

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**

Thursday, 13th October, 2016

The House met at 2.44pm.

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

PRAYERS

Temporary Speaker (Hon. Mwalimu): Have your seats, Clerk?

STATEMENT

Yes Hon. Ibrahim Kondo

Hon. Ibrahim Kondo: Ahsante Bwana Spika, nimesimama mbele ya Nyumba hii kuleta hoja ambayo hoja hio Mheshimiwa Spika ni ya kutatanisha na kuhuzunisha kwa makandarasi waliokuwa wakifanya kazi kwenye bara bara ya Msikiti Nuru Kwahola kwamba kazi hio imefanywa kwa muda usiozidi miaka mitatu na nusu.

Mheshimiwa Spika mpaka sasa kazi ile inafanywa kwa mpigo lakini mpaka sasa kazi ile haipendezi, ninapozungumza hivi sasa na kuelezea Bunge hili ni kwamba kazi ile mpaka leo haijamalizika.

Mheshimiwa Spika kazi ile ilikuwa iwekwe matuta ya barabarani ambapo ajali nyingi zinatokezea watu wa boda boda wanagonga watoto na mpaka leo ripoti zote tulipeleka kupitia Wizara ya Uchukuzi hazijawahi kukamilishwa.

Kwa hivyo ningeliomba kupitia kwa Kiti chako na Nyumba hii waangalie haraka iwezekanavyo kazi ile imalizike ili wakaazi waweze kutumia bara bara ile kwa njia inayofaa, ahsante Mheshimiwa Spika.

Temporary Speaker (Hon. Mwalimu): So Hon. Ibrahim your concern is about bumps or the status of the road.

Hon. Ibrahim Kondo: Status of the road Hon. Speaker.

Temporary Speaker (Hon. Mwalimu): Can you elaborate.

Hon. Ibrahim Kondo: Nikiwafafanulia zaidi Mheshimiwa Spika barabara ni mbovu ina mashimo, mahali ambapo ilikuwa itengenezwe imeharibika pakubwa, ndani yake kokoto zimetoka, mawe yameanguka yote na haiwezi kumaliza hata mwaka mmoja.

Temporary Speaker (Hon. Mwalimu): The Committee on Transport to first make a site visit in those roads to see and summon the contractor and the Executive Member of Transport and Infrastructure to give an explanation as to why public funds are being wasted because as you said it was just less than a year the road was complete and the status of the road is unworthy.

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So the Committee to work on this issue and after that the Committee will also work with Public Accounts Committee and Public Investment Committee in finalising the Report.

So Committee concerned please take note and we need the Report back in this House in one month's time.

I have given that period because you will have to conduct a site visit and arrange a meeting with the Executive and then meeting with the contractor, so in a month's time we need the Report in this House. Yes Clerk.

STATEMENT

Hon. Kizito Opeya.

Hon. Opeya: Thank you Mr. Speaker I wanted to pass a statement to the Education Committee.

We had passed a Motion in two years where candidates will be given geometrical sets but unfortunately until now they have not received anything, especially the public schools so I will like to know from the relevant Committee. Thank you.

Temporary Speaker (Hon. Mwalimu): As you have requested your Statement to be taken to the Education Committee but I would like the Leader of Majority to come and inform us on that issue in a week's time.

So next week Wednesday Morning Leader of Majority to bring that Report. Yes Clerk.

STATEMENT

From the Order Paper is Hon. Enock Mwinga requesting for a statement on roaming cats in Tudor Ward.

(Laughter)

Yes Hon. Mary?

Hon. (Ms.) Akinyi: Ahsante sana Mheshimiwa Spika, vile tulikuwa kwa HBC Mheshimiwa wa Mwakirunge alikuwa anasema kuna paka wengi sana katika Wodi ya Tudor, paka mwitu wako wengi sana katika Wodi ya Tudor wanaenda hata mlangoni mwa watu wanasumbua watu wanatoa sauti milio mingine hata haileti

(Laughter)

(Interruption)

Temporary Speaker (Hon. Mwalimu): What is it Hon. Saad? Yes Hon. Saad.

Hon. Faraj: Nilikuwa nataka kujua kama alipewa wadhfa Mheshimiwa Mary Akinyi kwa niaba ya Mheshimiwa Enock Mwadziwe ama anazungumza kwa maoni yake yeye. Ahsante.

Hon.(Ms.) Akinyi: Kwa niaba ya Mheshimiwa wa Mwakirunge nimesema vizuri sana pale, alafu pia mnajua kuwa mimi ni Mjumbe Maalum nawakilisha Mheshimiwa yeyote hapa, nawakilisha Mombasa Kaunti nzima mpaka hata Gavana pia namuwakilisha.

