



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT
Thursday, 14th March, 2019
The House met at 2:45p.m.

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

PRAYERS

The Speaker (Hon. Khatri): Hon. Members you may be seated.

(Consultations)

Yes, Clerk.

PAPERS

MOMBASA COUNTY FISCAL STRATEGY PAPER, 2019

Yes, Hon. Fadhili Makarani, please lay down the Paper.

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker. Mr. Speaker on behalf of the Committee of Finance, Budget and Appropriation I have risen to lay a Paper on Mombasa County Fiscal Strategy Paper, 2019 and I wish to lay.

(Paper laid)

The Speaker (Hon. Khatri): Yes, Clerk.

STATEMENTS

Yes, Hon. Renson Juma Thoya please give the response.

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON LABOUR HON. THOYA ON 30 PER CENT
RULE ON EMPLOYMENT AT JOMVU KUU WARD

Hon Thoya: Thank you Mr. Speaker. While the House was on recess I did visit some of the companies that Hon. Shebe wanted to get some feedback.

DISCLAIMER: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page 1*

I did visit KKM alongside his Ward Manager and Munaka and indications are very clear that the drivers within those said companies are from Congo and Rwanda. I did visit Welcon and there were no indication that there were foreigners except the top level in the hierarchy of management and I indicated the same with Hon. Shebe of Jomvu that we need again to visit with him to share some sentiments as to why those youths or drivers from Jomvu are not employed within those companies.

That is the brief report but I have a feeling that we need to do a detailed visit to both KKM and Munaka companies to establish the reality and if we can get a detailed report of the staff that are within these companies and their nationalities. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Renson Thoya. Yes, Clerk.

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON EDUCATION ON RENOVATION AND
SUPPLY OF LEARNING EQUIPMENT/TOOLS IN THE EARLY CHILDHOOD DEVELOPMENT CENTRES
(ECDEs)

Yes, Hon. Ibrahim Omondi please give the response.

RESPONSE TO STATEMENT BY CHAIRPERSON EDUCATION HON.OMONDI ON RENOVATION AND
SUPPLY OF LEARNING EQUIPMENT/ TOOLS IN THE EARLY CHILDHOOD DEVELOPMENT EDUCATION
CENTRES (ECDES)

Hon. Omondi: Mr. Speaker, I wish to give the following Statement on renovation and supply of learning equipment/tools in the Early Childhood Development Education Centres (ECDEs) in response to concerns raised by Hon. Raphael Musumba Bwire in the House on the 12th sitting seeking to know from when the County government intends to renovate the ECDEs in the County and when it plans to supply learning equipment/tools in these centers.

(The Speaker (Hon. Khatri) left the Chair)
(The Deputy Speaker (Hon. Mwalimu) in the Chair)

Mr. Speaker Sir, this Financial year 2018/2019 the Department of Education, ICT and MV 2035 had planned to renovate 12 ECDE Centers, they have so far received three Bill of Quantities (BoQs) from Public Works, where two were advertised for tendering on the 29th January, 2019 and tender process is on-going. One had to be dropped due to land issues at the school, the other nine are still being worked on by Public Works and they have informed us that we will receive BoQs and tender documents for seven ECDE centers by 20th March, 2019.

Below is a summary, Mr. Speaker Sir as you look for that summary every Member has been given a copy of this particular response and there is summary there I would like to seek your permission if I will read or I just skip because every Member has got this copy. Mr. Speaker Sir is there importance of reading this summary or...

The Deputy Speaker (Hon. Mwalimu): Yes, for purposes of Hansard just read them.

Hon. Omondi: Okay Mr. Speaker below is the Summary;

	NAME OF SCHOOL	SUB-COUNTY	WARD	STATUS
1.	Mtopanga ECDE Centre	Kisauni	Mtopanga	Tender process on-going
2.	Baraka Voroni ECDE Centre	Kisauni	Mwakirunge	Tender process on-going
3.	Pentrose ECDE Centre	Nyali	Mkomani	School to confirm title deed issue
4.	Kengeleni ECDE Centre	Nyali	Kongowea	Waiting BoQs & tender documents
5.	Ronald Ngala ECDE Centre	Mvita	Tudor	Waiting BoQs & tender documents
6.	Sacred Heart ECDE Centre	Mvita	Ganjoni	Inadequate land, to look for alternative school
7.	Mwangala ECDE Centre	Likoni	Mtongwe	Waiting BoQs & tender documents
8.	Shika Adabu ECDE Centre	Likoni	Shika Adabu	Waiting BoQs & tender documents
9.	Amani ECDE Centre	Jomvu	Mikindani	Waiting BoQs & tender documents
10.	St. Mary's ECDE Centre	Jomvu	Mikindani	Land dispute

11.	Gome ECDE Centre	Changamwe	Changamwe	Waiting BoQs & tender documents
12.	Kwa Hola ECDE Centre	Changamwe	Kipevu	Waiting BoQs & tender documents

Mr. Speaker Sir, on supply of teaching and learning materials in ECDE Centers, the current budget that was passed by County Assembly had the vote item for this was removed. Hence, due to budgetary constraints Mr. Speaker Sir we have not been able to procure the same. Nevertheless, in the supplementary budget that we are currently doing, we have submitted a proposal for budgetary allocation for the same, once approved we will be able to procure the teaching and learning materials.

Mr. Speaker Sir, the Department has a few materials in stock which are being distributed to all the 97 public ECDE Centers as we wait for more budgetary allocation. The bursary forms have been designed and are ready for printing and waiting for confirmation of availability of funds to facilitate printing of forms and final logistics. The Department has requested the Department of Finance Mr. Speaker Sir I want emphasize on that or rather to stress the Department has requested the Department of Finance for Kshs 100 million...

(Interruption)
(Loud Consultation)

The Deputy Speaker (Hon. Mwalimu): Order! Order!

Hon. Omondi: ...And the request... I beg for your protection Mr. Speaker and the request is being processed. Thank you Mr. Speaker Sir. Hon. Ibrahim Omondi, Chairman of Committee of Education, IT and MV2035, Thank you Mr. Speaker Sir.

(Laughter)

The Deputy Speaker (Hon. Mwalimu): Yes, the Chief Whip is up?

The Chief Whip (Hon. Kitula): Ahsante Mheshimiwa Mwenyekiti. Nafikiri lazima tuweke wazi tuko hapa kuweza kuwakilisha watu wetu na vile vile kutendea haki watu wetu ikiwa tunawakilisha katika Bunge hili. Mheshimiwa Mwenyekiti mimi ni Mwanakamati katika Kamati ya Elimu lakini kusema kweli jana nilipata ujumbe kwamba leo Kamati itakaa kuanzia saa saba na nusu nimekuwa hapo nikisubiri Wanachama wengine lakini la kushangaza Mwenyekiti wangu mpendwa naye pia hakuja.

Kwa sasa tumekutana naye njiani tu kuniambia kwamba hii inakuja, mimi nikamuambia sawa tunaona katika Bunge ndani na kusema kweli hata ukiangalia hapa kusema ripoti haitutendei haki. Watu wetu tayari tutaelezea nini ikiwa yeye Mwenyekiti kulingana na ripoti hii ambayo tayari mimi naipinga kwa sababu atasemaje ikiwa hadi saa hizi fomu za basari zengine zatengezwa Mheshimiwa Mwenyekiti, *are we serious?* Jamani twatendea haki watu wetu tumetoa fomu za basari mara ngapi kwa watu wetu?

Tena saa hizi zengine zinakuwa *designed* tena tuitishe shilingi milioni kadha za kuchapisha hizo fomu Mheshimiwa Mwenyekiti, tena baadaye wanasema kwamba *supply of teaching and learning materials in ECD centres recurrent budget that was passed by us the County Assembly had a vote item of this removed* ilitolewa na nani Mheshimiwa Mwenyekiti? Nani alitoa Mheshimiwa Mwenyekiti?

(Applause)

Nani? Jamani Wabunge wenzangu tusemeni haki sisi macho yote yatulenga sisi, wale wa mashinani wananchi Mheshimiwa Mwenyekiti hawajui kwaendelea nini katika Bunge hili, kwa hivyo tusemeni ukweli jinsi inavyopelekwa katika hali hii hatuendi sawa watu wetu wanaumia wanafunzi wako manyumbani na Wabunge pekee Mheshimiwa Mwenyekiti wanatoa basari. Sisi kama serikali ya Mombasa Kaunti tukiongozwa na Gavana wetu tunaweka sura gani mashinanai Mheshimiwa Mwenyekiti; kwa hivyo napinga vikali ripoti hii na mimi mwenyewe natangaza msimamo wa sina imani na Mwenyekiti wangu wa Kamati wa Elimu. Ahsante sana.

The Deputy Speaker (Hon. Mwalimu): Yes, Honourable let us go to the other side. Hon. Nyiro?

Hon. Nyiro: Mheshimiwa Spika nataka nikushukuru kwa kunipa hii nafasi na mimi nataka nionge kama mwalimu, leo staki kuongea kama Mheshimiwa...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Are you a Member of that Committee?

Hon. Nyiro: Mimi ni Mwanachama wa hio Kamati na nataka nitoe masikitiko yangu ya kwamba ripoti zinakuja ndani ya Bunge hili kabla hazijapitia kwa Kamati na inakuwa ni miujiza kwetu Wanachama kuja kushabikia upuzi kama huu *and I want to be on record* Bwana Spika sisi tunavyojua ni kwamba fomu za basari wanafunzi walipewa wakajaza wakarudisha wanangoja hundi na hapa twambiwa fomu za basari *has been designed ready for printing* sasa *printing* ipi na zile wanafunzi wamepewa wakajaza wanangoja hundi tafadhali na kwa sababu ya mambo kama haya tafadhali Mheshimiwa Mwenyekiti wetu usituaibishe ripoti kama hii ilikuwa uje nayo saa saba tuiangalie na hatungeruhusu ije Bungeni.

Hii ni kwa sababu si kweli nasema mambo yalivyo kwa sababu...kwa hivyo Mheshimiwa Mwenyekiti nasema ya kwamba imefika ule wakati ambao Mheshimiwa Ogutu alisema jana kwamba Mheshimiwa wetu aruhusu nywele zimee kwa sababu mambo kama haya si sawa kabisa kufanyiwa Bunge wakati hali iko kama hii; si ripoti ya ukweli, haina ukweli na haiwezi kuthibitishika, kwa hivyo Mheshimiwa Mwenyekiti amedanganya Bunge hili na ikiwezekana aombe msamaha Bunge hili kwa ripoti haina ukweli wowote.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Hon. Members on this issue of the Statement of other reports the response from Hon. Ibrahim I will just let another one Member to react then I will give out my direction Yes, Hon. Amur?

Hon. Murfad Amur: Ahsante sana Mheshimiwa Spika. Ni huzuni, ni kilio wananchi wanalia basari kupotea hazionekani zaenda wapi Mheshimiwa Spika? Ni jana tu nilileta jambo hili nikisema basari tulipea pesa tukaambiwa imebaki milioni 50, hatujui watu wanakula hio pesa wameweka kwa *interest account* ama nini twataka tuambiwe kwa sababu kama tuna milioni 50 wale wahitaji wakati huu wangekuwa washapata. Hii nyimbo ya milioni 100 hatutaikubali kwamba kila siku twaambiwa milioni 100 yaja haiwezi toka mbinguni pesa tulii *allocate* pale zilienda tuambiwe zilienda lakini Mheshimiwa Spika hatutakubali kufanywa kila mwana paka alala kila siku na tena nataka niseme tusiite ma *Chief Officer* kuja kujisongonyoa hapa.

