



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Wednesday, 20th November, 2019
The House met at 2:48 p.m.

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

PRAYERS

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

STATEMENTS

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON HEALTH HON. KIBWANA SWALEH
ON INSTALLATION OF MOBILE CONTAINER CLINICS IN MAGOGONI WARD

Yes Hon. Kibwana Baya?

Hon. Kibwana Swaleh: Thank you Hon. Speaker. Hon. Speaker I wish today to give a response to a Statement that was raised by my colleague from Magogoni Ward. Hon. Speaker I stand to give a Statement response on the installation of mobile container clinics in Magogoni Ward requested by Hon. Tobias Samba on behalf of Hon. Shomari Mohamed on the 30th October, 2019 during the 98th Sitting of this House. Mr. Speaker Sir, Magogoni Ward has a population of 32,575 people and is served by Mlaleo Health Centre and Junda Dispensary which are the nearest facilities. Mr. Speaker, the plans are to put a container clinic if land is made available. Currently, regular outreaches to Magogoni area are done to ensure access to health care services. Thank you Mr. Speaker.

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

RESPONSE TO STATEMENT BY LEADER OF MAJORITY HON. MWIDANI ON ANNUAL STATE OF THE
COUNTY ADDRESS

Yes Chairman Finance Hon. Mohamed Hatimy?

(The Deputy Speaker (Hon. Mwalimu) consulted the Table Clerk)

Just a minute. Hon. Hatimy?

Yes the Leader of Majority Party, Hon. Mwidani.

The Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker. I would like to give a response to a Statement. Hon. Speaker, I stand to give a Statement response on the Annual State of the County Address requested by Hon. Athmani Mwamwiri on the 6th November, 2019 during the 102nd Sitting of this House. Mr. Speaker Sir, I communicated with Acting County Secretary Mr. Joab Tumbo who informed me that His Excellency the Governor will give the above mentioned address after the long recess in accordance with the County Government Act. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Athmani Mwamwiri?

Hon. Athmani Mwamwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika sijui kama Katibu anayeshikilia nyadhifa hio ana ufahamu ya kwamba suala hili linatendeka kila mwaka! Na kwamba kabla twende likizo au mapumziko itakua tumefunga mwaka! Kwa hivyo hili analolisema atalifanya baada ya mapumziko, je ni ya mwaka huu ama ni ya mwaka kesho? Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes the Leader of the Majority, can you respond?

The Leader of Majority (Hon. Mwidani): Bwana Spika nafikiri lugha iliyozungumzwa iko fasaha. Kwa sababu likizo ndefu katika kalenda yetu, likizo ndefu huwa iko katika mwezi wa Desemba ambao hivi sasa tukienda tarehe 4/12/2019 mpaka mwezi wa pili Februari ambayo ndio tunaita likizo ndefu. Hapo ndio Mheshimiwa Gavana anatakikana ama anaombwa kuja kutoa hotuba yake, kwa hivyo Bwana Spika hili ni jambo laeleweka na ikiwa labda halikufanyika nyuma labda ni kwa bahati mbaya. Lakini haswa likizo ndefu ndio sasa tukifungua inakuwa ni kalenda ya mwaka kwa sababu tunaenda na kalenda. Kwa hivyo Bwana Spika mimi ningemuomba aliyeuliza hili suali aombe Mungu tujaliwe, twende likizo ndefu tuje tufungue tumwangelie amekuja Gavana ni vizuri na ikiwa hakuja kweli itakuwa hapo kuna makosa. Lakini haswa yeye anafaa kuja mara moja baada tukishatoka kwa likizo ndefu. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Athmani Mwamwiri?