Kwa hivyo hata siku ile tulikuwa kwa *House Business* japokuwa leo hayuko lakini ameniambia kwa vile wananchi wa pale Tudor zinawasumbua sumbua akaniambia nije nimuwakilishie hii taarifa yake juu ya paka ni wengi mpaka mlangoni wanaleta kilio ambayo hata haieleweki na wanasumbua watu

(Interruption)

Temporary Speaker (Hon. Mwalimu): Give her time.

Hon. (Ms.) Akinyi: Kwa hivyo tungeomba yaani hawa paka yaani *cats*...

(Laughter)

Ambao ni wengi na milio yao haieleweki inashtua wakaazi wa pale wanaweza kusanyika hata kwa mlango paka wengi na wana...

(Interruption)

Temporary Speaker (Hon. Mwalimu): Yes Hon. Onje what is it?

Hon. Onje: Ahsante Mheshimiwa Spika, mimi ningetaka kujua tunajua Mheshimiwa Mary ni Mbunge maalum lakini pale Tudor tuko na Mwakilishi tungependa Mwakilishi wa Tudor atuambie ya kwamba hizo paka zinasemekana ni wengi paka mwitu manake tunajua Tudor hakuna misitu.

Sasa tunataka kujua kutoka kwa Mheshimiwa ambaye ni Mwakilishi wa Tudor kama hao paka wako kule na wanafanya nini na huyu Mheshimiwa alijuaje na yeye si Mwakilishi...

(Laughter and applause)

Temporary Speaker (Hon. Mwalimu): Yes Hon. Opeya?

Hon. Opeya: Mr. Speaker I also agree with him it is not in order for someone to ask a question especially from a Ward where we have a representative, it is a bad show that Hon. Siminyu is not responsible he should answer such questions when such issues come to the House.

(Applause)

Temporary Speaker (Hon. Mwalimu): Hon. Saad this is not a *public baraza*.

(Laughter)

Yes Hon, Maimuna Mwamassa.

Hon. (Ms.) Maimuna Mwamassa: Ahsante sana Mheshimiwa Spika, mimi nataka ifahamike kuwa sote ni waheshimiwa wa Bunge la Kaunti ya Mombasa, pamoja ya kuwa sote ni Waheshimiwa na kila mtu alipewa Wodi yake lakini haijalishi kuwa mimi ni wa wodi gani siwezi, tuko kwa maslahi ya wananchi sio yetu, mwengine anaweza kuwa kioo kwa mwengine, na ilimradi huduma bora imfikie mwananchi mashinani.

Hon. Ogalo: Mheshimiwa Spika mimi ningependa labda kama hakuleta Tudor tukaona kitu kama hiyo, na sijui kama kweli Mheshimiwa kama aseme tujue labda Mary Akinyi na Enock wanafuatana huko...

Temporary Speaker (Hon. Mwalimu): Yes Hon. Ibrahim Kondo.

Hon. Ibrahim Kondo: Ahsante sana Mheshimiwa Spika, kwa nidhamu ya Nyumba hii na kwa heshima ya Waheshimiwa waliesimamishwa na wananchi kuwawakilisha.

Tukifuata sheria za Bunge kuna masuala yanayohusu Kaunti yetu ya Mombasa ambapo walioteuliwa wana haki zao wayazungumze na kupaza sauti zao, kila alieletwa hapa kama mteule alieletwa kwa sababu ya kusimamia jukumu la watu fulani....

(Interruption)

Hon. (Ms.) Fatma Swaleh: Ahsante Mheshimiwa, ningependa kueleza Nyumba hii sisi sote ni Waheshimiwa na hakuna haja ya kutuhujumu bila sisi pia wao hawangekua hapo katiba imetutambua.

Kwa hiyo asiwe na wasiwasi kama mimi naenda Wodi ya Kadzandani ikiwa hajipangi vizuri mashinani ajipange afanye kazi...

(Interruption)

Temporary Speaker (Hon. Mwalimu): Yes.

Hon. Faraj: Mheshimiwa Spika nafikiri mpaka iwekwe wazi kabisa wale Wabunge wateule walioteuliwa katika Bunge hii wengi wao wamechaguliwa kuwakilisha wale wanaoishi kama walemavu wengine kina mama, hakuna mwengine ameletwa kuwakilisha eneo lenye Mwakilishi, eneo la Mwakilishi ni wale ambao kwamba wamechaguliwa na wananchi kule mashinani.

Kwa hivyo Mheshimiwa Spika wafanye ile kazi ambao wamechaguliwa nayo hapa, sijasikia hata siku moja wale kina mama kuja kuzungumzia kina mama hapa, wanaingilia kazi ambazo haziwahusu, wafanye zile kazi zilizowaleta hapa. Ahsante.

