

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**

Thursday, 25th August, 2016

The House met at 2.34pm.

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

PRAYERS

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

PAPER

Any Member from the Energy, Trade, Cooperatives and investments Committee.

(Silence)

Any Member from that Committee? Any information? Clerk.

(Matter deferred)

NOTICE OF MOTION

Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mr. Speaker I wish to give a Notice of the following Motion;

SIGNING AND COMMITMENT TO LEADERSHIP AND INTEGRITY CODE BY STATE OFFICERS

THAT AWARE that Members of the County Assembly of Mombasa signed and swore to commit themselves to the Leadership and Integrity Code at a ceremony officiated by the Ethics and Anti-Corruption personnel on Tuesday, 23rd August 2016.

FURTHER AWARE that the Leadership and Integrity Code is a requirement under Section 40 of the Leadership and Integrity Act (Cap 182).

Mr. Speaker, NOTING that the County Executive Members of Mombasa have not yet done similar to what Members have done in signing and swearing to commit to the Leadership and Integrity Code.

CONCERNED that failure by any State Officers to sign and commit to the Leadership and Integrity Code will be in breach of the law.

I therefore urge the County Assembly to resolve that:

1. All State Officers under County government to sign and commit to the Leadership and Integrity Code.

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2. *This House congratulates and notes with approbation the Act by the County Assembly Members of signing and committing to the Leadership and Integrity Code on Tuesday, 23rd 2016.*

(End of Notice of Motion)

Mr. Speaker I wish to seek leave to ask this House Mr. Speaker and allow this House to deliberate this Motion. Thank you.

The Temporary Speaker (Hon. Mwalimu): Before we allow you is the second part, part of the prayer?

Hon. Mohamed Hatimy: Yes Mr. Speaker this Motion is just to notify Members that, there are no prayers but to notify Members for those who have not signed the Code must sign.

The Temporary Speaker (Hon. Mwalimu): Yes that's prayer number one, number two?

Hon. Mohamed Hatimy: Even number two Mr. Speaker.

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

Hon. Dancun.

Hon. Onyango: Mr. Speaker, I have a statement on a letter from the Department of Agriculture, Livestock and Fisheries; we discussed at the fisheries level and resolved to bring it in this Honorable House as a statement, if you can allow me to read?

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

Hon. Onyango: Thank you.

(Hon. Onyango read the Statement)

BRIEF FOR COUNTY ASSEMBLY ON PROGRESS ON 2016 ASK MOMBASA INTERNATIONAL SHOW

A) 2016 ASK Mombasa international show-Department of Agriculture, Livestock and Fisheries

The Mombasa international show is scheduled for 31st August to 4th September 2016 at ASK ground Mkomani.

The County stand where all departments of the County will exhibit will undergo final renovations.

The department of Transport and Infrastructure has provided the Bills of Quantities for this purpose.

This year each department will take care of the entry tickets of their staff and stakeholders as well as the County Assembly Committee Members dealing with that department.

The costs for each category of entry tickets and essential car stickers have been issued to the departments.

Equally, the departments will share the cost for the renovations of the stand.

The sharing of responsibilities will be extended to cleaning and payment for the utilities.

It is expected that the stand this year will be even more attractive considering that the major renovations were done last year and very little in way of beautification is outstanding.

b) 2016 ASK Mombasa International Show – Department of Agriculture, Livestock & Fisheries

The food crops as well as the fodder crops in the Department of Agriculture, Livestock and Fisheries stand have already been established while the recruitment and sensitization of stakeholders who will exhibit alongside the technical staff is finalized.

A total of 36 stakeholders from crops, livestock and fisheries have undergone these processes, and include women, youth and Persons with Disabilities involved in various stages in the various food value chains being promoted in the country.

The animals that will be exhibited in the departmental stand include dairy cattle, dairy goats, poultry and rabbits.

Emerging livestock, crocodiles, quails and ornamental birds have also been recruited.

They have been vaccinated for notifiable diseases and are undergoing grooming and livestock parade-training.

The department will compete in three classes:

- i) Large government stand
- ii) Theme interpretation
- iii) Environmental conservation
- iv) Agro-processing

In the remaining four days, the logistics for transportation of exhibits, access to the showground by staff and stakeholders and general participation matters have been finalized.

Thank you. Mr. Speaker.

(Hon. Onyango ended his Statement)

The Temporary Speaker (Hon. Mwalimu): Hon. Dancun with your Committee we would like the Clerk to communicate with the CEC Agriculture because it is just recently Members have signed a code of conduct and we are not ready to misuse funds because they say that every department to cater for every Member that deals with every department.

It is a misuse of public funds to at least do the way they were doing so that at least for them to buy two tickets for the Honorable Members as usual.

