



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Thursday, 10th May, 2018

The House met at 2:39p.m.

(The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair)

PRAYERS

The Speaker: Hon. Members you may be seated. Yes Clerk?

STATEMENTS

RELOCATION OF PERSONS UNDER METHADONE PRESCRIPTION AT KISAUNI DISPENSARY

Yes Hon. Charles Kitula?

Majority Chief Whip (Hon. Kitula): Thank you Mr. Speaker. Mr. Speaker I take this opportunity to present a Statement on Relocation of Persons under Methadone Prescription at Kisauni Dispensary which is in my area of representation Frere Town Ward. Mr. Speaker Sir, I seek to know from the Chairperson Committee on Health on whether he is aware of deteriorating conditions around Kisauni Dispensary, brought about by recovering addicts who are under methadone prescription at the dispensary. Some of the recovering addicts still use drugs around the dispensary which is also close to primary and secondary schools. Therefore what are the measures that the County government will take to remedy the situation. Thank you, Mr. Speaker.

The Speaker: Thank you Hon. Charles Kitula, yes do we have the Chairperson for Committee on Health Hon. Kibwana, is he around, or any Member of the Committee of Health? Yes Hon. Nzai please reply to the request for Statement and when will the response be ready?

Hon. Nzai: Ahsante Mheshimiwa Spika kwa kunipa nafasi kuweza kumjibu Mheshimiwa Charles Kitula, ningeomba mtupe muda wa wiki moja kusudi tuweze kujibu suala hili.

The Speaker: Thank you Hon. Nzai so next week on Thursday, thank you. Yes Clerk?

CONSTRUCTION OF BARSHEBA - MISHOMORONI ROAD

Yes Hon. Ali Shomari?

Hon. Ali Mohamed Shomari: Thank you Mr. Speaker Sir.

(Hon. Ali Mohamed Shomari moved the Statement)

Construction of Barsheba-Mishomoroni Road; I seek to know from the Chairperson Committee on Transport, Infrastructure and Public Works on whether he is aware of the poor state of Barsheba-Mishomoroni Road brought about by heavy rains, and if the County government has any plans to remedy the situation. Thank you, Mr. Speaker.

The Speaker: Thank you Hon. Member. Yes Hon. Chairperson Committee on Transport, Infrastructure and Public Works Hon. Fahad Kassim can you please reply for the request of Statement and when will the response be ready?

Hon. Fahad Kassim Abdallah: Good afternoon. Yes Mr. Speaker Sir I would like to reply to the Statement from Hon. Ali Mohammed Shomari that as a Committee we are aware of the condition of the road and we are soon going to invite the Chief Officer to give us the way forward. So I will request for one week so that we can have a consolidated report and we will work on all the other areas that are affected not only Barsheba. Thank you very much.

The Speaker: Thank you Hon. Member, yes Clerk?

MOGOKA MENACE IN THE COUNTY

Yes Hon. Fadhili Mwalimu?

Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Mr. Speaker. Mr. Speaker I stand under Standing Order 41 (c). I seek to know from the Chairperson Committee on Health on whether he is aware of the *Mogoka* menace in the County which has left a trail of decadence especially among the youths, and whether the County government has any plans to curb the situation. Mr. Speaker just to give an example the market of *Mogoka* is situated around Tononoka grounds and Tononoka ground is a centre whereby many schools are around that area and the situation as per now if the County government has no interest then it is as if we are losing the youth. Thank you.

The Speaker: Thank you Hon. Fadhili Makarani. Yes Hon. Nzai?

Hon. Nzai: Ahsante Mheshimiwa Spika ningependa japo tuko pamoja kwenye suala hili lakini tayari tulikuwa tunalishughulikia na tayari tuko kwa utafiti kwa sababu tumetumana wale watu wa maabara watufanyie utafiti ili madhara halisi ya *Mogoka* yajulikane. Kwa hivyo nafikiri Mungu akipenda *InshaAllah* wiki ijayo kutakuwa na jawabu. Ahsante sana Mheshimiwa Spika.

The Speaker: Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa Spika leo twaona vioja mahakamani; hawa wote wanaozungumza wawili ni wanakamati wa Kamati ya Afya na Mheshimiwa Fadhili analeta taarifa hapa na wao wako na nafasi ya kuzungumza kwenye Kamati yao ya Afya.

The Speaker: Yes Hon. Nzai?

