

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Wednesday, 22nd June, 2016

The House met at 2:49p.m.

*(Mr. Speaker (Hon. Thadius Rajwayi) in the Chair)***PRAYERS****Mr. Speaker** (Hon. Rajwayi): Kindly Hon. Members may you have your seats.**STATEMENT****PAINTING OF TUSKS ADJACENT TO UHURU GARDENS**

Hon. Rashid Mswabah.

Deputy Speaker (Hon. Mswabah Rashid): Ahsante sana Mheshimiwa Spika kunipa nafasi hii kuwakilisha taarifa yangu. Mheshimiwa Spika kama unavyojua Mombasa Kaunti ni mji wa kitalii, mji wenyewe una nembo yake na hii nembo inajulikana Kenya nzima na dunia nzima, nembo yenyewe ni pembe za ndovu nne. Kila ukiona pembe za ndovu nne ambazo zimekaa hivi...

(Ishara)

...Inakupatia taswira ya mji wa Mombasa. Mheshimiwa Spika kwa masikitiko makubwa hii nembo ambayo ndio kitambulisho cha mji, ambayo ni sura ya Mombasa, hivi karibuni imekuwa chafu sana mpaka imekuwa haipendezi. Ukiiangalia Mheshimiwa Spika na watalii wengi wa nje na wa hapa ndani wakija, kama ile itakuwa sio sehemu ya pili kuitembelea basi itakuwa sehemu ya kwanza na sasa hivi juzi ni masikitiko makubwa nimepita pale nikakuta watalii wanapiga picha kwenye nembo ile huku nembo ile ikiwa ni chafu sana. Kwa hiyo hii inaashiria kuwa mji wa Mombasa pia ni mchafu hata kama si mchafu lakini ikiwa nembo ni chafu Mombasa ina maana ni thibitisho kuwa mji wenyewe pia ni hivyo hivyo, ingawaje mji wenyewe si mchafu lakini ile nembo yenyewe ni chafu. Kwa hio Mheshimiwa Spika mimi nilikua naomba wahusika angalau ile nembo, zile pembe nne zilizoko pale mapembeni zipigwe rangi manake pembe rangi yake ni nyeupe lakini sasa ile inakuwa rangi ya njano ambayo si vizuri. Hivyo basi Mheshimiwa Spika ningependa kuwa taarifa hii ifikie wale wanaohusika ili pembe zile ziweze kupakwa rangi ili zirudi rangi yake ile nyeupe, irudi rangi yake ambayo ni nyeupe ili iashirie kuwa mji wa Mombasa pia ni msafi kama vile ulivyokuwa awali. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Abdallah Kasangamba.

Hon. Kasangamba: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi kwa kupitia kwa ruhusa yako ningependa kuongezea maneno machache katika hiyo *taarifa* ambayo imeletwa na Mheshimiwa Mswabah Rashid. Mheshimiwa Spika ukiangalia swala la ile nembo yetu ya Mombasa ama mji wetu wa Mombasa, maswala ya pembe za ndovu ama kwa kingereza zaitwa *tusks*, ni muhimu sana zikarabatiwe kwa sababu ile ndio nembo yetu kama mji wa Mombasa na pili kuisitiza kwa sababu ni misingi ya kihistoria. Leo hii mimi mmoja wapo ama tukiuliza idadi ya watu wengi hawajui historia ya zile nembo ama maana yake ni nini? Mheshimiwa Spika. Mheshimiwa Spika ukienda katika makavazi yote ya serikali, *historical sites* nikitumia lugha ya kimombo huwa pana mahali pameandikwa historia ndogo ya kukufahamisha hivi vitu vilianza vipi na vikaendelea vipi? Mheshimiwa Spika ningependa kuongezea kwamba yale mapembe yakarabatiwe yapakwe rangi na pili pale kando patengwe sehemu ndogo tu kuonyesha kwa nini Mombasa iliweka yale mapembe? Yalianza kuwekwa na nani? Kidogo ieleze historia ili mradi hata sisi wakaazi wa Mombasa, mimi nikisema jambo la kusikitisha kwamba mimi moja wapo sijui, naona tu pembe, toka zamani niliamka nikaona pembe, historia

yake hakuna pale mahali kidogo ya kueleza mpaka upate mwelekeo na pili kwa kuweka wakfu lazima mahali pale padogo tu paandikwe kama vile unapofika ngome ya *Fort Jesus*, unaona *Fort Jesus* ile ngome ilianza mwaka gani? Ilijengwa na nani? Historia ndogo tu ya ile pembe ili mradi kufanya uhuru wa kutambua historia yetu ya nembo yetu ya Mombasa. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Madundo.

