

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Tuesday, 26th July, 2016

The House met at 2:40p.m.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****Deputy Speaker** (Hon. Mswabah Rashid): Hon. Members have your seats.**NOTICE OF MOTION**

Yes Hon. Saad Faraj.

Hon. Faraj: Thank you Mr. Speaker. Mr. Speaker my Notice of Motion is revocation of Single Business Permit for unscrupulous dealers in motor vehicles spare parts. Mr. Speaker I beg to give the following Notice of Motion.*(Hon. Faraj moved the Notice of Motion)***REVOCATION OF SINGLE BUSINESS PERMIT FOR UNSCRUPULOUS DEALERS IN
MOTOR VEHICLES SPARE PARTS**

THAT AWARE that among the County functions under part 2 of the Fourth Schedule of the Constitution is trade development and regulation including business licensing;

FURTHER AWARE that there is an emergence of unscrupulous business people especially dealing with motor vehicles spare parts operating without business permits playing cat and mouse games with the County Inspectorate over availability of business permits;

CONCERNED that this is detrimental to the social and economical well being of the people of Mombasa where presently as it has resulted to losses to the County Government revenue which in turn affects service delivery.

I urge this County Assembly to RESOLVE that;

1. That the County Inspectorate embarks on an immediate crack down on all businesses operating within the County to weed out all unscrupulous business operators;
2. That any person found operating a business without having met the requisite conditions be brought to book and face the full force of the law.

Mr. Speaker I would also like to seek leave for this particular Motion and come up with amendments for this particular Motion because Mr. Speaker my intention was a little bit different from what has been highlighted here. I therefore request your guidance. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): It is okay Hon. Saad Faraj, you may introduce some amendments when its time to move the Motion.**BILL****AMENDMENT OF MOMBASA COUNTY ASSEMBLY SERVICE BILL, 2014**

Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I rise under 134 and I intend to move the following amendment of Mombasa County Assembly Service Bill 2014 as follows;**THAT** the heading "PART IV – STAFF OF THE COUNTY ASSEMBLY" be deleted and replaced with the following heading and sections immediately there after as follows:**PART IV – THE CLERK AND OTHER STAFF****Appointment**

18. (1) The nominated person for appointment as a Clerk of the County Assembly under Section 13 of The County Governments Act shall be done through an open, No .17 of 2012 transparent and competitive recruitment process.

(2) The name of a person nominated by the Board for appointment as the Clerk of the County Assembly shall be submitted to the County Assembly for approval in accordance with the Standing orders of the County Assembly.

(3) The resolution of the County Assembly approving a person for appointment as a Clerk of the County Assembly.

Functions of the Clerk

19. In addition to the functions conferred under Section 16 as Secretary of the Board, the Clerk shall be –

- (a) The Chief Administrative Officer of the County Assembly; and
- (b) Responsible for the day to day management and functioning of the County Assembly

Procedural functions of the Clerk

20(1) The procedural functions of the Clerk shall include:

- (a) The rendering of the experts, non – partisan and impartial advice to the Members of the County Assembly on the legislative process, and parliamentary procedure and practice and;
- (b) The carrying out such other duties and exercising powers as may be conferred on him or her by law or by the Standing orders and practices of the County Assembly.

(2) In carrying out the functions specified in sub section (1), the Clerk shall be assisted by such other officers of the service as may be necessary;

(3) Subject to this Act and any other written law, the Clerk shall in carrying out and exercising the powers conferred on him or her by the Standing orders and practices of the County Assembly, be under the direction of the Speaker;

(4) At any time when the office of the Speaker is vacant or the holder of the office is unable for any reason to carry out and exercise the powers and functions of his or her office, the Clerk shall during this period and in relation to the carrying out the duties and exercise of the powers and functions referred to in this section, be under the direction of the Deputy Speaker of the Assembly.

2 **THAT** the existing numbering prior to the foregoing amendments be re-ordered accordingly, thank you Mr. Speaker. I beg to move.

The Deputy Speaker (Hon. Mswabah Rashid): Okay that is a notice.

MOTION

Hon. Maimuna Salim Mwawasi, yes.

Hon. (Ms.) Zeinab Mumba: Ahsante sana Mheshimiwa Spika. Mheshimiwa Maimuna yuko katika bodi na amenipatia fursa hii niweze kuzungumzia hii hoja.

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

Hon. Faraj: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kuna Kiongozi wa Walio Wengi Bungeni ambaye kwamba ndiye anayeongoza vikao kwa hivi sasa, la kufurahisha ama la kusikitisha Mheshimiwa Spika mwenye kuongoza kikao cha bodi yuko hapa walakini tuna sikia kuna mkutano ambao kwamba unafanyika na mkutano huu sijui umepangika vipi kwa sababu wakati wowote ambao tuko nayo ikiwa sisi tuko katika kikao cha Bunge basi huwa kikao chengine chochote hakuna. Ahsante.

The Deputy Speaker (Hon. Mswabah Rashid): Bodi ziko nyingi sio lazima hii yetu ya CASB labda atueleze ni bodi gani, najua hio ni Bodi nyengine.

Hon. (Ms.) Zeinab Mumba: Ahsante sana Mheshimiwa Spika kwa kunilinda .Sizungumzii Bodi ya Kaunti; kuna Bodi yake mwenyewe ndani ya ofisi yake hata ukitaka uende ukamwangelie anajadili na watu wake tafadhali.

(Applause)

Hon. Faraj: Nimeridhika Mheshimiwa Spika.

(Laughter)

Hon. (Ms.) Zeinab Mumba: Establishment of a County Diving Unit

(Hon. (Ms.) Zeinab Mumba moved the Motion on behalf of Leader of Minority (Hon. (Ms.) Maimuna Salim))

Mr. Speaker Sir I beg to move the following Motion:

THAT AWARE that the County of Mombasa is surrounded by Indian Ocean which is used by the public for sea transport and swimming for entertainment:

FURTHER AWARE that the constitution mandates the County government to undertake disaster management and preparedness as one of its functions;

NOTING that the Mombasa County Fire Brigade had a diving unit which was later disbanded under unclear circumstances;

CONCERNED that the lack of a diving unit and lack of contingency plans in the event of accidents and disaster in the sea could be fatal and lead to high loss of human lives;

I therefore urge this County Assembly to RESOLVE that:

A County Diving Unit be established and adequately staffed and facilitated to train divers and rescue victims of sea accidents and disasters and assist similar ventures elsewhere.

The Deputy Speaker (Hon. Mswabah Rashid): I remember this Motion was brought here to be discussed and it was agreed that Hon. Mohamed Hatimy come and make amendments. So I think if we follow the right procedures rightly, I think the amendments should have come first before the Motion or move as amended, so I think Hon. Hatimy can you give us the amendment of this Motion please .

Hon. Mohamed Hatimy: Thank you Mr. Speaker I beg to move the following Notice of Amendments to the Motion.

(Hon. Mohamed Hatimy moved the amendments to the Motion)

THAT, the prayer contained in the Motion be amended by substituting the original prayer with the following;

1. A County Coast Guard Unit be established and adequately staffed, financed and facilitated to train divers, maintain order and rescue victims of sea accidents and disasters and assist similar ventures elsewhere;

2. The County government to make adequate budgetary provisions and allocate funds for the operation of The Coast Guard Unit. I beg to move Mr. Speaker. Thank you.