Wakati umefika kila mmoja abebe msalaba wake kwa sababu ma *Chief Officer* washakuja mara nyingi hapa tusiwatoe ma *Chief Officer* kuwa ndio vitega uchumi ama wa kuliwa. Ma *Chief Officer* washakuja hapa wakawajibika wakaeleza tunangoja milioni 100 tukafanywa watoto wa shule tukaambiwa mkalete wale wa 300 na zaidi tukapeleka sisi twataka kujua hii milioni 50 kuna mtu anakula *interest* ndani yake ama nini? Ama tuambiwe kama hakuna kabisa zilipotea pia tujue ili tuwaambie watu wetu waachane na mambo ya basari lakini habari ya kuambiwa fomu za *designiwa* kila mwaka wana *design* fomu hio; kwanza ni njia ya kula pesa kwa sababu fomu ikisha *designiwa* mara moja inatosha sio kila mwaka watu wanakula kwa *printers* hio ni njia ya kula kwa *printers* kila siku wa *design* fomu hio, ni njia ya kula pesa za wananchi. Sisi tunataka tuambiwe kama zatokaa ama hazitoki na ikishindikana tunataka Waziri mwenyewe aje hapa ajibu maswali hapa ndani ya Bunge...

(Applause)

Tuna uwezo kifungu cha 195 kinasema ndani ya Bunge si kule kwa chumba cha mikutano. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): It seems the Hon. Members are so bitter about the issue so I will not give my direction, we will hear from the three Hon. Members who are up then I will give out my direction so we will start with a voice of a lady from Kipevu, Hon. Faith.

Hon. Mwende: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii na mimi naongea kama Mwanakamati wa Elimu na kwanza nagadhabishwa na hii ripoti ambayo imeletwa katika Bunge hili siku ya leo. Mheshimiwa Spika hili Bunge si la mzaha wala kuchezeza kamari, kitu kinacholetwa katika Bunge hili ni kitu cha uhakika kimekaliwa kwa Kamati kikija hapa kiwe ni kitu kimeiva. Mheshimiwa Spika nikiangalia siku zile kandarasi zilianza kutolewa ilikuwa tarehe 29 January mwaka huu 2019 bajeti tulipitisha mwaka uliopita mwezi wa sita.

Mheshimiwa Spika nashangaa mpaka leo hii tumebakisha miezi miwili mwaka wa fedha uishe hakuna hata marekebisho hata moja ECD imeweza kufanyika. Mheshimiwa Spika ni ndani ya Bunge hili nilikuwa nikilia kuhusu Kwa Hola ECD ambayo inakaa kama nyumba ya kuku; wanafunzi hata hawawezi kwenda kwa hio shule mafuriko na nyoka inapita pale. Nilikuwa nikilia mpaka leo sioni kitu ikifanyika, imefika wakati tuwache kuchezeana akili; Mheshimiwa Spika naongea na uchungu mwingi kama mzazi mimi mwenyewe siwezi kubali mtoto wangu asome mahali kama pale. Umefika wakati watu waache kuchezeana shere Mheshimiwa Spika na mahali pesa zinaenda tuambiwe zinaenda wapi ni pesa nyingi zinawekwa...

(Applause)

Lakini hakuna lolote tunakuja hapa Bungeni tunalia hakuna kitu inafanyika; nikija kugusia mambo ya basari na jana niliongea vizuri sana mimi kama Mwanakamati yule anasimamia Elimu Fund alinihakikishia ako na milioni 50 kwa akaunti yake hana haja hundi mpaka leo hii hazijatoka saa hii wanatuambia wanachapisha zengine sijui ni za ukwaju gani! Mheshimiwa Spika mimi hii ripoti siikubali na imefika wakati Waziri aje mwenyewe hapa ndani ya Bunge...

(Applause)

Tuna majibu mengi sana ya kujibu Mheshimiwa Spika katika mashinani ninahuzunika sana na imefikia wakati hata ikiwezekana twende tutoe ma AC zenye wanakaa nazo kwa ofisi ndio zinawafanya wasiende mashinani wajue ni nini tunapitia sisi kama MCA's. Naona nikiendelea naweza nikatoa machozi ama nikapiga mtu wacha nifike hapo...

(Applause)

The Deputy Speaker (Hon. Mwalimu): Yes Honorable from Junda, Hon. Bwire?

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker it is very unfortunate that we are discussing a report that has not gone through the Committee; that report that has no blessings of Committee and this shows how incompetent the Chairman of this said Committee and that is why we had been advocating the dissolution of all the Committees so that we come up with very competent people who know what they should be doing.

Mr. Speaker I think the Deputy Governor who happens to be the CEC on Education in my view should also be on the long list of the CEC Members who should be ready parking because he has shown how incompetent he is, being a lecturer it seems that the Deputy Governor still do not believe in the power of education.

We recruited the documents of the student who sat for the KCPE last year early January; as we speak Mr. Speaker they left with less than three weeks to do away with the first term and we are still talking of printing the bursary forms! I do not know which County we are, I do not know whether we are serious, I do not know whether some of these people went to school, I do not know whether the Deputy Governor became a lecturer by an accident, I do not know whether he went to school Mr. Speaker, you see you cannot imagine a lecturer who has been lecturing students who knows what the school fees means and he is still telling us that he is busy waiting for the printing out of the copies.

Mr. Speaker it is very unfortunate that the neighboring County gave out bursaries as early as January; some as early as February and we are still talking of printing the bursary forms! It is very unfortunate and in my opinion after what we are handling today the Deputy Governor should be told and I want to be on record that he should be ready to face the same music because he has shown us that he cannot handle this Department.

Mr. Speaker we also want to be told that the alleged vote that was transferred to other Departments was done by who and in which Department was that vote taken to and what has those votes or that vote that was transferred to other dockets what has it done to the Mombasa County people, we should be told.

Mr. Speaker as I finalize I want also to sympathize with the Department of Education under the able Chairmanship of Hon. Ibrahim Oyugi.

With less than three months to another budget allocation that is maybe May, June if I am not wrong and according to what I have as a report or a response is that more than 50 per cent are waiting for the Bill of Quantities and tender documents. So Mr. Speaker I wonder when will this happen? If at all we are going for another budget, the budget that we passed 2018/2019 is still waiting all this. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you. Yes Hon. Athman Shebe, MCA Jomvu Kuu Ward.

Hon. Shebe Athman: Naam, ahsante sana Mheshimiwa Mwenyekiti kwanza kunifanya wa mwisho kumalizia filamu hii ambayo tumekua nayo katika Bunge hili kwa muda mrefu. Kwanza kabisa Mheshimiwa na Wabunge wenza nataka muangalie kinaya kilichokua hapa, kinaya ni ipi Mheshimiwa Mwenyekiti? Mheshimiwa mwenza ambaye anasimamia Kamati ya Bunge ni Mwalimu, Mheshimiwa Waziri ambaye anasimamia mpango mzima wa elimu kuanzia chekechea mpaka juu ni mwalimu, kinaya kikubwa kuwa hawa walimu wawili hawazingatii umuhimu wa falsafa nzima ya masomo Mheshimiwa Mwenyekiti...

(Applause)

Ndipo sasa nikatangulia kusema Mheshimiwa Mwenyekiti kuwa wayeye wasema akili ni nywele kila mtu ana zake ndio nikamshauri Mwenyekiti mwenza kwa sababu miaka yote namuona na kipara labda nikamwambia fuga nywele kidogo akili itapatikana Mheshimiwa ni masikitiko makubwa...

(Interruption)

Hon. Omondi: Mr. Speaker Sir I just wanted to confirm...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): What is it Hon. Ibrahim?

Hon. Omondi: Point of order Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwalimu): Yes proceed.

Hon. Omondi: I just wanted to confirm from you Mr. Speaker Sir if really indeed the statement that my fellow Member has used that actually the removal of the hair is stupidity if really that one can be confirmed it is a nice word that can be used in this Honourable House Mr. Speaker. Thank you.

The Deputy Speaker (Hon. Mwalimu): Yes proceed Hon. Shebe Athumani. Hon. Ibrahim it is just a Swahili saying...

(Applause)

Hon. Shebe Athman: Nitamwambia Mheshimiwa Mwenyekiti mwenza kwa sababu labda hana ufasaha wa lugha kwa sababu ni misamiati; nikiendelea tu ili kuchelea wasaa Mheshimiwa Mwenyekiti kuwa ni masikitiko makubwa sana leo tunazungumzia takriban miaka miwili Kaunti ya Mombasa ambayo ndio ukubwa Kenya nzima katika 47 katika mamlaka na rasilimali zinazozalishwa hapa tunazungumzia hakujiatoka basari hata moja wallahi ni aibu haya ndio masuala tukasema lazima Bunge la 12 liweze kuwajibikia na kusimama na haki...

(Applause)

Tuwaambie bajeti tuliyopitisha pesa zimeenda wapi; ni masikitiko kuona Mheshimiwa anakuja na ripoti ambayo ni urongo mtupu na inadhihirisha ukiritimba ulioko katika Wizara husika ya elimu, sisi wametushukisha hadhi sisi kama Wabunge wa Kaunti tukapatiwa jukumu tukaambiwa tukusanye majibu ya wale watoto waliofanya vizuri Mombasa iweze kuwapatia basari.

Mheshimiwa Mwenyekiti kila Mheshimiwa alijukumika tukafanya zoezi hilo baada ya kufanya zoezi hilo baadaye hakuna ripoti yeyote ya kimsingi ambayo imetoka, tunaulizwa basari za Mombasa Kaunti zimetoka lini? Zitatoka lini? Wananchi wetu Mheshimiwa Mwenyekiti ni masikitiko wazazi wana watoto nyumbani wamefukuzwa mashule sisi katika hali ya kutetea Kaunti tumeandika barua, mimi nimeandika barua kama ofisi yangu kuwaeleza wale walimu kuwa jamani tupeni muda tunawashughulikia hawa watoto hivi karibuni basari zitatoka. Angalia tunaonekana wanafiki tumesema hatutakubali kamwe kutetea na kubeba msalaba wa mtu...

(Applause)

Na nikizungumzia hivyo Mheshimiwa Mwenyekiti...

(Interruption)

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

Hon. Shebe Athman: Ni kutaka kuonyesha Mwenyekiti kuwa wazazi, watoto wamengoja milele hizi basari wanakufa bila kelele mashinani, Mheshimiwa Mwenyekiti tumesema tumekataa na ningependa Mheshimiwa Waziri husika aitwe hapa Bungeni ili aweze wajibikia majukumu yake. Ahsante sana Mheshimiwa Mwenyekiti...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Thank you. Honourable Members it is evident that the report entered the floor of the House on a back door...

(Applause)

The Honorable Members from the said Committee have proved before this floor of the House that they have not sat for the report so I am directing the Committee to sit down with the report and as from what the Members have raised they are saying it is a fake report.

So please Hon. Members from that Committee look upon the report and bring back a report that will be welcomed by each and every Hon. Member in this Honourable House. But first sit and after sitting liaise with the Liaison Committee that you have sat as a Committee on this report then the report will be brought back in this Honourable House latest next week Tuesday afternoon...

(Applause)

Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON LABOUR AND SOCIAL WELFARE HON. THOYA ON INTIMIDATION OF MCAs BY COUNTY OFFICIALS OVER THEIR OVERSIGHT ROLE

Yes Hon. Renson Juma Thoya.