Hon. Athmani Mwamwiri: Mheshimiwa Spika sijui nitumie ufasaha wa lugha gani ambayo Kiongozi wa Wengi tutakwenda nae sambamba! Mheshimiwa Spika swali langu lilikua kwa nia njema, kwa sababu utekelezaji wa majukumu yetu yanaambatana na ruwaza ya mstahiki Gavana na Serikali yake. Hivyo basi amejukumishwa katika Katiba ama katika kanuni za ugatuzi ya kwamba ana wajibu kila mwaka kupeana taarifa ya hali ya gatuzi lake na sio kuja kutoa taarifa ya kufungua Bunge. Nikimnukuu Kiongozi wa Wengi kwamba Februari tumwangelie kama hatakuja kwa sababu ndio kalenda ya mwaka inaanza, hatuzungumzi kalenda ya mwaka tunazungumzia hali ya gatuzi ndani ya mwaka haijalishi amekuja katika mwezi gani lakini ndani ya mwaka huo amejukumishwa ni wajibu wake kuja kuzungumzia wakazi wa Mombasa mipangilio, kanuni na taratibu ya ruwaza yake ndani ya mwaka huo. Kwa hivyo Mheshimiwa Spika asadiki hapa ya kwamba ndani ya mwaka huu ambao tunaofunga tarehe 5/12/2019 majaaliwa, Mstahiki Gavana hatokuja. Halafu aombe ama atupashe ya kwamba ameomba ama amesema atakuja mwaka kesho, ili tujue ya kwamba mwaka huu sisi wawakilishi na wakaazi wa Mombasa hatutapata kauli ya Mstahiki Gavana katika mwaka huu tuwachane na suala hilo tushiriki mwaka kesho ya kwamba mwaka huu Gavana hatohutubia Bunge hili kwa wananchi wake! Hivyo tu Mheshimiwa sidhani kama hapo kuna ugumu wa lugha Mheshimiwa Spika. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Hon. Mwanwiri is it a financial year or a calendar year that you are referring to?

Hon. Athmani Mwanwiri: Mheshimiwa Spika mwaka uko mara mbili; kuna mwaka wa kifedha na kuna mwaka wa kibunge, yote akijitetea kwayo yote haikutendeka lakini langu mimi kama Muwakilishi naangazia zaidi mwaka wa kibunge ambao ni baina ya mwezi wa pili hadi mwezi wa kumi na mbili. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Okay the Leader of Majority am sure you heard the Member and you understood what he said, they are not satisfied with your response, it is as if you are misleading the House.

The Leader of Majority (Hon. Mwidani): No Mr. Speaker I am not misleading the House, *Bunge linapelekwa na kalenda, halipelekwi na mwaka wa kifedha wa pesa!* To be very sincere, *Bunge sisi twaenda na kalenda yetu Bwana Spika; nikitoa mfano hata Uhuru Kenyatta wakishatoka likizo ndefu yeye ndio anaingia siku ya kwanza kufungua Bunge na hiyo kalenda tumekopi pia kama Serikali ya kitaifa. Kwa hivyo Bwana Spika sija mislead, ikifaka Februari ambapo ndio sasa katika kalenda yetu....*

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Leader of Majority from what Hon. Mwanwiri was saying is the state of the County address; first is different from the opening of an Assembly and secondly what Hon. Mwanwiri raised is in this calendar year that we are sitting in, has the Governor addressed the Assembly?

The Leader of Majority (Hon. Mwidani): Bwana Spika nafikiri nimemjibu kwamba ilikuwa inatakikana ile likizo ndefu tuliokuwa tumekwenda kufungua huu mwaka alikuwa inapaswa aje, kweli hiyo tumekubali hakuja, ndio nimesema wakati huu tutahakikisha kwamba baada ya likizo ndefu atakuja kuhutubia *the annual state of the County address*.

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

Hon. Athmani Mwanwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika sijui Kiongozi wa Wengi anajaribu kimbua swala gani, mwaka wa ki Bunge haujafunga, kwa nini ashurutishe ya kwamba mpaka tutoke likizo ndefu? Mwaka wa ki Bunge haujafunga bado ipo fursa, angetuambia kalenda ya Mstahiki Gavana iko na majukumu mengi hatopatikana tukalielewa hilo lakini yeye kusingizia kwamba tukitoka atakuja kuangazia, hiyo ni hotuba ya kufungua Bunge, anapotosha Bunge hili Mheshimiwa Spika na yeye ni mkongwe mweledi wa maswala ya ndani ya Bunge. Tunalolizungumzia ni swala ambalo lilikuwa litendeke baina ya mwezi wa pili hadi kufikia tarehe tano mwezi wa Disemba, akiri kwamba halija tendeka na sababu atupe, hana sababu siku zilizobakia kabla tufunge Bunge atuambie kipi kinacho msibu Mstahiki Gavana kuweza kulitekeleza hili jukumu lake la kikatiba. Sisi ni wanaadamu, yeye ni mwanadamu yeye ni Gavana wetu...

(Applause)

Tunampenda tunamtambua tutalielewa, tutamridhia na tutasubiria mwaka kesho kwa sababu tunajua ana majukumu, anatumendea kazi.

Kwa hivyo kama atashindwa kwa muda uliosalia kwa sababu ya sababu hii; kwamba hakuweza kuanzia mwezi wa pili hadi Disemba kwa sababu hizi, tutamridhia, tutasubiria mwaka kesho tumuone na sio lazima mwaka kesho aje mwezi wa pili, hata mwezi wa tatu, akija mwezi wa nne haidhuru yamkini amelitekeleza analostahiki kuja kuhutubia ndani ya Bunge hili kwa wananchi wake wa Mombasa. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Okay. Yes Hon. Raphael Bwire.

