

**MOMBASA COUNTY ASSEMBLY****HANSARD REPORT**Wednesday, 10<sup>th</sup> February, 2016

The House met at 2:30p.m.

*(Mr. Speaker (Hon. Thadius Rajwayi) in the Chair)***PRAYERS**

**Mr. Speaker** (Hon. Rajwayi): Yes, you may have your seats Hon. Members. Yes Sergeant At Arms can you ring the bell?

*(Sergeant At Arms rung quorum bell)**(A few Members entered the Chambers)**(Loud consultations)*

Can you confirm, Clerk can you confirm the quorum?

*(Clerk confirmed quorum)*

Yes, continue.

**NOTICE OF MOTION**

Hon. Rashid Mswabah.

**Deputy Speaker** (Hon. Mswabah Rashid): Thank you Mr. Speaker Sir. I beg to move a notice of Motion.

*(Deputy Speaker (Hon. Mswabah Rashid) moved the Motion)*

Mr. Speaker Sir, I beg to give notice on to the following;

AWARE THAT agriculture, including crop and livestock husbandry is a devolved function in the Fourth schedule, part 2 (1a) in the Constitution of Kenya, 2010;

FURTHER AWARE that there is an increased demand in both local and international market brought about by preference for white meat which includes rabbit meat;

CONCERNED THAT the issue of unemployment is still rampant within the County and agribusiness specifically rabbit farming can go along way in alleviating the problem of unemployment; taking into consideration that rabbit farming does not require a lot of space rearing;

I URGE this Assembly to RESOLVE THAT the Department of Agriculture Livestock and Fisheries to come up with policies that will promote rabbit farming within the County as a measure to address unemployment within the County.

Thank you.

**Mr. Speaker** (Hon. Rajwayi): Next. Yes what is it Hon. Ahmed?

**Hon. Faraj:** Bwana Spika ahsante kwa fursa hii kutokamana na umuhimu wa swala ambalo kwamba Mheshimiwa ameweza kuleta katika Jumba hili ningeomba tupate kuomba ruhusa ili tuweze kulizungumzia kwa sababu hili ni swala ambalo linagusia vijana wetu ambao kwamba hawana kazi kule mashinani Mheshimiwa Spika. Ahsante.

**Mr. Speaker** (Hon. Rajwayi): Yes, what is it Hon. Rashid?

**Deputy Speaker** (Hon. Mswabah Rashid): Ahsante Mheshimiwa Spika. I thank Hon. Saad Faraj and I seek leave Hon. Speaker if this House will allow so that this Motion, it is a very important Motion we really need to increase the quantity of protein in our society.

So I beg this House to allow me to seek leave so that this notice of Motion can be converted into a Motion and be deliberated today. Thank you.

**Mr. Speaker** (Hon. Rajwayi): Well, it is important to see as one of the people you should be listening when I'm giving this particular ruling because I know it concerns the position that you seek leave but for the purposes of this particular Motion achieving its intention then the Chair will advise you that you bring it the time that was accurately stated by the House Business Committee. Otherwise, if you rush and do contrary to that and if you can read the words so that Hon. Saad Faraj Ahmed I don't know his intention that he wants to achieve what he wants to achieve so it is important for me to be just as helpful in those facts that you need to bring on board so I want to believe all is not lost in this so can you just bring it on the day it was supposed to be brought, I want to believe that day is tomorrow so yes, be advised. Yes, Hon. Mohamed Hatimy.

**Hon. Mohamed Hatimy:** Ahsante Mheshimiwa Spika, asubuhi ya leo Mheshimiwa Fadhili aliweza kuomba ruhusa Jumba hili kulikuwa na Mswada ambao walikuwa wanataka kuileta kuhusiana na kumpatia Gavana uwezo wa kuweza kuandikisha majina ya barabara. Kwa hivyo naomba kumshtaki Mheshimiwa Spika kumruhusu kuweza kuleta huo Mswada ili tuweze kuijadili Mheshimiwa Spika. Ahsante.

**Mr. Speaker** (Hon. Rajwayi): Yes, Hon. Hatimy if you have written it, please go ahead.

**Hon. Mohamed Hatimy:** Thank you Mr. Speaker. Mr. Speaker I beg to move the following notice of Motion:

*(Hon. Mohamed Hatimy moved the Motion)*

THAT AWARE that schedule four part (2) of the Constitution of Kenya, Mombasa County government plans to administer excessive hold;

FURTHER AWARE that there is no legislation regarding the naming of streets in the new constitution;

NOTING THAT most streets in the city County were named during the era of the Municipal Council and some of the reasons for the decision may no longer be valid.

CONCERNED THAT Mr. Speaker that leaving this matter unresolved would create a vacuum and improper situation;

Mr. Speaker, therefore, I urge this Assembly to resolve that His Excellency the Governor to continue with the prerogative power to grant name streets subjected to approval by the County Assembly of Mombasa;

His Excellency the Governor be and is hereby granted power to rename street names where it is necessary to expedite to do so.

Thank you Mr. Speaker. I beg to move.

**Mr. Speaker** (Hon. Rajwayi): Yes, Hon. Fadhili Mwalimu.

**Hon. Mwalimu:** I second Mr. Speaker.

**Mr. Speaker** (Hon. Rajwayi): Yes, I propose the question that the Motion by Hon. Mohamed Hatimy be discussed by the same House that it was tabled.

*(Question proposed and agreed to)*

...Yes Hon. Mohamed. Hon. Mohamed Hatimy, sorry.

**Hon. Mohamed Hatimy:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika nilikuwa mbele ya Nyumba hii kuweza kuleta hoja hii ili tuweze kujadiliana juu ya kupeana nguvu kwa Mheshimiwa Gavana wetu aweze kuangalia majina ya barabara za Kaunti ya Mombasa ili na sisi tuweze kutengeneza Kaunti yetu.

