watu itakuwa ni moja katika ajira. Twakumbuka zama kidogo za nyuma kulikuwa na watu wakileta watalii sehemu kama zile lakini saa hii wamepungua. Kwa hio Mheshimiwa Spika twaomba kupitia Bunge hili nawaomba wenzangu tuunge mkono hoja hili ili liweze kufaulu.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Ndanda Chiro.

Hon. Mohamed Ndanda: Ahsante Mheshimiwa Spika, ila mimi nimesimama kupinga Mswada huu.

(Applause)

Mheshimiwa Spika mapembe ya ndovu ambayo yako pale mahali wakati mwengine tunapigwa vitoa machozi pale mahali; mimi leo nimepitia pale mapembe yale tayari yako katika hifadhi sawa, hata wakati mwengine tulikuwa na sherehe ya mshakiki pale, yale mapembe yanatunzwa vizuri, baada ya kuchukuwa senti hizi ama fedha hizi za Kaunti kwenda kupiga pale zile rangi, mimi naona fedha zile za Kaunti zitumike mahali pengine ili ziweze kufanya kazi nzuri. Nyumba zetu zile za Kaunti pia zinahitaji kupigwa rangi Mheshimiwa Spika, baada ya kuchukua pesa na kupiga pale ni...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj.

Hon. Faraj: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika, swala la nyumba za Kaunti nafikiri tayari sisi kama Bunge la Kaunti ya Mombasa tulipitisha ya kuwa hatutapiga rangi, bali tutabadilishia wanainchi wetu kwa ujenzi wa kileo na kuwapatia fursa wananchi wale kuwa ni watu ambao watakuwa zile nyumba wanazokalia ndani zitakuwa ni nyumba ambazo wao wanazimiliki. Kwa hivyo badala ya kupiga rangi tutafanya kazi nzima ya ujenzi ili kuwapatia wananchi wa Mombasa maisha mengine mbadala kuliko yale wako nayo hivi sasa, ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes.

Hon. Mohamed Ndanda: Ahsante Mheshimiwa mimi nilikuwa Mheshimiwa nampenda sana yule Mheshimiwa wa Tononoka maanake pale nyinyi mnasahau mlirekebisha hio basi inamaanisha ya kwamba zile pesa ama fedha baada ya kupigia rangi zile pembe pale maanake kusema ukweli Mheshimiwa spika zile pembe ziko katika hali nzuri sana, kwa kifupi tayari ziko katika hali ambayo inavutia watalii kinyume na kuwa Mheshimiwa mwengine alikuwa anapotosha Bunge hili kusema ya kwamba eti watalii siku hizi hawaji pale kwa sababu ya zile hazijapigwa rangi. Naona hio sio haja yetu tuangalieni sababu ni kivipi watalii hawaji Mombasa.

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili Makarani.

Hon. Mwalimu: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mwanzo kabisa tuelewe, hatujasema ni uharibifu wa fedha ambao tunataka kuufanya. Tumesema ni kivutio cha watalii, ninachotaka nikujulishe tukafanya ile maandhari ya pale iwe itazidi, wanakuja lakini twataka wazidi kuja watu wa hapa ndani ya nchi na kando ya nchi na kutoka nje ya nchi. Mheshimiwa Spika ndio maana tunasema maandhari ya pale kama zile zimeharibika zirekebishwe na ikiwa zina rangi basi Mheshimiwa Spika rangi ile haifai ilipakwa kitambo basi ipakwe tena vizuri ili ivutie zaidi, ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Ndanda.

Hon. Mohamed Ndanda: Mheshimiwa Spika naomba jambo moja kama utaweza nikubalia, hao wanaosimama hawana *point of order* wanatumia mda wangu Mheshimiwa Spika...