Hon. Mohamed Madundo: Ahsante Mheshimiwa Spika; yangu pia ni kuongezea kwa Mheshimiwa Mswabah kulingana na ile taarifa. Kwa ukweli mimi nimefanya kazi ya utalii kwa miaka 20 na kwa kusema ule ukweli, wakati umebeba mzungu swali la kwanza ukiingia mjini anakuuliza pale mapembe ya ndovu kitu cha kwanza, kitu cha pili anakuuliza kuhusu huku mji wa kale yaani mji wa kale kuona vile mji wa kale uko kwa sababu ni nji ambao umekua ni wa zamani na katika ile biashara kule Ulaya huwa ni vitu ambavyo vinawekwa mstari wa mbele ikiwa sasa kuna ile ya Kenya, Kenya Mombasa, Mombasa kuna sehemu namna hii ya pili ni kuvutia watu wa Mombasa kwa utalii kwanza hili swala ni muhimu na pale mahali pembeni pia ni mahali ambapo mzungu akiingia, akiingia Mombasa tu lazima atasema umpitishe hapo apige picha. Kwa hio hili swala tulichukulie umuhimu na hiyo kazi Mheshimiwa Spika iweze kufanyika ipasavyo. Ahsante.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Nasser.

Hon. Nasser Rashid: Mheshimiwa Spika ahsante sana mimi nimesimama kama MCA wa eneo hilo. Mheshimiwa Spika naunga mkono kikamilifu na kuunga kwangu sio zile pembe kupigwa rangi peke yake; ni ile barabara yote kwa sababu wazungu wanakuja mchana na usiku, ukipita usiku unapata ile maduka pale mbele kumewekwa meza watu wanauza chai na kuna watu wanakaa pale na watu wengi ambao wako pale hawajulikani. Kama ni kurekebisha irekebisha lile eneo zima na tulizungumza na Waziri wa usafiri na mpaka sasa hajafanya kitu. Mheshimiwa Spika Wazungu wanakuja mchana na usiku ipigwe rangi lakini ihakikishe lile eneo lote limekuwa liko sawa Mheshimiwa Spika. Ahsante.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Mwidani.

Hon. Mwidani: Mheshimiwa Spika mimi naunga mkono kuangalia ile hali ya pembe za ndovu lakini kidogo ningependa pia kumrekebisha Mheshimiwa mwenzangu kusema wale wanaouza vyakula usiku waondolewe. Mimi sijaona watalii wakija usiku kwa hivyo pengine pia tusiache wananchi wetu wakateseka kwa nchi kwa kupata huduma, unajua vile vitu vinavyofanywa jioni na wananchi vinaweza kusaidia hata watu wao. Ningependekeza kwamba labda ichukuliwe hali ya kuangalia usafi zaidi hata kama ni wao kuuza chakula wauze mahali pasafi lakini kusema waondolewe ni kama tena kuwarudisha wale watu inakuwa ni shida na pia ningemuomba Mheshimiwa aliyeleta hii taarifa ikiwezekana aweze kuifanya iwe Notisi ya Mswada ifanywe iwe mswada halafu tuweze kuitafutia taratibu zile zinazotakikana. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Yes what is it Hon. Nasser?