Mheshimiwa Spika kama tunavyojua juzi tuliweza kuzungumza maneno haya, ilikuwa kitambo tulikuwa kwa Nyumba hii, lakini juzi Mheshimiwa Gavana aliweza kubadilisha majina na kuna watu ambao hawajijui...

*(Laughter)*

**Mr. Speaker** (Hon. Rajwayi): Order Hon. Amur!

**Hon. Mohamed Hatimy:** Mheshimiwa Spika ni jambo la kuhuzunisha sana, ni kuzungumza maneno, ni kama ambaye Fidel Odinga si Mkenya, ni jambo la kusikitisha sana. Kwa hivyo naomba Nyumba hii tuweze kwa kauli moja sote kumpongeza Gavana kwa kitendo kile alichofanya kuweze kupeana majina ya Profesa Mazrui na Fidel Odinga na kusema kuwa aendelee na kazi hii aliyoianza mpaka tumalizane na hii Mombasa. Mheshimiwa Spika naomba Nyumba hii iunge mkono hoja hii ili tuweze kufuata vile inavyotakikana. Ahsante Mheshimiwa Spika.

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

**Hon. Kasangamba:** Naam, ahsante sana Mheshimiwa Spika. Mheshimiwa Spika kwanza mimi naunga mkono Mswada ulioletwa na Mheshimiwa Hatimy, ni suala muhimu sana kwamba Gavana apewe uwezo na apewe mamlaka ili aweze kuzipa barabara majina na nampongeza sana kwa jinsi anavyotambua waliopita, viongozi ambao wanatambulika tunao kama vile Fidel na Professor Mazrui. Nikikumbuka nafikiri sote twamfahamu sana Professor Mazrui kwamba ni mtu miongoni mwa watu walikuwa wasomi katika mji wetu wa pwani sote tukiwa shule watoto wanaosoma Pwani ni kweli kwamba Professor Mazrui ni mtu ambaye aliweza kutetea demokrasia, ni mtu wa tajriba ya hali ya juu na pia vilevile Fidel, japokuwa hana historia ndefu katika serikali ya Kenya uongozi lakini...

*(Interruption)*

**Hon. Amur:** Mheshimiwa Spika *order!*

**Mr. Speaker** (Hon. Rajwayi): Yes, your point is allowed Hon. Amur.

**Hon. Amur:** Mr. Speaker I just ... *(Inaudible)* ... *(Microphone off)*.

**Mr. Speaker** (Hon. Rajwayi): Can you...? Order Hon. Ahmed! Hon. Ahmed sit down.

**Hon. Amur:** Mheshimiwa Spika, simkosoi kiranja wa Bunge hili lakini Fidel ana historia kama watu wengine kwa sababu mtu akikosa mzazi wakati wa malezi amenyimwa haki yake ya kimsingi na nchi na ni nchi ndiyo iliyofanya makosa. Ahsante Mheshimiwa Spika.

**Mr. Speaker** (Hon. Rajwayi): Yes Hon. Hatimy can you...?

*(Interruption)*

**Hon. Mohamed Hatimy:** Point of information Mr. Speaker! Point of information!

**Mr. Speaker** (Hon. Rajwayi): Yes. Allow him.

**Hon. Mohamed Hatimy:** Mheshimiwa Spika nataka kuambia Jumba hili Fidel alikuwa na umri wa miaka minane Raila alipokuwa amefungwa korokoroni kwa hivyo, Fidel amefika umri wa miaka kumi na sita ambapo alipokuwa ni mtoto wa miaka kumi na sita alikuwa tayari ashakuwa mtu mzima kwa hivyo ana historia kama wakenya wengine. Ahsante Mheshimiwa Spika.

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

**Hon. Kasangamba:** Mheshimiwa Spika kama ungenisikiza kwamba *points* zangu zote wamezipunguza kuhusu Fidel kwa sababu katika hekima na utunzi ama katika uelezaji wa hadithi waweza ukaanza na ubaya ndio ufikie uzuri ndio watu wapate kuona raha, lakini sikupanga kumpinga ama kumtaja Fidelni mtu mdogo. Mheshimiwa Spika nilikuwa namjua ni mkubwa ila katika kujenga hoja yangu lazima ilikuwa nianze kwa kipengee chengine ndio nifike kwengine ni muhimu kumtayarisha yule msikilizaji basi masikio yake yakafunguka vizuri lakini ahsante sana kwa kuwapa nafasi viongozi ambao ndugu zangu wamenipita umri ambao wamejenga hiyo hoja mbele yangu, vile vile Mheshimiwa Spika naongelea swala la Fidel ni mkenya mwenzetu, ni mtu ambaye kama Mheshimiwa alivyosema alikosa haki ya babake wakati babake alipokuwa akipigania serikali yetu Mheshimiwa Spika...

*(Interruption)*

**Hon. Mwalimu:** Point of Order!

**Mr. Speaker** (Hon. Rajwayi): Yes, Hon. Fadhili.

**Hon. Mwalimu:** Thank you Mr. Speaker. Mr. Speaker, the Motion before this Hon. House as per the prayer of the Hon. who has brought this Motion is all about powers to the Governor and not Fidel Odinga because Mr. Speaker, let not this House be taken that we are debating Fidel Odinga, we are not debating Fidel Odinga, I was just informing the Leader of Majority that the Motion and let him talk about the powers given by this Hon. House to the Governor Mr. Speaker. Thank you.

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

**Hon. Kasangamba:** Ahsante Mheshimiwa Spika. Mheshimiwa Fadhili kaa ukisikiza labda pengine wafikiria na watu sawa wale wa Port Ritz manake nimeanza kwanza kusema kwamba Gavana yuastahili apewe mamlaka haya na nikasema kwa nini yale mamlaka alivyopewa na na vile anavyovitumia; naelezea utumizi wa mamlaka ya Gavana Mheshimiwa Fadhili kupitia kwako Mheshimiwa Spika. Mheshimiwa Spika tukiangalia siasa katika mji wetu ndio maana twasisitiza sana Gavana apewe mamlaka haya kuna miji labda tuseme maeneo ya Likoni, maeneo ya Kisauni kama kule Mjambere kuna barabara ambazo zabuniwa sasa hizi barabara zajengwa barabara hazina majina na viongozi tunao ambao kwa sababu kila siku mashujaa wazidi kupatikana kwa hivyo mashujaa wako, wanazidi kupatikana na barabara zetu ni nzuri...

