

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Tuesday, 14th March, 2017

The House met at 2:20pm.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****Deputy Speaker** (Hon. Mswabah Rashid): Members we may sit down, Yes Clerk.**COMMUNICATION FROM THE CHAIR**

Members i have one communication, i wish to bring to attention of this House that we have visitors the senate team from Jeffery academy Mombasa, I hereby recognize the delegation that consists of;

1. Mr. Alfian Mwanyika, Teacher
2. Ms. Raya Rashid
3. Ali Imran
4. Suleiman Twalib
5. Shaista Hatau
6. Aisha Zia
7. Rabi Sajat Balush
8. Alizein Khan
9. Mohammed Abbas khan
10. Falaq Zein
11. Shaishta Taki
12. Zeian Hussein
13. Hassan Khalid
14. Hashir Sha
15. Arizya Shrafaz

On behalf of the Assembly I welcome you all so that you learn more about the Assembly, welcome, Clerk.

MOTION

Hon Zeinab Kithinzi.

Hon. (Ms) Zainab Kithinzi: Mheshimiwa Spika ahsante wa kunipa hii fursa, niko na ombi la kuitwa barabara ya Kisimani Freetown kuitwa Sarah Nyamvula Ernest road;

Tukielewa kuwa marehemu Sarah Nyamvula alikuwa mwakilishi mteule katika kaunti hii na alikuwa mwenyekiti wa Kamati ya Bunge hili inayoshughulikia maswala ya Vijana, Jinsia na Michezo;

Vile vile pia tukielewa kuwa alifahamika katika kazi zake za utetezi na uwakilishaji wa haki za wanawake Mombasa na taifa zima kwa jumla;

Mheshimiwa Spika, tukiwa na wasiwasi kuwa kazi njema aliyofanya marehemu Sarah Nyamvula Ernest huenda ikasahaulika iwapo hatutakuwa na ishara ya kumkumbuka;

Mheshimiwa Spika nalihimiza Bunge hili kuwa:

Serikali ya Kaunti iipe barabara ya Kisimani hadi Frere Town iliopo katika eneo Bunge la Nyali jina la Sarah Nyamvula Ernest Road kama ukumbusho na heshima kwa Mheshimiwa mwenda zake.

Ahsante Mheshimiwa Spika. Ningeomba Lucy Chizi aweze kuniunga mkono.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Chizi Chireri.

Hon. (Ms) Chireri: Ahsante Mheshimiwa Spika, naunga mkono hoja iliyoletwa mbele yetu na Mheshimiwa Zainab. Mheshimiwa Spika, Mheshimiwa mwendazake Mama Sera Nyamvula aliheshimika katika Bunge hili na kuongezea ni mama aliyeleta maendeleo sana, kwa hivyo lazima zile kumbukumbu zake tuweze kuzikumbuka, ni mama shujaa na shujaa ni lazima tumkumbuke na tumpe tuzo kwa heshima ndio tumpe tuzo lake ili tusiweze kumsahau. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Thank you so much Hon Lucy Chizi Chireri, and I now propose the question and open the floor for debate. *Ombi la kuitwa barabara ya Kisimani Frère town kuitwa Mheshimiwa Sara Nyamvula Ernest Road, naam Mheshimiwa Kithinzi.*

Hon. (Ms) Zainab Kithinzi: Ahsante Mheshimiwa Spika kwa mara ya pili. Mheshimiwa Spika ningeomba wenzangu waniunge mkono kwa huu mswada, kwa sababu Mheshimiwa alikuwa tunamuelewa kazi yake na alikuwa ni mtu mkakamavu, hata hapa katika Bunge alikuwa akionekana anavyochangia na zile kazi alizokuwa akizifanya hata kwa umma huko nje, na iwapo kama hatutakuwa na kumbukumbu ya kukumbuka hayo yote mema aliyoyafanya au mazuri yatasahaulika.

Kwa hivyo ndio ilikuwa naomba tuweze kupatiwa hiyo barabara kama kumbukumbu ili tuweze kudumisha ile historia yake aliyo fanya katika hii Mombasa Kaunti na jamii kwa jumla kwa sababu alikuwa ni mtetezi wa watoto na kila mmoja anaelewa.

Kwa hivyo yangu ni kuomba tu, wenzangu muweze kuniunga mkono tuweze kupitisha hoja hii. Ahsante

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Patrick Siminyu.

