

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**

Thursday, 1st September, 2016

The House met at 2.38pm.

(The Temporary Speaker (Hon. Fadhili Mwalimu) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Mwalimu): Thank you Hon. Members, have your seats. Yes Clerk.

COMMUNICATION FROM THE CHAIR

Hon. Members the House has received the Annual Development Plan 2017/2018 pursuant to Standing Order Number 126 (3) and I will Commit the Development Plan to the Finance and Budget Committee to work on it and before we proceed I will also like to take this opportunity for the Leader of the Majority to communicate to the House.

Leader of Majority (Hon. Mwidani): Ahsante Bwana Spika kwa kunipa nafasi hii kujulisha Bunge letu tukufu ya kwamba sasa ni wakati wa *show* yetu ya Mombasa na kama tunavyojua leo ndio inafunguliwa rasmi na Rais na ikifikia siku ya Jumamosi mgeni mashauri kwa ile *show* itakuwa ni Gavana wetu wa Mombasa Ali Hassan Joho.

Kwa hiyo ningeomba waheshimiwa wote ikiwezekana tuwe kwa wingi kwa hiyo siku ya Jumamosi tuwe na Gavana Ali Hassan Joho katika sherehe hiyo ya *Show*. Ahsante sana Bwana Spika.

The Temporary Speaker (Hon. Mwalimu): Thank you Leader of Majority and that's the Communication from the office of the Leader of Majority and we hope the Hon. Members will be present to welcome His Excellency the Governor on his day because Saturday is the Governors' day, so Hon. Members please honor the invitation from the Leader of Majority. Yes Clerk.

PAPER

Hon. Amir Thoya or any other Member from Public Works and Transport Committee, any Member? Yes Hon. Kibwana are you a Member?

Hon. Kibwana Swaleh: Yes Mr. Speaker Sir am a Member of the Committee. Thank you Mr. Speaker mine is just to rely a message that the Chair is not around and the report is not ready so I just want through your Chair to allow us more time so that we compile this report and to bring it in this House.

The Temporary Speaker (Hon. Mwalimu): Yes Hon. Mary.

Hon. (Ms.) Akinyi: Thank you Mr. Speaker Sir the Hon. Member should not tell us the report is not ready we would like to know why the report is not ready?

The Temporary Speaker (Hon. Mwalimu): Yes Hon. Kibwana.

Hon. Kibwana Swaleh: Hon. Speaker am very happy with the question that my colleague has asked; the reason is that the County Executive was not around and you know this report is very crucial so we thought it is wise we wait for him because he will be around on Thursday so as to make it fair in this committee and the Chair we just pray that Members to be patient that you give us more time with the compilation of this report. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Mwalimu): Yes Hon. Amur Murfad.

Hon. Amur: Thank you Mr. Speaker. Mr. Speaker it is very sad that the Member of the Executive is not around; he doesn't travel with his job there are some few people who do the job, when we enquire about a report it is not him who does that report there are juniors who can give the report on his behalf but it means if he is going to be dead God forbid it means we will not get the report and this matter is very crucial and it is not the first time we are getting this report regarding this department. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Mwalimu): Yes Hon. Saad.

Hon. Faraj: Thank you Mr. Speaker; for the purpose of clearing the air we as Members of this Committee as stated that our stand our member who has presented the position of the

Committee it is important and crucial that this House accept our plea just as a plea requested by many Committees in this House. Thank you.

The Temporary Speaker (Hon. Mwalimu): Thank you, from what Hon. Members... from their concerns is that the issue before the House of requesting for more time has increased in this House so let it be the last time committees or Members of Committees to come to this House because I am sure this is a business which was agreed during the House Business Committee so if you have got anything better write it during the House Business Committee and the Table Clerk will communicate to such Committees and remember we shall discipline some Committees through my Chair...

(Applause)

So Committees better wake up and be informed, I mean what I said. Yes Clerk.

STATEMENT

I remember from the Committee on Administration and Security or Chairman or Clerk communicate to this Committee and we will trap this Committee they will not travel to any visit if they will be delaying or sleeping in the business of this House, this is a Honorable House I shall coordinate with the Chairman of Liaison committee and the Leader of Majority please take note the Leader of Minority Committee must work, you are responsible Hon. Members let us pull up our socks Hon. Members. Yes Clerk.

PAPER

The Temporary Speaker (Hon. Mwalimu): Committee on Labour.

Hon. Ogalo: Ahsante Mheshimiwa Spika. Mheshimiwa Spika hii kitu ilikuwa nataka kuleta...