The Deputy Speaker (Hon. Mswabah Rashid): Thank you. Members I think I will put a question...

(Interruption)

Hon. Mohamed Hatimy: Mr. Speaker I request Hon. The leader of Majority to second that amendment, thank you.

(Applause)

Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker. I rise to second the Motion. Thank you.

The Deputy Speaker (Hon. Mswabah Rashid): Second the amendment, the Motion as per the amendment.

Leader of Majority (Hon. Mwidani): Yeah.

(Laughter)

The Deputy Speaker (Hon. Mswabah Rashid): Members those of the opinion that this Motion as amended be discussed in this House.

(Question put and agreed to)

Yes Hon. Zainab can you move the Motion as amended now, can you defend the Motion as amended now before we open the floor.

Hon. (Ms.) Zeinab Mumba: Ahsante sana Mheshimiwa Spika. Kama tunavyojua mji wa Mombasa tumezungukwa na bahari kila mahali na katika maombi yetu pia katika haya marekebisha tumekubali na katika maombi yetu tumesema ya kwamba kutakuwa na bajeti ambayo itaweza kusaidia kitengo hiki, na pili tulikuwa tumesema ya kwamba tutakuwa na wapiga mbizi sogora pamoja na kikosi cha kuokoa maisha ili tueleze kusaidia katika Kaunti yetu hii ya Mombasa. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Thank you Hon. Yes Hon. Amir Thoya.

Hon. Thoya: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nimesimama kuunga mkono hoja ambayo imeletwa katika Bunge hili. Mheshimiwa Spika hoja hili kwanza mimi nasema kwamba ni hoja ambayo ingekuwa imekuja kwa mda mwingi kwa sababu tukizingatia kwamba Mombasa yetu ni kisiwa, ambacho kimezungukwa na maji upande wa mashariki magharibi pamoja na kusini. Kwa hivyo kama hali yetu ni hii Mheshimiwa Spika basi naona ni dharura kwamba Bunge hili liweze kupitisha hoja hili kwa sababu kwa mfano katika upande ule wa feri, utapata kwamba ajali nyingi zimekuwa zikifanyika za kuhusiana na mambo ya maji lakini masikitiko ni kwamba kama Kaunti bado hatuwezi kujiekea kitengo maalum ambapo majanga kama haya yakitokea tunaweza kusaidia kwa haya. Ni mwezi uliopita tu Mheshimiwa Spika pale katika eneo la feri kulifanyika ajali ambapo gari iliweza kuteleza na kuingia katika maji. Dereva wa gari hilo Mheshimiwa Spika alipiga mayowe akatapa tapa sana, lakini mwisho wa kwisha hakuweza kupata msaada wowote na wananchi wakawa hawawezi kumsaidia akaachwa tu aweze kufariki.

Kwa hio Mheshimiwa Spika naona iko haja ya dharura pale katika kivuko cha feri ikiwa ni sehemu ambayo inavukisha wakaazi wengi wa Kaunti yetu ya Mombasa na ni sehemu ambayo ajali ni rahisi sana kutokea mahali kama pale. Hivyo basi ni muhimu tuweze kuwa na kitengo kama hichi lakini sehemu ile ya feri lazima kuwe na Wapiga mbizi ambao watakuwa kwenye *standby* kwa hivyo kama Kaunti inaweza kufanya mazungumzo na kitengo cha feri lakini lazima kwa dharura tuweze kuwa na kama kasha ambayo wale wapiga mbizi watakuwa wanakaa pale masaa 24 tusiwe tu tunangojea mpaka ajali itokee ndio tuondoke kwenda kutafuta wapiga mbizi kutoka Kitengo cha Wanamaji. Ni muhimu kama serikali tuweze kuwa na watu kama hawa ili tuokowe wakaazi wetu wa Kaunti ya Mombasa, ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa wa Tudor.

Hon. Siminyu: Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker as Mombasa is surrounded by waters and beaches, we have frequent visitors during holidays, and am afraid we have our youths working in a volunteering capacity in most of our region and that's why our tourists from upcountry are safe at the moment. As we understand what happened in Kwale the other time; people lost lives in numbers because they don't know how to swim, Mr.

Speaker as I understand the department of tourism is on the top gear trying to do a similar thing and I think there is budget for this. Mr. Speaker it is high time this formation to reform so that our youths who are working in a voluntary basis be employed into this unit. Mr. Speaker I fully support this Motion because it is going to be an opportunity to create jobs for our youths, and those who are doing this function on a volunteering basis. Mr. Speaker, I would like to take this opportunity to ask Hon. Members to fully support this Motion so that if implemented Mr. Speaker our children will be safe, our visitors will be safe so on and that translates into tourism proMotion because there will be no fear for somebody to visit the coastal region because the coastal region will be safe not only from drowning but if we have this unit it will be safe for any kind of attack even terrorism Mr. Speaker I fully support it and thank you for giving me this opportunity to support this Motion.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Of Changamwe.

Hon. Odari: Thank you Hon. Speaker for allowing me to express my opinion, I wish to start by saying I fully support this Motion which has been brought to this Hon. House by Hon. Maimuna of Shanzu ward through the amendment which has been brought by Hon. Hatimy Mohamed, nominated Member. Hon. Speaker, this is a Motion that is overdue because Mombasa County is on the coastline of a very important ocean, and needs to have had such a unit long time ago but anyway as people say its better late than never. Therefore I fully support this idea of establishing Coast guard unit that is going to ensure that our coastline is safe, our tourists are safe and even our people who go to swim or who trade along the coastline are safe. Hon. Speaker you can imagine right now there is no fully utilised unit that is taking care of our beaches, Kenya Navy has got others duties of ensuring that this country is cared from external aggression and cannot be doing as a hostile unit. There is an importance of having a coastguard unit that should be fully in charge 24/7 to patrol the beaches to ensure that people are safe and even everybody is safe along the beach, therefore Hon. Speaker this is a very good idea previously; Hon. Speaker we had a diving unit at the Association of Fire Brigade however unfortunately I would say that this unit was let to die due to some frustration by the leadership of the fire brigade department because right now as we speak Hon. Speaker it is very unfortunate that as we speak we have someone here from the fire brigade unit who is very qualified, so qualified that even other counties come to borrow him from Mombasa County, he is invited to go rescue people in other counties of this country, because he is the most qualified diver in Mombasa County. This guy has been under-utilized, this guy was brought at the Changamwe fire station, his name is Salim Mohamed.

Hon. Speaker the disaster unit had an opportunity of visiting the Changamwe fire unit and we were very disappointed to see how we could be having such people and in our system and yet they are not being utilized and they are being utilized by other counties and other organizations. Therefore Mr. Speaker the idea of coming to establish Coast guard is quite fortunate and we are looking forward to being realized, therefore I wish to say that I fully support this Motion 100 per cent and I look forward to this Hon. House in moving this Motion so that establishing the coastline becomes a reality in the near future. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Mohamed Chiro Ndanda of Kadzandani.