Hon. Bwire: Shukran Mheshimiwa Spika. Mheshimiwa Spika nikimnukuu Kiongozi wa Wengi amesema ya kwamba ni kama Gavana alighafilika na mwaka wa kibunge unakamilika pasipo hotuba ya Gavana, kwa hiyo akaomba radhi na katika majibu yake akasema ya kwamba ameomba na aruhusiwe aje tutakapo fungua Bunge baada ya likizo ndefu. Kwa hivyo mimi ningeomba Wabunge wenzangu tulivumilie maana tumebakisha wiki chache sana kwenda katika likizo ndefu, hata leo Gavana akaja akahutubia hatutopata wasaa wa kujenga hoja katika ile hotuba yake maana tumebakisha siku chache sana Mheshimiwa Spika kwenda katika likizo ndefu. Kwa hivyo yote yale tumeliza ametuletea majibu na akaomba radhi ya kwamba lishafanyika na sote twajua kwamba yakisha mwagika maji kuzoleka ni vigumu hivyo basi mimi ningeomba aliyelea hoja hii na Wabunge wenzangu ya kwamba yote hutusaidia kujenga hoja za mwaka na kuleta yale ambayo yanakabili watu wetu kule mashinani lakini yashafanyika na kiongozi wetu ameomba msamaha. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mohamed Hatimy, proceed.

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi nafikiri tunajifuma wenyewe kusema ati kuna kalenda! Kalenda ya Bunge iko wapi? Kalenda ya Bunge iko wapi?! Mheshimiwa Spika angalia Kanuni za Bunge nambari 25 yasema nini, Kalenda lazima iwe *gazetted*, kuna mtu ako na *gazeti*.. *is it gazetted?* Iko wapi?

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Mohamed Hatimy you are out of order! You are misleading the House because if you said that we do not have a gazette calendar Hon. Hatimy it will also mean that we are sitting illegally.

Hon. Mohamed Hatimy: Ofisi ya Karani mkuu wa Bunge iko hapa, *give us a copy of that gazette notice!* Twataka kuona *gazette notice* Mheshimiwa Spika, tusipelekane *round*, twataka Mheshimiwa Spika Karani wa Bunge yuko hapa twataka kuona kopi ya nakala ya *gazette notice*.

The Deputy Speaker (Hon. Mwalimu): Thank you, so it will mean the Leader of Majority is also misleading the House because he is the one who has been presenting the calendar in this Honourable House and he is the one who has been bringing Motion of adjournment of this... the calendar of this Assembly, it will as well mean that the Leader has been taking us on a ride, use your microphone!

Hon. Mohamed Hatimy: Mheshimiwa Spika nitasimama na msimamo wangu *until and unless I am given a copy of that gazette notice, otherwise* ikiwa kusema hii ni kukaa kwa njia ya haramu, ni njia ya haramu *and I stand by my words*.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Tobias Samba.

Hon. Samba: Thank you Hon. Speaker, it is good we are learning here. Hon. Speaker we want to teach others; if my memory serves me better I think when we resumed the Paper was laid, in fact I raised the first concern about the calendar and the Leader of Majority laid our calendar here and we were given a calendar of the events. At some time we raised that issue, how can we have several adjournments and recess and at some given point we wanted to adjust our calendar and it became very difficult because we had laid the official calendar initially, and that is why we could not amend and here Hon. Speaker a Member standing and telling us we do not have a calendar of events and he has been in the House and he has been signing. I would request through your Chair let us cancel all...

The Deputy Speaker (Hon. Mwalimu): Hon. Samba have your seat. Hon. Ogutu? The Leader of Majority will represent to this Honourable House the gazetted calendar in our next sitting; the House Business will accord time and present the gazette notice of the House calendar...

(Interruption)

Hon. Mohamed Hatimy: Ni tukubaliane Mheshimiwa Spika hili jambo lisimamishwe...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): The issue on the calendar will pause on that because that... Yes Hon...