Hon. Ibrahim Kondo: Mheshimiwa Spika sijamaliza hoja yangu, ungenipatia nafasi nialize hoja yangu sikuwa nimemaliza.

Temporary Speaker (Hon. Mwalimu): Yes proceed.

Hon. Ibrahim Kondo: Sawa Mheshimiwa Spika mimi naamini walioteuliwa waliteuliwa kama viongozi na kuna kazi zao ambazo wameteuliwa nazo ndio sababu wakaletwa kwenye Bunge hii, Mheshimiwa Wateule wote sisi wakati tunapoonzea...

(Interruption)

Temporary Speaker (Hon. Mwalimu): Yes Hon. Maimuna.

Hon. (Ms.) Maimuna Mwamassa: Ahsante Mheshimiwa Spika kwa kunipa nafasi hii, nataka nirekebishe nifahamu kama Mheshimiwa Kondo aniambie yeye kazi nilichaguliwa nayo ni ipi na mpaka wangu ni upi kwa maanake najua sisi ni wasaidizi wao na sisi hatuna Wodi tuna tumikia Mombasa nzima.

Hon. Ibrahim Kondo: Ahsante Mheshimiwa Spika, nafikiri amejieleza vizuri na Kiswahili tunakielewa amesema wao walichaguliwa kama wasaidizi wetu na wasaidizi kazi yake ni kutuletea faili nyuma...

(Laughter)

(Applause)

(Interruption)

Temporary Speaker (Hon. Mwalimu): Yes Hon. Mote.

Hon.(Ms.) Fatuma Swaleh: Mheshimiwa naona sasa huku ni kuhujumiana Mheshimiwa Spika na kudhalilishana na naregea tena Mheshimiwa sisi katiba imetutambua na bila katiba wao hawangekua hapa.

Kwa hivyo wasitutumie kama vikaragosi, ama wasaidizi, yeye ni Mheshimiwa na sisi ni Waheshimiwa, nafikiri hilo analifahamu.

Temporary Speaker (Hon. Mwalimu): Hon. Fatma you are out of order! Hon. Members the issue before us is a matter concerning the cats so let us not divert, yes Hon. Mwabashiri.

Hon. Mwabashiri: Ahsante Mheshimiwa Spika, na kama tunazungumza kuwa.....(*Inaudible*) wiki iliopita Mwakilishi wa Wodi ya Tononoka alileta hoja yake kuwatetea watu wa Mji wa Kale kuhusu matatizo ya nyumba zao...

(*Applause*)

Kama kama Waheshimiwa hawa hawawezi kuzungumza, wana haki...

(*Noise*)

Na Bunge hili likapitisha na sio Wodi yake, Mwakilishi ni Amur, Nyumba hii tukufu ikapitisha hoja hiyo na mshindo mkubwa sana.

Kwa hivyo sioni la kushangaza tena leo kwa kuwa ndugu yangu Enock amesema hivyo. (*Inaudible*) asingeleta hiyo hoja katika Bunge isije wakaondolewa, lakini sioni shida kuleta hoja kama anataka watu wa eneo flani wasaidike, hakuna makosa Mheshimiwa Spika. Ahsante.

Temporary Speaker (Hon. Mwalimu): Yes Hon. Saad and Hon. Mary you will wind up on the Report.

Hon. Faraj: Ahsante sana Bwana Spika. Mheshimiwa Spika mfano ambao umetolewa ni mfano ambao kwamba nataka ieleweke vizuri.

Tulikaa pamoja mimi na Mbunge wa eneo la Old Town tukashauriana na tukakubaliana ya kuwa hili jambo tutalileta katika Bunge tulizungumzie na ki uhakika kabisa nilizungumzia hata katika hili Bunge hiyo taarifa ya kuwa huu mswada tuliokaa pamoja mimi na Mwakilishi wa eneo la Old Town na katika watu ambao kwamba waliunga mkono yeye ndiye alikuwa wakwanza kusimama kuunga mkono mswada huo.

Kwa hivyo swala la mtu kulizungumza linakubalika ikiwa kuna maelewano na ushirikiano na katika mazunguzo ambayo yalipita kabla yake, lakini kuja kudandia gari likipita na kusema ni lako nafikiri itakuwa ni makosa. Ahsante.

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

Hon.(Ms.)Akinyi: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nikiwa najibu yale maswala ambayo Waheshimiwa wenzangu walikuwa wamesimama wakiuliza uliza.

Kwanza ningependa niwaambie kuwa nawafahamu na nawaweka katika akili zangu, na kama hawajasoma niwaende wakasome katiba...

(*Applause*)

Mimi ni Mary Akinyi Mbunge wa Kaunti ya Mombasa, Mbunge wa Kaunti ya Mombasa ni kama wale Wabunge wengine wa Kaunti ya Mombasa ambao majukumu yao yote ni sawa.