(Laughter)

Nafikiri ni ujuzi ya kuwa mimi nisimalize, Mheshimiwa Spika nilikuwa nataka nikumbushe Bunge hili ya kuwa nikiendelea kupinga Mswada huu hata pale kwetu Kengeleni, ile kengele ilipotea, haya ni maswala pia tuyaelekeze kule. Kule kwetu kulikuwa kuna mahali panaitwa Kisimani, kisima kile hakiko katika hali nzuri na hizi zote ni hizo sehemu ambazo mazingira ambazo zinaitwa *historical*, zaweza kuangaliwa, yale mapeni Mheshimiwa Spika hata wewe najua ulikuwa umeteuliwa sehemu hii lakini mimi nilikuwa nakukumbusha ndugu yangu Spika kwa unyenyekevu Mswada huu uutupilie mbali kwa sababu na msingi kuwa hata zile sehemu nyingi ambazo ndio zinavutia hawa watalii kwa wingi bado hazijaimarika, mbona tukimbie mahali ambapo mapembe tayari ni masafi. Mheshimiwa Spika zingatia hayo najua wanataka kusimama ili kuharibu wakati wangu lakini mimi nasema nimemaliza na kupinga Mswada huu tutumie fedha hali nzuri ili Gavana asiwe kila siku kuitwa Nairobi tuu, kwenda kuelezea Seneti, ahsante sana.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Zainab Said Ali.

Hon. (Mrs.) Zainab Said: Ahsante sana Bwana Spika kwa kunipa hii nafasi. Nilikuwa nataka kumwambia Mheshimiwa Ndanda wewe waweza kukaa kwa nyumba miaka mitano bila kubadilisha huwezi, sasa kama hayo mapembe kama ilipigwa miaka mitano imepita sasa yataka yapigwe rangi yangare watalii wakija pale wajue pia nyinyi ni wasafi na ile rangi kutengezwe vizuri wakija pale kila kitu ni kizuri yale maji yalikua hayapo tena yaregeshwe mbona mwapenda kupinga mambo yatakayowaweka mahali pazuri? Mheshimiwa Ndanda nazungumza na wewe...

(Laughter and applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Wangudi Stephen.

Hon. Wangudi: Ahsante sana Mheshimiwa Spika kwa fursa hii ili niweze kuchangia Mswada mzuri uliobuniwa na Naibu wa Spika wangu na kuwekwa katika Nyumba ya Wawakilishi; Mheshimiwa Spika mimi nikisimama ninasimama kupinga Mswada huu...

(Applause)

Na sipingi Mswada huu kwa kuwa nachukia aliebuni wala nina chuki na alieleta; napinga Mswada huu kwa sababu niko na sababu za kutosha kuupinga Mheshimiwa Spika. Mheshimiwa Spika jambo la kwanza ni ningependekeza yaondolewe; nataka kujulisha kwamba nachukia sana yale mapembe na nina sababu za kupinga huu Mswada. Ninapooni yale mapembe nakukumbuka namna mkoloni alivyo pora Afrika Mheshimiwa Spika, yale ni mapembe ya ndovu ishara ya biashara ya ndovu ilivyo fana katika taifa hili Mheshimiwa Spika. Mheshimiwa Spika....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj.

Hon. Faraj: Mheshimiwa Spika ningependa kuchangia kidogo kuhusiana na swala kama hili kwa sababu ukiangalia maswala mengi ambayo kwamba ikiwa tutapata mfumo Mheshimiwa Wangudi ya kuwa kila jambo linaloshirikiana na wakoloni tubomoe basi tuanze na jumba kubwa kabisa katika nchi hii ambayo ni Bunge kuu la kwanza sababu hiyo ndio iliyokuwa ishara ya kwanza ambayo kwamba wametuachia na tukairithi na mpaka leo tuko nayo. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Wangudi.

Hon. Wangudi: Mheshimiwa Spika nimesema niko na sababu za kutosha kupinga Mswada huu. Mheshimiwa Spika kama nilivyotangulia kusema mapembe yale mimi nayachukia kila ninapoyaona nakumbuka namna babu zetu walivyopigwa mijeledi wakipelekwa minadani kwenda kuuzwa kama mbuzi, kwenda kutumika kama watumwa. Yale mapembe ndio ishara ya mateso yote tuliyopitia kama Wakenya, kama Waafrika Mheshimiwa Spika, ningekuwa na uwezo mapembe yale yangeondolewa pale leo na tukaweka ishara nyingine....

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Makarani.

Hon. Mwalimu: Mheshimiwa Spika katika hoja yetu hii inaonyesha wazi kuwa pembe zile zilikuja pale mwaka 1953. Mheshimiwa Spika Mheshimiwa anayezungumza akizungumzia kuhusu mambo ya utumwa wa binadamu nina imani anapotosha Nyumba hii kwa sababu wakati huo anao zungumzia yeye ni wakati wa vipindi vya babu zetu nyuma kabisa na hapa katika hoja hii inaonyesha wazi ni mwaka gani. Mheshimiwa Spika na mimi nina imani mwaka huu ambao umezungumzwa hapa ni mwaka ambao hata sisi hapa Kenya tulikua katika mbio za kupigania uhuru wetu lakini ilikua sio hali ya utumwa kwa hio twaomba Mheshimiwa asipotoshe Nyumba hii aelekeze Nyumba hii ni yeye akubali kuwa pembe zile zipigwe rangi zivutie wasanii ama apinge kuwa hataki tena watalii ili vijana wasipate ajira...