(Interruption)

Hon. Mohamed Hatimy: Am a Member I do receive weekly gazette notices Hon. Speaker. *Mimi niko nazo nipatie tu tarehe nitakutolea, atoe tarehe iliyokua hiyo lakini nimekubaliana na uamuzi wako.*

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

The Chief Whip (Hon. Kitula): Mheshimiwa Mwenyekiti tayari ushatoa amri yako na ni bora tuweze kupata muelekeo kwa sababu Mheshimiwa Hatimy tusidanganye yeye ndio ana ufahamu zaidi kwa Bunge lakini kuna ukweli ndani yake sisi kama Bunge tulipitisha kalenda lakini leo hii nataka tutumie jukumu letu kama Wabunge hatua ya kwanza tulipitisha kalenda kweli lakini hatua ya ku *gazette* ni ya ofisi ya Karani mkuu wa Bunge na kama wao hawaja *gazette* kalenda itakuwa ni jukumu letu kama MCAs kuweza kuangalia ofisi ya Karani mkuu imeweza kupotosha Jumba letu na kuchukua hatua kama Wabunge wa Kaunti. Ahsante sana.

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

(Silence)

Hon. Members I will now request the Leader of Majority to liaise with the office of the Governor and to respond accordingly in this House.

This is because it is a constitutional right for the Governor to come and address the House in the remaining time, the Governor has time for him to come and respond and if he has other reasons as to why he will not be available then the Leader of Majority will also reply because from his reply the Leader of Majority was addressing another address and the person responsible for this had requested another issue so they were talking of different issues. So I request the Leader of Majority in our next sitting to respond on this issue on when the Governor might be coming to this Honourable House and the issue of this Calendar the Leader of the Majority will liaise with the Office of the Clerk and it is a concern that Hon. Mohamed Hatimy has raised. So also the Leader of Majority will liaise with the office of the Clerk to respond to this Honourable House with the gazetted document.

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

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS HON. MOHAMED HATIMY ON DISBURSEMENTS OF EQUITABLE SHARE TO COUNTY GOVERNMENT OF MOMBASA FOR THE FINANCIAL YEAR 2019/2020

Yes Hon. Mohamed Hatimy?

Hon. Mohammed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nataka kujibu Taarifa kutoka Mheshimiwa wa wodi ya Junda. Mheshimiwa Spika...

(Silence)

Mheshimiwa Spika nataka kutoa taarifa kwa Nyumba hii kuwaeleza kuwa sisi tumepokea pesa 2019/2020 kwenye bajeti yetu ambayo ni *equitable share* yetu Kshs. 7,485,441,000, Bunge la Kaunti bajeti ni Kshs. 683,827,756.93 mgao kwenye hii pesa Mheshimiwa Spika asilimia 9.14% ya hizi fedha Mheshimiwa Spika...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Mohamed Hatimy there is a concern; yes Hon. Athman?

Hon. Shebe Athman: Ahsante Mheshimiwa Mwenyekiti. Mheshimiwa Mwenyekiti nafikiri ni jana tu nimempongeza Mwenyekiti Mwenza wa Afya kwa utaratibu mzuri aliokuja nao kuhusu masuala ya majibu kwa maswali ya Taarifa na ni kinaya kwa sababu Mwenyekiti wa sarafu anasoma habari muhimu sana ambayo inatuhusu sote, si Mheshimiwa wa Junda pekee yake lakini sisi tuko gizani, tuko chini ya himaya yako Mheshimiwa Spika twataka kujua pia sisi ni wahusika wakuu katika hili suala kuu la senti. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa Mwenyekiti nataka kusema kuwa hii ripoti nafikiri; *quarterly report* ilikuja ndani ya hii Nyumba na Spika akatoa uamuzi kuwa kwa yule anayetaka *quarterly report* hii taarifa ataipata ndani yake. Kuwa watapata kuwa watakwenda kwa Karani wa Bunge kwa sababu kile kitabu Mheshimiwa Spika ni kikubwa na mimi nimetoka kunikimbiza mpaka kupata hii taarifa. Kwa hivyo naomba muniwie radhi yule aliyauliza hili swali nimempatia hii karatasi na pia tutagawanya baada ya kumaliza nitapeana muangalie hii hesabu ambayo tunapeana.

Mheshimiwa Spika nimesema kuwa pesa ambazo mgao wetu ni shs 7,485,441,000, bajeti ya Kaunti ni shs 683,827,756.93 Mheshimiwa, mgao wetu wa Bunge la Kaunti ni shs 163,772,744.68 ambapo pesa ambazo zimepokewa ni shs 1.719300...(Technical hitch) Mheshimiwa Spika. Kwa hivyo Mheshimiwa Spika Bunge la Kaunti limeweza kupokea shs 178,487,844.85. Ahsante Mheshimiwa Spika.