*(Interruption)*

**Mr. Speaker** (Hon. Rajwayi): Yes, can you allow Hon. Mwabashiri...

**Hon. Mwabashiri:** Mheshimiwa Spika nimesimama kumuunga mkono kwa utunzi wa maneno anayozungumza lakini Mjambere hakuna barabara ya bwaga wao....

*(Laughter)*

**Hon. Kasangamba:** Naam ahsante sana. Mheshimiwa Spika ni sawa kwamba mapendekezo yake wameshauriana na kiongozi kutoka alipopewa mamlaka ni kitu ambacho kwa wale wote sisi itakuwa hatuna shida twaifurahia kwa sababu barabara huitumia sana za kupita pita katika nyanja ya kuzunguka hili jukumu letu la kikazi. Mheshimiwa Spika twasema kama vitongoji vyetu na miji mikubwa kwa sababu viongozi na mashujaa kila siku tuna kumbukumbu ya kihistoria ya mji wetu kila siku twazidi kusema historia iliyopita na saa hizi twatengeza historia nyingine; leo hii tuna historia sisi kama Kaunti ya Mombasa ya kwamba Spika wetu wa Mombasa wa kwanza Kaunti yetu ya Mombasa ni Thadius Rajwayi, historia kama hii haitafutika na ni lazima historia kama hii ipate kutunzwa.

Mheshimiwa Spika tukiangalia katika Bunge la Kaunti labda Waheshimiwa tulio nao ni waheshimiwa muhimu kama Saad Faraj wanaofanya kazi kwamba yeye ndio alikuwa kiongozi wa kwanza wa Tononoka hii ya kwanza ilikuwa ni Wodi ya kivyake lakini saa hizi zimechanganywa Tononoka na mji mwengine, Bondeni kitambo ilikuwa ni maeneo tofauti. Kwa hivyo Mheshimiwa Spika hii historia kila siku inazidi kujijenga na kutambua watu katika historia ama kutambua watu katika historia ni suala muhimu sana hivi basi nasema tulisoma watu kwenye vitabu na sisi pia tusomwe kwenye vitabu.

Kwa hivyo tunazidi kumpa Gavana mamlaka haya na ningependa swala hili Mheshimiwa Spika lisichukuliwe kisiasa kwa sababu watu wanaweza wakasema kwamba twamtunza Gavana ama kwamba twampendelea Gavana, nitarudia maneno kwa sababu nitawakumbusha kumbukumbu mnamo akiwa Mheshimiwa mwenzangu Mwabashiri alileta suala ya kuwa hatuweki picha ya Gavana kwenye ofisi zetu ama ofisi za kibiashara twasema haya mamlaka tukipeana hatumpi Ali Hassan Joho, twampa Gavana wa mji wa Mombasa.

Kwa hivyo kesho mtu yeyote yule ambaye atataka kuwa Gavana atapata mamlaka yale na ataweza kuyatumia Mheshimiwa Spika. Ahsante sana.

**Mr. Speaker** (Hon. Rajwayi): Hon. Mohamed Madundo.

**Hon. Mohamed Madundo:** Ahsante Bwana Spika kwa kunipatia hii fursa. Kwanza mimi pia naunga mkono kwa hii hoja ambayo imeletwa kwa sababu sisi katika Mombasa hatuna rais isipokuwa Gavana wetu ndiye rais wetu hapa. Kwa hivyo ni haki katika kila jambo ambalo limeletwa hapa kwenye Bunge ni sawa, kwa sababu juzi kulikuwa kuna dukuduku juzi wakati barabara ilipofunguliwa pale eneo la Kengeleni ilikuwa kuna maswali madogo sana lakini kwa hakika yeye hakufanya ubaya wowote kwa sababu tukizungumza kuna barabara ambayo inaitwa Mama Ngina na ile barabara wakati ilipopewa jina, nasema mfano watu waelewe nazungumzia nini. Mama Ngina alipotajwa, ilikuwa ni wakati wa rais ambapo ilikuwa ni Jomo Kenyatta ambaye alimtaja ama ilitajwa kama *First Lady*.....

(Applause)

Kwa hivyo kulingana na sheria ama mazungumzo tunayozungumza hapa ni sawa tena apatiwe asilimia 100 Gavana kwa sababu yeye ako na haki ya kutaja wale watu ambao ni mashujaa katika Kenya, kwa hivyo sisi pia tumpe, ningewaomba Wabunge wenzangu wote tupitishie hii hoja ya kuwa Gavana awe na uwezo wa hizi barabara ambazo zimejengwa na moja pia ningeomba, kwa sababu mimi nimerudia mara mbili katika Bunge hili moja iitwe Madundo road katika eneo la Shika Adabu. Ahsante sana Bwana Spika.