(Laughter)

Hon. Wangudi: Mheshimiwa Spika unapotazama utakuta Mswada huu pembe zile wanasemwa ziliwekwa na ule utawala uliokuwa Ureno...

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Wangudi you have two minutes to go.

Hon. Wangudi: Kwa hio Mheshimiwa Spika hili swala ambalo nitamalizia nalo ni kuwa hivi sasa tunapigana na uokoaji, uuwaji wa ndovu na pembe zile zinaashiria uuwaji na unyanyasaji wa wanyama pori ambao ni rasilimali kwetu. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Patrick Siminyu.

Hon. Siminyu: Thank you Mr. Speaker I fully support this Motion.

(Applause)

Due to the fact that it is good to promote tourism Mr. Speaker, as we know that we have centres which attract tourists, even if you go there you will find people taking pictures that implies that they are already in Mombasa. Mr. Speaker when you talk you will see a picture and see those elephant tusks you will know that you are in Mombasa and two there is history behind those tusks, they are not just there and I remember the queen herself at that time and there is history and there is need of putting a notice explaining why the elephant tusks are there so that our children and the future generation can know the history, what our fore fathers went through, that is history. History makes what we are Mr. Speaker Sir; we cannot reject whatever our grandfathers have been passing through. We have historical sites like Fort Jesus of which are still under national government Mr. Speaker and the county government because they are our heritage and we have to take care of it because when we take care of our historic sites we are promoting tourism which promotes the tourism industry hence creating jobs.

Mr. Speaker I know there is a department taking care of that and I want to thank the County government; before taking power the place was untidy now we have flowers it's a very beautiful site thanks to the county government we have that, I fully support the Motion so that as an Assembly we can see the Motion is to make sure those departments and reminds them that whatever is required is not law it is not the department of tourism to make sure that they are clean the way I support it and I ask Hon. Members to support it .Thank you.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Mary Akinyi?

Hon. (Ms.) Akinyi: Ahsante Mheshimiwa Spika, mimi pia nimesimama hapa kupinga mjadala huu....

(Interruption)

...napinga

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Ndanda Chiro what is it?

Hon. Mohamed Ndanda: Mr. Speaker there is no quorum.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj?

Hon. Faraj: Mr. Speaker it is a very bad trend we are setting in this House; whenever people or Hon. Members are opposed to a certain Motion they start to lobby so that the people move out and the House later does not have quorum and this is a very bad precedence and we have come here to represent our people we have come here to deliberate issues that will improve the livelihood of our people that elected us by lobbying and pushing out Members and telling them to go out I think it is a matter that we need to sit down and review and see how we can get along with whatever business that we have but it is crucial because we had quorum Mr. Speaker before the two Members were pushed out and I believe right now we still have quorum thank you.

Deputy Speaker (Hon. Mswabah Rashid): Clerk can you ascertain whether there is quorum or not?

(Clerk counted Members present in the House)

(Loud consultations)

(Clerk confirmed quorum)

Ok Members we have a quorum that is 13 and 13 is the quorum. Yes Hon. Mary continue?

Hon. (Ms.) Akinyi: Ahsante Mheshimiwa Spika, nilikuwa napinga mjadala huu

(Applause)

Kwa kuwa hizi pembe za ndovu zipakwe rangi Mheshimiwa Spika napinga kwa sababu watalii hawapendi vitu ambayo vimepakwa pakwa rangi hiyo sio utalii kusema tu ile ukweli vitu ambavyo vimechakaa chakaa vitu ambavyo ni vya zamani huwa vinavutia watalii kwa hivyo...

Hon. Faraj: Point of clarification!

Deputy Speaker (Hon. Mswabah Rashid): What is it Hon. Saad Faraj?