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

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker according to the report I have is that the equitable share received up to 31st of October, 2019 is 1.7 billion and the County Assembly so far received the first amount; we received... indicated here is shs 30 million. The second disbursement was shs 154 million Hon. Speaker and I do not know how I will be convinced that out of shs 1.7 billion so far received (Technical hitch) as Assembly we have only received shs 84 million and Hon. Speaker we have so many pending bills within Assembly. As we speak we have not paid for the office rents Hon. Speaker; you can imagine if this is justice being done here so I want to call upon the Committee on Finance this is for the benefit of all of us why should Executive receive this such amount of money only to give an Assembly shs 84 million according to them? Hon. Speaker, yes it is 30 plus 54, I do not know whether it is my eyes but that what I am seeing...

The Deputy Speaker (Hon. Mwalimu): Okay yes then let the Hon. Member to respond.

Hon. Mohamed Hatimy: Mheshimiwa Spika kwa mujibu wa sheria pesa zinakwenda kwa asilimia, kwenye pesa tulizopokea shs 1,792,719,300 mgao wetu ilikuwa ni asilimia 9.14% *we are supposed to be receiving* shs 163,772,744 lakini sisi tumepatiwa shs 178,487,844. Mheshimiwa Spika ukiangalia tumepatiwa *excess* ya shs 14,715,100 Mheshimiwa wa Junda nataka ufanye kweli ni 30 *plus* 54 waiwacha *figure* ya juu 94 ambayo hizi ni mishahara ambayo tumelipiwa za robo ya kwanza ya mwaka wa kifedha ambayo jumla inakuja shs 178, 487,844. Nafikiri endelea kuongeza sio tu shs 80 milioni *plus* shs 94 milioni. Ahsante Mheshimiwa Spika.

Hon. Bwire: Thank you Hon. Chair.

The Deputy Speaker (Hon. Mwalimu): So Hon. Bwire I remember you had alleged that the County Assembly had received only shs 30 million so far so as per the report that you are carrying are you satisfied?

Hon. Bwire: Hon. Speaker I need more explanation on this; I can see paid/IB executive/salary and other expenses which amounts to shs 94 million, I am not satisfied because I can see the paid IB executive so I do not know whether that belongs to the County Assembly or executive and secondly I see the County Assembly of Mombasa request; one, shs 30 million, County Assembly of Mombasa request, two shs 54 million. So I do not know whether this paid IB executive salary and other expenses which amounts to 94... belongs to the Assembly Hon. Speaker and that is why I was not in a position to add 94 to 30 and 54 million. So am not satisfied whether shs 94 million belongs to the County Assembly yet there is an indication that it was on executive IB salary and other expenses that was amounting to shs 94 million. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): But you can see total County Assembly funding.

Hon. Bwire: I need an explanation from the Chair, what does it mean paid/IB executive salary and other expenses amounting to 94.

The Deputy Speaker (Hon. Mwalimu): Okay Chair please advice.

Hon. Mohamed Hatimy: Mheshimiwa Spika IB *paid from the executive* ni mishahara yetu sisi imetengezwa na *executive* lakini kuanzia huu mwezi tumeanza kulipa sisi wenyewe Bunge la Kaunti inajilipa sasa wenyewe lakini miaka yote inalipwa IB *executive*, kwa hivyo *executive* ndio walikuwa wakitulipia mishahara yetu. Ndio wamelipa hii shs 94 milioni kwa mda wa *first quarter* hizi nyengine ndio tuliomba ambayo ni shs 84 milioni. Hizi ndio tuliomba zilioingia kwenye *account* yetu lakini hizi nyengine ni pesa ambazo zimelipwa na *executive* kulipa mishahara yetu na waweza *confirm* na ofisi ya Karani wa Bunge, kuona hii hesabu ya shs 94 ni ya ukweli ama uwongo. Na vile vile halikuuzwa matumizi, swali ameuliza ametaka kujua ni pesa ngapi ambazo tumepokea sisi kutoka Controller of Budget Mheshimiwa Spika.

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

Hon. Bwire: Hon. Speaker of course there was a reason as to why I asked for the total amount so far the County has received; I had a reason and the expenditure being one of the reason as to why I asked for it so Hon. Speaker with your directives I would wish to ask for five days I go sit down to compile this report with the report I have from the Controller of Budget and then if you allow me next week I will bring it back to this House.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mohamed Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika I am objecting the request because *sio sheria kuja na swali*; either come with a supplementary question or another question, *lakini huwezi sema kuwa siku tano uende ukachunguze alafu urudi tena, wataka kuendelea na swali lilelile! Ni kinyume na sheria Mheshimiwa Spika.*

Hon. Bwire: Hon. Speaker I need that law that bans me from compiling and bringing back the report; If he is in a position to tell me this law does not permit you to do what you are asking for Hon. Speaker I will comply.