Hon Siminyu: Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker I would like to take this opportunity to congratulate the Honorable Member who has brought this Motion in this House to keep in thoughts those who have passed because we have three Members during the session of this House that we have lost; two prominent ladies, and it is good to remember them and I have come with an amendment that the two others should be included in naming roads Mr. Speaker. Mr. Speaker they died in the name of duty as you understand...

(Consultations)

Deputy Speaker (Hon. Mswabah Rashid): Members order!

Hon. Siminyu: Mr. Speaker as you understand the Honorable Members died while serving the County government, and in honor of the three Members it is only honorable to give them something to remember and being in this House.

Mr. Speaker it means that, first of all being the pioneers and they died while in the line of duty, it will be honorable. I fully support this Motion Mr. Speaker sir. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Dan.

Hon. Onyango: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi nimesimama kupinga hoja hii...

(Applause)

Ninazo sababu za kunifanya nipinge, sote tunaielewa ya kwamba jirani yangu Sara si wakwanza kufariki katika Jumba hili, hapo awali tuliweza kuwa na mama ambaye alikuwa mchapa kazi zaidi marehemu Mheshimiwa Amina Zuberi na tulikuwa na Mama Saada sikuwahi sikia mtu yeyote akiweza kusimama na kuleta hoja.

Mheshimiwa Spika nafikiri sote tunaielewa ya kwamba waheshimiwa ambao wametutangulia walikuwa ni waheshimiwa ambao tulikua tuliwapenda kwa sana; mimi jirani yangu ambaye ameenda hivi majuzi huwa tunawasiliana mpaka wa leo.

Mheshimiwa Spika juzi pia tuliweza kupoteza Seneta ambaye pia ni maarufu sana katika siasa ya Pwani sijasikia hoja ya barabara ya Seneta Madzayo...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Members, yes HonmMary Akinyi what is it?

(Background consultations)

Members order! Members, only one person is supposed to be speaking in this...

Hon. (Ms) Akinyi: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi ningependa kufahamisha Jumba hili na hasa kumfahamisha Mheshimiwa ambaye alikua anaongea kuwa Seneta ambae tulimpoteza ni Juma Boi si Madzayo na jambo la kuwa la kuweka barabara ya Mheshimiwa Juma Boi pia ni mambo ambayo yalikua yameshapitishwa hapa ambayo yako katika msururu ya kuweka barabara ambayo imetajwa Juma Boi, ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes.

Hon. Onyango: Ahsante, Mheshimiwa ni vile ndio nilikua niko kwenye harakati ya kusema Mheshimiwa Madzayo alikuwa ameleta hoja ya barabara ya Mheshimiwa aliyepita Juma Boi...

(Applause)

...Mheshimiwa Mary hakisikia vizuri nilikua katika harakati ya kuifafanua zaidi Mheshimiwa Spika kama vile ilikua nikisema awali kuwa kuna Waheshimiwa wawili ambao sote tunaelewa ya kwamba waliweza kutuacha sasa ingekua ni heshima tuanze na wale Waheshimiwa ambao walienda mwanzo tukianza na Mheshimiwa Marehemu Amina Zuberi ambae alikua anakaa katika maeneo ya Ganjoni halafu tuko na Mama yetu Saada, Saada ambaye pia Mwenyezi Mungu pia aliweza kumchukua.

Mheshimiwa Spika ili tuonyeshe heshima hata mahali wamelala wasione ni kama wamebaguliwa mimi ningependa ki heshima na taadhima tuanze na wale Waheshimiwa wawili walio tuacha kwanza na pia isiwe ni mtu yeyote katika Waheshimiwa akifa basi mumuweke barabara kumaanisha tukifa sisi sote basi barabara za Mombasa kila mmoja atakuwa na barabara yake hata shule basi wangesema basi hata tujenge shule basi tuanze pengine tutaje majina. Mheshimiwa Spika mimi hayo ndiyo yangu, ahsante...

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes, Hon Mary Akinyi...

Hon. (Ms) Akinyi: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nimesimama kutounga mkono mjadala huu kwa sababu kuna mjadala ambao ushapita katika Bunge hili ya kuwa kila sehemu ambapo Waheshimiwa wanaishi kuwekwe jina la barabara ambalo linataja kila Mheshimiwa ambaye yuko katika Bunge hili kwa sababu nina amini hapa nilipo kila Mheshimiwa alioko hapa kuna barabara ambaye inapita ikiwa inaelekea kwake.