Hon. Faraj: Mheshimiwa Spika nilikuwa nimetatizika kidogo lakini ikiwa kama anavyosema Mheshimiwa Mary Akinyi kuwa watalii wanapenda zile sehemu chafu chafu mbovu mbovu zimechakaa Dubai haingekuwa na mtalii hata moja lakini Dubai wamejenga vitu vipya muundo msingi mpya, majumba mapya, sehemu nyingi mpya mpya ambazo hazijawahi kuonekana katika dunia ndio watu wamepata hamu ya kwenda kuangalia katika sehemu kama zile. Kwa hivyo Mheshimiwa Spika nafikiri kidogo Mheshimiwa Mary arekebishe maongelezi yake kwa sababu mtalii ataenda mahali kwamba panamvutia panaweza kuwa mahali pa zamani pakavutia panaweza kuwa mahali panya mahali pazuri pa safi pia watakwenda. Ahsante.

Hon. (Ms.) Akinyi: Ahsante Mheshimiwa, narudia kuwa watalii wanapenda vitu ambavyo vimechakaa chakaa kwa sababu kama ni vitu ambayo ni visafi vitu ambayo vingine ni vya kawaida wameona huko kwao. Kwa hivyo Mheshimiwa Spika hata utaona watalii wakija hapa wanakwenda katika zile makavazi wanaona shilingi, peni naona siku hizi peni, shilingi zile ndururu za zamani, mbona zile ndururu na peni za zamani hatuzipaki rangi?

(Applause)

Ndio wanaenda kule ili ikaende ikaweze kuwavutia. Mheshimiwa Spika hata zile birika za zamani wazee wetu walikua wakikunywa nazo chai utaenda kuzipata sijui zimepelekwa kwa zile nyumba za wazamani, na hivyo ndio vitu vinavyovutia watalii. Kwa hivyo mimi napinga mjadala huu nikiwa nasema hizi pembe za ndovu zibaki vile vile zilivyo ziendeleo kuchakaa chakaa na ndivyo zitaendelea vutia wale watalii kwa sababu tuko hata na zingine kule ukiingia uwanja wa Ndege utapata pia pale kuna pembe za ndovu hata huko ndiko kuna

hao wazungu wengi na hao watalii lakini utapata zile pia wameziacha zimechakaa chakaa, ahsante sana Mheshimiwa Spika...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Fadhili.

Hon. Mwalimu: Mheshimiwa Spika nafikiri pembe za ndovu zinazotambulika Mombasa hii ni hizi zilizoko hapa maarufu mapembeni. Mheshimiwa pembe za ndovu ama pembe anazozungumzia Mheshimiwa za Uwanja wa ndege Mheshimiwa ni pembe kwa uhakika kabisa labda zitakuwa ni pembe za mbuzi...

(Laughter)

Kwa sababu ya muundo wake Mheshimiwa Spika si jambo la kuchekesha na pembe zile za mbuzi za kuingia Uwanja wa ndege kusema ukweli hazina mvutio wowote ni pembe tu zimewekwa pale tu kuwaambia watu karibuni mwende muangalie maanthari ya Mombasa ambayo ipo. Mheshimiwa Spika nashukuru kwa kunipa fursa hii Mheshimiwa na nawaomba wenzangu tushirikiane pamoja kwa kua watafutia vijana ajira kuwatafuta watalii na kuwavutia zaidi na twaomba kupitia kwa Bunge hili Bwana Spika...

(Interruption)

Hon. (Ms.) Auma: Point of correction.

Hon. Mwalimu: I don't want to be corrected Mr. Speaker.

(Laughter)

Thank you Mheshimiwa Caroline for that correction please correct Mheshimiwa Mohamed Ndanda...

(Laughter)

Mheshimiwa Spika tusiangalie kwamba twapoteza pesa, Waswahili ama Wahenga wasema, 'tumia pesa upate pesa'! Mheshimiwa Spika tutumie pesa ili tuweze kuvutia na tumejaribu kusema si mapembe peke yake; mapembe iwe mwanzo lakini tuangalie ni vipi tutashika vivutio vyote vinavyowavutia watalii ili tuweze kuwa na watalii hapa kwetu. Mheshimiwa Spika Fort Jesus hii ambayo iko karibu na sisi inaweza ikaenda wiki nzima haipati watalii, watalii wakija wanaenda sehemu zingine, sasa twaomba sehemu kama zile tutakapoziweka vizuri hata usalama wake tuna imani itakua nzuri kwa maana maandhari ikiwa safi hata hali ya usalama itakuwa safi na kutakapo kua na maandhari iko safi itabidi...