Hon. Nzai: Mheshimiwa Spika ahsante tena kwa kunipa nafasi hii *am a very strong Member for Health Committee* na Naibu Spika naona ni mwanachama wa Kamati zote na itanishangaza sana kama Mwenyekiti wetu tuna *muhenza* ndio atauliza suala kama hilo kwa sababu ninavyojua vyeo kama hivyo vinaingia kila mahali kama mchuzi wa nazi. Ahsante sana.

The Speaker: I think Hon. Fadhili is supposed to answer that question Hon. Hatimy. Yes Hon. Fadhili?

Deputy Speaker (Hon. Fadhili Mwalimu): Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi ni Mwanakamati wa Kamati ya Afya; na vile vile mimi nimeuliza swali hili kama Mwenyekiti wa Kamati ya *Liaison* kutaka kujua Mwenyekiti kutoka katika Kamati ya Afya ama serikali ya Kaunti inachukua jukumu gani kuhusu suala hili?

Hon. Mohamed Hatimy: Mheshimiwa Spika...

(Interruption)

The Speaker: Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa anaezungumza anapotosha Nyumba hili tukiangalia hii stakabadhi tulio nayo imesema taarifa kutoka kwa Mheshimiwa Fadhili Mwalimu MCA Wodi ya Port Reitz na sio Mwenyekiti wa *Liaison*. Kwa hivyo atuambie kama kuna makosa yeyote sababu hapa tunaona kama MCA Wodi ya Port Reitz na sio Mwenyekiti wa Kamati ya *Liaison* Mheshimiwa Spika.

The Speaker: Thank you Hon. Fadhili Makarani can you clarify; are you a Member of this Committee or *Liaison*, I think you are a Member if am not wrong?

Deputy Speaker (Hon. Fadhili Mwalimu): Ahsante Mheshimiwa Spika nafikiri nimenakiliwa vizuri nikisema mimi ni Mwanakamati wa Kamati ya Afya lakini vile vile nikaongezea na nakujipa kofia na bali sio kujipa lakini ni kofia ambayo nimevishwa kama Mwenyekiti wa Kamati zote. Ndio pale ambapo nikajitoa kama Mwanakamati na kuweza kuuliza swali hili ambalo linatuhusu sote na linahusu vijana wetu na si kuuliza kama Mwanakamati wa Kamati ya Afya lakini kama alivyozungumza Mwanakamati wa Kamati hii. Kuna mambo ambayo walikuwa wanaendelea nayo mimi swali langu haswa lilikuwa nalenga wale watoto wetu tunawafikiria nini? Lau ikiwa tutawacha waendeleo kuuzwa kama wanavyouzwa basi kuna hatari, nakubali nanakiliwa tena kuwa mimi ni Mwanakamati wa hii Kamati. Ahsante Mheshimiwa Spika.

The Speaker: Sasa vile Mheshimiwa Nzai nimekusikia ukisema kuwa hili ni jambo ambalo mlikuwa mkilizungumza kwa hiyo inamaanisha kuwa Mheshimiwa Fadhili hakai kwa hiyo Kamati manake ni kama ambaye haelewi yale mambo mkiongea...

(Applause)

Hon. Nzai: Ahsante sana Mheshimiwa Spika huenda akawa siku hiyo alikosa kikao na jambo hili tulilizungumza katika kikao na siku hiyo tulikuwa na Mswada mwengine wa *marijuana* kwa vijana wanaotumia mambo hayo na tulikuwa na mjadala mrefu kwa hiyo nafikiri mwenzangu hakuwa katika hicho kikao. Ahsante Mheshimiwa Spika.

The Speaker: Yes Hon. Faith Mwende?

Hon. (Ms.) Boniface: Ahsante sana Mheshimiwa Spika naona hapa tunafanyiana mzaha; kama mimi nitakuwa ni Mwanakamati wa Kamati fulani kabla sijaleta hoja hapa Bungeni yafaa tulijadili katika hiyo Kamati na hiyo ni dhahiri kwamba hiyo Kamati ya afya hakuna maelewano ama watu hawahudhuria ndiposa Mheshimiwa Fadhili akaleta hoja hiyo lakini ningemuomba kama angetafuta mtu mwengine ailete kwa vile hiyo ni kutoa nguo Kamati yake kuonekana haitendi kazi. Ahsante Mheshimiwa Spika.