Mimi nawakilisha, natunga sheria pia nafanya kazi ya *oversight*, ndio waweze kuelewa, Mheshimiwa Spika nikiwa narudi kwa lile swala nilikuwa nalizungumzia kuhusu paka wengi ambao wako katika Wodi ya Tudor ambao nimepewa hili jukumu na Mheshimiwa Enock nije nimzungumzie.

Mheshimiwa Spika ieleweka kuwa Mheshimiwa Enock ni Mheshimiwa mwanaume anaweza kuwa pengine ako na nyumba yake kule Tudor na inaruhusiwa...

(*Applause*)

Na hata ilipitishwa katika sheria za Kenya unaweza kuwa na hata wanawake mia na kila popote wanaweza kuwa wako nayo, na kule Mwakirunge anafanya kazi ya vile inavyohitajika na

Mheshimiwa mimi kama Mbunge Maalum nawakilisha mahali popote na niliweza kugundua hii siri ya haya mambo kuwa kuna paka wengi kule Tudor na hawa paka wanajikusanya hata mlangoni kwa mtu yeyote na wakishajikusanya mahali popote wanatoa sauti ambazo haieleweki...

(Interruption)

Temporary Speaker (Hon. Mwalimu): Yes Hon. Siminyu.

Hon. (Ms.) Akinyi: Mheshimiwa Spika ningeomba *point of order* yake ije baada ya mimi kumaliza taarifa yangu. Mheshimiwa spika sheria inasema kuwa mtu ana haki ya kumaliza taarifa yake kabla ya Mjadala.

Temporary Speaker (Hon. Mwalimu): Yes Hon. Siminyu.

Hon. Siminyu: Thank you Mr. Speaker. It is very wrong the way the Honorable Members are articulating issues in this House.

Mr. Speaker as a Member of County Assembly I have many issues to attend to. I am not a cry baby that each and every issue that I have issues pertaining my people I don't come each and every day to cry in this Assembly there are issues that we can tackle as Members through the relevant departments.

Mr. Speaker the issue that I know of is the issue of stray dogs of which I am undertaking as the Member representing that area and if there is some area that has the issue of cats that affected the Honorable Members they should inform me so that I can tackle the issue.

I don't need to come into this House and cry over each and every issue, there are important issues to articulate in this House Mr. Speaker...

(Applause)

Mr. Speaker...

(Interruption)

Temporary Speaker (Hon. Mwalimu): Thank you Hon. Siminyu we have heard your stand.

Hon Siminyu: Mr. Speaker the Hon. Member is talking on behalf of Hon. Mwadziwe it shouldn't be fair to say that the Hon. Member has a smaller house there.

Temporary Speaker (Hon. Mwalimu): Thank you. Hon. Mary you have 20 seconds.

Hon. (Ms.) Akinyi: Thank you Mr. Speaker I would like to respond to what he has just said. First and foremost he is a Member of House Business Committee and he was there, these things were discussed in the House Business why couldn't he reject whatever the Member brought forth?

So since it is here I have to continue and am going back to telling the House that there are so many cats in Tudor estate...

(Interruption)

Temporary Speaker (Hon. Mwalimu): Hon. Mary you are now out of order! 20 seconds are over and Members as this was a statement concerning Tudor Ward I would like the Hon. Member from Tudor to at least respond on that issue and he will tell us if there are roaming cats

in Tudor or stray dogs but more importantly we will give you two minutes to respond and we will need a Report on this issue by next week on Tuesday morning.

Hon. Siminyu: Thank you Mr. Speaker. Mr. Speaker in each and every thing happening there must be explanation, you cannot say that Tudor Ward has cats everywhere.

Mr. Speaker I have information from my Ward that there are stray dogs and I have taken a step on that matter, I have talked to the relevant department.

We as Members we do our work in a different manner I cannot just come here each and every day and complain that there are stray dogs because I know the department which can take care of that Mr. Speaker.

This House has very many important things to do concerning the Mombasa people but if we are going to have Motions on cockroaches that have invaded Tudor Ward the next day I come and complain about stray chickens then it will be wrong Mr. Speaker.

Some issues we as Members are supposed to tackle them on the ground and am doing it, and if the Honorable Member has a problem where he has a small house as he said he should come and inform me so that I can know how best I can tackle the problem there because I have so many issues and am tackling them without bringing them to this House because I understand this House is very important and runs the affairs of the people of Mombasa. Thank you.

Temporary Speaker (Hon. Mwalimu): Thank you Hon. Siminyu, and as I had said we will need a Report on this issue by Tuesday morning. Yes Clerk.

ADJOURNMENT

Hon. Members the House stands adjourned until Tuesday 9.00am in the morning.

The House rose at 3.18pm.