Hon. Nasser Rashid: Mheshimiwa Spika mimi najua watalii hata usiku pia wanazunguka, Mheshimiwa Spika kumekuwa na ukosefu wa usalama eneo hilo na mara nyingi na nimeshapiga ripoti mara nyingi na wengi wanaokaa pale wanatoa habari kwa watu wengine ambao wanakuja kutembea eneo lile Mheshimiwa Spika. Mheshimiwa Spika kama nikutengenezwa kutengezwe kila mahali kuwe sawa. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): I have realized that this particular statement, now if you look at Standing order 76, Hon. Nyamvula i will give you an opportunity to express yourself, Standing order 76 is talking of giving out short extracts Hon. Rashid Mswabah, we were

expecting a written document so I will again listen to the voice and supports on what Hon. Mwidani is saying but there's more than this, that is now within your conflict on what you want to be, it's not also compulsory or mandatory you bring it yourself as a Motion but anybody else can do that but maybe you can give us on what direction you want us to take us through this and also it is good that we do what is required in the Standing Order Number 76 you keep on forgetting that it is important so Hon. Mswabah can you tell us when you want to bring this?

Deputy Speaker (Hon. Mswabah Rashid): Mr. Speaker I have heard what you have said and Mr. Speaker as the majority wants I will turn it in to a Motion next week Insha'Allah.

Mr. Speaker (Hon. Rajwayi): Next week? Okay i think you will need to liaise with the House Business Committee. Yes Hon. Nyamvula.

Hon. (Mrs.) Nyamvula: Thank you Mr. Speaker, on the same I think in the beginning of this session i brought a Motion for the identification, promotion and protection of historical sites and this Motion is passed and I have a feeling of course I appreciate that statement by Hon. Mswabah but i think if it goes to the implementation stage by the Committee of Tourism and I think they have already sat on it over the same issue.

Mr. Speaker (Hon. Rajwayi): Yeah that's why I gave directives that during the House Business Committee to be allowed if all factors have been considered otherwise whatever you are saying is duplication concerning the same matter, so i direct that matter be discussed in the House Business Committee.

STATEMENTS

Hon. Mary?

STATEMENT ON CONTROL OF NOXIOUS FUMES FROM KIBARANI

Hon. (Ms.) Akinyi: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika niko na taarifa juu ya moshi fulani ambao unatokezea pale Kibarani. Mheshimiwa Spika pale Kibarani ni mahali ambapo huwa panamwagwa takataka wakishamwaga takataka kisha hizo takataka huwa wanazichoma pale Kibarani na wakati wanapozichoma kuna moshi ambao hutoka moshi mwingi sana ambao unatanda mpaka barabara yote ambapo hata magari yakipita hayawezi kuona mbele wala yale yametoka mbele madereva hawawezi kuona mbele wanapoendesha gari na huu moshi ambao uko pale Kibarani umesababisha ajali nyingi sana pale Kibarani kwa sababu madereva wanapoendesha magari hawaoni mbele na ule moshi huwa umetanda pale mbele umesababisha ajali nyingi sana. Mheshimiwa Spika ningeomba Jumba hili kupitia kwa wahusika wizara ya mazingira iangalie huo moshi ambao unaendelea kuchomwa pale Kibarani ili wasiendeleo kuchoma takataka pale Kibarani kwa sababu ajali zinaongezeka. Hivi karibuni kuna ajali ambazo zimetendeka kupita ajali kama nne Mheshimiwa Spika na kama huo moshi utakua unaendelea pale, ajali zitakuja kutokezea nyingi hata kuliko zile ambazo zimetokezea tayari. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): On that also Hon. Mary I cannot find a letter of a written paper for this statement, and for that reason therefore I also direct that you use Standing Order 76. Yes Clerk, yes Hon. Nyamvula.

Hon. (Mrs.) Nyamvula: Thank you Mr. Speaker for giving me this opportunity. I stand before this Hon. House to reply to the Motion on removal of Minority leader of this House, this morning. Mr. Speaker during our proceedings you gave a direction Mr. Speaker Sir that within two sections of; that is today this afternoon and tomorrow, we should have a caucus and so as to bring you one name. Mr. Speaker with a lot of humility and with a lot of deep thinking and fear that we might just mess up I ask you kindly to give us the women caucus a chance to go and have a panel discussion this afternoon and we sincerely promise that tomorrow in the afternoon

we will bring you the single name. Mr. Speaker I beg you on behalf of the women caucus. Thank you.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Duncan.