The Speaker: Yes Hon. Kitula.

Majority Chief Whip (Hon. Kitula): Ahsante sana Mheshimiwa Spika nafikiri Mheshimiwa Fadhili hajaleta hoja katika Bunge hili bali ameweza kuleta maoni kuhusiana na kutaka maoni zaidi mashinani kuhusu suala hilo kwa hivyo si hoja. Ahsante.

The Speaker: Yes Hon. Samba?

Hon. Samba: Thank you Mr. Speaker Sir I think you will be at the best position to give us directions because the matter that has been raised is a matter of great concern but the issue here is the person who has brought the statement but mean while they know where we are going to get the answers? Mr. Speaker Sir...

The Speaker: Yes Hon. Fadhili?

Deputy Speaker (Hon. Fadhili Mwalimu): Mheshimiwa Spika katika suala ambalo laendelea kujadiliwa nafikiri taarifa yangu ilikuwa wazi mimi nimeuliza Kamati ya Afya na vile vile nimeuliza serikali ya Kaunti ya Mombasa iko wazi na najua anayehitajika kuleta majibu ya serikali yetu Mheshimiwa si mwengine isipokuwa Kiongozi wa Walio Wengi. Mheshimiwa Spika mimi sioni kama kuna kosa lolote ambalo limetokea hapa kwa sababu ni majibu ambayo tutayapata kutoka kwa Kamati na vile vile ni majibu ambayo tutayapata pia kutoka kwa Kiongozi wa Walio Wengi maana katika taarifa yangu iko wazi na ni dhahiri kuwa nauliza serikali ya Kaunti ina mipangilio gani? Ahsante.

The Speaker: Yes Hon. Ibrahim?

Hon. Omondi: Thank you Mr. Speaker Sir maybe I just wanted to reiterate on this statement. I think this one is actually how we are opposed and I think my able Chairman would have maybe quoted actually an Article or the Standing Order which bans the Member even if he belonged to a certain Committee if he is not allowed or banned I think that one could be the issue but I think it is very casual it stands because I think apart from Hon. Fadhili Mwalimu being a Member...

(Interruption)

Hon. Oindo: I want to make a Point of Information?

The Speaker: Yes Hon. Aran?

Hon. Oindo: Mr. Speaker Sir this is House of rules and we should really consider the mode of language; a Hon. Member said *interrect*, I don't know what he means by *interrect* ?

(Laughter)

...also Mr. Speaker we should consider our mode of dressing so I don't know if he has an invisible tie or what? I think he is informed.

The Speaker: Thank you yes can you answer the questions that you have been asked.

Hon. Omondi: Mr. Speaker Sir the Hon. Member is not understanding me when I say I want to interact not the other way round...

(Interruption)

The Speaker: But the main issue is about dressing and i think Hon. Member you have to leave the House and go and dress up properly and come back...

(Applause)

Hon. Omondi: I think Mr. Speaker...

(Interruption)

The Speaker: I think you need to get out immediately and go and dress up, you are out of order just leave. Thank you.

(Hon. Omondi exited the House)

...Next time dress up properly; you are wearing sports shoes in the House. Yes I think Hon. Members I think Hon. Fadhili Makarani you should next time consult with your other Members in your Committee before bringing the statement, there's no harm in bringing the matter here in the House I don't see the harm because the issue is affecting all of us here and we are here to serve the people of Mombasa and all the other Members even need to know such issues. So I don't see any harm in bringing that matter here but it is important we follow the procedures you guys as Committees you have the powers to summon the relevant authority to come and give you the answers and maybe you can come and advise us so Hon. Nzai you said after one week you will bring for us the answer.

Hon. Nzai: Yes Mr. Speaker Sir.

The Speaker: So we will wait for that one week, thank you. Yes Clerk?

ANNUAL MOMBASA INTERNATIONAL CULTURAL FESTIVAL

Yes Hon. Feddis Mbura.

Hon. (Ms.) Mbura: Mr. Speaker Sir I seek to know from the Chairperson Committee on Youth, Gender, Sports and Cultural Affairs on whether the County government is going to host the annual Mombasa International Cultural Festival, and if so, what are their plans for this year's festival. Thank you Mr. Speaker Sir.

The Speaker: Thank you Hon. Feddis Mbura, yes Hon. Moses Aran please reply to the request for statement and when will the response be ready?