Hivyo basi kuna mjadala umefika katika Bunge hili miaka miwili iliyopita kuwa kila Mheshimiwa ataje barabara fulani ili hata Mheshimiwa yeyote atakae tuacha hata, yeyote atakapo tuacha hata mimi nikiwaacha *In Shaa Allah* pia mimi jina langu litakua tayari liko pale barabara ambayo inaitwa Mary Akinyi.

Kwa hivyo mambo haya ni kwa vile tumeyachelewesha ndio kwa sababu hayajatekelezwa; hata hii Waheshimiwa wote dada zangu ambao wametuaacha wangekua wametuaacha kama tayari hayo majina yao ya barabara tayari yako yashawekwa.

Kwa hivyo Mheshimiwa Spika narudi nikikaa chini nikisema kuwa yale ambaye tulipitisha kuwa kila Mheshimiwa hapa atajwe jina fulani la barabara yakaweze kutekelezwa ili hata kama mwengine ataka lala saa hii jioni awe jina lake liko hapo kwa barabara Mheshimiwa Spika. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Amir Thoya.

Hon. Thoya: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nimesimama kuweza kuunga mkono hoja ambayo imeletwa na Mheshimiwa Zainab Kithinzi...

(Applause)

Mheshimiwa Spika jambo ambalo linazungumzwa katika ukumbi huu, ukumbi huu tunazingatia kwamba ni ukumbi wa kisheria na kama vile wenzangu ambao walitangulia katika kuunga mkono hoja hii.

Hii si hoja ambayo pengine ni ya kufanyia masihara kwa sababu wapendwa wetu tayari wametangulia mbele za haki na hata isiwe tu Mheshimiwa Serah Nyamvula kwani tuweze kuwatambua wale waheshimiwa wengine waliotangulia mama Amina Zuberi pamoja na Mheshimiwa Saada Rajab.

Mheshimiwa Spika hawa ni mashujaa na ni mashujaa ambao waliweza kuhudumu katika Bunge la kwanza katika historia ya serikali za ugatuzi hasa hasa katika Bunge la Kaunti ya Mombasa, kwa hiyo tuko na mamlaka kwa sababu hili ni Bunge na Bunge ni Jumba la sheria.

Kwa hivyo kuweza kuwatambua mashujaa hawa wenzetu ambao wametangulia mbele za haki na ukweli wa mambo ni kwamba barabara hii mimi kama Mwakilishi wa Frere Town hii barabara iko katika yale mapendekezo ambayo ametoa mapendekezo na vile vile wakati wa mazishi ya mwenzake Serah Nyamvula *His Excellency the Governor* ambaye ni kinara wa Mombasa wa Kaunti ya Mombasa alitoa pendekezo kama hili lakini ilikuwa haiwezi kutekelezwa mpaka lazima ipitie katika Bunge ili haya mambo ambayo tunayafanya hapa leo yaweze kupita na kuthibitisha lile neno ambalo Mheshimiwa Gavana aliomba kwamba jina la mama Serah liweze kuthibitishwa kupitia kwa barabara ambayo iko katika maeneo haya ya eneo la Frere Town....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Duncan.

Hon. Onyango: Nataka nimkumbushe rafiki yangu, nataka nimkumbushe Mheshimiwa rafiki yangu kwamba maneno yaliyosemwa na Mheshimiwa Gavana yalikuwa tu ni ya mdomo na kama Mheshimiwa anaweza kumbuka wakati Rais wa Jamhuri ya Kenya Uhuru Muigai Kenyatta alikuja Flamingo akasema Waheshimiwa wote tupewe Milioni mbili mbili lakini hatukupewa kwa sababu ilikuwa ni maneno tu hayakuwa kuna mahali yameandikwa. Ahsante.

Hon. Thoya: Ahsante sana Mheshimiwa Spika naomba kumrekebisha msemaji, ni kuwa aliyezungumza maneno yale ni *His Excellency the Governor* wa Kaunti hii 001 kwa hivyo hawezi kulinganishwa na mtu mwingine. Kwa sababu Bunge hili...

(Applause)

Kaunti ya Mombasa....

(Applause)

Mheshimiwa Spika hatuwezi kuwa hasidi wa wenzetu kwa sababu jambo ambalo lafanyika saa hizi sio la kwanza iko Kenyatta ni barabara, iko Moi ni barabara, iko Dedan Kimathi ni barabara, Fidel Castrol ni barabara.