(Laughter)

Lakini kusema kweli sijaambiwa kuwa kuna ripoti natakikana nilete...

(Laughter)

Pamoja na Kamati ya Fedha na sijajua hata kama Mwenyekiti wa Kamati ya Fedha Chair anajua hajaniambia naona Mwenyekiti wa Kamati ya Fedha anajua hilo...

(Applause)

The Temporary Speaker (Hon. Mwalimu): Yes Chair of Finance any input.

Hon. Mohamed Hatimy: Mheshimiwa Spika naona Mwenyekiti wa Kamati ya Leba hata sijui anaongea nini?

(Laughter)

The Temporary Speaker (Hon. Mwalimu): The issue was to be tabled by the Labour and Social Welfare Committee and Committee on Finance and Budget so Clerk of the Assembly communicate; let him communicate to these Committees and if there's any issue I said in this House the Labour Committee you are also supposed to sit together to bring this report so Hon. Members...yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika nafikiri naona hata *Table Clerk* wanakosea manake wao ndio wanafaa watuambie kuna jambo hili na hili maadamu chochote kimeandikwa kuwa leo kinaingia kwa Bunge...kwa hiyo lazima *Table Clerks* wawajibike kufanya kazi yao.

The Temporary Speaker (Hon. Mwalimu): I think the information the Table Clerks are informed so the Table Clerks whenever there's a business the Clerk to communicate to the concerned Committees. Yes Clerk.

PAPER

The Temporary Speaker (Hon. Mwalimu): Yes Hon. Kizito Opeya.

Hon. Opeya: Thank you Mr. Speaker I had a bit of problems we did not get more information on the matter so we request for more time to go for a site visit and bring the report back in the House in one week time.

The Temporary Speaker (Hon. Mwalimu): Hon. Kibwana, the Chairman of Implementation has stated the reason why they lack the paper is not with us today so he has requested for one week; Clerk make sure that the report will be in this Hon. House next week Wednesday and the previous Committees communicate to them that we will give them a week time for them to present their reports in this Hon. House. Yes Clerk.

PAPER

Hon. Wangudi.

Hon. Wangudi: Thank you Mr. Speaker. Mr. Speaker am working on the report and we are waiting for some information from the Executive and we have not completed the site visit and once the Committee has completed the site visit we will bring the report before the House.

The Temporary Speaker (Hon. Mwalimu): So you are saying in a week time or two weeks time.

Hon. Wangudi: As per the situation I request for two weeks Mr. Speaker.

The Temporary Speaker (Hon. Mwalimu): Okay, Clerk.

PAPER

Hon. Ibrahim Kondo

Hon. Ibrahim Kondo: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kupitia kwa Kiti chako nafikiri tuliweza kukaa katika mkutano na tukakubaliana tutaleta wiki ijayo kwa sababu zisizoweza kuepukika kupitia kwa waziri mhusika na jana tulikuwa pamoja tukaahidia kuwa Jumanne tutakuwa na mkutano na yeye na ripoti hiyo tutaleta Bungeni siku ya Alhamisi. Ahsante Mheshimiwa Spika.

(Applause)

The Temporary Speaker (Hon. Mwalimu): Yes Clerk.

STATEMENT

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Yes Hon. Ogalo.

Hon. Ogalo: Mheshimiwa Spika nilikuwa na taarifa na nikapeana Ummi aichapishe na mpaka sasa haijarudishwa hapa kwa nini?

(Laughter)

The Temporary Speaker (Hon. Mwalimu): When you can bring it back?

Hon. Ogalo: Thursday.

The Temporary Speaker (Hon. Mwalimu): So Thursday then the Table Clerk will track that issue and in the next House Business Committee we will allocate time for that report. Yes Clerk.

STATEMENT

Yes Hon. Prischillah Mumba.

Hon. (Ms.) Prischillah Mumba: Ahsante Mheshimiwa Spika; nimesimama hapa kutaka kutoa taarifa kuhusu majukumu ya Kiranja mdogo wa Bunge.

Kama mnavyojua hapa kuna viranja wawili; kuna Kiranja mkubwa na Kiranja mdogo na mimi nikiwa Naibu wa Kiranja wa Bunge kuna majukumu mengi ambayo yanahitajika kuyafanya kwa niaba ya Bunge hili na kwa niaba ya kazi ambazo zinatajikana zifanywe lakini ninajua nina vikwazo vingi kwa sababu sijaelewa majukumu hasa kamili mpaka dakika hii kama Bunge kuu linavyofanya niweze kuiga ile mifano ili nisipate vikwazo.