Hon. Mohamed Ndanda: Ahsante Mheshimiwa Spika, mimi pia naunga mkono hoja hii ambayo imeletwa ya *Diving unit*, lakini Mheshimiwa Spika hoja hii ishawahi kuletwa mbele yetu kama ulivyosikia. Mheshimiwa Jimmy Odari amezungumzia mpaka wakati ule Mheshimiwa Khamisi Mwidani ambaye yeye ndio alikuwa ni Mwenyekiti wa *Disaster Management* leo ni

Kiongozi wa Walio Wengi Bungeni. Hoja hii tuliweza kutembelea Kituo cha Kuzimia moto cha Changamwe kama alivyonena Mheshimiwa Jimmy Odari, na tulipofika pale tuliweza kujua ya kwamba kitengo hiki kiko Mheshimiwa Spika, na shida yetu ni ile tunasema utekelezaji ama *implementation* haijafanyika. Leo Mswada huu umekuja tena na ambapo ni vizuri leo Mheshimiwa Spika umekaa pale juu utuhakikishie kupitia kiti chako kwa sababu ni maajabu kama tulivyosikia kwa Mheshimiwa Jimmy na hayo ni ya ukweli tuna watu wazuri ambao wanaenda mpaka Eldoret kukiwa na shida wanatembea Kenya nzima, vyombo pia tuliletewa kutoka nje Mheshimiwa Spika, viko pale lakini hii serikali yetu kutekeleza inakuwa ni jukumu zito kwao. Mheshimiwa Spika wakati ule nakumbuka ambayo Kiongozi Wa Walio Wengi Bungeni pia Mwenyekiti alikuwepo aliweza kututembeza na yale maneno tuliyapata pale Changamwe, tulishtuka kwa sababu sisi Mombasa tuko na rasilimali kwa sababu wafanyi kazi ni rasilimali na tuko nao. Mheshimiwa Spika, mama leo Mheshimiwa Maimuna aliyelea Mswada huu naweza sema ametumwa na Mungu kwa sababu hapa Mombasa nchi yetu tunayoiishi kavu ni kidogo kushinda sehemu ya maji, na kama sisi hatuna vitengo kama hivyo kama vile Mwenyekiti wa Uchukuzi amesema ya kwamba hata ajali ilifanyika pale feri, hakuna msaada wowote utakaofanyika. Juzi pia nimeona katika vyombo vya habari kuwa ile feri ya Mtongwe wakati wowote itakuwa vivukizo zinakuwa kule, zikiwa namna ile hali ile ya kutaharuki wakati wa likizo unawadia na maonyesho ya kilimo ya *Show* watu watataka kwenda kuogelea katika fuo zetu za habari. Mheshimiwa Spika ni lazima pia tujue jukumu letu sisi tumekusanyika hapa kwa sababu gani; hii ni Nyumba ya watu na haya tunayotoa ni maoni ya watu na ni lazima yazingatiwe kwa sababu kama sisi tumekuja kutenda kazi basi ile Kamati ya *implementation* kupitia kiti chako Mheshimiwa Spika ichukulie jambo hili muhimu tuna rasilimali ya watu kama Mheshimiwa Jimmy anajua Kiongozi wa Walio Wengi Bungeni anajua kwamba watu wetu wako pale kwa haraka kabisa ili tuweze kutimiza hizi na vile vile pia nina ufahamu wa nchi za nje kama vile Iran hupeana mafunzo bure na wakati mwengine huchukua watu wao kutoka kule wakaenda katika nchi ambazo ziko katika bahari kama hii ama visiwa kuweza kufundisha watu jinsi ya kufanya mambo haya yote.

Kwa hio Mheshimiwa hata zile mashine nyingi zingine wakati ule tuliandikiwa zilitoka America na na watu wako tayari na pia nafikiria katika ile Kamati ambayo inaongozwa na ndugu yangu ya *Disaster* pia wako tayari kama wanaweza kupewa hii fursa wanaweza kuenda hata kama watatu America ama Iran kuweza kupata hivi vyombo kwa sababu Mheshimiwa Spika tuko hapa kwa ajili ya watu wetu.

(Applause)

Na yule Mheshimiwa pia amelea huu Mswada alikuwa na ndoto nzuri tuweze kupata fursa nyingi kama hizi, nimeulizia na nikaambiwa ya kwamba tayari katika idara ya Utalii tayari kulikuwa na bajeti ya mambo haya na ndio maana mimi nikaunga mkono kwa sababu najua bajeti tuliweza kupangilia pesa hizi ya kuwa hata tukizungumza hatuzungumzi mambo ya ndoto tunazungumza mambo ya kweli. Hivyo basi Mheshimiwa Spika mimi naunga mkono na kutilia mkazo kwamba tayari hiki kitengo ni utekelezaji ufanyike ahsante sana.

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

Hon. (Mrs.) Zainab Said: Ahsante sana Mheshimiwa Spika kwa kunipa nafasi, naona mengi yashazungumzwa lakini nataka kuunga mkono kwa sababu hili ni jambo muhimu sana kwetu Kaunti yetu ya Mombasa. Huyu kijana mpiga mbizi apewe nafasi nzuri na awe na kitengo chake, kile kitengo kifundishe wale watoto ambao wameinukia sasa kwenda kuogelea wanavuka mpaka ng'ambo ya pili. Hivyo basi kupiga mbizi wanaweza atengewe kitengo chake awekewe

mahali pa kufundisha vijana na anavyo vitu ambavyo huletewa kutoka nje na huangizia vikaletwa na vitu vyenyewe havijulikani vinakokwenda Mheshimiwa Spika...

(Applause)

Kwa hio Mheshimiwa Spika huyu mtu atengewe kitengo chake ili hivi vitu vikija ajuae hata vitawekwa wapi, na atavitumia kwa namna gani? Hawa vijana wapate mafunzo; kuna vijana wengi ambao wanafaa kufundishwa kwa hivyo kila ufuo wa bahari kuwe na kituo cha uokoaji na watoto wakija wageni wasizame ovyo ovyo. Ahsante.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Enock Mwadziwe.

Hon. Mwinga: Ahsante sana Mheshimiwa Spika kwa kuniona.

(Laughter)

Mheshimiwa Spika nimesimama hapa kuunga mkono Mswada ambao umeletwa na Mheshimiwa Maimuna. Mheshimiwa Spika mimi naunga mkono Mswada huu kwa sababu mimi nimeathirika katika wodi yangu kwa sababu ya kukosa huduma ambayo tunaenda kuunda Mheshimiwa Spika. Mheshimiwa Spika katika Mombasa Kaunti watu wakiongea kuhusu kuathirika na bahari wanafikiria ni feri pekee ndio watu wanavuka lakini wanasahau kuwa mimi pia nina kivuko kikubwa sana pale Mwakirunge ambacho kimepakana na jirani yangu hapa kutoka Tudor na jirani yangu kutoka Mikindani. Mheshimiwa Spika kivuko kile ambacho watu wanatumia zile boti za zamani tumekuwa tukiathirika sana; mara boti inapoanguka haswa watu ambao hawajui kuogelea huwa wanapata shida sana na huwa wanaangamia sana. Mheshimiwa Spika mimi naomba kikosi hichi ambacho kinaenda kuundwa Mheshimiwa Spika tusiangalie fuo za bahari na feri pekee yake; pale kwangu ambapo watu wengi huwa wanapitia pia mimi naomba walete kasha liwekwe pale ili nipewe vijana hata kama ni sita...