**Mr. Speaker** (Hon. Rajwayi): Hon. Karisa Nzai.

**Hon. Nzai:** Ahsante sana Mheshimiwa Spika. Nami nasimama kuunga mkono kwa Mswada huu ambao umeletwa na Mheshimiwa Hatimy. Mheshimiwa Spika, tutaanza kusema kwamba tuliposema tunataka katiba mpya tulisema tunataka kujitawala ndio maana ya kuwa na katiba mpya ya kuwa na majimbo. Majimbo ndio haya tuko nayo hakuna majukumu mengine ambayo tulikuwa tunatafuta na kwa wakati huu Mheshimiwa Spika sioni sababu ambayo watu wengine walikuwa na tashwishi wakati mtu anatawala nyumba yake. Sisi Mheshimiwa Spika tunampa Gavana Ali Hassan Joho Nyumba hii kumpa mamlaka kikamilifu kwamba anaweza kuchagua na kusema anavyotaka barabara yoyote; haya ya Fidel ni kidogo, hata zaidi twataka afanye kadri ya vile anavyoona kwamba “hivi vinastahili” na hata tulikuwa tunamuomba kwa sababu tulipata katiba mpya na sisi tukiwa hapa Wabunge waliomba kuwe na majimbo Mjambere kuwe na hata... kwa sababu sisi hawa Wabunge wote wanastahili kwa sababu ni kipindi cha kwanza katiba mpya, kwanza ya Spika wetu iwe ile kubwa ya kuelekea kwake nyumbani maana alitoa *cabro* na kwa sababu ni barabara mpya na haijakuwa na jina iitwe Thadius Rajwayi road na sisi hayo mamlaka tunampa Gavana aweze kutupatia na kufanya na ahsante Mheshimiwa Spika.

**Mr. Speaker** (Hon. Rajwayi): Hon. Amur Murfad.

**Hon. Amur:** Ahsante Mheshimiwa Spika, huu si mjadala lakini leo ilikuwa tupitishie tu mara moja kwa mara moja na kazi ifanyike historia imepita; leo tuna barabara ya “Kericho” na ina historia gani ya Mombasa Kericho? Tuna barabara inaitwa “Kitui”, “Kirinyaga” zimeweka historia gani ndani ya Mombasa ili tusiweze kubadilisha barabara hizi Ali, Maru, Omar na Sadiq ambaye alienda *Lancaster House* akaleta uhuru wa Kenya? .....

(Applause)

...Kuna makosa gani Gavana kuja kuita barabara Sheikh Abdallah Nassir ambaye alienda *Lancaster House* akaja akaleta uhuru wa Kenya? Haya ndio majukumu ambayo twataka kumpa Gavana aweze kuyafanya bila ya kuhojiwa na mtu, ni mamlaka twataka tumpe kikamilifu. Kuna watu walitetea uhuru wa nchi hii, wako wapi tunataka tuwaone wakitambulika lakini Kitui road iko, Machakos road iko, Msambweni road iko. Sisi twasema twampa Gavana uhuru wa kuwatambua mashujaa kwanza hii ingeanza hata leo nataka kesho ikifika, jina la Omar na Sadiq



iwe tayari imewekwa kesho; Sheikh Abdullah Nassir ni watu walienda *Lancaster House* wakapigania uhuru wa nchi hii mbona hatujaona majina yao? Twataka uhuru huo apewe Gavana na ikiwezekana leo ni Jumatano ikifika Ijumaa barabara iwe Nassir, Sheikh Omar na Sadiq pia tuzianzishe. Hakuna tofauti ile ya wakati ule ukaita barabara jina lako na wakati huu mashujaa wamejitokeza. Hatuna budi kumpa Gavana nguvu na hatumpi Hassan Joho zile nguvu, tunampa Gavana yeyote yule atakayeongoza jimbo hili, ikiwa ni Gavana Amur, Gavana Saad, Gavana Nzai! Ile itakuwa ni maendeleo kwa kila Gavana hatumpi Hassan Joho! Si *personal property* ya Hassan Joho, hii si kitu tunampa Hassan Joho kama *personal property*! *It is a power that will be shared by other Governors in future*, mimi nasema hapa hakuna mjadala, ni sisi kupiga kura na kusema *yes, yes, yes*. Ahsante Bwana Spika.

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

**Hon. Fundi:** Ahsante sana Bwana Spika. Mimi nimesimama hapa maoni ambayo yametolewa na wazungumzaji ambao wametoka katika Nyumba hii na wamesimama kutoa maoni yao si maoni mabaya lakini mimi nataka niseme jambo moja; sheria zinatungwa kwa ajili ya faida ya mwananchi na zinatungwa ili ziweze kuishi kwa muda sio tutunge sheria ambazo tunatunga leo kesho zinabadilishwa kesho kutwa zinabadilishwa. Mheshimiwa Spika suala ambalo limeletwa si suala baya lakini sisi pia kama Nyumba lazima pia tusimpatie Gavana yeyote atakayeingia *blank cheque* kwamba akiamka aseme leo hii naita hivi, hii naita hivi lazima tutoe *criteria* kwamba ikiwa mtu anatakikaniwa kutoa jina, ikiwa kama alivyosema Mheshimiwa Amur kuna watu walikwenda Lancaster wakapigania uhuru kuna sababu ya kumpa jina lake liwe kwa barabara fulani. Lakini ikiwa tunatoa majina kwa sababu fulani ni mzuri ukimuangalia sura yake yuapendeza kwa hivyo tutoe barabara hii itakua hatufanyi jambo la maana. Sisi kama Kaunti tuko hapa tutunge sheria ambazo zitakuwa na faida kwa mwanadamu wa Kenya na wanadamu wa Mombasa tusitunge sheria kwa sababu ya hisia. Kama walivyotangulia wenzangu walisema tunatunga kwa ajili ya magavana sio Ali Hassan Joho sio Hassan Joho kwa wakati huu ndio Gavana wetu tunamheshimu lakini tuwe na *criteria* ambapo itatumika katika kuzipa hizi barabara majina ama sehemu yoyote ambayo iko katika Kaunti ya Mombasa tusitoe *blank cheque* kuwa mtu akiamka aseme nataka hivi, nataka hivi...

(*Interruption*)

**Mr. Speaker** (Hon. Rajwayi): Can we allow Hon. Saad Faraj Ahmed.

**Hon. Faraj:** Mheshimiwa Spika ahsante kwa fursa hii. Mheshimiwa Spika, Mheshimiwa Kitsao amegusia masuala ambayo ni mazuri na kuzungumzia umuhimu wa faida ambayo kwamba sheria tutakazozitunga ziwe zitaleta faida ya aina fulani.