(Interruption)

Hon. Mohamed Ndanda: He is debating Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): He is in a point of order.

(Applause)

Hon. Mwalimu: Thank you Mr. Speaker for protecting me and I am still on a point of order Hon. Ndanda...

(Laughter, applause)

Hon. Mohamed Ndanda: But he is debating Mr. Speaker, point of order! He is debating; it is not in order for a member to debate more than once...

Hon. Mwalimu: Bwana Spika mimi nimeruhusiwa na Bunge hili na Spika Mheshimiwa Thadius Rajwayi anaelewa ilipitishwa katika Bunge hili mimi niwe naongezewa dakika sababu...

(Laughter)

Nazungumza taratibu Mheshimiwa Spika hilo ni jambo ambalo liko na linaeleweka katika Nyumba hii; hiyo ni moja katika sheria za Bunge, kuzungumza kwangu ni kwa taratibu na niliruhusiwa katika Bunge hili nashukuru na ningewaomba wenzangu tuunge mkono mada hii ili tuweze kuifanya Mombasa kivutio kwa watalii...

Deputy Speaker (Hon. Mswabah Rashid): It is known that Fadhili is verbally challenged...

(Laughter)

So give him more time accord him more time...

(Laughter)

(Interruption)

Yes Hon. Caroline...

Hon. (Ms.) Auma: Mheshimiwa Spika mimi pia nimesimama kupinga; sababu ya kupinga wajua tunapo ongelelea mambo ya pembe za ndovu tunaongea mambo ya makavazi. Mheshimiwa Spika wajua naogopa hata twaweza pelekwa kortini kwa sababu mambo ambayo twaongea ukiangalia hapa ni mambo ya *heritage* ambayo ukiangalia hapa Fort Jesus hatuwezi kuenda tukapaka rangi pale kwa sababu sheria haituruhusu kwa sababu sheria haituruhusu. Mheshimiwa Spika kwa kweli ukiangalia vizuri tunaweza pelekwa kule kortini tukashtakiwa kwa mambo ambayo hayaturuhusu...

Hon. Amur: Point of clarification.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy.

(Laughter)

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi naona ajabu ati mtu hawezi zungumza mara mbili ambapo sheria ya Bunge zetu yenyewe ilikuwa inapatia mtu ruhusa. Ikiwa wewe umekubalia mtu kuongea mara mbili tatu haina tatizo.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Amur you want to contribute ?

Hon. Amur: Just a point of information Mr. Speaker. Mr. Speaker the law is very clear. Museum of Kenya is in charge of all the sites; the only thing that is not allowed, is to change the color of the original item to another color, once the MacKinnon market was to be changed green. The museum people came by and authorized those who were painting it to paint it with original colour. You can paint anything within the mandate of the museum, the original colour should be maintained in anything. Otherwise you can paint, you will be allowed as long as you have sought authority from the museum department Mr. Speaker, so there is nothing like you are not allowed to paint, but the content of it should remain the original paint, thank you Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Ndanda.

Hon. Mohamed Ndanda: Mheshimiwa Spika nafikiria tunapoteza mwelekeo. Kwa sababu jambo la makavazi Mheshimiwa Spika kuna wakati tulikuwa tunataka kuweka ukuta kuu ili Nyumba yetu hii ambayo ni Bunge iweze kuwa katika hali sawa, lakini wakati tukijadili hata nakumbuka Mheshimiwa ambaye tuko naye *His Excellency the Governor* tukashauriana naye na akasema hili ni jengo la idara ya Makavazi na tafadhalini msiweze kuligusa kwa sababu hii ni kavazi. Kwa hivyo Mheshimiwa Spika mimi naona tunapoteza mwelekeo, alilozungumza ambayo iko katika sheria Mheshimiwa Caroline jambo kama tunalifanya lazima iwe kazi yetu waingereza wanasema *our mandate*, lakini kama hii ni ya makavazi wacha Kaisari ipate Kaisari na ya Mungu ipate ya Mungu. Tuna kazi zetu kama Kaunti za kufanya; hizi fedha zikafanyie kazi zingine Mheshimiwa. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Ndanda I think Hon. Amur has put it very well he is representing a Ward that is full of national heritage so he knows, yes Mheshimiwa wa Mwakirunge.