(Applause)

...waweze kuangalia mahali pale kwa sababu ni mahali muhimu ambapo watu Mheshimiwa Spika wanavuka wakija mjini. Mheshimiwa Spika Kaunti kama hii ya Mombasa imezungukwa na maji.....

(Interruption)

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

Hon. Faraj: Mheshimiwa Spika kidogo nimetatizika na kauli kutoka na ndugu yangu kwa kuwa ameomba kasha, siwezi kujua alikuwa anataka kusafirisha mizigo ama ni kitu gani? Hapo kidogo ndio nimetatizika nataka aniweke sawa kwa sababu nafahamu kwamba mazungumzo tuliyo nayo hapa ni ya usalama na ni ya kuhakikisha tumekuja na kitengo cha kuokoa maisha ya watu. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Naam Mheshimiwa Mwadziwe kasha la nini?

Hon. Mwinga: Nikisema kasha Mheshimiwa Spika namaanisha pale mahali watu watakuwa wamepaweka *stand by* manake katika hali ya kutembea tembea katika hii Kaunti nimeonelea huko chini ufuoni wameweka kasha; hapo ya wale ambao ni *stand by* hapo watasaidia wakati wa janga kama hilo limetokea. Kwa hivyo ninamaanisha ni zile kasha zitakuwa zimewekwa vifaa vya kusaidia na vile vile wao wenyewe watakuwa wanapumzika mahali pale. Mheshimiwa Spika nilikuwa nachangia nikisema kuwa Kaunti yetu ya Mombasa 001 wakati itakuwa kikundi hichi kimeundwa mimi naamini kwamba watoke nje ili wakaweze kupata msaada zaidi, naamini kikundi hichi kitatambulikana Kenya nzima na hata sisi tutaweza kupeana msaada kwa Kaunti zengine wakati tutakapokuwa nacho. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Ahmed Omar Ebrahim.

Chief Whip (Hon. Ahmed Ebrahim Omar): Ahsante sana Mheshimiwa Spika kwa kunipa fursa kwenye mada nzuri kama hii kuchangia. Mheshimiwa Spika mimi nimesimama kuunga

mkono Mswada huu mia fil mia; tukiangalia ni jambo linalofaa na lilifaa lije kitambo sana kwa sababu toka Bunge hili lianze mpaka muda huu tumepoteza maisha ya watu wengi kupitia bahari yetu kama waheshimiwa wenzangu walivyotangulia. Mheshimiwa Enock ameeleza maneno yake kupitia kwa kivukio na mimi Mheshimiwa Spika naeleza mambo ya kule kwetu kuna mahali kunaitwa Bahari Club na kuna ufuo wa Mkomani watoto wazama kila siku, tunapoteza maisha ya watu kila siku tukiingoja serikali ituletee Kenya Navy na wakifika badili ya kuja kusaidia maisha wanakuja kutoa maiti. Kwa hio ningeomba Bunge letu hili litengenezee kikundi hichi ili katika hizi fuo zetu Mheshimiwa Spika tuweze kuweka vijana wetu *stand by* na tusingojee maneno kama yatokee ili kusaidia maisha ya watoto.

Mheshimiwa Spika tukiangalia katika Kaunti yetu ya Mombasa kuna vijana wengi sana ambao wana ujuzi huu mpaka wengi wao huwa wanapata fursa ya kwenda nje kwenda kuweza kufanya kazi ya kupiga mbizi na wengine wao wakitoka kule huja na ujuzi mwingi sana. Mimi najua Mheshimiwa Spika tukifungua kitengo kama hichi sio kusaidia maisha pekee yake lakini bali tutaweza kutengeneza ajira kwa vijana wetu wale ambao wako na ujuzi wa baharini sababu naamini nakujua ya kwamba wengi wetu ni waogeleaji wazuri na ni wapiga mbizi wazuri ambao ujuzi kama ule wanaoukalia maskani kwenye matairi ambapo haipendezi. Sisi tuko kwenye Bunge hili kwa maslahi ya watu wetu kwa hiyo Mheshimiwa Spika jambo kama hili lazima tulitie maanani; nawausia waheshimiwa wenzangu tungekuwa na Mswada kama huu wa kusaidia na kuokoa maisha ya watu wetu wa Mombasa Kaunti na vile vile ni jinsi moja nyengine ya kutengeneza ajira kwa vijana wetu ambao wako na ujuzi na vile vile kuwapunguza mtaani na kuwapa ajira vijana wetu. Kwa hayo machache Mheshimiwa Spika nikuomba vijana wenzangu, Waheshimiwa wenzangu...

(Laughter)

Jambo kama hili ama watalii wale wanaokuja Mombasa wajihisi wako salama watakapoamua kuruka chomo mabaharini. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Now we have Hon. Mary Akinyi and then Mheshimiwa Nasser Rashid then Hon. Saad Faraj then Hon. Kalume and then finally Hon. Ibrahim Kondo.

Hon. (Ms.) Akinyi: Ahsante sana Mheshimiwa Spika na mimi ningependa kuunga mkono mjadala huu sababu wahenga walisema kuwa, *ukiona mwenzako yuanyolewa na wewe tia kichwa chako maji*. Mheshimiwa Spika ni mwaka jana tu ndio watoto wengi walipoteza maisha yao kule Kwale walipokuwa wamekuja katika hali ya masomo walipoenda ufuo wa bahari wakapoteza maisha yao. Hivyo basi kama wangukuwa na wapiga mbizi angalau watoto wengine wangeokolewa; hicho kisa ambacho kimetendeka huko Kwale kimefanya hata watoto wanaotoka kule sehemu za bara hawaji tena huku wamepungua. Kwa hio Mheshimiwa Spika tukipitisha Mswada huu ukapita wakaweza kusikia kuwa tumeweza kutengeneza kitengo cha wapiga mbizi kama ilivyoandikwa hapa ya kuokoa na kuwe na vijana ambao wanaweza hii kazi ya kupiga mbizi na kuokoa watu. Tutapata watoto wengi sana wakati watakapokuwa wanafunga shule na pia tukipata watoto wengi wakati itakuwa wamefunga jambo kama hilo pia litaweza kuwakua wale watoto ambao siku hizi wamekuwa na tabia ambayo hairidhishi ya kuchoma shule ambayo tukiwaletea mambo kama haya bara kwamba watapelekwa ufuo wa bahari angalau wakaweza kubadilisha tabia zao na watakuja huku kujifurahisha.