Hon. Thoya: Ahsante Bwana Spika nafikiri kwangu mwelekeo utakua tofauti kwa sababu mwenzangu amelea ripoti na mlango wa nje ama na nyuma; mimi ripoti hiyo ilikuja na nikaiona ripoti hiyo haitatosheleza mimi, Kamati yangu na Bunge kwa jumla na hio ripoti nikaamrisha iregeshwe tena huko mpaka pale tutapata majibu ya kutosha kwamba tulikuwa tunataka kupata habari mahsusi ya kuhusu Bwana mmoja anaitwa Idris na ile ripoti ambayo tumeweza kupata ni pekee yake kwamba nafasi yake iliweza kutangazwa na ikawekwa katika magazeti ya Kenya hii moja yapo ikiwa ni *Daily Nation* tarehe 22, Februari 2019.

Lakini Bunge hili lilikuwa linataka habari muhimu hususan makaratasi yake alivyopita na alivyoajiriwa na kila kitu tumeweza kuregesha ripoti hio na hatukuiregesha tuu kwa CEO wa Public Service Board tumeweza kuiregesha kwa County Secretary ambaye yeye ndie mkuu wa wafanyi kazi wa umma na aweze kuhakikisha kwamba anatupatia habari mahususi.

Ni imani yangu kwamba wiki ijayo itakua wiki ya maamuzi na nataka kuhakikishia kwamba Bunge hili kitaeleweka hapa ndani. Ahsante.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Hon. Members first I want revisit my decision on my directive on the education report, the education report will come back to this Honourable House on Wednesday morning not Tuesday afternoon, Wednesday morning the report to be back. So Hon. Renson Thoya you requested for a week's time so hopefully next week Thursday afternoon. Yes Clerk?

(Interruption)

What is it Hon. Athumani Shebe?

Hon. Shebe Athman: Shukran sana Mheshimiwa Spika. Mheshimiwa Mwenyekiti mwenza wa wafanyi kazi na maslahi amelea ripoti hii na naomba kupitia nguvu zako kwa sababu ameomba tumpatie wiki moja.

Na hii wiki moja mpaka hivi sasa kuna pesa za umma ambao zinatumika kuhujumu Bunge hili ambaye huyu Bwana aliyeletwa hapa Bungeni ama tunayetaka habari kumhusu ni mhusika mkuu. Kwa hivyo Mheshimiwa Mwenyekiti tumepatiwa wiki moja na hii wiki moja pesa za umma zinatumikiwa vibaya na hatujajua ukweli wa mambo, hivyo basi tunaomba utupatie muelekeo tujue tutafanya vipi Mheshimiwa...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Athmani Shebe this is a House of rules and procedures and we do not go by allegations so if you have evidence that public funds are being wasted by the said person that was supposed to be discussed you can prove to the House but if you do not have the evidence it is just allegations then we will proceed. As I said before Hon. Renson Juma will bring back the report in a week's time unless you have evidence on what you are saying or proof of what you are saying that public funds are being used, do you have any evidence that the public funds are being used?

Hon. Shebe Athman: Mheshimiwa Mwenyekiti ahsante sana kwa kunipatia nafasi hii; kusema je ushahidi upo ama ushahidi haupo ni juzi tu nimekuwa pale nikipata cha mchana na nikachukua baadhi ya picha ambazo vijana walikuwa wanagawanya pesa wakisema kuwa zimetoka kwa mhusika huu na picha hizi nilipiga Mheshimiwa Mwenyekiti...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Athmani Shebe it seems you cannot substantiate the allegations; please if you have evidence not just the photos you are talking about, that there are monies being wired, they are monies from the public coffers and if not just let Hon. Thoya to proceed and bring back the report and when maybe you come by and find out that the monies used were public funds then you are at liberty to bring the attention to this Honourable House so that the House can take proper action.

Hon. Shebe Athman: Ahsante Mheshimiwa Mwenyekiti nashughulikia kukusanya ushahidi huo. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Thank you. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS HON. MUMBA ON CLOGGED DRAINAGE SYSTEM AND MANHOLES AT WAYANI, BOKOLE AND BOMU CATHOLIC CHURCH

Yes Hon. Prischilla Mumba?

Hon. Mumba: Ahsante Mheshimiwa Spika. Nimeona hapa nimekumbushwa kuhusu *Clogged drainage system and manholes at Wayani, Bokole and Bomu Catholic Church*, nafikiri tuliandika kwenye Wizara husika ambayo hatujapata majibu ya hii kazi kwa sababu hawajaniletea majibu yake na mimi siwezi kuzungumza kitu ambacho ni cha urongo ni mpaka nipate majibu ndio niweze kuzungumza kuhusu kazi ya Bokole imefikia wapi.

DISCLAIMER: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page*

Na ikiwa nitaletewa majibu nitaweza kujiba katika Nyumba hii. Kwa hivyo ninaomba pia bado nipewe muda nitakapokua bado nasubiri majibu haya. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Are you reacting on the Statement from Honourable...?

Hon. Omondi: I am reacting Mr. Speaker Sir. Mr. Speaker with due respect my fellow Member has just responded on the issue of drainage system particularly in Airport Ward but she has said the Department concerned is not ready and time is running out we all know that and the rains are just around the corner and I want to say that this matter should be taken very seriously because what I am seeing if it is not going to be taken seriously this issue is going to move with somebody and that one I want to confirm...

(Applause)

The issue of drainage systems before the rains start..., this is a disaster in Mombasa County and let the Department concerned take this seriously. Thank you.

The Deputy Speaker (Hon. Mwalimu): Thank you and it is well noted so Hon. Prischilla Mumba the Chairperson Committee on Transport, Infrastructure and Public Works the Honourable Member has come clear it is an urgent issue so please work out on it, take note we have noted that it is an issue that came before and it has come back today but there is no response so please as you have said we are giving you a week's time we will be waiting for a good report but we will not tolerate the issue of the Department not responding. Proceed yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS
HON. MUMBA ON CLEAN UP OF MAGONGO MAINLAND AKAMBA HANDICRAFT DRAINAGE SYSTEM

Yes Hon. Prischilla Mumba?

Hon. Mumba: Ahsante Mheshimiwa Spika. Naona tena ni swala la usafi wa Magongo Mainland Akamba Handicraft *drainage system*; nikinukuliwa nafikiri jambo hili sasa limeingia kwenye hii Nyumba katika mwezi mmoja zaidi ya mara mbili, tatu na nafikiri niliwahi kujieleza hapa vizuri sana kuhusu hii shida ya Mainland na nikaeleza kuwa kumekuwa kuna vikundi vya vijana ambao walikuwa walipewa hii kazi na nilipokwenda kutafuta sababu ya hii shida kutokuwa haiendelei kufanywa nikaambiwa ilisimama hii shida kwa sababu vijana walikuwa hawajalipwa na mpaka dakika hii waliniambia kuwa ni mpaka wamalize kulipa hawa vijana waliofanya zile kazi ndipo sasa wataendelea na hizi kazi.

Sasa ikiwa kama hii kazi bado haijafanywa basi ni kuonyesha kuwa wale vijana bado hawajalipwa wa makundi ambayo walikua wamepewa hizi kazi, kwa hivyo ya ziada kusema kuwa hii kazi kama haijafanywa tena ni kuwa kunaonyesha wale vijana basi hawajalipwa, hivyo basi tunangojea kama watalipwa ndio waendeleo na hii kazi, ya zaidi siwezi kueleza mpaka nijue kama wamelipwa ama hawataendelea na kazi...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): There is a Member who is up, what is it? Yes Hon. Amur.

Hon. Murfad Amur: Mr. Speaker Sir, whenever a job has been allocated we believe there is a budgetary amount that has been kept aside for that particular assignment, the boys have done their job they have not been paid and the money has been allocated for that job, where is the money? Thank you Mr. Speaker.

(Applause)

The Deputy Speaker (Hon. Mwalimu): The Hon. Member who brought the Statement she is up so let us hear from her, yes Hon. Faith?

Hon. Mwende: Ahsante sana Mheshimiwa Spika. Hii taarifa nimeleta ndani ya hili Bunge mara zaidi ya tatu na kusema vijana hawajalipwa ni kumaanisha Mwenyekiti wa Uchukuzi hajafanya utafiti; ni vijana wenye walikuwa wamepewa kandarasi ya kusafisha mitaro lakini kutoka Mainland mpaka Akamba Handicraft hakujawahi kuwa *allocated* vijana wowote kusafisha ule mtaro na swala la kusema haijalipwa hilo halifai kuzungumziwa katika hili Bunge kwa vile bajeti ziko na mtu hawezi kupatiwa kazi kama hakuna pesa.

Mheshimiwa Spika ni juzi tu kulikuwa kunanyesha nikaja hapa Bungeni nikisema kwangu mafuriko yako na kwangu kunaitwa Mcheleni wacha ni taarifu hili Bunge, kulikuwa kwapandwa kitambo mchele kwa hivyo ni ziwa na ukisikia Mheshimiwa Bomoa anasema mambo ya Wayani hiyo mitaro yote...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Who is Hon. Bomoa?

Hon. Mwende: Mheshimiwa Ibrahim Omondi...; samahani Mheshimiwa Spika ukisikia Mheshimiwa Ibrahim Omondi akisema mambo ya Wayani hio ndio *main storm water drainage* yenye inabeba hayo maji yote hata kupitia kwako Mheshimiwa Naibu Spika. Kwa hivyo Mheshimiwa Spika kama hili suala halitafanyika sijui tutaanza kukimbizana hapa tukitafuta mikate na blanketi ambapo itakua ni bajeti nyengine itatafutwa badala hio kazi ingefanyika na sijui ni kwa nini kwa sababu kuna wakati Kamati ilipatiwa kutokana na muelekeo kutoka kwa Kiti chako Mheshimiwa Spika kusema Kamati iende kwa *site visit* na wakawa wameambiwa waende na mpaka leo hii hawajasema kama walienda ama walifika Kibarani wakarudi wakakosa kujua Kipevu iko wapi.

Mheshimiwa Spika wana wa Kipevu kama walipa ushuru kama hili swala halitashughulikiwa leo hii niambie na hio Idara ya Uchukuzi na Miundo Msingi Kipevu iko ndani ya Kaunti gani? Kwa hivyo sitakaa watu wangu wakinyanyasika na mambo kutokufanyika na bajeti wako nayo, tena bajeti kubwa sana kuliko idara zozote. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Ok thank you. Yes Hon. Mwalimu Mgwisho.

Hon. Mwalimu Mgwisho: Ahsante sana Mheshimiwa Mwenyekiti kwa kuweza kunipatia hii nafasi ili niweze kumtetea Mwenyekiti wa Uchukuzi. Shida ni kwamba Mwenyekiti wa Uchukuzi amejaribu kutafuta kila njia ili atuletee jawabu mwafaka lakini shida iko na Idara ya Uchukuzi...

(Applause)

Ndio maana sisi kama Wabunge wa Kaunti ya Mombasa tumekaa chini na kuona kwamba hii idara iko na matatizo na pia twataka wananchi wetu wa Mombasa wajue kwamba shida si Waheshimiwa, shida ni Idara ya Uchukuzi yahitaji kupigwa msasa kisawa sawa...

(Applause)

Mheshimiwa amejaribu sana na namshukuru sana Mheshimiwa Mwenyekiti wa Uchukuzi amejaribu kutafuta hii njia lakini hii shida si yake hapati majibu sahihi kwa hivyo Bunge hili lazima tusafishe hii idara ya Uchukuzi ili kazi iweze kufanyika kisawa sawa ndani ya Mombasa. Ahsante Mheshimiwa Mwenyekiti.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Mwalimu Mgwisho for appearing for Hon. Prischilla Mumba. Yes Hon. Renson Thoya?