Sasa mimi niko katika kutofahamu jambo moja ni kuwa hili jambo kulingana na maoni yake ni kuwa halina faida ndio sisi tuanze kumuelezea zile faida zake ambazo kwamba sisi tuko nazo ama yeye pia anaunga mkono kwa kuwa faida ya hili jambo japo ndio kidogo nimetatizika Mheshimiwa Spika ahsante.

**Mr. Speaker** (Hon. Rajwayi): Yes, Hon. Riziki.

**Hon. Fundi:** Labda kama itakuwa umenielewa vizuri...

(*Interruption*)

**Mr. Speaker** (Hon. Rajwayi): What is it Hon. Hatimy?

**Hon. Mohamed Hatimy:** Mheshimiwa Spika simlaumu Mheshimiwa Riziki kwa kukosa kupeana kopi za huu Mswada lakini Mswada ulikuwa wazi *on the subject to approval by the County Assembly* sio kuwa ati tunapatia mtu *blank cheque*.

**Hon. Fundi:** Ndio nimekusikia ukisema vizuri sana akisema Mheshimiwa Hatimy kwamba "*subject to approval by the County Assembly*", lakini wakati tulipokuwa tunasoma

kulikuwa kuna kile kitabu cha hesabu tunaambiwa kuna kitu kinaitwa ‘*BODMAS*’, the rule of *BODMAS*.

Kwa hivyo ulikuwa ukitaka kufanya hesabu unaangalia je *BODMAS* utatumia vipi? Unaangalia kuna *division*, kuna *subtraction*, kuna *addition*, utatumia ipi kwanza ikiwa ni kwa hesabu. Kwa hivyo umepawa sheria ya kufuata ndio ufanye ile hesabu, kitu ninacho kisema si kwamba tunataka, lazima ifike hapa, lakini tuwe tunaweka sheria, *criteria* ambayo itatumika ili ikiwa unataka kuita barabara *criteria* gani itatumika, *qualities* gani tutaangalia hata mchezaji katika mpira anaangaliwa *Manchester United* inatoa *scouts* kila mahali inaenda kuangalia je, yule mchezaji ana zile *qualities* ambazo anaweza kucheza katika timu hii?! Ndio aweze kusajiliwa. Hivyo basi tunasema lazima tuje kwanza na *criteria* wakati tunaita hizi barabara zetu hata majumba yetu ambayo tunaweza kuyajenga. Hapa tukiangalia karibu na sisi kuna jumba ambalo lilijengwa na serikali wakati wa nyuma inaitwa ‘Uhuru na Kazi’ kwa sababu ya kuita jumba hili leo tunaliheshimu kwa sababu limesema wazi ukisoma tu unaelewa maana yake.

Kwa hivyo tuwe na *criteria* ambayo itakuwa inatumika ili kila wakati ikiwa mtu anataka kuita kitu awe anaangalia kwanza *qualities* gani ambavyo tutaangalia ndio tuseme huyu anafaa kupewa jina la mtu fulani ama halifai. Mimi Mheshimiwa Spika nasikitika, hata mimi sikusikia vizuri barabara ile kuitwa “Fidel Castro” mimi ni mmojawapo kwa sababu mimi nimezaliwa mbele ya Fidel Castro kwa umri hanifiki lakini sijaona jambo lolote nimemjua Fidel Castro baada ya kusikia mauti yake kwamba yametokea. Kwa hivyo...

(*Interruption*)

**Mr. Speaker** (Hon. Rajwayi): Yes, can we hear a correction from Hon. Patrick?

**Hon. Siminyu:** Is it Fidel Castro or Fidel Odinga? Can the Hon. explain whether Fidel Castro, because I know that there is a rumor about Fidel Castro, is he older than you?

**Mr. Speaker** (Hon. Rajwayi): Ok, maybe to give some guidance then you can have your seat Hon. Riziki Fundi; if you are referring to both the two gentlemen that is both Professor Ali Mazrui and Fidel Odinga it is important that we refer them as the late, you know we have to respect the positions that they have left and more importantly is that I want us to concentrate on the prayer of this particular Motion that is just but one of the few arrangements that the government has done but let us not concentrate too much on whether it is Professor Ali Mazrui or the late Fidel Odinga for that matter unless we have a new Motion that can be brought forward, I want to believe that the prayers are very much clear unless you just want to repeat. Yes, Hon. Riziki Fundi you have the opportunity to continue.

**Hon. Fundi:** Ahsante Mheshimiwa Spika mimi nakubaliana kabisa na maombi ambayo alitoa Mheshimiwa Hatimy kwamba tumpatie Gavana uwezo wa kuweza kuyasoma au kuyapa majina barabara zetu au hata kitu chengine chochote; nakubaliana kabisa na hilo na sipingi suala la kumpatia Gavana uwezo, suala ambalo mimi nimekuja nalo Bwana Spika ni kuwa tuweke *criteria* sisi kama Nyumba kwamba ikiwa mtu fulani ana sifa fulani basi anaweza kuchukuliwa na jina lake kuweza kuwekwa kama vile ambavyo tumepata mfano mmoja wa ndugu yetu Murfad Amur, kuna barabara pia inaitwa yule mkimbiaji wa zamani yule Keino, yule ambaye alikuwa akikimbia kwa muda Mrefu Kipchoge Keino ni sawa kuitwa Kipchoge Keino maana alipatia sifa nyingi sana nchi hii na wengi tulionao.

Kwa hivyo kitu kimoja mimi nasema Mheshimiwa Spika ni kwamba Nyumba hii tuwe na *criteria* ambazo tutaziweka ili tumpatie Gavana kwa sababu ikiwa kila mtu ana *criteria* hizi itakuwa uko huru kuipa jina kila barabara, kila nyumba, kila kitu ambacho ni cha Kaunti ya Mombasa lakini iwe sisi kama Nyumba tumekuwa na *criteria* ambayo itakuwa *presented* kwa Gavana. Ahsante, Bwana Spika.