Mheshimiwa Spika ikiwa tutakuwa tumewawekea hawa wapiga mbizi ambao watakuwa wanawaokoa huku kwetu Mombasa ambayo ni Kaunti 001 lakini mambo kama haya ikiwa tunayaweka kwa sababu sisi kama Kaunti ya Mombasa tuko na kijana ambaye anaitwa Salim ambaye huyu kijana sisi tutakuwa tumepata kijana ambaye atakuwa anafundisha wale vijana

wengine kazi ya kupiga mbizi ambayo mimi naona katika Kaunti yetu ya Mombasa hatutaenda hasara sana yakuwa tunatafuta vijana wakuja kupiga mbizi na tayari tuko nao. Mheshimiwa Spika hizi mali ambazo tuko nazo kama huyu kijana ambaye anaitwa Salim tutumie hii mali ili aweze kuelimisha vijana wengine ili pia katika kuelimisha wale vijana ambapo pia mwaka uliopita tulitengeneza mjadala kuwa tuwe na hizi vituo maalum kwa fuo za bahari yaani *beach sites* nyingi kama hizi za Tudor na Port Reitz. Sasa tukiwa na hizi vituo ama tukiwa na sehemu za bahari ambazo watu wanaenda kuogelelea pia vijana tutawapata kwa wengi na pia hawa vijana wataweza kupata ajira kwa sababu saa hii ajira ni ile jinsi ya kujitengenezea ajira. Saa hizi pale ilipofikia ni jinsi Kaunti ama serikali ya Kaunti kama hii yetu tuangalie jinsi zote za kuweza kutengeneza ajira ambazo vijana wetu wataweza kujiajiri mwenyewe. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Hon. Nasser Rashid.

Hon. Nasser Rashid: Ahsante sana Mheshimiwa Spika kwa kunipa hii nafasi. Mheshimiwa Spika mimi kama Mwenyekiti wa sekta ya uvuvi...

(Applause)

Mheshimiwa Spika mimi naunga mkono kikamilifu lakini kuna lakini hii hoja imeletwa mara nyingi sana hapa na iko na watu ambao hawawajibiki naomba wale ambao hawawajibiki katika Bunge hili kutekeleza hili jambo naomba waletwe katika Bunge hili. Mheshimiwa Spika swala la ajira si kwamba itakuwa ni ajira katika Kaunti yetu pekee yake sisi tutaweza kusaidia Kenya nzima ambapo kuna Kaunti zenye zinaathiriwa na mafuriko ila mpaka tungoje serikali kuu waje wawasaidia ila sisi tukiwa na usaidizi ule na tuombe msaada zaidi tutaweza kusaidia Kenya nzima. Mbali na hivyo Kaunti zote zingeweza kuja hapa kujifundisha na Mheshimiwa Spika tungeweza kukusanya mapato. Kwa hio ili jambo liko sawa na naomba litiliwe mkazo na hili jambo tumelizungumza sana na kila siku watu wetu wanakufa, kwa hiyo Mheshimiwa Spika wale watu ambao hawatekelezi hili jambo likatimia ningeomba wachukuliwe hatua kali. Ahsante.

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

Hon. Faraj: Naam ahsante sana Mheshimiwa Spika kwa fursa hii. Mheshimiwa Spika mimi pia naunga mkono Mswada ulioletwa na Mheshimiwa Maimuna wa Shanzu. Mheshimiwa Spika kama alivyotangulia kuongea ndugu yangu Mheshimiwa Nasser ni kuwa Mswada ushawahi kuja hapa awali na katika bajeti ambazo kwamba zimetangulia hususan bajeti ambayo kwamba inahusikana na masuala ya utalii kulikuwa na kitengo ambacho kwamba kimewekwa na *Coast Guard*. Nikizungumza nazungumza kwa kuwa mimi nilikua Mwenyekiti wa Utalii na tulitenga pesa ambazo kwamba zilikuwa ziweze kupatia msukumo *Coast guards* ili kitengo kiweze kubuniwa katika Kaunti ya Mombasa na Kamati hiyo imepangwa. Kwa kuelewa kwangu ni mara ya pili kwenye bajeti iliyotangulia na mbele ya hapo kwa sababu ilikuwa ni baadhi ya yale mambo na mapendekezo ambayo sisi tuliyapitisha katika Kamati yetu ili yaweze kutekelezwa na ndugu zetu walioko katika kitengo. La kusikitisha ni kuwa kuna mvutano ama sielewi ni mpangilio wa aina gani kwa sababu waheshimiwa baadhi yao wanazungumzia kuhusu hiki kitengo kiwe kiko chini ya *fire brigade* na katika mipangilio tuliyokuwa nayo sisi wakati yule kutokamana na hali ambayo kwamba iliyokuwepo kutokamana na utalii tulionelea kuwa tuwafanyie kitengo ambacho kwamba kitakuwa ni tofauti na kile kilichoko katika kitengo cha Wazima moto.

Kwa hio Mheshimiwa maana ya kusema hivyo ni kwa sababu watalii ni watu ambao kwamba wanataka kubembeleza, wanataka kupokewa, wanataka kuelekezwa yale mafunzo yalitaka kutekelezwa katika mafunzo ili itawapatia fursa ya kwenda kuzungumza na kuwa

wapole na kuwakaribisha wale watalii sio tu kwenda kujifundisha kuokoa watu katika bahari na mfumo huu ni mfumo wa kimataifa na tukaonelea ikiwa tutaweza kuukumbatia na kuuleta karibu utaweza kukuza utalii pakubwa. Pia itakuza utalii wa kimataifa katika hii nchi na ndio maana tukawa tumekubalina lakini kidogo labda tupate mwelekeo kutoka kwa Kitengo kwa sababu kitengo tayari kilikuwa kimekadhibiwa pesa zishatengewa za kuweza kuanzisha mfumo kama huo. Ahsante.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Ibrahim.

Hon. Ibrahim Kondo: Ahsante Mheshimiwa Spika, nimesimama kuunga mkono hoja iliyowekwa mbele ya Nyumba hii kwa minajili ya kusaidia wakazi wetu wa Mombasa. Mheshimiwa Spika majanga yametupata tumepoteza mandugu, tumepoteza majirani, tumepoteza jamii hasa kwa masuala ya baharini. Mheshimiwa Spika kitengo hiki kuna wanaohusika na kuna watu waliohitimu zaidi kwa sababu baadhi ya wale ambao tuko nao katika kitengo hichi ni lazima tujivunie kama Kaunti 001 wale ambao wanahusika katika kitengo hichi ni watu wanaojulikana Kenya nzima na haswa nchi zetu za Afrika na ulimwengu wale wanafanya kazi hii wanafanya kwa moyo mkunjufu na wanasaidia wananchi kwa ujumla lakini Mheshimiwa Spika ni lazima na sisi tuhakikishe tumewaweka katika mazingira mazuri na mazingira ambayo yatawafanya ili na wao wawe na motisha ya kuendeleza kazi zao.

Mheshimiwa Spika wengi wamemetaja anayehusika kama kiongozi katika wapiga mbizi katika mkoa wetu ama Kaunti ya Mombasa na ni kijana ambaye amezunguka Mombasa nzima, Kenya nzima, ulimwengu mzima. Ikiwa nchi, Kaunti zingine wanamuona na kuitisha msaada wake jee sisi hatuna macho wala hatusikii sisi kama Kaunti ya Mombasa tumepatikana na visa juzi juzi vya kutamausha katika maeneo ya Miritini na yule kijana alikuwa kazi na wanaohusika walikuwako pale wakapigiwa simu wananchi wakapigiwa, viongozi wakaongea lakini maajabu anayesimamia katika upande wa wazima moto ni kama ambaye amezembea pakubwa....

(Applause)

Mheshimiwa Spika ni jambo la kusikitisha ikiwa anaweza kuitwa kwenda katika na anayesimamia yote inaonyesha ya kwamba anayekuwa katika kitengo hicho hawana imani na pia wanainchi wetu....

(Applause)

Huwezi ukachukua...