Hon. Mwinga: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi nimesimama hapa kuunga mkono,

(Applause)

Mheshimiwa Spika nafikiri kuna Mheshimiwa aliyekuwa anasema ya kwamba kuna watalii ama watu wa kutoka nje wanapenda kuona vitu ambavyo vinachakaa chakaa. Mheshimiwa Spika ni uwongo kwa sababu watalii wanaingia katika nchi ama katika Kaunti yetu ili waweze kupata vitu viko hali sawa. Mheshimiwa Spika mimi naunga mkono Mswada

huu kwa sababu pembe zile ambazo ziko pale ambapo panaitwa Mapembeni, ni pembe ambazo zina historia kubwa wa mji wetu wa Mombasa. Mheshimiwa Spika hata waheshimiwa wenzangu watakubaliana na mimi wakati taarifa za habari zinaposomwa zinapotaja Kaunti ya Mombasa, kitu cha kwanza kinachoonyeshwa ni zile pembe. Kwa hio Mheshimiwa Spika pembe zile zina historia kubwa ndani ya mji wetu na ina umuhimu pembe zile zikaweze kuhifadhiwa. Mheshimiwa Spika nafikiri sote tunajua waheshimiwa bati lolote linapochakaa huleta radhi nyingine ambayo si mzuri; kwa hivyo wakati pembe zile zinapochakaa ziweze kupakwa rangi ndio ziweze kuonekana vizuri mbali na kwamba mahali pale ni mahali ambapo pameleta kazi ama pameleta ajira kwa vijana wetu. Mheshimiwa Spika utakubaliana na mimi ndani ya Nyumba hii kwamba mahali pale hata sasa hivi ukienda utapata vijana wale na picha zao wanachukua watu, watu wanasimama mbele ya pembe na wanachukua picha. Hii pia ni kuonyesha ya kwamba mahali pale panatuletea ajira kwa vijana wetu. Kwa hivyo Mheshimiwa Spika mimi nakubaliana na Mswada huu ya kwamba mapembe yale yakaweze kurekebisha, yakaweze kupakwa rangi ili yakaweze kuonekana nadhifu. Ahsante sana Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Members, Hon. Saad, I think can you reply to the Motion.

Hon. Faraj: Ahsante sana Mheshimiwa Spika kwa fursa hii tena. Mheshimiwa Spika nafikiri mjadala ulikuwa ni mjadala mzuri na kila mtu aliyechangia alichangia kwa msingi wa kupata jambo kubwa katika maswala yetu ya kimaendeleo katika Kaunti ya Mombasa. Mheshimiwa Spika ningependa kuwashukuru wote na pia kushukuru baadhi ya waheshimiwa ambao kuwa wamekuja na kuzungumzia kuhusu swala hili. Wamegusia maswala ya kitalii ambayo kwamba ndio katika moja wapo ya sekta ambayo ni uti wa mgongo wa Kaunti ya Mombasa; ni uti wa mgongo wa Kenya hii Mheshimiwa Spika. Wakazungumzia kuhusu maswala ya ile sehemu ikaweze kurekebisha ikaweze kupakwa rangi vizuri itaweza kuinua uchumi hususan katika maswala ya kiutalii. Nafikiri Mheshimiwa Spika tunaona pale katika ile eneo, zaidi ya ndugu zetu ambao ni kutoka sehemu zingine ya Kenya ambao wanakuja pale wakichukua picha na kuweka ukumbusho wao kuwa wamefika Mombasa. Kuonyesha ya kwamba ile ni mojawapo wa jambo muhimu zaidi katika Kaunti hii. Kwa hivyo hatuwezi kukaa pembeni tukaidharau, hatuwezi tukasema kwamba halipo kitu ambacho hakipo na ningependa waheshimiwa ambao wako hapa waunge mkono ni kuboresha hali ya kimaisha na katika kuboresha hali ya kila sehemu ambayo ni muhimu katika jiji hii ili kuweza kukuza utalii na kuweza kuimarisha sekta hii ambayo kwamba inatufaidhisha sisi kama kama Kaunti na kufaidisha Kenya kama nchi. Kwa hayo machache ningependa kuwashukuru na kuwaomba muunge mkono hoja hii. Ahsante sana Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much Hon. Saad Faraj, I have no option but to put to question Members of this County Assembly.

(Question put and agreed to)

ADJOURNMENT

Members there being no other business the House stands adjourned until tomorrow at 8:30p.m.

The House rose at 3:39p.m.