The Deputy Speaker (Hon. Mwalimu): Let Hon. Mohamed Hatimy respond first.

Hon. Mohamed Hatimy: Mheshimiwa Spika nataka kumwambia mwenzangu aende akasome taarifa ya Eskin May yasema nini juu ya taarifa ndio ataona kwamba maneno ninayosema ni ukweli ama uwongo.

Hon. Bwire: Hon. Speaker I am the one who raised this question but again I will comply with the directives though I pray that you consider my prayer. We already have the report from the Controller of Budget with us and I wanted the Chairman to bring me this report then I compare with the report we have from the Controller of Budget then If I will not be satisfied with the report where do I go if not this House.

So I would wish you to permit me if incase they tally the report from the Controller of Budget and the report presented here by the Chair tallies allow me to bring back the response, if they do not tally again Hon. Speaker allow me to bring back to this House, thank you.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Rosemary before we wind up.

Hon. Mukavi: Thank you Mr. Speaker I am just confused because I can see people are reading from papers which we do not have so we are really lost, we could be contributing to this but we do not have the papers, is it possible for everybody to be furnished with these kind of documents, thank you.

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

Hon. Samba: Yes my concern has been drawn by the response of the Chairman for budget and Hon. Speaker maybe I be informed I think the role that the Chair is trying to play should be played by the Executive. The Chair for now should not be resistant, whenever a Member requests for anything he should not try to be defensive but for now i think the best answer he could have given is that maybe the Executive are not in the office for now but for him to tell a Hon. Member who is concerned and everybody in this House knows what Junda Ward is undergoing through and that is why the Honourable for Junda brought up this Statement. So it is not fair and when we are the Chair we are not supposed to befriend the Committees, we are supposed to give the required answers or rather Statements to the House, we are supposed to give the required answers or other Statement to the House that satisfies the House. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Tobias Samba. Hon. Members as the Chair will not obstruct what Hon. Bwire said but I will request Hon. Bwire after the said investigation that you said you are going to make prepare a supplementary on the same to the House Business Committee. You said five days then whatever that you will be satisfied or not satisfied just lay it before the House Business Committee and proper channels will follow.

STATEMENT

Yes Chairperson Committee on Transport, Infrastructure and Public works or any other Member from that Committee?

(Silence)

I understand that the Majority Leader is a Member of Transport Committee.

The Leader of Majority (Hon. Mwidani): Mr. Speaker with due respect you know you have to be very honest, yes I am a Member but I have never been called for the meeting to have the response. So I have to be very sincere, I do not want to lie things which actually I know the truth.

(Applause)

So I will just request the House to postpone this issue to the next meeting please Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): I think the Hon. Member from Mkomani Ward is satisfied by the response from the Hon. Majority Leader.

Hon. Opeya: Mr. Speaker I think I can give them until next week since he requested for it. Thank you.

The Deputy Speaker (Hon. Mwalimu): Okay the House Business Committee will slot a day but Hon. Majority Leader make sure you take charge of that Committee because a drainage in Mkomani Ward has been an issue which the Hon. Member has raised it in this Honourable House for quite a long time.

The Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker.

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

RESPONSE TO STATEMENT BY THE LEADER OF MAJORITY HON. MWIDANI ON THE
TABLING IN THE COUNTY ASSEMBLY OF THE SGR REPORT BY THE COUNTY GOVERNMENT

Yes Hon. Athman Shebe?

Hon. Athman Shebe: Ahsante sana Mheshimiwa Mwenyekiti. Nafikiri mimi ndiye nilikuwa nisubirie majibu kutoka kwa Kiongozi wa Wengi katika Bunge letu la Mombasa, baadhi ya maelezo haya niliyaleta takriban mwezi Mheshimiwa Mwenyekiti kuhusu maswala ya athari ya SGR katika Kaunti yetu ya Mombasa na tangu swala hili Mheshimiwa Mwenyekiti lianze nafikiri ni takriban miezi mitatu wakazi wa mji wa Mombasa katika msemu wetu tuliouzoa Mombasa raha sasa umekuwa Mombasa karaha.