(Interruption)

Mheshimiwa Spika, naomba...Mheshimiwa Fadhili hapa naona anarusha cheche naomba usaidizi wako. Mheshimiwa Spika sisi huwa na sikukuu za kimataifa pamoja na za nchi yetu na tunapata wananchi wengi kutoka sehemu mbalimbali, wageni wale huja katika fuo za bahari ikiwa wanaohusika na maswala ya bahari kama shirika la *Maritime Authority* wanatambua kijana huyu na wanatambua timu nzima ya Kaunti ya Mombasa inakuaje leo tunachukua anayecheza *racing* tunataka kumuingiza katika kiwanja cha mpira? Hayo ni mambo hayatawezekana kwa sababu wale walioko katika fuo za bahari wao wenyewe maji kuyagusa hawajui....

(Applause)

Watu wanapelekwa kule kwa sababu ya kupata marupurupu peke yake lakini janga likitokezea inakuwa ni dhahiri shahiri tena wale wale waliowachwa nje ndio watafutwe waje kazi. Tupate mwelekeo mzuri tuwaite wanaohusika katika swala hili ili tujue swala liko wapi, ...tatizo gani limetokea kwa sababumwelekeo kupitia kwa kiti chako. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Salim Kalume.

Hon. Kalume: Ahsante kwa kuniona Mheshimiwa Spika nimesimama mda Mr. efu lakini nashukuru mara hii umeniona. Nimesimamam kuunga mkono hii hoja iliyoletwa na Mheshimiwa Maimuna....

(Applause)

Kutoka Shanzu kwa kweli katika Kaunti ya Mombasa kuna umuhimu zaidi wa kuunda kitengo kama hichi hasa ukiangalia katika eneo langu la Ziwa la Ng'ombe ni eneo ambalo limezingirwa na bahari na familia nyingi sana zimepoteza wapendwa wao bila kupata usaidizi wowote. Kwa hivyo kuna umuhimu zaidi kuundwa kwa kitengo hiki katika Kaunti ya Mombasa; haswa sisi Mombasa itakuwa na faida tatu; kwanza itakuwa tumeimarisha usalama katika sehemu zetu za bahari, pili vijana wetu watapata ajira kama ulivyo sikia sehemu nyingi kuna vijana hata sehemu yangu kuna vijana, tatu tutavutia upande wa utalii utaimarisha uchumi wetu katika Mombasa Kaunti uchumi utapanda zaidi. Kama ulivyosikia kuna wengine watoto wao walifariki walitoka sehemu za bara na sasa wamekuwa na uoga wa kuja katika Kaunti ya Mombasa; kwa hivyo itasaidia zaidi upande wa kuimarisha uchumi katika Kaunti ya Mombasa. Kwa hiyo tunaomba Mheshimiwa Spika kupitia kiti chako umesikia Waheshimiwa wengine wakilalamika wanasema kuwa kuna mtu mahali fulani amezembea kazi yake. Tunaomba utusaidie kuhakikisha hata sisi tumepata kitengo katika Kaunti ya Mombasa, naomba ikiwezekana iwe haraka iwezekanavyo ili kusudi na sisi tufaidike katika Kaunti ya Mombasa na pia vile vile Kaunti ya Mombasa ni Kaunti 001 kila kitu sisi tunaongoza katika Kenya nzima hakuna mahali ambapo kuna shule ya kupiga mbizi ningeomba kupitia kiti chako Mombasa Kaunti wafungue shule ya kupiga mbizi. Kwa hayo machache, nasema ahsante.

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Fadhili you have come very late but just one minute .

Hon. Mwalimu: Ahsante sana...

(Laughter)

The Deputy Speaker (Hon. Mswabah Rashid): Speak for one minute please.

Hon. Mwalimu: Ahsante sana Mheshimiwa Spika, masaa ya Bunge bado tuko nayo ndani ya hoja za nidhamu za Bunge letu inasema kikao cha saa nane huanza saa nane unusu mpaka saa kumi na mbili sijachelewa bado niko katika....

(Interruption)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Ibrahim Kondo?

Hon. Ibrahim Kondo: Ahsante Mheshimiwa Spika ninashangaa Mheshimiwa anaposimama na ku-over rule decision ya Spika ambayo si sawa...

(Applause)

Hon. Mwalimu: Ahsante Mheshimiwa najua waheshimiwa wanajaribu kuiba wakati wangu lakini mimi nimezungumza tu hoja za nidhamu ambazo zinaendesha Bunge letu Mheshimiwa Spika. Mimi najua kwa nini wenzangu wanajaribu kuiba wakati wangu; mimi nimesimama kupinga hoja hii kwanzo tujue Mombasa imezungukwa na bahari mtu akisimama akisema kwake watu hufariki Mheshimiwa Spika tutaajiri watu wangapi? Kwanza kabisa tuelewe Mheshimiwa Spika tumeipangia hii katika bajeti yetu pale ambapo panatambulika kama Bamburi Pirates wanaokuja pale ni watu ma elfu kwa maelfu, tutakapoeka hao vijana kama watatu ama wanne wanaoogelea baharini ni watu maelfu, kuna watu wengine wako kwangu Port Ritz wanaoogelea Mheshimiwa Spika, kuna wengine wako Tudor wanaoogelea je wataweza kufanya kazi hiyo wakati unaostahili? Mheshimiwa Spika...

(Interruption)

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The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Dharwesh?

Hon. (Mrs.) Zainab Said: Nilikuwa nataka kumjibu Mheshimiwa Fadhili, naomba.

The Deputy Speaker (Hon. Mswabah Rashid): Lakini ongea na mimi, usiongee na Fadhili.

Hon. (Mrs.) Zainab Said: Kutakuwa ni kitengo huyo moja atafundisha watu wa Port Ritz, Changamwe, wa Mkomani, wa Likoni, wa Nyali kila mahali kutakuwa na kitengo chake haikuambiwa ni mahali pamoja. Kwa hivyo kama wako Bamburi si kama kuwa hakutakuwa na yeyote, heri nusu shari kuliko shari kamili...

(Applause)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili you can continue?

Hon. Mwalimu: Ahsante Mheshimiwa Spika tulizungumza ndani ya Bunge letu hili kuna mambo ambayo lazima yawekwe katika bajeti Mheshimiwa Spika....

(Interruption)

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

Hon. Mohamed Hatimy: Mheshimiwa Spika, Mheshimiwa Fadhili anaongea zaidi ya dakika moja.

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Fadhili half a minute is remaining.