I think to me it would be inappropriate to use funds in buying for every Committee because every Member is in various Committees that deal with various departments and the Member will end up with almost ten entry cards Honorable Dan.

So please let the Clerk to communicate to the department for them to give a reasonable answer. So Clerk?

Hon. Onyango: Mr. Speaker it is due to lack of funds in the department and I am told that the department has communicated to other departments and they have agreed.

The Temporary Speaker (Hon. Mwalimu): They should look for a way that they will not misuse public funds, they should come to a conclusion that each and every Member and the staff should not get more than what they used to get. Yes Saad?

Hon. Faraj: Thank you Mr. Speaker mine is a concern, from the statement that was brought by my brother here, Mr. Speaker in my view.....

(Interruption)

The Temporary Speaker (Hon. Mwalimu): Hon. Saad you cannot debate on statements unless you have your own statement then I will allow it.

Hon. Faraj: Yes I do have my own statement Mr. Speaker.

The Temporary Speaker (Hon. Mwalimu): Then proceed with the statement.

Hon. Faraj: Mr. Speaker my statement is with regards with a recent visit with different Committees including an Ad Hoc Committee.

The Kenya Ferry and the Kenya Ports Authority Mr. Speaker part of the cooperation we have with these institutions is we agreed with the officers that we met there that we as Members of the County Assembly will be provided with stickers for the Kenya Ferries as well as the Kenya Ports Authority.

Mr. Speaker my question is the position and the status of where we are in regards to this particular issue because we tend to forget on what we agree upon and this is something which was passed in a meeting as agreed but up to now we have not seen any movement in regards to this matter.

Mr. Speaker, that is my statement and thank you very much for the opportunity.

The Temporary Speaker (Hon. Mwalimu): Thank you. Committee on Implementation, take charge. Yes Hon. Nyamvula?

Hon. (Mrs.) Nyamvula: Thank you Mr. Speaker I wish to make a brief statement if you will allow.

The Temporary Speaker (Hon. Mwalimu): Yes?

Hon. (Mrs.) Nyamvula: I wish to make a brief statement if I am allowed.

The Temporary Speaker (Hon. Mwalimu): Yes you are allowed.

Hon. (Mrs.) Nyamvula: Thank you Mr. Speaker I stand before this Honorable House to ask the status of the County Budget Review and Outlook Paper.

Mr. Speaker in accordance to the Public Finance Management Act 2012 the County Budget Review and Policy Paper should be tabled for approval by the County Assembly by the 26th of August which is tomorrow.

Mr. Speaker I just wanted to know what is the status of the noting that today is 25th. Thank you.

The Temporary Speaker (Hon. Mwalimu): I think the Chairman of the Finance Committee is able to inform the House on the position of the Budget Outlook Paper, yes Hon. Hatimy just inform the House.

Hon. Mohamed Hatimy: I think Mr. Speaker today is 25th, so we wait until 26th which will be on Monday or Tuesday, the interpretation is when a day comes before Saturday or Sunday Mr. Speaker.

The Temporary Speaker (Hon. Mwalimu): What is the position?

Hon. Mohamed Hatimy: We have not received the document Mr. Speaker.

The Temporary Speaker (Hon. Mwalimu): Ok. Yes Hon. Tom Ogalo.

Hon. Ogalo: Ahsante Mheshimiwa Spika, niko na taarifa yangu kuhusu shamba ya Waitiki.

Mheshimiwa Spika kuna siku tulipitisha hoja hapa kwamba serikali ya Kaunti italipia wale *squatters* wako pale pesa.

Mheshimiwa Spika imefika wakati tetesi imeingia kwa hiyo shamba ya Waitiki, wengine wanasema ni siasa, wengine wanasema ni uongo.

Mheshimiwa Spika ningeomba Mwenyekiti wa Ardhi waniitie ile Kamati ya shamba la Waitiki na waite *executive* ambaye anasimamia ardhi ili watu wangu wawe na hakika kwamba hiyo kitu sio uongo.

Sababu tuliitisha hapa Bungeni na ni ya ukweli na kwa vile siasa iko Mheshimiwa Spika saa hii siasa imeingililia huko.

Ningeomba kwamba Mwenyekiti wa Kamati ya Ardhi na Waziri wa Ardhi waende kule ili waongee na watu wa pale. Ahsante.

The Temporary Speaker (Hon. Mwalimu): Thank you Hon. Tom but in my view I think you are directing it to the wrong Committee because the Motion has passed in this Honorable House.

So the person in charge of it will be the Implementation Committee, so the Implementation Committee will work hand in hand with the Lands Committee to come up with a good reply on the issue of Waitiki Land.

So Implementation Committee we need that report in two weeks time. Yes Hon. Enock Mwinga.