Kwa hivyo Mheshimiwa Mwenyekiti haya maelezo nimekuwa nikiyaleta hapa kila mara na nashukuru chini ya himaya yako leo umehakikisha kuwa hili swala liweze kujuliwa mbivu na mbichi ijulikane, sababu ni takriban miezi mitatu. Mheshimiwa Kiongozi wa Wengi amekuwa anapiga mithili ya mpira wa kona haya maelezo kwa hivyo mimi nafurahi kuwa naona yuko hapa natabasamu mzee wangu namuheshimu kwa yale majibu nitapewa basi wakaazi wa Mombasa wataweza kujua je athari za SGR katika Bunge la Kaunti ya Mombasa limejadiliwa ama namna gani? Kwa sababu wengine wanaona kuwa tunasoma katika vitabu tofauti Mheshimiwa Mwenyekiti na sisi ni viongozi tuliowekwa hapa kuwakilisha wao; hivyo basi nafurahi kuwa umenipatia fursa hii na nangoja kwa hamu na hamumu Mheshimiwa Kiongozi wa Wengi katika Bunge maelezo ya kueleweka. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Okay thank you. Yes Hon. Leader of Majority?

The Leader of Majority (Hon. Mwidani): Ahsante sana Bwana Spika pia namshukuru Mheshimiwa kwa bidii anayoifanya kupata hii ripoti. Bwana Spika mimi ningemuomba Mheshimiwa hizi taratibu ninazifuutilizia na nafikiri bila kuficha ni kwamba tulijua kwamba mkubwa ambaye ni Gavana alikuwa amelazwa. Kwa hivyo ni kitu ambacho kinatakikana yeye mwenyewe atoe ruhusa ndio yule anayeshikilia wadhfa wa *Chief* ama Katibu wa Kaunti achukue hatua muafaka. Bwana Spika kwa haki na ukweli kwamba jana nilipoulizia haya maneno Katibu wa Kaunti ndiye akaniambia kwamba anaandika majibu ambayo Gavana amepatia, kwa hivyo Bwana Spika si kwa sababu ninayapendekeza ni maneno yaliyo ukweli.

Kwa hivyo ningelimuomba Mheshimiwa kwa hatima za uongozi na za kiheshima anipatie muda mpaka wiki ijayo nilete ile ripoti kamili ambayo nitakuwa nimepewa na hasa najua ni kwamba alikuwa atataka ile ripoti amekabidhiwa Gavana. Kwa hivyo Bwana Spika namuomba Mheshimiwa anipe huo muda na Mungu Akipenda tutaweza kutekeleza vile anavyotaka. Ahsante.

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

Hon. Athman Shebe: Mheshimiwa Mwenyekiti wakaazi wa Mombasa kwa jumla *Wallahi* wamengoja milele katika maelezo haya ya athari ya SGR naona wanakufa bila kelele. Kiongozi wa waliowengi katika Bunge anaomba tena muda Mheshimiwa Mwenyekiti labda tu niweze kumfahamisha kidogo kwa sababu...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Shebe are you not satisfied with the request for one week or...?

Hon. Athman Shebe: Ndio maana nilikuwa naja hapo Mheshimiwa Mwenyekiti kwa sababu sijaridhika ni takriban miezi mitatu sasa hivi Mheshimiwa Mwenyekiti.

The Deputy Speaker (Hon. Mwalimu): But the Leader of Majority has requested for one more week so I think it is better we wait for one week...

(Interruption)

Hon. Athman Shebe: Mheshimiwa Mwenyekiti nafikiri Kiongozi wa Wengi amejieleza vizuri na wiki moja ambayo ameomba bila shaka mimi nitakuwa na subra ya kusubiri kama kiongozi lakini naomba Mheshimiwa Mwenyekiti isije tena ikawa hali ni ile ile kwa hivyo nina matumaini wakati huu Mheshimiwa Kiongozi wa Walio Wengi katika Bunge atakuja na maelezo yakueleweka Mheshimiwa Mwenyekiti. Kwa sababu hili swala wakaazi wa Mombasa unajua Mheshimiwa Mwenyekiti tunaumia na swala la SGR kwa hivyo nitasubiri baada ya wiki moja na pia nitapata nafasi nzuri ya wakaazi wa Mombasa wajitokeze kwa sababu watataka kusikia kauli ya Bunge la Mombasa na kuhusu athari hii ya SGR, kwa hivyo kiongozi nitasubiri. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Okay thank you. So the Leader of Majority, the Honourable House will be waiting for this report and the House Business Committee will allot when and time you are going to respond on this issue.

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON HEALTH HON. KIBWANA SWALEH ON A PROPOSAL TO HAVE REGULAR RESHUFFLING OF HEALTH WORKERS WITHIN THE COUNTY HEALTH FACILITIES TO ENHANCE EFFICIENCY AND PRODUCTIVITY

Yes Hon. Athman Shebe?