Hon. Onyango: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika kama ungeleta swala hili mbele ya Nyumba nashangaa na hawa waheshimiwa kina mama tukiingia Bungeni tumepewa majina ya waheshimiwa watatu ambao tulikuwa tuwapigie kura hii taarifa ya sasa ya Mheshimiwa Nyamvula ni geni kwangu maanake nilikuwa sijaisikia kulingana na ile ripoti nimeipata ni ya kwamba tulikuwa tunapiga kura na tunamalizana na biashara hii maana kesho kuna biashara nyingi za kufanya Mheshimiwa Spika na hata wewe unaelewa. Kwa hivyo mimi ningekuomba kama mwenye mswada yale majina ambayo yameombwa yaweze kutajwa na tupige kura tuweze kumalizana na hiyo biashara. Ahsante sana.

Mr. Speaker (Hon. Rajwayi): Hon. Caroline?

Hon. (Ms.) Auma: Mheshimiwa Spika kama karani wa *Caucus* wa Kaunti ya Mombasa, tumeweza kukaa chini sisi wa mama na tumekuja na majina mawili...

(Applause)

...ambayo tuko nayo hapa, jina la kwanza Mheshimiwa Spika ni Mheshimiwa Nyamvula na jina la pili ni Mheshimiwa Beatrice Kai.

(Applause)

Mr. Speaker (Hon. Rajwayi): Hon. Fatuma Swaleh Mote.

Hon. (Ms.) Fatuma Swaleh: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Mimi nashangaa sana kwa Mheshimiwa mwenzangu akisema kwamba wamekaa *Caucus*. Katika *Caucus* mimi pia ni mmoja wao wanawake na hatujakaa tukasema tunampendekeza fulani ama fulani sijui Mheshimiwa mwenzangu wamekaa saa ngapi? Ama wamekaa *Caucus* na majina mawili ambayo amependekeza labda yeye, pengine angetueleza zaidi lakini sisi kama wanawake Mheshimiwa Spika kwa heshima na taadhima kiti hicho kimetoka kwa sisi wanawake na tungekuomba, kwa heshima na taadhima utupatie fursa mpaka kesho ikijaaliwa...

(Applause)

...ili tusilete mgawanyiko katika baina ya sisi wenyewe kwa wenyewe Mheshimiwa Spika. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Prischillah.

Hon. (Mrs.) Prischillah Mumba: Ahsante Mheshimiwa Spika nafikiri nikiambuka Mheshimiwa Spika uamuzi wako wa asubuhi umetuambia vizuri na nikinukuu ikiwa tuna taarifa zote mpaka kwenye *Hansard* kuwa umetupa leo na kesho; kesho katika kikao cha kesho iwe mwisho wa kuleta hilo jina na sisi tunakuheshimu maanake umetupa uamuzi wa mwafaka na unakuwa umetupa wakati mwema wa kuwa tuweze kukaa chini na kuzungumzia hili jambo. Sisi kama *Women Caucus* tumesema tukutane baada ya hiki kikao jioni kwa sababu wanachama wengine walikuwa hawako na tukasema hatuwezi kupitisha ikiwa wanachama wengine wanawake hawako mpaka tuwe sote pamoja na ili tupitisha na tulete jina wala hatukuwa tumesema eti tulete jina sijui majina mawili wala matatu. Sisi *Women Caucus* tutakuwa yule mwanamke tumechagua ni moja tu ambaye ndio jina litakalo kuwa hapa...