Hon. Mwinga: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nimesimama hapa kutoa taarifa yangu fupi kuhusiana na masuala yetu ya Nyumba hii.

Mheshimiwa Spika kama tunavyojua sisi Waheshimiwa wote huwa kila mwezi tunapatiwa pesa ambazo tunanunua salio la simu yaani *airtime* ili kuweza kuzungumza na watu wetu ama kurahisisha kazi yetu.

Mheshimiwa Spika kama vile unavyojua sisi waheshimiwa ni watu ambao huwa tuna kazi nyingi na kama tunavyojua pia *airtime* hii huwa hailipwi kwa wakati., basi hivyo kutufanya hata tumechanganyikiwa hatujui sasa kama watatulipa miezi mitatu ama miezi mingapi.

Mheshimiwa Spika nafikiri suala hili linaingililiana na lile na kodi za ofisi zetu mashinani.

Mheshimiwa Spika sisi ni watu wa mambo mengi basi tungetaka kujua tutalipwa miezi mingapi na tumebakisha miezi mingapi?

Mheshimiwa Spika ningeomba Nyumba hii kupitia kwa kiti chako kwa wale wanaohusika ili tuweze kupewa ratiba ama tuweze kupewa ripoti kamili ili na sisi tuweze kujua tunadai nini na tunadaiwa nini.

Mheshimiwa Spika hiyo ndio taarifa yangu fupi ambayo ningependa kupeana katika Nyumba hii. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Mwalimu): I direct you to Social Welfare Committee and Clerk will communicate to the Social Committee and the issue of lunch allowance of staff to start because it is not the issue of airtime alone but I understand and my office understands that the issue on lunch allowance to staff have also not been paid.

The matter should be brought back in this House on Wednesday Morning. Yes Honorable Siminyu

Hon. Siminyu: Mr. Speaker thank you my statement is about land rates; I would like you to rectify with the Implementation Committee because time is not on our side.

There's another statement that I brought last time on land rates waiver Mr. Speaker, and I think this should be taken on a serious note plus there's another Bill which is important.

Mr. Speaker these Bills are needed; we have the participation of our people to get the law and it is high time people should speak up so that our people can apply the waivers like any other County. Thank you Mr. Speaker Sir.

The Temporary Speaker (Hon. Mwalimu): Also Implementation Committee take care of that issue, yes last statement from Hon. Zainab Said.

Hon. (Mrs.) Zainab Said: Ahsante sana Bwana Spika kwa kunipa nafasi hii, mimi nataka kuongea kuhusu wale watoto.

Huu ni ule Mswada wa Mheshimiwa Hatimy na ikapitishwa hapa lakini hakuna kitu lakini utekelezaji hakuna na wale watoto wa usiku kina mama wanawatumia kutafuta unga kwa kusumbua watu kwenye magari ama wanakuja mpaka kwenye madirisha ya magari kwa kuomba.

Wanatuharibia jina letu la Mombasa manake ni wageni wengi wanaokuja Mombasa na kuona vituko kama vile vinavyofanyika; si sawa watoto wanajifundisha tabia mbaya, watoto wa kike usiku waomba.

Sasa wale wazazi wafikiria nini kuhusu wale watoto? Wale watoto watakuja lazimishwa watafanya mambo sio mazuri na wale kina mama yaweza kuwa hata labda si wa hapa Mombasa ni watu pengine wametoka nje kama wale walemavu walikuwa wanafanya kazi ya kuomba na waliposhikwa ilikuwa wanatoka nchi ya Tanzania wakasafirishwa.

Kwa nini hili jambo tulichukuliieni kwa uzito na kuchukuliwe hatua nzuri. Ahsante.

(Applause)

The Temporary Speaker (Hon. Mwalimu): I also direct the statement from Hon. Zainab Said to the Committee on Security and Hon. Ndanda you take charge and by Wednesday afternoon we will like to hear something from the Committee. Yes Clerk.

MOTION

Hon. Hatimy?

Hon. Mohamed Hatimy: Mr. Speaker I seek leave under Standing...

(Interruption)

The Temporary Speaker (Hon. Mwalimu): Hon. Hatimy use your microphone put it on.

Hon. Mohamed Hatimy: Mr. Speaker I seek leave from this House under Standing Order 51 (5) that the word ‘*approbation*’ to be left out and the word, ‘*appreciation*’ be included and two I take this opportunity under Standing Order 48 to withdraw the Motion. Thank you.

(Applause)

The Temporary Speaker (Hon. Mwalimu): The Motion having been withdrawn.....

(Laughter)

We will proceed with our business. Yes Clerk.

ADJOURNMENT

The House stands adjourned until next week Tuesday at 2.30pm.

The House rose at 3.59pm.