Hon. Thoya: Mheshimiwa Spika nachukua uzi huo kutoka hapo kwa Mheshimiwa Mwalimu kwamba hizi habari zote ambazo zinahusu idara ya Uchukuzi kwa sasa hivi zinatajikana zikusanywe ziwewe katika kapu moja tufuate ile biashara ya wiki ijayo tuwe tushatibu na tumemaliza...

(Applause)

Kwa sababu kufikia saa hii ni Mwenyekiti amejaribu na pale inapofikia naona karibuni naona mutasikia amepolekwa hospitali na aidha presha ama nini? Na ni vizuri tuanze kujipanga na mapema tusije tukatiana magonjwa na maradhi kwa matatizo ya watu ambao hawako tayari kuwajibika. Kwa hivyo ni kitu ambacho ninasema hata ninaona baada ya hii taarifa kuna nyengine pia yeye pia anasimama, mimi ningeomba tu zingewekwa katika kikapu kimoja tukaangalia wiki ijayo tutatafuta jibu gani mwafaka mambo haya yaweze kwisha zaidi ya yote....

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Renson Thoya, stick as the order that you are in the issue of Akamba Handicraft drainage system.

Hon. Thoya: Yes Mr. Speaker the issue is Akamba Handicraft drainage system and it is under the Department of Transport; I have articulated very clearly that wherever a problem is brought before this House related to that Department it does not yield fruits and in that regards I was requesting your intelligence *na hekima yako haya matatizo tuyachanganye kwa kikapu kimoja, tufanye kazi moja kwa sababu huyu Mama ama Bi. Mwenyekiti mtamuangusha na presha maana yake hivi kuna swali lingine pia na wiki ijayo kazi ni hiyo hiyo.*

DISCLAIMER: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor*

Ndio Hon. Mwalimu Mgwisho hapa akasema mwaonaje tuangalie ile idara mbali na kumhangaisha huyu kwa sababu maswali bado tuko nayo mengi kwangu Mikindani ndio sasa yaja kweli na ajiipange. Lile ambalo ilikua nasema tatizo lilikua ni moja la kule mmesema ni huko Akamba Handicraft lakini tatizo la pili nataka nijue hawa vijana walifanyishwa kazi na serikali ya Kaunti ya Mombasa na kwa nini hawajalipwa nazungumza kama Mwenyekiti wa ajira sasa tatizo sasa liko mara mbili Mwenyekiti. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Renson Thoya for picking from where I was about to direct the Committee on Labour to take charge, so Hon. Prischilla Mumba Committee on Transport you will have to sit with the Committee on Labour and shed light on why these youths have not yet been paid and further more to fast-track and see the Akamba Handicraft drainage system is cleaned and bring back a report to this Honourable House also in a week's time and Hon. Members it is the duty of the House Business Committee that plans the businesses of this Honourable House so it was for the Committee to see if it could combine all the issues from all the Department of Transport and put them in one basket but as long as they are in the floor of the House we have to follow the order paper. Yes Clerk?

RESPONSE TO STATEMENT FROM CHAIRPERSON COMMITTEE ON TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS HON. MUMBA ON COUNTY DISASTER PREPAREDNESS DURING THE RAINY SEASON

Yes Hon. Prischilla Mumba?

Hon. Mumba: Ahsante tena Mheshimiwa Spika kwa fursa hii na hapa nimeona tena kuna *County Disaster Preparedness during the rainy season*. Haya ni matayarisho ninaulizwa nijibu ambayo yatakua wakati wa mvua kusema ule ukweli nitajibu nini na sina matayarisho kwa sasa...(Off microphone)...(Technical hitch)

The Deputy Speaker (Hon. Mwalimu): There is a point of...

(Consultations)

Hon. Murfad Amur: I respect my learned friend as the Chair but we cannot be fooled there is one per cent of the total budget of Mombasa County...

(Applause)

That is set aside for disaster issues Mr. Speaker rather than that we have donors who volunteer during disaster; Red Cross, Mombasa Cement, Tororo Cement and the rest we should not be taken for granted where is the one per cent if we are not prepared today, when are we going to be prepared? Until death do us apart? Mr. Speaker let us be serious as the House.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Faith Mwende?

Hon. Mwende: Ahsante sana Mheshimiwa Spika. Nikikumbuka vizuri na kama inaweza patikana kwa kumbukumbu nilileta Mswada ya kuhusu kujitayarisha wakati wa majanga.

Na hatukukaa muda mwingi pakaletwa Mswada mwengine na Mwanachama wa Kamati ya Fedha na akadhihirisha mbele ya hili Bunge kusema kuna moja mambo inatengwa...

(Applause)

Kwa ajili ya masuala kama haya. Mheshimiwa Spika vyenye tunaongea tarehe 28 inasemekana mvua yaanza Kaunti ya Mombasa, sasa Mwenyekiti akisema hajapata majibu na hio Miswada ikija hapa na tukijadiliana alikuwa kwenye hii Nyumba sitaweza kuelewa mahali imefika. Yaonekana bayana Idara ya Uchukuzi imezembea kazini na haiwezi kuendelea kufanyia kazi wana wa Mombasa; hawachukulii wana wa Mombasa, walipa ushuru kama ni watu wa muhimu Mheshimiwa Spika hili si jambo la matani. Wakati wa mvua sisi Waheshimiwa ndio tunaonekana kule mashinani ukiwapigia simu hawapatikani, imefika wakati wa watu kwenda nyumbani tuchukue vijana wetu wenye wamesoma kwa sababu tuko na wao wengi ambao wanaweza kufanya kazi kiuadilifu, sioni kwa nini tunapoteza wakati hata angekuwa ashaenda kama jana. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Okay yes Hon. Ibrahim are you up on the same issue?

Hon. Omondi: Yes Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes proceed.

Hon. Omondi: I have some few remarks to make, just as I said this is a matter which is very serious Mr. Speaker Sir and I just want to give my sentiments that first when our able Hon. Governor Ali Hassan Joho appointed this particular personality into this particular work and then the House we vetted these people and we looked at their papers and we were convinced so I do not know where the problem is. It seems the capability is being compromised in this matter and Mr. Speaker Sir remember that the Excellency the Governor this one is his last term and he needs to leave a legacy to this particular County and all in all we are all wishing that our Governor will be next President 2022 and if today this Chief Officer and this the so called CECs are not able to work I can see that our dream is nowhere to be seen. Mr. Speaker Sir something has to be done, just like my fellow Members said the time has come to call a spade a spade and not a big spoon let them come here...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Ibrahim.

Hon. Omondi: Let them come here and stand for themselves Mr. Speaker, we are not ready to carry burdens for any other person. Thank you Mr. Speaker Sir and God bless you.

The Deputy Speaker (Hon. Mwalimu): Thank you. Hon. Members please we are in Order number 12 so when you are contributing or when you are reacting to the response please stick to that order. Yes Hon. Ogutu?

Hon. Ogutu: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika tukiangalia idara nzima ya Uchukuzi tunapata tuko na kitengo cha Uchukuzi chenyewe, *part of inspectorate* wako hapo, *infrastructure* iko hapo ndani, *drainage system* wanaangalia wao, maswali yote wanaangalia, idara ya wazima moto wanaangalia na kugesha magari na kushughulikia majanga pia iko hapo. Mheshimiwa Spika mimi naona kutokana na yale ambayo yanaendelea hapa ndani wameshindwa na kazi manake hizi *Department* ziko nyingi sana ikiwezekana zigawanywe ziregeshwe ili wabaki na kitengo ambacho wanaweza kumudu. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Okay, yes Hon. Amriya?

Hon. Amriya Boy: Thank you very much Mr. Speaker the floor is highly honoured. Mr. Speaker I wish to state that information is power and for the information of this House disaster management is not part of Transport, Infrastructure and Public Works Department what it is an *Ad hoc* Committee that is under the Governors' office and the Committee only sits where there is necessity although I think there is a misunderstanding because when the Committee was formed at that time around 2015 Mr. Tawfiq Balala was the interim Chair but disaster management is not and I should repeat that again is not under the Department of Transport, Infrastructure and Public Works so it is important for this House to differentiate issues. Thank you very much.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Amriya for your guidance so we will let the Hon. Member on this issue Hon. Prischillah the Committee on transport, Infrastructure and Public works will sit with the Liaison Committee and see a way forward on how we are going to tackle these issues and I will bring back the report by next week then we will see if we can sit with the *Adhoc* Committee because am sure as the rains are knocking the doors the *Adhoc* Committee is there so we will sit with the *Adhoc* Committee or whatever Committee that is there for the House to get a proper information. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON DEPARTMENT OF ENVIRONMENT, SOLID WASTE
MANAGEMENT AND ENERGY ON SOLID WASTE MANAGEMENT IN THE COUNTY

Chairperson Committee on Environment, Waste Management and Energy Hon. Salim Shebe Athman?

Hon. Shebe Athman: Thank you Mr. Speaker. I just want to inform my Hon. Members that I have a letter here of course with your indulgence if you allow me to read but before I read it I have already consulted the Hon. Members concerned and we have agreed. So Mr. Speaker Sir I have received a letter today from the Department of Environment, Solid Waste Management and Energy and if you allow me of course Mr. Speaker Sir, 'I just want to read the report'.

The Deputy Speaker (Hon. Mwalimu): Go ahead.

Hon. Shebe Athman: Thank you Mr. Speaker Sir from the County Executive Member Department of Environment, Solid Waste Management and Energy dated 14th March, 2019.

Ref: Report of the solid waste management situation.

DISCLAIMER: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page*

In reference made to your letter dated 11th March, 2019 in which above the matter refers unfortunately...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Thoya is responding, it is not a report it is just responding so be calm. Yes Hon. Athman Shebe?

Hon. Shebe Athman: Thank you Mr. Speaker and I, 'Unfortunately I am away together with my Chief Officer Dr. June Mwajuma attending the United Nations Environmental Assembly 2019 in capital Nairobi, we will also be away next week from 18th to 22nd March, 2019 on invitation by energy stakeholders to share and deliberate on matters concerning energy of the County of Mombasa that being said that I would like to say that I personally make the representation has requested on our return I will be available...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Amur? Use your microphone.

Hon. Murfad Amur: Mr. Speaker we have been told they are not here, they are in Nairobi attending that conference again the next one where are they heading? Because when we travel as an Assembly the big question comes how we are travelling s we want to know where are they travelling to and are they going to be given perdiems and what and what? We want to know that.

The Deputy Speaker (Hon. Mwalimu): Okay thank you. Yes Hon. Athman Shebe read from where you left.

Hon. Shebe Athman: Thank you Mr. Speaker Sir. My fellow Hon. Member is jumping the gun, I was coming into that Hon. Speaker that is why the CEC stated that being said I would like to request that I will personally make the presentation as requested upon our return I will be available from 26th March to 29th March, 2019. I will appreciate Mr. Speaker your response on the date that is favourable to this Assembly.

Yours Faithfully,
Dr. Godfrey Nyongesa Nato
CEC, Environment, Waste Management and Energy
Thank you.

The Deputy Speaker (Hon. Mwalimu): Okay thank you Hon. Shebe Athman as the Chairman of that Committee you found that was a good response to respond to this Honourable House in your own capacity as the Chairman of that Committee you found out that is a good response to come and respond to this Honourable House, the Department has Directors, office staffs who are capable of responding on what has been raised by this Honourable House so is that the response that you think the Hon. Members...