**Mr. Speaker** (Hon. Rajwayi): Yes Hon. Nyamvula.

**Hon. (Mr.s) Nyamvula:** Ahsante sana Mheshimiwa Spika kwa kunipa nafasi hii. Mheshimiwa Spika nasimama kuunga Mswada huu; kuna jambo moja huwa linanisikitisha sana, linanisikitisha kwa sababu wakati ambao kwamba sisi tunachukua haki zetu kulingana na katiba yetu ya 2010 ile ilitupatia mamlaka wengine wanaogopa, watu wanaanza kuogopa na hali Kaunti zingine zinafanya yale tunayofanya sisi. Mheshimiwa Spika naunga mkono kwa sababu kuna watu na nataka kuunga mkono pia vile Mheshimiwa amesema ametaja watu na kazi zao na mimi nimetaja watu mambo mengi bora ukiyazungumzia wape vijana walienda shule wakati fulani ukitaja hilo jina akuambia maziwa ya watoto kwa sababu huyu mama alikuwa ni *social worker* ambaye alipigania na kuona kwamba haki pia na huduma bora inatolewa na wengi, kuna wamama ambao walikuwa katika maendeleo ya wanawake hapa Kaunti ya Mombasa na hapa Pwani kwa jumla. Mheshimiwa Spika inanisikitisha ikiwa wengine wanafikiria ikiwa kupeana ile nguvu inapeanwa kwa Gavana Joho peke yake, yale tunayotunga sisi leo tukumbuke na lazima tuzingatie manake mwenye kupa nguvu ni Mwenyezi Mungu, leo unaweza kuona tunapeana kwa Gavana Joho, hiyo si shida kwa sababu yeye ndio Gavana wa kwanza Kaunti ya Mombasa na ni historia hiyo peke yake kwa sababu moja lazima kuwe na barabara moja itakayoitwa Gavana Joho, itaitwa Ali Hassan Joho *Road* kwa sababu historia imetengenezwa kwa serikali ya Kaunti na yeye tukifikiria wengine wanatoka, marehemu Seneta, Seneta wa kwanza wa Pwani, Chokwe.

Kwa hivyo kuna mengi sana ambayo tunazungumzia; mimi nataka kuwakumbusha wenzangu huu ni wakati wa kuchukua yale majukumu yetu ambayo tumepewa na haki zetu tuzitumie, nataka kuwakumbusha kitu kimoja, kuna kidogo sana ilichukua *intervention* ya watu fulani kwenda kwa ile serikali kuu kuwauliza kwa nini kina mama Pwani hawatuzwi ndio kidogo mimi, marehemu Amina Zuberi na wanawake kidogo sana tukaweza kutuzwa *Head of State Commendation*....

(Applause)

...lakini sisi tulikuwa tumesahauliwa kabisa sio ati ilikuwa hatufanyi hiyo kazi, lakini sio ati yale majukumu yako na Kamati zikawa zinapeanwa wale wanawake na pia Mheshimiwa Spika kukumbusha hili Bunge ni kwamba kuna pia kule juu, serikali ya kitaifa pia wao wanapeana majina barabara, hayo wamechukua kama majukumu yao na sisi lazima tuchukue majukumu yetu. Hii katiba ambayo nimeshika Mheshimiwa Spika, *local government devolved functions* imetupa majukumu mengi sana lakini sisi wengine twaona haya mawili matatu umefika wakati watu wachukue majukumu yao na wenye majukumu yao huko juu wabaki nayo huko huko, sisi ambao twatakikana tutekeleze hapa kwa Kaunti zetu tuchukue majukumu yetu kama vile saa hizi tumechukua. Hapa ndio watu watatuheshimu lakini ikiwa wakati wa kuchukua majukumu watu wanaangalia kwa nini huyu, kwa nini si huyu, wale ambao wako saa hizi wanasema hayo maneno ya kwamba ile barabara haingetajwa vile wale ni wanasiasa kama mimi na wewe. Hata nyinyi mlikuwa mkimshutumu Mheshimiwa Amur mkiwa mmefungiwa hapa ndani mkiwa mnakagua ilikuwa tunayaita magunia ya harusi hiyo ni kawaida, hiyo ni siasa, kwa hivyo hao waseme lakini sisi tuko hapa kupeana majukumu tuendele mbele tukiogopa kuchukua majukumu, nasikitika tutatoka hapa bila chochote tukikumbuka.

Mwisho nikimalizia Mheshimiwa Spika kama tungeogopa majukumu ingekuwa hatuna picha ya Gavana wetu na kumbe kila Kaunti ina picha ya Gavana sisi ndio kuna watu wapiga makelele wasema kwa nini Gavana Joho tuweke picha ya nani na yeye ndio Gavana? Kwa hio mimi wenzangu nawaambia wakati umefika hakuna kuangalia nyuma, hatuombi hii ni haki yetu wewe ikiwa unafikiria utaomba basi hutapewa kama vile zile majukumu ambayo yatakikana yapewe kufikia mwezi wa tatu tupewe majukumu yetu yote tuitishe na tuelimishe watu wetu kwamba haya ni majukumu na ni haki zetu na hatuombi. Ahsante.

**Mr. Speaker** (Hon. Rajwayi): Hon. Patrick Siminyu.



**Hon. Siminyu:** Thank you Mr. Speaker. Mr. Speaker, I was shocked when Members and some people were raising issues on the naming of the Fidel Odinga road. We don't know who called it Nyali road and the name was there nobody asked and now we want to rectify the mistakes that were done by the previous regime. Hon. Speaker this Motion was supposed to be debated the whole day. I want to tell you that sometimes I walk around and I even see a road called Tubmun Otieno nobody complained and it is there in Mombasa, even there are certain roads which are confusing, there are new roads that the County government has constructed, they don't have names and we need to name these roads, after all and I want to inform this House even a Member can apply if you want at a fee of eighty thousand, is it eighty five thousand? You have that name and even the Fidel Odinga Road was supposed to have been paid for it was not done correctly and we would have earned eighty five thousand shillings as a County for development and I want the public to know that so when even if Mr. Omondi wants a name or any Member even Riziki Kitsao can apply, pay 80,000 write a letter with approval so that we can move a name on that road.