Hon. Oindo: Thank you Mr. Speaker Sir am humbly requesting this Hon. House if it can give me together with my Committee one week and then I will get back to this House with the full detail report on regards to what Hon. Member is requesting. Thank you, Mr. Speaker.

The Speaker: Thank you Hon. Aran, yes Clerk?

REMUNERATION OF CASUAL/TEMPORARY WORKERS BY THE COUNTY GOVERNMENT

Yes Hon. Shebe Athuman?

Hon. Shebe Athuman Salim: Thank you Mr. Speaker. Mr. Speaker Sir, in regards to remuneration of Casual/Temporary Workers by the County government, I seek to know from the Chairperson, Committee on Finance, Budget and Appropriations when the casual/temporary workers will be paid given that it is now over three months they have not received their monthly wages. Thank you.

The Speaker: Thank you Hon. Shebe Athuman, yes the Chairperson for Finance, Budget and Appropriation, Hon. Mohammed Hatimy please reply to the request of the statement and when will the response be ready?

Hon. Mohamed Hatimy: I request for one week.

The Speaker: One week? Okay thank you. Yes Hon. Mwamwiri?

Hon. Athman Rama Mwamwiri: Ahsante Mheshimiwa Spika naomba Kamati ya fedha, Makadirio na mipangilio kuwa...

(Interruption)

Hon. Mohamed Hatimy: Mr. Speaker Sir this is a statement...

(Interruption)

The Speaker: Hon. Hatimy please just switch on your microphone. Hon. Mwamwiri are you rising on a Point of Order or Point of Information?

Hon. Athman Rama Mwamwiri: Point of information.

The Speaker: Yes please.

Hon. Athman Rama Mwamwiri: Katika hiyo taarifa ningependa kujua Mwenyekiti atupe sababu zilizopelekea miezi mitatu kupita bila ya mishahara yao...

(Interruption)

The Speaker: Point of information regarding on what, that's a question, point of Information under which Standing Order are you rising first of all, if we may start.

Hon. Athman Rama Mwamwiri: Point of information.

(Interruption)

The Speaker: So you have to tell me under which Standing Order?

Hon. Athman Rama Mwamwiri: It is a Point of Information informing the Chair Finance that we want also to know when will they paid?

(Interruption)

The Speaker: That's not a Point of Information, you are asking a question but you are saying you want to know from Hon. Hatimy? What is the meaning of the Point of Information? You are giving him the information I think we need to go back to school then...

(Applause)

...Sorry

Hon. Athman Rama Mwamwiri: I need answers Mr. Speaker.

The Speaker: So you are not asking questions; you are giving him more information on what you are saying so you can continue if you are giving him information. You can repeat so that we can hear you clearly if you are giving a Point of Information or what?

Hon. Athman Rama Mwamwiri: I am informing Chair on Finance the reasons as to why the payments have delayed for three months for the casuals so this is the information.

The Speaker: Yes Clerk?

MOTION

(Resumption of business interrupted on 11th April, 2018)

Yes Hon. Milka Moraa can you kindly move the amendments?

Hon. (Ms.) Ngare: Thank you Mr. Speaker Sir. Mr. Speaker Sir Pursuant to Standing Order 51, I wish to move an amendment on a Motion moved on Wednesday 11th April, 2018 at 2:30p.m.

The amendment is on the addition of a third resolution or prayer to the Motion which states that;

3. The County government to approach other institutions/organizations to assist in the installation of litter bins. Thank you Mr. Speaker Sir.

The Speaker: Thank you Hon. Member. Hon. Members I now propose the question that the amendment..., who is seconding it?

Hon. Mohamed Hatimy: I second Mr. Speaker.

The Speaker: Thank you Hon. Hatimy. Members I now propose the question that the amendment by Hon. Milka Moraa be considered by this House in the same terms as moved.

(Question proposed and agreed to)

...Yes Hon. Members you may debate.

(Silence)

No one wants to debate so Hon. Members I now put the question again that the amendment by Hon. Milka Moraa be approved by this House in the same terms as moved.

(Question put and agreed to)

Hon. Members I now put the question as put and amended be approved by this House in the same terms as moved and amended.

(Question put and agreed to)

...Yes Clerk?

ADJOURNMENT

Hon. Members this House stands adjourned until Tuesday 15th of May, 2018 at 2:30p.m.
The House rose at 3:09p.m.