Hon. Athman Shebe: Ahsante sana Mheshimwa Mwenyekiti. Waswahili wasema yataka uwe na bahati ya mabati kujaliwa kula vya katikati, naona leo nimeweza kufuatanisha maelezo yangu kwa mpigo Mheshimiwa Mwenyekiti, nashukuru.

Mheshimiwa Mwenyekiti nasimama tu kutaka maelezo kutoka kwa Mwenyekiti Mwenza wa Afya changamoto ninayopitia sijui kama Wenyekiti wenza nitakuwa nimewajumuisha katika mchakato huu kuwa wale wakuu wasimamizi wa matibabu katika *Sub County* Mheshimiwa Mwenyekiti wengi wamekuwa na ukiritimba, utepetevu na kutowajibika na yote inachangia Mheshimiwa Mwenyekiti kukaa muda mrefu wafanyikazi wa Kaunti kwa maeneo moja zaidi ya miaka kumi, kumi na tano kuendelea. Kwa hivyo nataka kujua je utaratibu huu unaendezwa namna gani? Unachukua muda gani hao wafanyi kazi kuhakikisha kuwa wanapelekwa katika maeneo mengine ili kuweza kuboresha utenda kazi na uwajibikaji Mheshimiwa Mwenyekiti. Ahsante.

The Deputy Speaker (Hon. Mwalimu): Yes Chairperson Committee on Health?

(Silence)

Hon. Hamida I understand you are a Member of Health Committee plus the Leader of Majority, any response?

Hon. Noor: Thank you Mr. Speaker. We need to sit down and deliberate on this one so that...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Be audible.

Hon. Noor: We need to sit down and deliberate on this one so that we can bring an answer to him for what he has asked for when we are going to sit with our Chairman.

The Deputy Speaker (Hon. Mwalimu): So when are you going to respond back to this House?

Hon. Noor: Mr. Speaker I think this will be after the recess...

(Applause)

The Deputy Speaker (Hon. Mwalimu): After the recess, ok. Yes Hon. Shebe?

Hon. Shebe Athman: Mheshimiwa Mwenyekiti hata mimi nimejaaliwa kuangalia baadhi ya uso za watu wameshtuka. Mheshimiwa Mwenyekiti tunaongea kuhusu haki muhimu ya Kikatiba afya na hawa wafanyi kazi, Mheshimiwa nilikuwa nasubiri aniambie labda wiki moja lakini ananiambia baada ya likizo? Tunazungumzia kuhusu mwaka ujao mwezi wa pili Mheshimiwa, takriban tarehe 10. Mimi naona Mheshimiwa Mwenyekiti hii Kamati imeanza kuleta mzaha katika masuala ya afya; tafadhali, baada ya likizo Mheshimiwa tunazungumza miezi miwili mfululizo hapa na kuna watu wangu wanaumia. Tafadhali ningomba Mheshimiwa Mwanachama wa Kamati ya Afya aweze kuwa makini na haya masuala ya Afya tafadhali Mheshimiwa Mwenyekiti tusikaushane mate.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Athman Shebe. Hon. Hamida had requested for at least after recess they bring back this response but I will give the Committee 14 days to respond back to this Honourable House as per the statement from the MCA Jomvu Kuu Ward. Yes Hon. Tobias Samba?

Hon. Samba: Mr. Speaker there is a statement that I brought here some three to four weeks one month ago and it was supposed to be responded back by 16th and it is unfortunately maybe somehow they are some of the statement that are supposed to be responded to and other they are not. Now this is the second time I am raising up to question on the same note. I had given out a statement on demolition of structures at Buxton by Inspectorate, till now I do not know the fate of the statement. So through your Chair at least give direction on that statement. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Tobias. I think it is the mandate of the House Business Committee that the Committee that is preparing businesses that will see the door of the day of this Honourable House, so liaise with the Committee so that the matter will be brought forward maybe in our next sitting, but liaise with the House Business Committee...

(Interruption)

Hon. Samba: It is not a new statement...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Yes it is not a new statement, but maybe the House Business Committee had a lot of businesses that they program them to come in this week, maybe your statement might be coming in our next sitting. So that is why I am saying liaise with the House Business Committee and they will give you a date and time as to when the response is going to come to the floor of this House.

Hon. Samba: Thank you Hon. Speaker.

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

ADJOURNMENT

Hon. Members there being no other Business the House stands adjourned until Tuesday, 26th November, 2019 at 10:00a.m.

The House rose at 3:45p.m.