DISCLAIMER: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page*

(Interruption)

Hon. Shebe Athman: Mr. Speaker you are being sarcastic...

(Laughter)

I can agree or disagree with you on that aspect but I was trying just to put a cross so that Hon. Members can know they make it very clear Hon. Speaker they were not after the Directors nor what, this is a letter which...

(Interruption)

Hon. Murfad Amur: What I am saying... *(Inaudible)*.

The Deputy Speaker (Hon. Mwalimu): Use your microphone.

Hon. Murfad Amur: They do not go with the offices they only go with their luggages; the office is there to work Mr. Speaker and this have been repeating it daily day in day out whenever the Executive, the Chief Officer travel they do not travel with the office the building is still there, there are other guys who are working. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Renson Thoya?

Hon. Thoya: Ahsante sana Bwana Spika, ni vizuri kujua misemo na mafumbo kama vile nasema akili ni nywele kila mmoja ana zake lakini si wote wana akili wana nywele wana akili hata wenye vipara pia wanaweza saidiana. Ni vyema kujua kwamba sisi hapa tunahusika na mambo ya huduma na leo wako Nairobi, wakitoka Nairobi wanasafari ya kwenda kwengine basi tuwaombee mema warudi pia wakati tunawaombea mema Mwenyezi Mungu pia yamaanisha kwamba majibu hapa hayataweza kufika? Muhimu tunataka yale majibu basi yataletwa na *messenger*, yataletwa na Karani, yataletwa na nani? Zile takataka za Kongowea tupate majibu zinaondolewa lini na kwengineko?

The Deputy Speaker (Hon. Mwalimu): We are not yet in Kongowea, we are still in Airport Ward.

Hon. Thoya: Haya huko huko Airport, huko huko hata kama ni wapi unakujua wewe sisi tunayotaka ni majibu tena ikiwezekana leo kwa sababu jana tulitiwa hamu na ghamu kwamba leo tutapata hayo majibu, tumeamka leo twaambiwa Waziri na Afisa mkuu wake wako Nairobi wakitoka Nairobi wana mahali wanaenda sijui baada ya tatu itakuwa ni gani? Mimi ndio nimekwambia si wote wana nywele wana akili hata wenye vipara pia nao wanaweza kuwa na mchango kama huo...

(Applause)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Aran Moses?

Hon. Aran: Thank you Mr. Speaker Sir. Mr. Speaker Sir according to the observation made personally and almost the Hon. Members in this House Hon. Shebe Athman is considered amongst the best debaters we have actually and we should acknowledge that and by bringing a vogue report like that I think he should join Churchill Live...

(Laughter)

Because that is a joke Hon. Speaker just like what Hon. Amur have said they are not walking with the offices they can even give directive on what to do so he should withdraw that; you cannot be amongst the best debaters and when it comes to your time to give us a concrete report you are just joking reading us a letter that will not help us. Secondly I can see Hon. *Bomoa* want to respond or react on that...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Do we have Hon. *Bomoa*? Who is Hon. *Bomoa*?

Hon. Aran: Hon. *Bomoa* is the person who was being *bomoa*d by the President sorry for that...

(Laughter)

Hon. *Bomoa* is a nickname of Hon. Ibrahim.

The Deputy Speaker (Hon. Mwalimu): So use the name.

Hon. Aran: I can see Hon. Ibrahim Omondi is just about to react Hon. Speaker. I want to request this Hon. House he should be banned from responding until that day he will give us a concrete report in regards to bursaries...

(Applause and laughter)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Ibrahim just half a minute.

Hon. Omondi: It is okay, thank you Mr. Speaker Sir. I just do not want to react towards what Hon. Member has said because most of the times you have been in this House he has not been there Mr. Speaker Sir, he has not been following the proceedings and therefore it is very unnecessary for me to react to his Statement but I want to go back to a very important point which concerns my Airport Ward which the Statement that we are discussing which has been responded by my good friend Hon. Shebe who happens to be the Chairman of that particular docket. Mr. Speaker Sir by coincidence you happen to be a neighbour of this Ward am speaking about and you happen to know the state and what am talking about?

Hon. Aran: Point of order.

The Deputy Speaker (Hon. Mwalimu): What is your point of order? Use your microphone, yes proceed.

Hon. Aran: Standing Order 84..., Hon. Member should withdraw and apologize to me because even if he go to the Hansard record i have been attending sessions and there is no day i have missed any session in this House but what Hon. Omondi has said I think he should withdraw that Statement...

(Consultations)

The Deputy Speaker (Hon. Mwalimu): Okay thank you. Hon. *Bomoa* you can proceed, Hon. Aran Moses as you have said it is evident from the Hansard that you are always attending and you are attentive so whoever is suspicious shall go to the Hansard and find out whether the Hon. Member is misleading the House or not because i have seen the Standing Order that you have stated it is more of whatever that you wanted us to react on.

Hon. Omondi: Thank you Mr. Speaker Sir for that wisdom that you have in ruling and maybe I just want also to inform him a bit that he used the same word also when he said that I should be banned from responding in this House until I provide bursaries so I also want him to do the same if he want me to apologize.

The Deputy Speaker (Hon. Mwalimu): Okay thank you Hon. Ibrahim and I think I had given you half a minute and the half a minute is over.

(Applause)

Yes Hon. Athman Shebe?

Hon. Shebe Athman: Thank you Mr. Speaker. Mr. Speaker like I have said this is not a Statement and you remember the very beginning I asked for your indulgence if you may allow me to read this letter and you said go on, I was trying just to tell the Hon. Members in this House even the CECs and the Chief Officers know the significance of this issue and they promised themselves because attending a United Nation Environmental Program (UNEP) is a very important and a significant event and they are attending there not at their personal capacity but on the behalf of the Mombasa County Assembly. Hon. Speaker so I related before this Honourable House through Hon. Member of Airport and Kongowea and they have agreed Mr. Speaker and have also wanted the Statement number 14 of course with your indulgence to be adjourned...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): We are yet to get to Order number 14.

Hon. Shebe Athman: I was just requesting Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): It is a House of Order so let us wait if we reach to Order 14 you can stand and ask whatever that you want.

Hon. Shebe Athman: That was it Hon. Speaker, thank you.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Amur?

Hon. Murfad Amur: Mr. Speaker...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Use your microphone!

Hon. Murfad Amur: The able Chairman to let us know if the Members have gone for that important meeting and the Chair is left behind with no answers...

(Applause)

Is it fair? Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Member, in coming future please as a Committee you have to sit because the response as you have seen the Hon. Members are reacting it was not satisfactory enough and I think you had a Member saying that it is like as if it is a Churchill show; this is not a Churchill show when we asked by Hon. Members so Committees have to take charge to bring back reports that will be good reports that the County of Mombasa will be moving forward from whatever the report that you are bringing, just bringing a letter from an Executive Member that is not away and you are placing it in front of this House as a response.

Hon. Members in future we shall not allow and we will also like Hon. Members or the Committees before you bring reports; first you have to sit down with your Committees and secondly report to the Liaison Committee then we bring the reports to this Honourable House so whenever you are asked for reports try to sit down with your Committee Members first because am sure if you had sat with the Committee Members that is not a response that you could have brought in this Honourable House. Yes Clerk?

STATEMENT

Yes Committee on Environment Chair?

Hon. Shebe Athman: Yes thank you Hon. Speaker. Hon. Speaker I would like this Honourable House of course through your indulgence to give me up to after 29th March. Hon. Speaker of course it will be very suitable for me to give a proper response concerning this matter Hon. Speaker. Thank you.

The Deputy Speaker (Hon. Mwalimu): So Hon. Abrari you will stay with the pile up at Kongowea until 29th of March...

DISCLAIMER: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page 22*

(Laughter)

Hon. Mohamed Abrari: Ahsante sana Mheshimiwa Spika. Mimi ningependa kutia mkazo kwa suala hili nililolileta Bungeni; hii ni mara ya tano mimi kusimama na kuelezea juu ya Taarifa hii hii na hatujapata jibu mpaka sasa, Afisa Mkuu ama Waziri kuondoka haimaanishi taka za Kongowea zisiondolewe, wao wanaweza kuwa wako wapi kule alikotoka au wanaenda lakini wakapeana maamrisho yao ama *directives* zao kusafisha jaa la Kongowea.

Kwa hivyo hio sio sababu kubwa ya kuwa wao hawako ndio jaa la Kongowea bado lijae ama lisisafishwe, hivyo basi namuomba Mwenyekiti atuambie haswa ni lini jaa la Kongowea litamalizwa, sisi hatutaki kujua kuwa Waziri yuko ama Afisa Mkuu hayuko? Suala kubwa ni taka; taka za Kongowea zimejaa, zimekuwa nyingi mlima kila siku unarundika na hautolewi naregelea tena hii ni mara ya tano nimeregea kwenye Bunge hili na Taarifa hii hii mtueleze kama ni hujma ambayo mnanihujumu mimi kama MCA wa Kongowea nielewe.

Mimi nina Wodi ya Kongowea lakini zile ni Wodi mbili ndani ya moja, soko pekee yake ni Wodi kivyake na taka taka zinazotoka ndani ya soko ndugu yangu hakuna Wodi inayotoa taka nyingi kama Wodi ya Kongowea. Ndani ya soko pekee yake na nje jaa la Kongowea ndio limebeba takataka zote za Nyali zinatupwa Kongowea lakini la kutamausha ni kuwa hizi taka hizi haziondolewi lakini kuchukua ushuru kila siku Kongowea inatoa ushuru mbona hawasahau kwenda kuchukua ushuru Kongowea? Mbona hawasahau kwenda kuchukua ushuru Kongowea lakini kutoa taka Kongowea ndio hawawezi kutoa taka? Naregelelea sio jambo la kuwa Waziri amesafiri wala nini sisi tunataka Kongowea takataka zitolewe *fullstop* na tunataka jaa la Kongowea Kwa Karama lifungwe kwa sababu kuna vigezo ya kuweka *disposal* ama *dumping site*.

Jaa la Kongowea halina leseni; hicho ni kigezo cha kwanza, kigezo cha pili jaa la Kongowea halijakuwa *gazetted* as a *dumpsite*, kwa hivyo kutupa takataka pale ni kinyume cha sheria, serikali Gatuza mpaka sasa halijaangalia hilo tumesema vizuri watupe tu ratiba yao, ni kuwa ni lini watasafisha jaa la Kongowea, ni tarehe 21 jaa litasafishwa hiyo nitaikubali nikijua kuwa kuna ahadi nimewekewa kufikia tarehe 20. Hiyo ikifika jaa la Kongowea itakuwa limefungwa; hilo tu hiyo haihitaji mpaka Afisa Mkuu awe hapa nakuomba Mwenyekiti wa Mazingira nipe majibu ambayo nikienda chini nitaenda kueleza wananchi wangu, wananchi wangu kila siku wananipiga vita na jaa kila siku kwa mitandao ni jaa. Kwa hivyo tukitoka hapa nataka jibu mimi nipeleke. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Okay thank you Hon. Abrari. Yes Hon. Amriya?

Hon. Amriya Boy: Thank you very much Mr. Speaker. The floor is highly honoured. Mr. Speaker, I have risen under Standing Order 80. I have risen on a personal Statement Mr. Speaker. Mr. Speaker, pursuant to Article 35 on Access to Information...

(Interruption)

Hon. Amriya Boy: Sorry!