Mr. Speaker there is no big deal and Mombasa people are making big deal on small small things of which were done those years by the former defunct, the Municipal Council now here as an Assembly we want to make sure that our Governor has that opportunity as a Kenyan, as our leader, as a pioneer of the new constitution and devolution to have a way when he wants to award and infact he pays for it. Our people and as you know Mombasa and infact I want to congratulate him Mr. Speaker that day, they were two people; the late professor and our late brother Fidel because he is our brother, he is a Kenyan who deserves to be remembered because during the struggle he was there for his father and I don't see why people should bring issues out of that. Mr. Speaker it is right to award anybody and sometimes people forget me that I have brought changes that should be celebrated in this country, I want to remember them.

Mr. Speaker I want to urge this House not to politicize each and every issue that is brought into this House, it is our mandate to see that our rules are met and this Motion just reminded the Governor that there are new rules that need to be made Mr. Speaker Sir. I fully support this Motion Mr. Speaker. Thank you Mr. Speaker Sir.

**Mr. Speaker** (Hon. Rajwayi): Hon. Kizito.

**Hon. Opeya:** Thank you Mr. Speaker. I just wanted to support the Motion, for the Members who were here the last Municipal Council, the issue of naming roads has been there for a long time infact the issue is we are supposed to pay an annual fee of Ksh.5,000 do these people pau up and if you do not pay that annual fee then you lose the right to have that road, the one's who are in charge of County revenue should tell us so that those who have been named the roads privately. The issue of naming roads has been there I do not see why they should make a big fuss out of it. The Governor is a very important person maybe we should get the CEC Transport to work in conjunction with the County transport committee because we do not need the Governor to do it, he has got much more important issues, it's a step in the right direction people should not complain and those who feel aggrieved should ...*(Inaudible)* ..thank you.

*(Applause and laughter)*

*(Interruption)*

**Mr. Speaker** (Hon. Rajwayi): Hon. Saad Faraj Ahmed.

**Hon. Faraj:** Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Mheshimiwa Spika nimesimama kuunga mkono kwa dhati Mswada ulioletwa kuhusiana na masuala ya kupatia nguvu Gavana ili kuweza kubadili majina na kupeana majina mapya kwa zile barabara ambazo kwamba hazijapewa majina yoyote. Mheshimiwa Spika kuanzia nikiinukia kuna baadhi ya majina ambayo kwamba nimejaribu kuyatafuta katika kila pembe na kujaribu kuuliza wazee

maana yake labda ama ni mtu ama ni kitu ama ni jambo na mpaka leo sijawahi kupata jawabu lake.

Mheshimiwa Spika mojawapo ni kama ile barabara ambayo inaitwa, “Muindi Mbingu” na hapa Mombasa pia tuko nayo; badala ya kama hivi, mpaka leo mimi najaribu kuuliza maswala na kujiuliza je, Muindi Mbingu alikuwa ni mtu, Muindi Mbingu huyu alikuwa ni jumba, Muindi Mbingu huyu ilikuwa ni ardhi limepewa jina hilo? Kwa hivyo Mheshimiwa Spika ni wakati muhimu sana huu Mswada kuletwa ili majina kama haya kina, “Muindi Mbingu” na mengineyo ambayo kwamba hatuyafahamu ili yaweze kuondolewa kwa haraka tupewe majina ya watu ambao kwamba walikuwa na historia na Kaunti ya Mombasa kama vile wenzangu ambao kwamba waliweza kutoa maoni kwa wala ambao kwamba walikuwa katika Lancaster House kina Mzee Abdallah Nassir na wengineo na pia kuangalia kuhakikisha kuwa tumeweza kuziregesha turathi za kimombasa ili watu wa Mombasa waweze kufahamu wakombozi wao ni akina nani, kwa sababu kuna majina mpaka leo ya kihistoria kama Mekatilili wa Menza amekuwa akichezewa chezewa huku nje na baadhi ya kina mama wakijiita wao ati kwamba wao ndio wakombozi kuangalia na ile historia kulingana na yule anayejiita hilo jina ni kama kutukana hilo jina. Kwa hivyo lazima sisi kama Kaunti ya Mombasa tujaribu kulihami lile jina tulithibiti tuliweke katika nafasi ambayo kwamba inastahili sio kuchezewa chezewa shere na wanasiasa fulani ambao kwamba wanataka wapewe *nomination* tena waregee katika zile nafasi walizokuwa. Mheshimiwa Spika nimesimama kuunga mkono kwa dhati.

**Mr. Speaker** (Hon. Rajwayi): Hon. Tom Ogalo.

**Hon. Ogalo:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi pia nimesimama kuunga mkono hoja hii. Mheshimiwa Spika ni haki tupatie Rais wetu wa Kaunti nafasi ya kufanya kazi kwa njia ya rahisi bila ya kupingwa na wananchi. Mheshimiwa Spika unajua kama tumetengeza sheria ndani ya hili Bunge tumepewa nafasi, hakuna nafasi ya kuongea huku na huku, tunafuata sheria kwa Bunge, ninaunga mkono mia fil mia. Ahsante.