Ndiposa nikaona kuwa kwa sababu sina mahali pa kufanyia ile kazi ama majukumu wala kuiga kuwa niweze kujua majukumu yangu nikawa nimeomba fursa hii Mheshimiwa Spika uweze kunielewa kilio changu nikaweze kusoma haya majukumu hata kama ni Bunge kuu la kitaifa ili niweze kujua kwa sababu tunajua Bunge kuu na Bunge la Kaunti haya ni mabunge sawa na ninajua kule majukumu yameboba kisawasawa kwa sababu ninaona kule ni mabunge ya kitambo ambayo yanajua majukumu kikamilifu hapa sasa nikiangalia jukumu langu ni kutolewa tu nje niite Waheshimiwa waje waingie ndani nikishatia Waheshimiwa ndani kazi yangu imeisha.

Sasa nashindwa hayo ndio majukumu pekee yake na ninataka niweze kuyajua kikamilifu niende Bunge la Nairobi Mheshimiwa Spika naomba unilinde kwa sababu kuna sauti ambazo sizielewi.

Ninakuomba Mheshimiwa Spika maana ndio ninajua wewe ni mtu mwenye busara toka tumeanza naona umetaka kuona watu waweze kuwajibika na waweze kufanya majukumu yao inavyotakikana.

Mimi ni mmoja niko katika hicho kilio uweze kuniruhusu niweze kusoma majukumu yangu kisawa katika Bunge la Kitaifa nije niwe nikiwa nimebeba mikoba ya kisawa sawa na mimi niweze kuadhibu ambao watakuwa majukumu yao watakuwa hawayatimizi wakati unaofaa.

Mheshimiwa Spika nafikiri nimesema na nafikiri nimeeleweka vizuri haya ni majukumu ya Naibu wa Kiranja wa Bunge hapa saa hizi mtu akitaka kunitafuta mimi ajue atanitafuta kona gani? Ajue atanipata wapi? kwa sababu niko juu ya hewa natembea juu ya hewa hapo ofisini.

Kwa hiyo naomba Mheshimiwa Spika unipe jukumu hilo nikaweze kufanya kazi hii ili nilete ripoti yangu kamili vizuri na niweze kukaa nikiwa na kiranja wa Bunge niweze kumuambia kiranja wa Bunge majukumu yako ni haya na mimi haya ni yangu utaniwachia na ni lazima niyafanye. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Mwalimu): Thank you Hon. Prischillah you will sit with the Speakers panel committee...

(Applause and Laughter)

As Speaker Panel Committee we will guide you...

(Laughter)

The Committee will guide you for you to know your mandate and we will see if need for you to go and benchmark but first the Speakers Panel will show you how to perform your duties so let's sit with the Committee. Yes Clerk.

STATEMENT

Yes Hon. Zainab Said.

Hon. (Mrs.) Zainab Said: Ahsante Bwana Spika kwa kunipatia hii nafasi mimi nilileta Mswada na hakuna utekelezaji uliofanywa; ni kweli pale Mama Ngina ukitaka nafasi ni lazima uombe lakini hatujajulishwa tunaweza pata ile nafasi kivipi? Ahsante.

(Applause)

The Temporary Speaker (Hon. Mwalimu): The Clerk to track the Motion and give back the report in two weeks time. Yes Clerk.

MOTION

The Leader of Majority Hon. Mwidani.

The Leader of Majority (Hon. Mwidani): Mr. Speaker I think this Motion was read on 23rd August, 2016 and now I don't know how it appeared here back as a Motion; maybe the only stage which was remaining was just to put a question so that we adopt that report, actually the Clerk has a record here as when the Motion was read here and it was discussed.

So Mr. Speaker I think to alert the House is now an issue of just adopting the report. Thank you Mr. Speaker Sir.

The Temporary Speaker (Hon. Mwalimu): Yes the Leader of Majority I have instructed the Clerk, and will communicate to your office of the said Motion that had some issues that were to be rectified putting in to consideration the mover of the report.

There were no minutes accompanying the report and the issues that were raised in the Assembly of the report the financial years the report was not showing which financial year have done the said projects.

Let them correct this and also the mover has requested that he needed to go back to the Kenya Port Authority so I will give you as the Leader of Majority three weeks time. Yes Clerk.

ADJOURNMENT

Hon. Members the House stand adjourned until 6th of September, 2016 Tuesday at 2.30pm.

The House rose at 3.09pm.