Kwa hivyo Mheshimiwa jambo ambalo tulifanya hapa leo si kwamba ati ni jambo geni ninaomba kwamba tuweze kuliunga mkono liweze kupita tuingie katika historia kwa sababu waheshimiwa hawa tunaowazungumzia tulikuwa tunakaa nao katika Jumba hili hili na Mheshimiwa Duncan tunayemzungumzia alikuwa jirani yake na alikuwa rafiki yake wa karibu leo nashangaa kwamba yeye atakuwa wa kwanza kupinga jambo kama hili ambalo halitamdhuru mtu yeyote bali anaingia kwenye historia kama shujaa ambao walihudumu katika Bunge letu. Kwa hivyo naomba tusiwe mahasidi wa marafiki zetu...

(Applause)

...tuunge mkono iweze kupita na waingie katika kumbukumbu na hata sisi tukitangulia wale wabunge wengine watakapokuja yataweza kutukumbuka kwa sababu ya ushujaa ule ambao tumekuwa nao katika serikali hii. Ahsante sana Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Members there's an amendment here I think we should propose the amendment and then debate Hon Kithinzi there's an amendment to your Motion do you agree with that amendment?

Hon. (Ms) Zainab Kithinzi: Yes Mr. Speaker...

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes Members...

(Applause)

Members it has been proposed that the name of the late Hon Amina Zuberi and Hon Saada Rajab should also be included in this Motion...

(Applause)

Members now the Motion should be debated as amended...

(Interruption)

Hon. Mwalimu: Mr. Speaker...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): I have proposed the question, the Motion should be debated as amended...

(Interruption)

Hon. Mwalimu: Mr. Speaker, the person who is proposing the amendment he should read the amendment...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): He read it, he read; you were not here but he read it...

(Interruption)

Hon. Mwalimu: Mr. Speaker here Members also need to see what has been written...

Deputy Speaker (Hon. Mswabah Rashid): He read it I heard the amendment and I to clear the record with me. Yes Honorable can you proceed.

Hon. Mwalimu: Mr. Speaker it is a parliamentary procedure. We need to see the written amendment and Mr. Speaker the written amendments must be at your desk 30 minutes before coming to this...

(Applause)

...is per our standards Mr. Speaker and I am sure...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Okay Members, Members I am now on my feet everybody should sit down.

Members I have a Standing Order here, under Standing Order number 52 it says 52 the proposal of amendment to a Motion shall be formally have a proposed amendment in writing, signed the proposal to the Clerk at least two hours before the order of the day. That is number one...

(Applause)

Number two it says despite paragraph one the Speaker may in exceptional circumstances allow the Assembly...

(Applause)

I have used that Standing order...

(Applause)

Okay I think the question...

(Interruption)

Hon Fadhili I cannot accept it, I have read...

(Interruption with loud consultations)

Hon Fadhili, Hon Fadhili I warn you. I have read the Standing Order...

(Applause)

(Loud consultations)

(Hon. Mwalimu exited the Chambers)

Yes Honorable, who else, yes Hon Mumba.

Hon. (Mrs) Prischillah Mumba: Ahsante Mheshimiwa Spika, kulingana na mimi nikiwa kiranja wa Bunge mdogo ninaona nidhamu zimepuuzwa hapa ambapo Mheshimiwa anaingia akiwa *dressing code* yake haiko sawa; Mheshimiwa Riziki, Mheshimiwa Mwabashiri nawaona tofauti na *dressing code* yao. Kwa hivyo wanahitaji waangaliwe wawe sawa...

(Applause)

(Hon Mwalimu entered the Chamber)

Deputy Speaker (Hon. Mswabah Rashid): Sergeant at Arms, Members, Hon Riziki can you go out and dress up please. Members I can see the debate is over nobody has anything to say.

(Applause)

So I am left with no option but to put the question; as many as of the opinion that this Motion to be passed as amended..

(Question put and agreed. to)

(Applause)

Yes Clerk.

MOTION

Yes Hon Fadhili what is it?

Hon. Mwalimu: Thank you Mr. Speaker I stand on adjournment of today's business under Standing Order 49. Mr. Speaker it is a Procedural Motion I would like Hon Mary to second me in my Motion.

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Mary can you second the Motion of adjournment?

Hon. (Ms) Akinyi: I stand to second the Motion of adjournment.

Deputy Speaker (Hon. Mswabah Rashid): Yes Members there is a Motion brought here on adjournment, I put a question as many opinion that this Motion to be passed.

(Question put and agreed to)

Members now the House is adjourned till tomorrow morning. Thank you.

The House rose at 2:47pm.