

**MOMBASA COUNTY ASSEMBLY****HANSARD REPORT**Wednesday, 23<sup>rd</sup> March, 2016

The House met at 9:07a.m.

*(Temporary Speaker (Hon. (Mrs.) Serah Nyamvula) in the Chair)***PRAYERS**

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Kindly Hon. Members have your seats, yes Clerk can you confirm if we have a quorum.

*(Clerk confirmed no quorum)*

Sergeant At Arms ring the quorum bell.

*(Sergeant At Arms rung the quorum bell)*

Confirm if there's a quorum.

*(Clerk confirmed no quorum)**(Sergeant At Arms rung the quorum bell for the second time)***PAPER**

Yes Hon. Abdallah Kasangamba?

*(Silence)*

Hon. Kasangamba...?

*(Business deferred)***MOTION**

Yes Hon. Hamisi Musa Mwidani.

**Hon. Mwidani:** Thank you Madam Speaker I rise here on behalf of Hon. Kasangamba to give out this Motion. As you are aware Madam Speaker it is a very crucial Motion of which if we delay we will see that we are going to be in a bad situation, so Madam Speaker am requesting to read out this Motion so that we keep this House in order. Thank you.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Thank you very much Hon. Mwidani, go ahead with the business.

**Hon. Mwidani:** Thank you Madam Speaker, I move a Motion of Adoption of Annual County Assembly of Mombasa-Fourth Session-2016.

*(Hon. Mwidani moved the Motion)*

THAT AWARE that pursuant to Standing Order 25 (1) the County Assembly Business Committee shall with the approval of the County Assembly determine the Assembly Calendar;

FURTHER, AWARE that the County Assembly is yet to approve a calendar for the fourth session of 2016.

Madam Speaker,

CONCERNED THAT any inordinate delay in approving a calendar of the Assembly will be contrary to the Standing Orders and cause other unforeseen inconveniences.

I urge this Assembly to RESOLVE that:

The County Assembly do hereby approve its calendar for the Fourth session of the year 2016 as per the schedule annexed herewith.

Thank you Madam Speaker and i would like Hon. Wangudi to second the Motion. Thank you.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Yes Hon. Wangudi.

**Hon. Wangudi:** Thank you Madam I wish to second this Motion.

*(Question proposed)*

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): I now propose that this Motion be discussed, the Motion of Adoption of annual County Assembly of Mombasa-Fourth Session-2016.

*(Question put and agreed to)*

Yes Hon. Hamisi Musa Mwidani.

**Hon. Mwidani:** Thank you Madam Speaker, as I have said that it is a concern to this Hon. House on the issue of the calendar of this House so I urge the Members of this Assembly today so that they come together to support this Motion so that we get ourselves in a very good position so that the House can continue to be in order. Thank you.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Yes Hon. Members we all have the calendar, the schedule of our Assembly. I would wish you to give some contributions, yes Hon. Maimuna.

**Leader of Minority** (Hon. (Ms.) Maimuna Salim): Ahsante sana Bi Spika nimesimama hapa kuunga mkono kalenda hii ya 2016 kwa sababu ni sheria kwa kuwa Bunge linaendeshwa kisheria na kikatiba ya Kenya na ni muhimu tuzingatie haya ambayo yamekuja mbele yetu kwa sababu tuweze kufanya mambo yetu kulingana na sheria. Ahsante sana Mheshimiwa Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Yes Hon. Amir Thoya.

**Hon. Thoya:** Ahsante sana Mheshimiwa Spika kwa kuweza kunipa nafasi hii kuchangia Mswada ambao uko katika Bunge. Mheshimiwa Spika nauunga mkono Mswada ambao umeletwa katika Bunge hili na Kiongozi wa Walio wengi na kusomwa na Mwakilishi wa Wodi ya Mtongwe Mheshimiwa Hamisi Musa Mwidani. Mheshimiwa Spika Bunge ni Jumba la sheria na sheria lazima ziweze kuzingatiwa, kwa hivyo kwa kuja kwa utaratibu au kalenda hii katika Bunge letu ili tuweze kuijadili na kupitisha masuala ambayo yanahusiana na sheria. Kwa hio Mheshimiwa Spika nasimama kuunga mkono kalenda ambayo imeletwa katika Bunge ili tuweze kupitisha miswada kulingana na sheria. Hivyo basi ningependa kuunga mkono Mswada huo moja kwa moja, ahsante sana Mheshimiwa Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Yes Hon. Ahmed Omar, the Chief Whip.

**Chief Whip** (Hon. Ahmed Omar Ebrahim): Thank you Madam Speaker I do hereby rise to support this Motion on the adoption of the County Assembly calendar of 2016. Madam Speaker before us is a very important document which will enable us to do things in line with the rules and laws and having this Assembly will enable the Assembly to avoid any inconveniences and takes issue in the right procedure. I would urge Hon. Members to support this Motion so that our House can be in the right procedure. Thank you Madam Speaker.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Hon. Zainab Kithinzi.