**Mr. Speaker** (Hon. Rajwayi): Hon. Enock Mwadziwe.

**Hon. Mwinga:** Ahsante sana Bwana Spika kwa kunipa nafasi hii. Mimi pia Mheshimiwa Spika nimesimama kuunga mkono hoja hii na mimi nasema hivi ya kwamba kwa sababu barabara yangu ya Mwakirunge imekuwa na shida kwa siku nyingi ningeomba Gavana wetu atakapoanza kuikarabati basi hiyo iitwe barabara ya Mheshimiwa Hassan Joho kwa sababu ile barabara ina historia toka viongozi, toka tupate uhuru viongozi wamekuwa pale lakini barabara ile haijashughulikiwa na naomba Gavana wangu atakapoanza kuikarabati basi ikaweze kuitwa barabara ya Hassan Joho. Mheshimiwa Spika kuna umuhimu kumpatia fursa Gavana wetu apewe mamlaka ili kuweza kuhakikisha haya majina, mimi watu wangu wa Mwakirunge huwa wakija Mombasa barabara ambayo wamefahamu sana ni barabara moja ambayo inaitwa, “Mijikenda Road” hii barabara wanajua kwa sababu wao ni kizalio cha Mijikenda. Kwa hio ile barabara Mheshimiwa Spika hawawezi kupotea mimi naomba majina yale ambayo yamewekwa Gavana wetu aweze kuyaondoa na tuwekewe majina ambayo yanaeleweka kwa sababu wakati tunapowekewa yale majina yanayoeleweka na watu wetu inakuwa ni historia haisahauliki na watu wetu pia mji kama huu mkubwa hauwezi kupotea.

Kwa hio mimi naiunga mkono moja kwa moja iweze kupita na kuanzia kesho Gavana wetu apewe mamlaka na majina yaweze kubadilishwa. Ahsante, Bwana Spika.

**Mr. Speaker** (Hon. Rajwayi): Yes, Hon. Caroline.

**Hon. (Ms.) Auma:** Ahsante sana Mheshimiwa Spika mimi ni mmoja wao kuunga mkono mjadala kwa sababu tayari kuna wizara yetu ya uchukuzi kama Naibu Mwenyekiti wa uchukuzi nimefurahia sana kumpa Gavana mamlaka ya kutaja majina katika barabara ambazo ziko Mombasa Kaunti ....(Inaudible). Ahsante Mheshimiwa Spika.

**Mr. Speaker** (Hon. Rajwayi): Yes, Hon. Mohamed Hatimy reply to the Motion.

**Hon. Mohamed Hatimy:** Mheshimiwa Spika ahsante. Naona pia Wanachama wamechangia Mswada huu, Nyumba hii tulipokuwa tunapitisha *Finance Bill* kulikuwa kipo kiwango tunaweka kwa mtu yule ambaye anataka barabara jina lake, mke wake, nani wake kutumiwa, nakumbuka *Chapter 6 item number 41* na *42* ikazungumzia juu ya malipo ya mtu anayetaka kuweka jina kwa barabara. Mheshimiwa Spika utaratibu uko kwa sababu ukiangalia kama zile *physical plans Acts*, utaona kuwa mtu yeyote ambaye anahisi kutaka kupatia jina barabara anaweza kuandika na apatie jina ile barabara.

Mheshimiwa Spika kama Mheshimiwa Siminyu alivyosema kwamba hii serikali ya Kaunti ya Mombasa iliweza kupata faida ya shilingi 80,000 kutoka kwa kila jina ya barabara na majina ya barabara tumeweka ni majuma matatu juzi tulipokuwa tumeweka hizi barabara. Kwa hio mimi nashindwa na nasikitishwa sana mtu kusimama na kusema eti yeye ati amesikitishwa sana kwa mtu kuleta kuwa ati Fidel halikufaa jina ni jambo la kusikitisha sana Mheshimiwa Spika. Naomba Jumba hili Mheshimiwa Spika tukubaliane kwa kauli moja kama walivyozungumza wenzangu tupitische jambo hili na tupatie Gavana; sio kuwa Gavana atakuwa anatembea akiangalia mabarabara, Gavana ana watu wake ambao wanafanya yeye ni kuandikia Jumba hili na kusema kuwa anataka kubadilisha jina fulani na sisi tupeane idhini. Kwa hivyo yeye akishafanya, akishakubali kuweka majina akija hapa sisi tukisema hapana itakuwa ni hapana sio kuwa ati tunampatia mtu ati nini, *blank cheque*, kwa hio Mheshimiwa Spika barabara ukiangalia hata sisi sisi ni waanzilishi wa ugutuzi sisi twatafikana pia mabarabara tupawe kwani watu wa kwanza kuanzisha ugutuzi ndani ya Kenya hii.....

(Applause)

...Watu hawajui, watu wanatuona watu ambao hatuna maana lakini sisi ni watu wa maana kwa wale watu watakuja kutufaidi. Kama leo umesimama hapa leo ukasema kuwa fulani alikuwa Lancaster na wale watakuja kusema walioanzisha ni fulani na fulani na fulani. Kwa hivyo kila kitu Bwana Spika nafanya kuzungumza tu kujenga hoja yangu lakini tutaleta Mswada wa kusema kuanzia Spika mpaka mwisho wa ugutuzi aliyechangia kwenye ugutuzi tutaweka mabarabara pia na wao...

(Applause)

...Nitaleta Mswada huo uje uangushwe ndani ya hii Nyumba lakini Mheshimiwa Spika hili ni jambo ambalo halina, mimi sioni kama kuna kesi yoyote ndani yake kwa hivyo mimi nashukuru wenzangu kwa kukubali kumpatia Gavana aweze kuangalia Mombasa hii majina ambayo yatafaa; kama jana aliulizwa na yeye pia akatoa mfano na kusema Kirinyaga Road, Kirinyaga Road ni nani? Au inajulikana kutoka wapi? Na ni mtu gani? Lakini Mheshimiwa Spika kwa sababu ya muda umefika naona wenzangu wamechoka naomba Jumba hili lipitische mara moja na Gavana kuanzia kesho apawe mamlaka haya ya kuweza kutumia na afanye yale ambayo yanampasa yeye kufanya. Ahsante Mheshimiwa Spika.

**Mr. Speaker** (Hon. Rajwayi): Now, I put to question this Motion with regards to His Excellency the Governor be approved in the same terms as tabled.

(Question put and agreed to)

Next?

### ADJOURNMENT

This House stands adjourned until tomorrow, 11<sup>th</sup> February 2016 at exactly 2:30p.m.

The House rose at 3:39p.m.