(Applause)

...huyo ndio tutakuwa sisi tumempitisha na ndio atakae kuwa tumemleta mpaka jina hapa. Lakini kwa masikitiko yangu kwanza kama karani jamani wewe ni mama mwenzetu na unajua vizuri sana tumesema tukae saa kumi na moja kwa nini tunakuja Bungeni tena na kuanza kutoelewana na tumepewa vikao viwili. Mheshimiwa Spika ambaye ni bosi wetu ametupa vikao viwili ndio tuwe tumeleta hilo jina akatupa mwisho ni kesho saa nane ndio uamuzi wa Spika

wetu wa asubuhi na akamalizana na hii kitu isiwe saa zote tukiingia kwenye Jumba la sheria inakuwa tunaleta sarakasi! *For once can we stand with the truth and do the right thing what the Speaker told us to do please.*

Mr. Speaker (Hon. Rajwayi): Yes Hon. Riziki Fundi.

Hon. Fundi: Mheshimiwa Spika mimi nashukuru kwa kunipatia nafasi hii lakini kwanza ningependa kutumia maneno mawili ya kiingereza ili yaweze kufahamika vizuri. Kuna tofauti kubwa sana kati ya maneno *right* na *privilege* nyinyi kama kina mama tumewapatia *privilege* ya kuchagua lakini nyinyi sio *right* yenu kwamba mchague Kiongozi wa Walio Wachache Bungeni...

(Applause)

...Sio *right* ni *privilege* sisi kama Mombasa Kaunti tukapendelea nyinyi kama wanawake ama ma MCA wanawake tuwapatie hiyo *privilege* ya kuchagua watu wenu lakini kama mumeshindwa hapa katika Bunge hili la Mombasa kuna *Minority* ambaye hana haja ya mjadala, yuko *Minority* ndani ya Bunge hili ambaye hana haja ya mjadala naye si mwingine isipokuwa ni Mheshimiwa Hudson Karume....

(Applause)

....Mheshimiwa Spika wakati ukiwa umepatiwa nafasi ya kufanya jambo itumie na kama ile nafasi hutaki kuitumia basi ile nafasi sio lazima upewe tutaichukuwa sisi wenyewe na sisi hapa mimi kama Mheshimiwa wa Bamburi ningependa kupendekeza jina la Hudson Karume kama Kiongozi wa Walio Wachache Bungeni.

(Applause)

Hon. (Mrs.) Prischillah Mumba: Point of information Mr. Speaker.

Mr. Speaker (Hon. Rajwayi): Hon. Members can you all resume your seats, Order! Order! Members!

(Loud Consultation)

...Hon. Members Order! Order Members; now those consultations can you avoid loud consultations. Now I promised you last week that if you sit from where i stand you will have all the answers for every question that you have raised or any matter that you've raised by the Hon. Members. First of all, I want to remind us that it was very clear that the time frame that was given in the ruling this morning it is extended up to tomorrow.....

(Applause)

I want to say there is no hurry, we are not in a hurry Hon. Members these are some serious decisions that we are making and if you believe in yourself why do you want to panic? There is no need to panic you just need to relax we are going to make this decision tomorrow, the only thing you need to do is to pray and ask the Almighty Father to make you alive tomorrow and avail yourself here so that you can see how this thing is going to be handled, and again the Hon. ladies there's warning that is coming from far

(Laughter)

...and we need to take note they have just signaled after this am reminding you there are sometimes back somebody somewhere that was actually coming from the opposite gender or sex who was occupying that seat and I am actually starting to feel that particular window can be used again....

(Laughter and applause)

...and I wouldn't want that window to be used because what I fear for you that if you don't move with speed and stand up to be counted as a leader there is somebody who will count himself as a leader...

(Laughter and applause)

(Hon. Karume Stood up)

...Hon. Hudson did you see that...

(Laughter)

...Now Hon. Members I want us to be calm until yesterday to make decisions.

(Laughter)

Hon. Members: Tomorrow.

(Loud Consultations and laughter)

I want us to wait until tomorrow at exactly 2:30pm so that we can make that decision ...

(Applause)

Otherwise, I want us to say that we rest that case at that point.

(Applause)

Hon. (Mrs.) Prischillah Mumba: Thank you Mr. Speaker.

ADJOURNMENT

Mr. Speaker (Hon. Rajwayi): Ladies and gentlemen this House stands adjourned until tomorrow 23rd June of 2016 at exactly 2:30p.m.

The House rose at 2:58p.m.