**Hon. (Ms.) Zainab Kithinzi:** Ahsante sana Bi Spika hata mimi kunipa hii fursa naiunga mkono hii Kalenda Bi Spika kwa sababu tunaelewa hakuna jambo linaweza fanyika bila ya mipangilio na kulingana na hii Kalenda itatuwezesha kuwa na ufahamu ya kuwa kazi ya Bunge inatakiwa kufanya nini, na ni hivi? Na itatupa pia mwelekeo wa kujua ni lini tunatakiwa kuwa mashinani tuweze kufanya kazi. Kwa hivyo naiunga mkono asilimia mia moja Bi Spika kwa sababu inatupatia mwelekeo mzuri. Ahsante.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Hon. Tom Ogalo.

**Hon. Ogalo:** Bi Spika ilikuwa bado naangalia hii kalenda maanake kwengine tumepatiwa takriban miezi miwili tuwe nyumbani sasa mimi nimesimama kupinga hiyo kalenda kwa sababu hizo siku ni nyingi mno....

*(Interruption)*

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Yes Hon. Amir Thoya.

**Hon. Thoya:** Ahsante sana Mheshimiwa Spika, naomba Mheshimiwa ambaye anazungumza ni kwamba anaunga mkono ama anapinga kusiweko na utaratibu wa kalenda hii. Naomba aieleze moja kwa moja kwamba anaunga mkono, anahitaji marekebisho ama anapinga tu.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Yes Hon. Tom Ogalo.

**Hon. Ogalo:** Bi Spika mimi napinga kwa sababu nataka iregeshwe na irudi vile inafaa.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Hon. Maimuna.

**Leader of Minority** (Hon. (Ms.) Maimuna Salim): Ahsante sana Bi Spika. Nasikitika kwa sababu hii kalenda sisi ni wabunge tunaotakiwa kupitisha sheria na chochote kile kinachostahili kupitishwa kulingana na sheria na sisi tuko hapa kwa ajili ya watu wetu ambao waliweza kutuchagua tuweze kukaa nao na tuweze kuwaambia Bunge linaenda hivi kuhusu Bunge. Kwa hivyo kimimi naona huu ndio wakati muhimu na sisi tusiwe waoga ili tuweze kurudi mashinani tukae na watu wetu na hii kalenda si sisi tunaopitisha pekee, mimi huwa nasikitika Bi Spika wakati tunafaa kurudi mashinani tukae na watu wetu tuwaelimishe na tuweze kuwajulisha ni maendeleo gani tunafanya kuwa sisi tuko hivi na hivi watu hili jambo huwa wanalikwepa na tukumbuke kwamba hii kalenda si sisi pekee yetu bali iko kulingana na sheria na katiba na inapitishwa kuanzia serikali kuu hadi serikali za Kaunti zote zapitisha. Sasa sijui sisi kwa nini ikifikia hapa huwa tunapenda kuregesha na kusema kwamba tukae wiki mbili, wiki tatu na hawa watu wametuchagua tuweze kurudi kuwa nao na tuwaeleze manake ni wakati mzuri Bi Spika, ni wakati sasa kuna watu ambao wameweza kuingia mashinani.

Kwa hivyo na sisi tunatakiwa kuingia mashinani tuweze kujipanga na tuweze kuhamasisha watu wetu huu ni wakati mzuri sana na sisi tuweze kwenda mashinani, hebu niambie kama hivi sasa tulivyo kwenye Bunge hatufiki hata nusu ya Bunge kwa sababu wengi wao wako mashinani wanang'ang'ana na watu kule kuweza kufanya kazi ambazo walituchagua kuja kufanya hiyo kazi. Hivyo basi kimimi sioni kama ni wakati mzuri wa hii kalenda kurekebisha, sioni ni wakati mzuri kulingana na sheria na mimi nataka twende sawa na hizi Kaunti zengine na tunafaa tujue katiba imeturuhusu sisi kufanya nini? Wakati umefika wa sisi kuangalia tunaenda kikatiba na wakati umefika wa sisi tusiende kinyume na sheria kwa sababu wakati huu wale tunaopingana nao wanakuja hapa na baadae itakuwa ni fimbo ya sisi kuja kuchapwa. Kwa hiyo kimimi naona tukae tuhamasishane na tuangalie kwa sababu huu wakati uliofika ni wakati mbaya sana sisi hapa tunazungumza kuna mtu labda tayari ashaichukulia labda kwa nini fulani hataki kwenda ama kwa nini fulani ndio anataka kwenda. Ni muhimu tuangalie kazi zetu kwa sababu wananchi wetu wamesoma, wale tunaopingana nao wamesoma na itaenda baadae ionekane ni fimbo ionekane kama sisi wabunge wa Kaunti hatupendi kazi. Ahsante sana Bi Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Yes Hon. Ahmed Ebrahim.