The Deputy Speaker (Hon. Mwalimu): We are still or we have not yet finished order number 14!

Hon. Amriya Boy: Ooh! Okay, thank you Mr. Speaker, I stand guided.

The Deputy Speaker (Hon. Mwalimu): Are you reacting Yes Hon. Junior?

Hon. Wambua: Ahsante sana Bwana Spika. Mimi nataka kuongezea maneno ya Mheshimiwa Abrari, mimi nimewahi kuwa Diwani katika sehemu hiyo ya Kongowea na matatizo ambayo yanafanyika mahali pale ni makubwa sana. Mheshimiwa Mwenyekiti mwenza amezungumza amesoma barua ambayo ina kurasa kubwa sana ambapo Waziri hapo Nairobi angeandikia Bwana Omari hapa aweze kumsaidia Bwana Abrari ambapo hatuoni umuhimu sana kwa barua ambayo imesomwa hapa.

Bwana Spika, matatizo ya Bwana Abrari saa hii ni wiki ya tatu akilia na akisimama hapa kila siku, tunahitaji Bwana Mwenyekiti mwenza aweze kuongea na Waziri wake huko huko Nairobi aliko amwambie kuanzia kesho aanze kusafisha Kongowea itakuwa imemsaidia sana Mheshimiwa Abrari ambayo shida ya pale Kongowea kwa siku moja takataka zinamwagika kama kitu nyengine na kila ma *Administrator* hapa wakienda huko wakizungumza hapa wanasema wapi Madiwani wenu au wapi ma MCAs wenu wote wamekimbia na ili hali hizo ni kazi zao wanastahili kuzifanya.

Lakini wote wanatulimbikizia matatizo ya takataka katika sehemu zote, mimi nikisema hapa Bwana Spika kule kwangu Chaani zimemwagwa kila stage ukifika hapa zimemwagwa! Zimemwagwa! Tunataka tupate njia nzuri yatakataka hizi zitabebwa namna gani? Swala la kusema tungojee mpaka tarehe 29, wakati waziri atatoka mahali ambapo hatujui ameenda wapi? Na nasikia Amur ameuliza swali zuri tuelezewe anaenda wapi na amepata nini na kwa nini amemuacha *Chairman* wake ambapo angeenda naye akajua ni kitu gani wanaenda kuzungumzia? Ahsante sana Bwana Spika.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Let Hon. Hamida react then Hon. Renson Thoya and we will finish with Hon. Ibrahim. Yes?

Hon. Amirya Boy: Thank you Mr. Speaker Sir. As I come from Kongowea myself, my fellow Hon. Member now is begging for services and as he says in Kongowea we collect the taxes, we are begging as Members from Kongowea if it is not going to be done the Members who come from Kongowea Ward we are going to go their offices and beg for our services to be done for us.

This is the fifth time he is bringing this Statement to the House, with all due respect Mr. Speaker we want you to act for us now and the way that it seems that like the office does not go with the Ministers and his assistant there people in that offices that are working there so with your due respect we beg for the services in Kongowea to be done. Thank you.

The Deputy Speaker (Hon. Mwalimu): Proceed Hon. Thoya?

Hon. Thoya: Bwana Spika mimi nina vipengee viwili; kwanza tumeweza kuchaguliwa na wananchi kuja kuweza kuwakilisha tetesi zao, lakini ukiona zile tetesi unazisema mara ya kwanza, mara ya pili, mara ya tatu mpaka mara ya tano inafika mahali ambapo tuweze kuambiwa na hili Jumba ya kwamba wale wananchi wenyewe wa Kongowea waje hapa chini waweze kujisemea wenyewe kwa sababu mumekataa kumsikiliza Mwakilishi wao.

Hilo ni la kwanza kwa sababu yeye ndiye ametumwa kusema na ikiwa hawezi kusikizwa basi wale wananchi watachukua ile demokrasia ya moja kwa moja, jambo jengine la pili nimeweza kuona kwamba kuna hii ripoti ambayo imekuja hapa na Kamati haijaikalia pia haieleweki uhakikisho wake na kuna nyengine pia imetoka upande wa mambo ya basari.

Nataka niweze kutoa hoja kwa Jumba hili kwamba ikiwa kutakuwa na mipangilio ya mipango ya kando katika Waziri na Mwenyekiti ambao watu hawana habari Waziri na Mwenyekiti wa Kamati Bwana Spika itakuwa ni vyema hatua za kinidhamu zichukuliwe. Si mambo ya kurudi tu nendeni mukakae kwa sababu ni lazima Mwenyekiti huyu afanyiwe uchunguzi kunaweza kuwa kuna mambo yameendelea. Nilikuwa natoa hilo pendekezo...

(Laughter)

The Deputy Speaker (Hon. Mwalimu): I had already ruled it was Renson Thoya then Hon. Ibrahim and we move forward. So Hon. Ibrahim to close the reactions then we proceed.

Hon. Omondi: Thank you Mr. Speaker Sir, for the honour. Mr. Speaker Sir I just wanted to react on that particular Statement based on what Hon. Wambua, the Member for Chaani Ward said. Mr. Speaker Sir rather I heard some different opinion from what he said, I just wanted to tell him that Hon. Wambua seems to be aspiring to be the Member of Parliament in Changamwe and I am very surprised that I raised a matter touching on Airport Ward which is in Changamwe but he did not give the emphasis...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. stick to this point Hon. Ibrahim.

Hon. Omondi: He only changed and gave the emphasis in Chaani that is in Kongowea, I am very surprised. Thank you.

The Deputy Speaker (Hon. Mwalimu): Hon. Chairman Environment, Waste Management and Energy the issue for Kongowea has come to this House and you promised yesterday that you will respond to this House today but unfortunately it was not a response that could be taken well by the Hon. Member from Kongowea.

So Hon. Member we would like you and your Committee to act on this matter and make sure those trucks are taken to Kongowea...

(Applause)

We want when you come to respond on this issue; you respond that trucks have gone to Kongowea to start up the clean-up in Kongowea. Liaise with CEC or whoever who is responsible in matters of garbage collection and make sure that cars visit the Kongowea dumping site even if it is one car but we want to hear from your report that cars have gone to Kongowea dumping site because it is a matter that has been coming on day and day out but you and the people concerned have not taken any charge. So please work on it.

Hon. Shebe Athman: Thank you Hon. Speaker. It does not mean that cars were not going to Kongowea but Hon. Member of Kongowea has some specific reservations and questions that is why we have agreed to act on that and the only person who can be afforded to give that target was the Chief Officer or CEC but of course Hon. Speaker I will make sure as from today I am going to talk to the relevant authorities so that as from tomorrow trucks will be flowing to Kongowea. Thank you.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Amriya?

ACCESS TO INFORMATION ON PUBLIC OFFICES AT COUNTY ASSEMBLY BUILDING

Hon. Amriya Boy: Thank you very much Mr. Speaker for according me this opportunity, the floor is highly honoured. Mr. Speaker earlier I had raised under Standing Order 80 on a matter of personal nature and I was seeking your indulgence pursuant to Article 39 of the Constitution and also access to information Act No. 31 of 2016.

Mr. Speaker I like to bring to attention that on 13th March, 2019 there is one Mohamed Hamsini who walked in to the County Assembly and at the customer care desk enquired about my attention; inquired about Hon. Amriya Boy Juma and to the information I have in hand is that the person who was at that time at the customer care desk answered that she/he did not know of one Hon. Amriya Boy Juma. So, that is to my utter dismay that I wish to bring to the attention of this House that we liaise with the necessary Department on Public Relations to provide information on all public officers in this building, all public offices in this building at the notice board.

We have several notice boards in this building and we should make use Mr. Speaker of the notice boards because it appears that when Members of the public with whom are within their right have come to or coming in to seek audience with the Hon. Members or any employee they find it rough or difficult to get that necessary service and that is contrary to Chapter 13 on Public Service and contrary to Article 260 because as it is we are public servants and we are here to serve the people. So thank you very much Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Amriya. It is well noted and the County Assembly Service Board will take charge. Yes Hon. Chief Whip?

ARREST OF PEDESTRIANS NOT USING BUXTON AND KONGOWEA FOOTBRIDGES

The Chief Whip (Hon. Kitula): Mheshimiwa nimesimama kulingana na kipengele 41. Mheshimiwa Mwenyekiti ningependa kupata ripoti kutoka kwa Kamati ya Haki na Sheria ni vipi wakaazi wa Mombasa wamekuwa wakishikwa na ni sheria gani inatumika katika kuvuka vivuko vya barabara iliowekwa Buxton na Kongowea na kulipishwa gharama katika Korti yetu na ilhali sheria hii haiko katika Serikali yetu ya Kaunti ya Mombasa? Kwa hivyo sheria gani inatumika na ni kiwango kipi cha hukumu kulipia gharama hizo Mheshimiwa Mwenyekiti. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. the Chairperson Committee on Justice we need a respond?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HON.
AMRIYA BOY ON ARREST OF PEDESTRIANS NOT USING BUXTON AND KONGOWEA FOOTBRIDGES

Hon. Amriya Boy: Mr. Speaker I wish Hon. Kitula to pause the request for Statement once again please with your permission.

This is because it is not clear which area specifically he wants the Justice and Legal Affairs Committee to embark; is it arrest, unlawful arrest or is it a detention? It has not come out clearly as it is. Which area specifically he wants the Committee to investigate on?

The Deputy Speaker (Hon. Mwalimu): The Chief Whip will write to the Committee in the areas he is concerned and we will need the response by next week. Yes Hon. Ogutu?

Hon. Ogutu: Thank you Mr. Speaker. Mr. Speaker I requested a Statement from the Committee on Health concerning the renovation of Magongo Clinic. Mr. Speaker it is barely three weeks from the time I requested for that Statement and the matter was treated as urgent and until now no response has been given. Mr. Speaker I need your indulgence.

The Deputy Speaker (Hon. Mwalimu): I think the matter is still with the House Business Committee, the House Business Committee will sit and accord a day for the response as you said you brought it three weeks back but it still with the House Business Committee. Yes Hon. Ogutu?

Hon. Ogutu: Mr. Speaker the matter is so urgent!

The Deputy Speaker (Hon. Mwalimu): It is noted and during the next House Business Committee it will be noted as an urgent matter for them to accord the time, date and day for the issue to be responded in this House. Yes Hon. Faith Mwende.

CLOSURE OF MCHELENI DUMPING SITE

Hon. Mwende: Mheshimiwa Spika nasimama katika Kanuni 41 (2) (c). Mheshimiwa Spika nataka kujua kutoka kwa Mwenyekiti wa Mazingira ni lini wanapangia kufunga jaa la taka lililoko katika mtaa wa Mcheleni ambalo liko katikati ya nyumba za watu na zile nyumba ni za watu wa hali ya chini. Pale magonjwa hayaachi kuwepo kwa hivyo hilo jaa twataka kujua litafungwa lini. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Thank you and it is noted Hon. Chair Environment do you have a respond on the closure of Mcheleni Dumping site?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON ENVIRONMENT HON. SHEBE ATHMAN
ON THE CLOSURE OF MCHELENI DUMPING SITE

Hon. Shebe Athman: Thank you Hon. Speaker. As far as I am concerned Hon. Speaker Mcheleni is not a dumping site, it is a station point whereby all the villagers garbage is being collected and the trucks are coming and picking up the garbage.

Honorable, it is not a dumping site, it is not a dumping site! There is only one gazetted dumping site in Mombasa County and that is Mwakirunge sorry and Shonda, two. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): So the concern of the Hon. Member wanted it to be closed because it is in the residential area, so we will like you to respond hopefully by next week give us a response on if you are going to shift Mcheleni to another picking point.