Hon. Mwalimu: Mheshimiwa Spika mimi nilizungumza mwanzo kuwa sisi tuna kanuni zetu Mheshimiwa Spika; hoja za nidhamu za Bunge na mtu nyingi anaweza kwenda Mheshimiwa Spika ni dakika tatu ambayo ni muda mchache na kupitia kwa kiti chako naweza kuongezea. Mimi kama Wabunge wenzangu walivyozungumza Mheshimiwa Spika ninaona kuwa nimenyimwa haki yangu ndani ya Bunge hii kupewa dakika moja. Mheshimiwa Spika sisi tunasema kuwa ikiwa twapitisha ndani ya Bunge hii na wala isiwe ni mchezo; kuna wananchi nje wanafuatilia mambo kama haya. Leo tumesema sawa kitengo hichi kitengenezwe vijana waandikwe kazi Mheshimiwa Spika twaelewa kuwa ni vijana wetu lakini je Mheshimiwa Spika tutaweza kutekeleza matakwa haya kama sisi wenyewe hatujafanya uchunguzi wa kina kabisa kutokana na mambo kama haya? Mheshimiwa Spika ndani ya serikali ya Kaunti ya Mombasa iko *disaster team*; *Disaster team* imetengewa pesa zake, je, leo tupitishe tutengeze kitengo kama hichi na kitendo kama hiki kitahitaji watu waajiriwe, je, sisi kama Kaunti ya Mombasa twaweza kuhimili mambo kama haya? Ndio maana Mheshimiwa Spika twaomba kama walivyoomba maana amepita mheshimiwa mmoja hapa akaomba kiti chako utupe mwelekeo ni kuwa hata yeye mwenyewe hakuwa na imani kwa aliyekuwa anachangia; ni kuwa anataka kupitia kiti chako sio maono ya watu wote kuunga watu wote ameeomba usaidizi wako. Na mimi pia narudi kukuomba Mheshimiwa Spika jambo kama hili kabla upitishe lipitishwe na Nyumba hii, ni lirudishwe ili lifanyiwe ukarabati, lifanyiwe uchunguzi wa kina liangaliwe, litakuwa na faida gani ama litakuwa na hasara gani katika Kaunti yetu. Lakini sio Mheshimiwa Spika tumekuja kupitisha jambo ambalo sisi wenyewe hatuliwezi; nimeanza na kusema kuwa Mombasa imezungukwa na bahari, kila pahali, kila mtu atataka watu wake waingizwe katika kitengo hicho.

Kila mtu atataka watu wake waajiriwe kazi Mheshimiwa Spika; kila mtu atataka Mheshimiwa sehemu zao Mheshimiwa Spika zile zitapata uwakilishi katika kitengo hichi. Mheshimiwa spika nimesema...

(Interruption)

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

(Applause)

Hon. Mwalimu: Ahsante. Mheshimiwa Spika nimesema kufanywe uchunguzi wa kina.

The Deputy Speaker (Hon. Mswabah Rashid): Okay I am giving you half a minute.

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(Hon. (Mrs.) Maimuna Mwamassa: Ahsante Mheshimiwa Spika kwa kunipa fursa hii. Mimi naunga mkono kikamilifu hoja hii, na nataka kuenda kwa haraka nikielezea Nyumba hii kulingana na mzungumzaji aliyetoka kwenye sakafu saa hii akasema kuwa pengine nani atawaajiri wao Mombasa Kaunti haitaweza kuwaajiri wao. Mimi naona tuna vitengo vya Wazima moto kwa Kaunti; iko na gari za kuzima moto zake, yake korti iko na wazima moto wake, Pipeline iko na gari zake za kuzima moto yake, na hawa wapiga mbizi pia twaweza kuwa na sheria pia twaweza weka kama sheria Kenya Ferry wakaweka wapiga mbizi kama vile Bandari wana magari yao ya wazima moto na vitu zingine ambazo tumezungumzia, kuna bahari na hoteli. Wenye mahoteli pia iko katika sheria maadam zile hoteli ziko pale pia waweze kuwa na wapiga mbizi wakawa maeneo yale...

(Applause)

Zile hoteli wameajiri watu maalum wa kufanya nini, wa kuokoa vitu kama vile; Kenya ferry tena vilevile hatushindwi kufanya juhudi zozote ili nini, waajiri wa wenye kusaidia watu wenye kuogelea ama wanaozama.

(Interruption)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili what is it?

Hon. Mwalimu: Mheshimiwa Spika, Mheshimiwa anayeongea ni atuweke katika njia sawa. Ikiwa anaunga huo Mswada mkono ni ajenge hoja kupitia huo Mswada, lakini asilete sheria ambayo hatujatengeza sheria; ikiwa ni sheria tutengeneze sheria lakini huu ambao uko mbele yetu Mheshimiwa Spika ni Mswada ambao haujasema mambo yoyote kuhusu kufwata watu wa Bandari, watu wa mahoteli watengeneze wenyewe vitengo hivi vya kupiga mbizi. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Maimuna.

Hon. (Mrs.) Maimuna Mwamassa: Ahsante Mheshimiwa Spika, mwenzangu amezungumza kuwa wataajiriwa na mimi nimetoa mfano kuwa tukitaka hili neno liwe hatutashindwa na maarifa lakini tuna marafiki...

(Applause)

Stakeholders wa Kaunti ya Mombasa lakini tutafaidika kiviipi na hawa *stakeholders*; kwa hivyo lazima tukae nao tuwaambie hasara na faida...

(Applause)

Na mahoteli yaliyoko kwenye fuo zetu za bahari. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Thank for all your contributions, now the mover of the Motion do you have anything to say before I put to question, yes.

Hon. (Ms.) Zeinab Mumba: Ahsante sana Mheshimiwa Spika. Mwanzo nataka kutoa shukrani za dhati kwa wale Wabunge ambao walichangia katika Mswada huu...

(Applause)

Na wale ambao hawakuchangia pia nawapa shukrani vile vile kwa sababu wameongea.

(Applause)

Mheshimiwa Spika ningependa vijana wetu waende kwa ujuzi haraka iwezekanavyo ili waweze kutusaidia katika Kaunti yetu ya Mombasa. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Members i'm left with no other option but to put to question.

(Question out and agreed to)

(Applause)

(Interruption by Hon. Speaker)

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

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Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I seek leave this House to allow me to amend the Mombasa County Assembly Service Bill 2014, Bill number 7.

The Deputy Speaker (Hon. Mswabah Rashid): Okay Members Hon. Hatimy has asked this House to allow him to amend this Bill at this stage.

(Question put and agreed to)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. you can move the Bill.

Hon. Mohamed Hatimy: I think Mr. Speaker sir we need to move to Committee of the Whole House.

The Deputy Speaker (Hon. Mswabah Rashid): Members under Standing order number 132 that this House shall dissolve into Committee of the Whole House.

(Sergeant At Arms Lowered the Mace)

HOUSE DISSOLVED INTO COMMITTEE OF THE WHOLE HOUSE

(Deputy Speaker (Hon. Mswabah Rashid) exited the Chair)

ORDER OF COMMITTEE READ

IN THE COMMITTEE

(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)

Chairperson: Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mr. Speaker under Standing order 136, that the clause be read second time that the clause amended be added to the Bill, thank you Mr. Speaker.

Chairperson: So Members we have an amendment, so I think Clerk can you read the amendments.

Clerk: NOTICE is hereby given that the Hon. Mohamed M. Hatimy intends to move the following amendments to the Mombasa County Assembly Service Bill, 2014 as follows;

1. That the heading "PART IV – STAFF OF THE COUNTY ASSEMBLY" be deleted and replaced with the following heading and sections immediately thereafter as follows:

PART IV – THE CLERK AND OTHER STAFF

Appointments

18. (1) The nomination of a person for appointment as a Clerk of the County Assembly Under Section 13 of the County government Act shall be done through an open, No.17 of 2012 transparent and competitive recruitment process.

(2) The name of the person nominated by the Board for appointment as the Clerk of the County Assembly shall be submitted to the County Assembly for approval in accordance with the Standing orders of the County Assembly.