**Chief Whip** (Hon. Ahmed Omar Ebrahim): Shukrani Bi Spika, mimi nasikitika sana ninavyoona Mheshimiwa anaposimama kupinga kalenda hii kwa sababu tunajua sisi sote tulioko hapa katika Bunge hili tumekuja kuwakilisha wananchi wetu kule mashinani na lazima kila jambo linaloendelea hapa ndani ni jukumu letu sisi kwenda kuhamasisha watu wetu kule mashinani wakitaka kujua serikali yao ya Kaunti kimiradi na kimaendeleo

inaendelea vipi. Bi Spika mimi naamini katika Wodi za Mombasa kama Timbwani ni Wodi kubwa sana na ina watu wengi sana, kwa hiyo Bi Spika Wodi kama ile ndio inahitaji muda mwingi sana ili Mwakilishi aweze kuingia mashinani na kufanya kazi ipasavyo na kukutana na wananchi wake na kuangalia ni maendeleo gani ataweza kuwafanyia. Bi Spika naona kalenda hii si jambo geni kwetu kwa sababu hata Bunge la Kitaifa linaweka kalenda hii na ukiangalia wabunge wa Kitaifa maeneo waliopewa kuwakilisha ni eneo Bunge nzima badala ya sisi tuliopewa Wodi ndogo ndogo na waheshimiwa kama wale Bi Spika wanaweza kutimiza majukumu yao vizuri kupitia kwa kalenda kama hii hii Bi Spika. Sisi kama waheshimiwa tunafaa tuwe tunakaa huku Bungeni na pia tunapata muda wa kuketi na wananchi wetu kule mashinani.

Kwa hiyo naona kalenda hii itakuwa na mwelekeo mzuri sana kutufanya sisi kupanga mipango mizuri na wananchi wetu tukijua ni njia gani tunaweza zidisha maendeleo katika Wodi zetu na Bi Spika naomba wenzangu waunge mkono hii kalenda na tutoe fikra za kuwa tukiwa mashinani marupurupu yatakuwa kidogo. Bi Spika lazima tujue kwa nini sisi tuko hapa na lazima tujitolelee tuangalie pande zote mbili tusiangalie upande mmoja pekee yake; miswada tunayopitisha Bungeni na pia vile vile tuangalie ni njia gani tutakayo wahamasisha wananchi wetu, na kuangalia matatizo yanayotukabili kule mashinani tuyaleta hapa Bungeni tujue tutapata suluhisho gani. Ahsante.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Hon. Zainab Ali Dharwesh.

**Hon. (Mrs.) Zainab Ali:** Ahsante sana Bi Spika kwa kunipa fursa hii, mimi pia naunga mkono hii kalenda iliyoletwa...

*(Applause)*

Kwa sababu hawa waheshimiwa wana maofisi, yale maofisi yanatakikana wakae wagawanye wanachopata...

*(Applause)*

Sio ofisi za kupokea tu ila ni ofisi za kukaa na kuonana na wale wananchi waliowachagua; wale wananchi kila wakienda pale wanakutana na makarani. Kwa hio nyinyi waheshimiwa mumepelewa nafasi musitukanwe na wale wenye kuwachagua. Sisi kila tukija pale hatuwaoni nyinyi tunawaona makarani na nyinyi muonekane pale mzungumze nao kama unacho cha mfukoni kitoe...

*(Applause and laughter)*

Wakikwambia wataka soda wape...

*(Applause)*

Kama wamekwambia wamefiliwa wape tikiti...

*(Laughter)*

Ndio kampeni hiyo sasa mwafanya. Kwa hivyo musipinge mimi naiunga mkono sana mmepelewa nafasi nzuri sana ya kukaa na watu wenu kaeni kwenye ofisi mfanye kazi na raia. Ahsante.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Hon. Hamisi Musa.

**Hon. Mwidani:** Ahsante sana Bi Spika; kwanza ningependa kuwashukuru wale wote waliounga mkono huu Mswada na hata pia aliyepinga namshukuru ni haki yake lakini Bi Spika ni kwamba hiyo miezi miwili aliyosema hata ukiweka siku ya Bunge hatokuja mtu kwa sababu ni Disemba mpaka Februari. Ni wazi kuwa mtu hatokuja hapa kwa sababu hawa ndio mtu ataenda krismasi na mwaka mpya, kwa hivyo yeye anasema miezi miwili lakini hatokuwa hapa. Bi Spika mimi nashukuru wale walioiunga mkono na pia ningependa tusikwame kwa hii hii ile ilivyo kwa sababu inaonekana pia waheshimiwa wana shughuli nyingi sana sio naona saa hii vile kwenye Bunge kuko. Kwa hivyo sisi twaona ni vizuri tupate kalenda na turudi mashinani tuweze kuwafanyia wananchi kazi, shukran Bi Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula): Thank you Hon. Mwidani I just want to remind the Hon. Member who has just raised an issue over the calendar that is the right but you must also know that if there was any amendment it should be a written amendment given to the office of the Speaker an hour before.

*(Question proposed)*

Now I ask this House as many as are of the opinion that this Motion to the adoption of the Annual County Assembly calendar Fourth session 2016 be adopted.

*(Question put and agreed to)*

**ADJOURNMENT**

This House stands adjourned until today 2:30p.m.

The House rose at 9:45a.m.