Hon. Shebe Athman: Most obliged Hon. Speaker. Thank you.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Renson Thoya? We will finish with Hon. Ibrahim Omondi so that we proceed with the Order Paper.

Hon. Thoya: Thank you Mr. Speaker. I want to bring to your attention that yesterday there was an issue that was raised by Hon. Omondi Ibrahim about issues of security and the signatures are being collected. This issue as much as we are just letting to be a small thing of public relations exercise is going to bring issues of fighting and therefore compromising peace within the Wards. It is to my advice that we need to raise up to the occasion because there those people who are supporting the Motion of this House and there are those who are being pushed by the CSOs or some individuals from the County people are going to fight I am of the view that this thing should be done all those people doing it as criminals. It must be *ni lazima iharamishwe ama sivyo watu wetu mashinani hawatakubaliana na jambo kama hilo na tunataka pronouncement yako wewe Bwana Spika kwa sababu hatutakubali mambo hayo yaendele kule kuni undermine nikiwa niko kule kule watu wangu nao wanasimama na si watu wangu sehemu nyingi hata kule kwa Kibwana nimesikia wataandaa mkutano na kuna watu ambao pia wamejipanga kuhesabu mambo kama hayo. Hayo mambo ni lazima yazungumzwe kama matatizo ya Jumba hili kwa jumla.*

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Renson Thoya. On the same issue that you have raised, it was raised yesterday as you said and we directed accordingly, so the issue is being followed up and I think I said it yesterday as it is, us the Assembly we cannot stop whatever that is going on but I remember we shall communicate to Senate and the Hon. Member Ibrahim Omondi is following that matter as I ordered yesterday. The issue that has been raised by Hon. Renson Thoya actually we finished it yesterday. I know you have a burning issue it is concerning the signatures... it is not concerning signatures.

Hon. Mwende: The event which is going on *mashinani* for census and it is colliding with the people who were collecting the signatures so the *wananchi* do not know which is, which some of our residents are failing to give the right information thinking it is the *Fagilia Bunge Mheshimiwa Spika*.

The Deputy Speaker (Hon. Mwalimu): Okay those are issues that we will add up when we communicate to Senate, those are some of the issues that we will like Senate to stop whatever that is going on. So let me say, are they enumerators or that who whatever or whoever that they are collecting data for census to have a free movement to the households, so Hon. Ibrahim please follow the matters as urgent. Yes Hon. Ibrahim was the last person to raise a Statement for us so proceed with the Order Paper.

Hon. Omondi: Thank you Mr. Speaker to serve of the honour given, I have a Statement under Standing Order 41, (2) (c) but just before I read that particular Statement the matter that has been raised here on the security of this House...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Proceed with your Statement.

POOR STATE OF BOMU CATHOLIC CHURCH ROAD LEADING TO MWIDANI HALL AND WAYANI ROAD
LEADING TO ST. JUDY ACADEMY IN AIRPORT WARD

Hon. Omondi: Okay Mr. Speaker Sir. I stand pursuant to Standing order 4(2)(c) seeking to know from the Chairperson Committee on Transport, Infrastructure and Public Works if he is aware of the poor state of Bomu Catholic Church Road leading to Mwidani Hall and Wayani Road leading to St. Judy Academy in Airport Ward which has inconvenienced both motorists and pedestrians and what plans does the County government of Mombasa have to remedy the situation? Thank you Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwalimu): Any Member from Committee on Transport to respond? Yes Hon. Amriya?

Hon. Amriya Boy: Mr. Speaker we request for three weeks to look into that matter or request that because we are already there are active matters in the Committee stage, probably we will send also this; a request for Statement so that when the response from the Chief Officer is coming after a week so that can they can address this, so probably two weeks is sufficient with your indulgence.

The Deputy Speaker (Hon. Mwalimu): Okay noted. So you ask for three weeks or two weeks?

Hon. Amriya Boy: Mr. Speaker Sir the Chief Officer was coming with a report in a week's time so I think the Clerk's will assist us to fast forward this so that when they come with the response this will be inclusive. Thank you.

The Deputy Speaker (Hon. Mwalimu): Okay.

Hon. Amriya Boy: So in two weeks' time.

The Deputy Speaker (Hon. Mwalimu): Okay noted. Hon. Ibrahim you understand the Transport Committee it is loaded so let us allow them two weeks time it is sufficient...

(Hon. Omondi off microphone)

Hon. Ibrahim you are out of order you could rise before and bring; you have already given us your Statement.

Hon. Ibrahim I understand security issues and there is a Hon. Member yesterday or the day before yesterday who talked about security issues, and if I am not wrong it was Hon. Renson, it was Hon. Robert Nyiro so issues concerning security was raised and we have directed so if you have anything to add on you can talk to the Honorable from Bamburi and add what you have so that when a report is back the County Assembly Service Board that is supposed to bring the report to this Honourable House.

Yes Clerk we had said that Hon. Ibrahim will be the last person to give a personal statement for us to proceed with the order paper. Yes Clerk?

PROCEDURAL MOTION

ADOPTION OF REPORT ON MOMBASA COUNTY FISCAL STRATEGY (CFSP), 2019

Yes Hon. Murfad Amur?

Hon. Murfad Amur: *(Off microphone).*

The Deputy Speaker (Hon. Mwalimu): Use your microphone?

Hon. Murfad Amur: Mr. Speaker Sir; Procedural Motion, adoption of Mombasa County Fiscal Strategy Paper (CFSP) 2019.

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

That pursuant to Standing Order 206 (5, 7, and 8) this County Assembly adopt the report on the Mombasa County Fiscal Strategy Paper (CFSP), 2019 laid on the Table on Thursday, 14th March, 2019.

Mr. Speaker Sir with your permission if I am allowed each Member has a copy and it is a long report, I would wish if you allow me and the Members allow me I read the introduction part, the conclusion and recommendation since all the Members have copies.

Mr. Speaker Sir if you allow me, if not then I have to go through the whole document.

The Deputy Speaker (Hon. Mwalimu): Okay you can proceed in building your Motion.

Hon. Amur: Mr. Speaker Sir, it is yet another auspicious occasion and I feel honoured to present this August House the report on the Mombasa County Fiscal Strategy Paper, 2019 for consideration and approval. This year's document as ever before contains the revenue and expenditure performance over the last financial year and also strategic priorities, the sector ceilings while providing a brief fiscal outlook over the upcoming financial year and over the medium term.

My Committee as well as the other sector Committees have scrutinized the document and have come up with views and recommendations that are contained in this report. We hope the County Treasury will consider this and make the necessary amendments to the document. I would like to thank Members, stakeholders and the general public for various views and proposals that have served to enrich this report.

Mr. Speaker Sir, in the conclusion that is three; having considered the Mombasa County Fiscal Strategy Paper, 2019 and similarly considered views by Members of public and stakeholders, the Committee on Finance, Budget and Appropriations at its meeting on Thursday 14th March, 2019 at 1:30p.m recommended the document and its contents to the County Assembly for adoption with amendments contained in the findings.

Mr. Speaker Sir recommendations:- That the County Assembly hereby do agree with and adopt the contents of the Mombasa County Fiscal Strategy Paper, 2019 on the total overall projected revenue, the ceilings recommended for the County government and County Assembly and the total sums for each vote and the allocations to individual programmes for the fiscal year in question pursuant to Standing Order 206(7).

Mr. Speaker Sir, that the August House approves the Mombasa County Fiscal Strategy Paper, 2019 with amendments. I repeat with amendments.

Mr. Speaker Sir I beg to move or I move that the Honorable House of this House Assembly do adopt this report. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Who is your seconder?

Hon. Murfad Amur: Hon. Charles Kitula, Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwalimu): Yes Chief Whip?

The Chief Whip (Hon. Kitula): I second, Mr. Speaker.

(Question proposed)

The Deputy Speaker (Hon. Mwalimu): I now propose that the Motion on the Mombasa County Fiscal Strategy Paper be debated in this House. Yes Hon. Murfad?

Hon. Murfad Amur: Mr. Speaker Sir, when I stood up I had requested to read the introduction, the findings, the conclusion and recommendations before each Member had a copy eventually yesterday we had a public participation and I believe Members have no objection to it, so we adopt it so that we can continue with other matters in the House. Thank you.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Abrari?

Hon. Mohamed Abrari: Ahsante Mheshimiwa Spika. Kitabu hichi tulichopewa ni kikubwa sana ambapo sisi tumepewa muda kuangalia makadirio ya bajeti yalivyo na matumizi ya Kaunti ya mwaka uliopita 2018/2019, kuna mambo mengi ambayo mimi binafsi nimeyapitia nikayaona yana makosa ambayo yanahitaji kurekebishwa.

Kwa hivyo kama tutapitisha Mswada huu basi mimi nina uhakika hii itakuwa ni kama vile bajeti tulipitisha na marekebisho lakini baadaye hakuna kitu kimefanyika, hivyo basi mimi ninasema kama kulikuwa kuna marekebisho katika kitabu hichi kwa sababu nina hakika yako.

Tukiangalia kuna kurasa fulani ambayo nimepitia kwenye kitabu hichi maana ni kubwa sana; kwenye matumizi yetu nikaona tumeshamaliza na hakuna miradi kule chini hakuna ambao umeshafanyika.

Kwa hivyo sisi tumekuwa twadanganya wananchi kuwa sisi...tumekuja kupitisha Fiscal Strategy Paper ilhali ukweli wa mambo ni kuwa hatujaipitia vizuri hivyo basi tuzungumze kitabu hichi kina zaidi ya kurasa 200 na ni nani katika sisi amekipitia chote akatuambia hichi kitabu kiko sawa na tulizungumza mbeleni kuwa tupewe muda tupate wakwasi waliobobea twende wakatufunze vitu vingine ambavyo sisi ni wageni katika Bunge hili.

Nakuomba Mheshimiwa Spika liangalie hili isije ikawa tunajitia kitanzi leo kesho ikawa tunalalamika; kuna mambo mengi ambayo hayako sawa katika kitabu hichi tukubaliane mambo mengi hayako sawa, kwa hivyo kwa mwelekeo wako pengine wewe ushapitia kitabu hiki nakuomba kama kuna uwezekano tutafutiwe watu waliobobea waje waketi chini tuwaeleze pale ambapo tunataka parekebishwe.

Pale ambapo pako sawa tukipitisha kitabu hichi kama kiko sawa Mheshimiwa Spika tumeona idadi ya Wabunge wengi wametoka na kutoka kwa hio sio ati kwa sababu ya nini watu wengi hawakuwa kwenye *mood* ya kupitisha kitabu hichi. Kwa hivyo nakuomba kwenye uamuzi wako Mheshimiwa Spika litazame hilo isije leo tunajitia kitanzi kwenye kitabu hichi kwa sababu watu wanachelea kuongea hapa lakini hawajui yaliyomo kwenye kitabu kile.

Sisi tulikatazwa *public participation* kwenye mashinani na *public participation* ya Wodi zote 30 ikaletwa Tononoka na tulizungumza hili na tukasema siku itafika ya kuwa tuje tupitisha na leo ndugu yangu Mheshimiwa Amur amekuja na kitabu hichi tupitisha na hatujakipitia vizuri. Hivyo basi nakuomba Mheshimiwa Spika hapa ndani kuna mambo mimi nimeyapitia nimeona huu ni mtego twategana alafu kesho mtakuja kuambiwa nyinyi ndio mlikipitisha, angalieni vizuri matumizi yetu ya 2018/2019 tusipitisha tu hivi hivi. Hatusemi hivi kwa sababu twapinga mtu fulani hapana lakini nawaomba ndugu zangu kitabu ni kikubwa kina kurasa zaidi ya 200 kiangalieni vizuri huu ni mtego, hichi ni kitendawili kitegueni. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Abrari. Yes Hon. Amriya?