(3) The resolution of the County Assembly approving a person for appointment as Clerk of the County Assembly, appoint that person as Clerk of the County Assembly.

Chairperson: Yes Hon. Saad.

(Interruption)

Members let me propose the question.

Hon. Faraj: There is an error, there is a typing error which needs to be changed before we pass it Mr. Speaker.

Chairperson: Okay, it has been taken care of by Hon. Hatimy; there is also a Standing order 136, 2, 'At any time before the certification and submission of a Bill to the Governor, the Speaker may correct formal errors or oversights therein without changing the substance of the Bill'. So it has been taken care of, any mistakes, and any errors. But all the same Hon. Hatimy has already highlighted that and it will be taken care of.

Hon. Mohamed Hatimy: Mr. Speaker I think seek leave to amend to remove 1212 and write 2012.

Chairperson: Okay Members to propose the question, it has been proposed that 18. 1, 2 and 3 be part of this Bill as amendment...

(Interruption)

Hon. Mwalimu: Mheshimiwa Mwenyekiti, nafikiri kwanza kabisa tulikua tumeanza na kichwa cha sheria hii ambayo twaendelea kuitengeneza. Ingekuwa ni vizuri mwanzo tukubaliane na kichwa kiwe ni vile kilivyobadilishwa kwanza maana kichwa kwanza kimebadilishwa.

Hon. Mohamed Hatimy: Mheshimiwa Spika nafikiri kichwa tulikubaliana kimebaki vile vile hatujakibadilisha kwa hivyo sisi tunarekebisha *paragraph 18 staff of the County Assembly*, sawasawa the *Clerk and staff* imebadilika sawasawa Bwana Spika.

Chairperson: Okay I have to propose a question that part four be passed as amended...

(Silence)

Then Members i have to put a question.

(Question put and agreed to)

Members i then propose that Section 18 part 1, 2, 3 be part of this Bill as amended...

(Interruption)

Chairperson: Yes Hon. Fadhili Makarani.

Hon. Mwalimu: Mheshimiwa Spika kwa sababu ya tarakilishi ambayo inanukuu yale ambayo tunazungumza nafikiri ingekuwa muhimu kama 18 1 tungekubaliana kivyake kisha twende kwa 2 maana 18, 1 ina marekebisho ndani yake. Ningeomba kulingana na ilivyoandikwa hapa na ilivyoletwa na Mheshimiwa kama 18 1 ina marekebisho hapo kwa 2012.

Chairperson: I have the Clerk here who has read everything, you don't have the document?

Hon. Mwalimu: Niko nayo lakini nasema kwa muhimu wa sisi kunukuliwa Mheshimiwa Spika tuwe tumekubaliana kubadilisha yale ambayo yameadnikwa hapa maana hiyo tuunayotengeza Mheshimiwa Mwenye kiti ni sheria, ahsante.

Chairperson: Okay Members as many as of the opinion that we should go by sub clause.

(Question put and agreed to)

(Laughter)

Okay Members i put a question that part 18, 1, 2,3 be passed as amended...

(Question put and agreed)

Clerk:

Functions of the Clerk

19. In addition to the functions conferred under Section 16 as Secretary of the Board, the Clerk shall be –

(c) The Chief Administrative officer of the County Assembly; and

(d) Responsible for the day- to – day management and functioning of the County Assembly

Chairperson: Okay I have to propose a question that part 19 Section a and b be read as amended , anything?

(Silence)

Then Members i proceed to put a question that as many as of the opinion that part 19 a and b be passed as amended...

(Question put and agreed)

Clerk:

Procedural functions of the Clerk

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20(1) The procedural functions of the Clerk shall include:

- (c) The rendering of the experts, non – partisan and impartial advice to the Members of the County Assembly on the legislative process, and parliamentary procedure and practice and;
- (d) The carrying out such other duties and exercising powers as may be conferred on him or her by law or by the Standing orders and practices of the County Assembly.

(Interruption)

Chairperson: What is it Hon. Fadhili.

Hon. Mwalimu: Ahsante Mwenyekiti, mimi naomba tukubaliane ishirini moja a neno *and* liondolewe na kuwe na *full stop* hapo Mwenyekiti...

Chairperson: Mheshimiwa Fadhili you will make the amendments after the proposal. Okay Members I propose a question that part 20, 1 a and b be part of this Bill as amended, is there anybody on a comment on that?

(Question put and agreed to)

Hon. Mwalimu: Katika ishirini b Mwenyekiti badala ya neno *by law* ama badala ya neno *title* imeandikwa hapa mimi ningependa maneno haya yaondolewe na iandikwe neno *by title* *Standing orders*...

Chairperson: Okay Hon Fadhili under the procedures of this House I think the only person...

(Interruption)

Hon. Mohamed Hatimy: Mheshimiwa Spika I think the word reads as by law or by the Standing orders...

Chairperson: These are spelling mistakes, but Hon. Fadhili at this stage nobody can make amendments except the Chairman or you should have written amendments through the Chairman. Members as many as of the opinion that part 20, 1 a and b be part of this Bill as amended.

(Question put and agreed to)

Clerk:

- (2) In carrying out the functions specified in Sub section (1), the Clerk shall be assisted by such other officers of the service as may be necessary;

Chairperson: Members as many as of the opinion that part two be part of this Bill as amended...

(Question put and agreed to)

Clerk:

- (3) Subject to this Act any other written law, the Clerk shall in carrying out and exercising the powers conferred on him or her by the standing orders and practices of the County Assembly, be under the direction of the Speaker.

Chairperson: Members it has been proposed that part 3 be part of this Bill as amended, then I put question as many as of the opinion that part 3 be part of this Bill as amended.

(Question put and agreed to)

Clerk:

- (4) At any time when the office of the Speaker is vacant or the holder of the office is unable for any reason to carry out and exercise the powers and functions of his or her office, the Clerk shall during this period and in relation to the carrying out the duties and

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exercise of the powers and functions referred to in this section, be under the direction of the Deputy Speaker of the Assembly.

Chairperson: Members it has been proposed that part 4 be part of this Bill as amended, then I put the question.

(Question put and agreed to)

2. **THAT** the existing numbering prior to the foregoing amendments be re-ordered accordingly;

Chairperson: Members it has been proposed that part 2 be part of this Bill as amended, then I put to question.

(Question put and agreed to)

(Sergeant At Arms raised the Mace)

PLENARY RESUMED

(The Deputy Speaker (Hon. Mswabah Rashid) in the Chair)

The Deputy Speaker (Hon. Mswabah Rashid): Members you may sit down, yes Chairman.

Hon. Mohamed Hatimy: Hon. Speaker Standing order 129 that the County Assembly do agree with the Committee on the said report, thank you.

Deputy Speaker (Hon. Mswabah Rashid): So have you reported, how was the Committee, yes Hon. Hatimy the mover of this amendment.

Hon. Mohamed Hatimy: Mr. Speaker i have stated that the Bill as amended be reported to the County Assembly under 129 that the County Assembly do now agree with the Committee.

Deputy Speaker (Hon. Mswabah Rashid): Okay thank you very much, so I think this is a Motion and this Motion is not debated.

ADJOURNMENT

Members there being no other business this House stand adjourned until tomorrow morning.

The House rose at 4:23p.m.