Hon. Amriya Boy: Thank you Mr. Speaker, the floor is highly honored. I wish to state that the budget process is a comprehensive one but it has a legal framework that is contained in the PFM Act, County Government Act and Standing Order 206, it has about six documents and all of them have timelines, the CFSP is not an exception by law it was supposed to have been committed to the Assembly by 28th February which was done accordingly and it was in the public domain and by law pursuant to the provisions that I had mentioned earlier no need for repetition, 117 of the PFM Act and 206 of the Standing Order requires that this document be passed by 15th March, so we had 14 days if there were any deliberations they should have been done within those 14 days.

The concerns that my fellow colleagues are raising could be genuine but the niche is that we miss out on the timelines, information about what the law says because at this point our hands are tied Mr. Speaker because I am aware that yesterday there was a validation process at the Tononoka hall, so this CFSP on the face of it has followed the law and as we speak our hands are tied because we are working under deadlines.

So I urge this Honorable House that in the near future let us observe these laws that we have, let us embrace them that passed this law, we cannot be the House that passed this law and then again break the same laws, so I stand guided but it is my submission that though the concern is genuine the law is limited. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Chief Whip.

The Chief Whip (Hon. Kitula): Mheshimiwa Mwenyekiti ningependa kukubaliana na matamshi yaliotolewa na Mwakilishi wa Kongowea na vilevile Mwenyekiti wa Kamati ya sheria na haki, ni kweli sisi ni waakilishi wa wananchi na ikiwa kitabu kile tulipatiwa siku nne zilizopita ni vigumu sana sisi kama Wabunge kuweza kupata na kuelewa zaidi yaliyomo kwenye kitabu kile. Hivyo basi sisi kama Wawakilishi ama Mwakilishi wa Frere Town kusema kweli nilipitia binafsi kitabu kile na nikaona na kudhibitisha kweli kuna changamoto nyingi katika kitabu kile kulingana na matumizi ya fedha ya mwaka uliopita, mwaka huu ambao tuko sisi na vilevile *ceilings* za ule mwaka ambao unakuja.

Lakini ningependa kumhakikishia Mwakilishi wa Kongowea kwamba hizi ni *ceilings* katika CFSP lakini sisi nataka niwe katika hii kumbukumbu kwamba, mimi nikiwa mmoja wao na mimi napenda kuzungumzia ukweli na haki kwamba mheshimiwa mwenyekiti mimi nitakuwa moja wao ikiwa executive hawatudhibitishia ikiwa mwaka wa 2017/2018, 2018/2019 ni maendeleo gani walifanya katika kaunti yetu basi nitakuwa moja wapo wa kupinga bajeti ya 2019/2020 mimi naomba niwe katika kumbukumbu Bunge hili ikiwa leo naunga mkono CFSP iweze kupita with amendments ambayo baada ya kuelimishwa zaidi nitaleta amendments katika county treasury lakini ikiwa baadaye katika bajeti kama *Executive* hawatatoa ushahidi ambao utaniridhisha mimi kama Mwakilishi wa Wodi ya Frère Town basi itakuwa ngumu sana kupitisha bajeti ya 2019/2020.

The Deputy Speaker (Hon. Mwalimu): Nzai, Hon. Amur you have already reacted on this issue.

Hon. Nzai: Ahsante sana Mheshimiwa Spika kwa hii nafasi na mimi kuweza kuchangia mawili, matatu. Nataka nikubaliane na Waheshimiwa wenzangu, hasa yule mwenzangu wa Kongowea na pia tukizingatia sheria na yule mwenzangu pia Mheshimiwa maalum Amriya. Mimi nataka nichangie namna hii Mheshimiwa Spika ufahamu ni kama upepo na kila upepo ina wakati wake kama vile sawia na mawimbi ya bahari; saa zingine waweza rauka bahari ukakosa moja saa zingine ukarauka ukaenda pata hata huwezi kuyaoga.

Mimi nataka nishukuru Wabunge wenzangu kwa sababu saa hii kama ni elimu tumeipata vya kutosha na sitasema tulichelewa mahali, laiti elimu hii ingetuingia mwanzoni janga la macho hili halingetupata maana watu wetu wa mashinani wangekuwa wamepata maendeleo mahsusi kwa bajeti iliyopita lakini kwa sababu wanasema mbele yetu ni ile bajeti nzito ambayo tutaangazia naona hapo hakuna atakaye weza kuruka Mheshimiwa Spika bajeti hii ambayo ni ya fungafunga ili tupate ile bajeti tunaitaka nitakubalina na Mheshimiwa Amur tuipitishie na hizo amendments lakini saa hii macho iwe kila mtu atakodolea kwa wale ambao tunawapitishia bajeti hii. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Feddis Mbura?

Hon. Mbura: Mheshimiwa Mwenyekiti, ahsante kwa kunipa fursa hii. Kwangu ningesema kuwa hii bajeti kama vile wenzangu wamesema...kwa mtego sisi Waheshimiwa hatujafundishwa lakini mashirika yamefanya mafunzo huko mashinani wanaielewa ni nini kiko ndani, nikiwa mimi mwenyewe nilitoka kwangu saa kumi na mbili, mashirika yamekuja kwangu kuweza kujua hii bajeti tuliyoipitia 2018/2019 imefanya nini katika Kaunti ya Mombasa na wanaenda kwa kila idara imefanya nini, imetumika wapi imefanywa nini Mwakirunge, pesa iliyowekwa ya maji imefanya nini Mwakirunge, pesa ya barabara imefanya nini.

Ukiangalia ni mkaaji wa mashinani, la kusikitisha ni kwamba sisi Waheshimiwa hatujui hili jitabu na saa hii twalipitisha, ndio tulipitisheni kwa sababu wakati wake umefika lakini je twajiwekea nini mashinani ikiwa saa hii kuna sahihi zinaendela mashinani? Je Mwakilishi wako ametengeneza barabara? Hakutengeneza, ameleta basari? Hakuleta, watu wanaweka sahihi hakuna mtetezi aliyejitokeza na bado twapitisha hili buku ili tuzidi kujifunga mashinani, Mheshimiwa Spika tulipitisheni lakini kuna swali katikati yetu. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Junior?

Hon. Wambua: Mheshimiwa Spika unajua hizi vitu zimejengwa kidogo sana, sisi wale warefu kidogo tunapata shida sana katika masuala haya inatutia wasiwasi sana; sisi kama Wabunge tumelaumiwa sana kwamba sisi ni Wabunge wa *rubber stamp* katika mitaa kama vile Mheshimiwa wa Mwakirunge amesema, mashirika ya jamii imefunza wananchi sana mambo ya bajeti na saa zingine tunakaa watu ambao hawajielewi wakati inakuja maswala kama haya, jambo kama hili Mheshimiwa wa Kongowea amezungumzia sana na sehemu zingine kama Kwale na majirani wetu wamesomeshwa mambo wameelewa zaidi na wanajua ni kitu gani lakini katika Kaunti yetu ya Mombasa kila wakati mambo yanaletwa leo na kesho tunaambiwa pitisheni hii kama hamtapitisha mtakuwa mumeharibu, mtakuwa mumekwaza watu.

Ni jambo ambalo limeweza kutuletea aibu kubwa sana na tunataka tuanze kurekebisha mambo tuanze kuyapeleka katika njia ya kisawa, kama ni jambo linataka kuletwa katika Bunge inajulikana kila mwaka linakuja, lisiletewe leo na kesho tuambiwe msipopitisha mtakosa pesa ama mtataka tuiptishe lakini juzi tuliambiwa pitisheni hii na marekebisho na mtaletewa wakati mwingine muirekebishe na shahidi wangu ni Bwana Kiranja wa Bunge wakati ilikuja hapa iliambiwa hakuna kuirekebisha hii ni hivyo ishapita, hii ni kwenda inaenda.

Mambo kama haya yatakuja yatufanye sisi kuwa hatuwezi tena kukubali itakuja mtafanya marekebisho mahali hapa, kwa hivyo kwa leo kwa vile tumechelewa kama tulivyoambiwa na Mheshimiwa Amur tunataka tupitisha na marekebisho alafu tuje tuirekebishe. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Amur to respond, what is it Hon. Abrari?

Hon. Mohamed Abrari: Ahsante sana Mheshimiwa Spika...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Abrari you have used your time on this issue not unless you have another burning concern.

Hon. Mohamed Abrari: Nataka kuwakumbusha tena ama kutilia mkazo swala hili, Mheshimiwa Spika itakuwa kwenye kumbukumbu nataka leo niregelee niwe kwenye kumbukumbu nakumbuka vizuri bajeti ya 2018/2019...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): You have half a minute.

Hon. Mohamed Abrari:...Tulipitisha na marekebisha, lakini wakati tulipofuatilia tukaambiwa hivyo ndio tushapitisha na saa hii tena tuna regelea palepale tukichelea muda, muda tulikuwa tuko nao wenzetu wa Kwale tulivyo kuwa Kirinyaga walivyomaliza tu walienda kukalia kitabu hichi, muda tulikuwa tuko nao kwa hivyo kufika sasa ikiwa twachelea muda kuumiza mwananchi...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Abrari your time is up, yes I will call upon the mover of the Motion to respond on this.

Hon. Murfad Amur: Thank you Mr. Speaker. I understand the frustrations of the Members but again I want to emphasis that before we had this document it was on our Website for 21 days. I know what my colleagues are saying and I bear with them I am also a Member like them but Mr. Speaker for us as my Honorable Member has said when it comes to issues that the budget now is ready even me I will be the one on the forefront to be against it if the amendments are not captured and I can assure my brother if he has any amendments I want to be his witness when we are submitting those amendments I will take them and to see that they have been effected, so whoever has an amendment I will be his witness to submit that amendment together with him Mr. Speaker. I ask my colleagues to bear with me and adopt it so that if there are any amendments I am ready to shake hands with them and take them to the concern Committee. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Members, under our own Standing Orders, 206(3) it clearly states that once the Fiscal Strategy Paper has been brought to this Honourable House it is deemed to be committed to the sectoral Committees of which on the 28th of February or before or before it was submitted to this House on the same day it was deemed that it was in the hands on the sectoral Committee, the 14 days to go through and if we had any recommendations we were supposed to take the recommendations to the Finance, Budget and Appropriation Committee.

Hon. Members today before us is a report on the Mombasa County Fiscal Strategy Paper, a report that has recommendations in it, that the report shall be adopted with amendments in the reports that you have has clearly stated that we are passing the CFSP with amendments, some are already with the Committee on Finance, Budget and Appropriation and there are other pending amendments that are yet to be taken to the Finance Committee. We have given a window for the amendments to go to the Finance, Budget and Appropriation Committee to comply with the report that we are seeing today in this Honourable House because I am sure what we have today, so I stand to put a question that the report on Mombasa County Fiscal Strategy Paper from the Committee on Finance, Budget and Appropriation be adopted in this Honourable House?

(Question put and agreed to)

Yes Clerk?

ADJOURNMENT

Hon. Members, the House stands adjourned until 19th March, 2019 at 2:30p.m on a Tuesday.

The House rose at 5:10p.m.