



REPUBLIC OF KENYA

COUNTY ASSEMBLY OF KILIFI

THIRD ASSEMBLY-SECOND SESSION

THE HANSARD

Friday, 11 August 2023

SPECIAL SITTING

(Convened via Kenya Gazette Notice No. 10355 of 10th August 2023)

*The House met at the County Assembly Chamber,
Malindi Town, at 9:30 a.m.*

[The Speaker (Hon.Mwambire) in the Chair]

PRAYER

COMMUNICATIONS FROM THE CHAIR

NOMINEES FOR THE MALINDI MUNICIPALITY BOARD

The Speaker (Hon. Mwambire): Hon. Members, I have some Communications to make. One; the County Assembly is in receipt of a letter from the County Secretary, reference CG/KLF/AG/CS/CONF/VOL.V/37 dated 14th July 2023 forwarded on behalf of the Governor. Names and curriculum vitae (CVs) are of the following individuals who will constitute the Board of Malindi Municipality: -

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No.	Name	Nominating Institution	Nominating Category
1.	Amir Mansour Naji	Kenya National Chamber of Commerce	Association representing the Private Sector in the area.
2.	Conrad Anganga Atiang	Law Society of Kenya	Professional Association
3.	Balal Abdulaziz Chaudhri	Progress Welfare Association	Neighbourhood Association
4.	Alice Mwaka Matembo	Malindi Micro and Small Association Enterprises	Informal Sector
5.	Suleiman Salim Omar	Executive	Executive
6.	Clara Mukhambe Muganga	Executive	Executive
7.	Agnes M. Mturi	Executive	Executive

Hon. Members, Pursuant to Section 13 of the Urban and Cities Act, 2011, I commit this to the Sectoral Committee on Lands, Energy, Housing, Physical Planning and Urban Development for consideration of their approval for appointment and thereafter compile a Report to this House within the stipulated timelines. Thank you.

NOMINEES TO THE POSITION OF CHAIRPERSON AND MEMBERS
OF THE COUNTY PUBLIC SERVICE BOARD

There is another communication from the Executive on the Members of the County Public Service Board (CPSB). It is not very clear.

S/No.	Name	Proposed Position
1.	Albert Mturi	Chairperson CPSB
2.	Dr. Francis Fondo	Member CPSB
3.	Attas Ali	Member CPSB
4.	Susan Mumba	Member CPSB

The other two Members' names will be forwarded later with their CVs. The Committee on Devolution will go through them but after they have been advertised and we get the information from the public, they will compile a Report that will be brought to the House for consideration.

NOMINEE TO THE POSITION OF KILIFI COUNTY SECRETARY

Then the position of the County Secretary (CS) will be going to the Committee on Appointments, that is, Martin Mangi Mwaro Baya. So, this name will also be forwarded to the Committee on Appointments for vetting and consideration, but the process of vetting will start as usual. They will be put in the dailies for the public to give their views on the same then the **Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Committee will do the vetting and a Report will be brought to the House for consideration. So, we are remaining with two more names for the CPSB members.

PAPER LAID

REPORT OF THE LANDS, ENERGY, HOUSING, PHYSICAL PLANNING AND URBAN DEVELOPMENT
COMMITTEE ON THE FORMALIZATION OF MSABAHA SETTLEMENT SCHEME

Hon. Ray: Thank you. Today 11th August 2023, I beg to lay the following Paper on the Table: -

The Report of Lands, Energy, Housing, Physical Planning and Urban Development Committee on the formalization of Msabaha Settlement Scheme, reference number 139/KLF/1/2021- Ganda Ward.

Thank you, Mr. Speaker, Sir.

(Hon. Ray laid the document on the Table)

NOTICE OF MOTION

ADOPTION OF THE REPORT OF THE LANDS, ENERGY, HOUSING, PHYSICAL PLANNING AND URBAN
DEVELOPMENT ON THE FORMALIZATION OF MSABAHA SETTLEMENT SCHEME

Hon. Ray: Thank you, Mr. Speaker, Sir. I would like to give Notice of the following Motion: -

THAT, this House adopts the Report of the Lands, Energy, Housing, Physical Planning and Urban Development Committee on the formalization of Msabaha Settlement Scheme that is reference number 139/KLF/1/2021 - Ganda Ward laid on the Table of this House on the 11th of August 2023.

Thank you, Mr. Speaker, Sir.

MOTIONS

ADOPTION OF THE REPORT OF THE LANDS, ENERGY, HOUSING, PHYSICAL PLANNING AND URBAN
DEVELOPMENT COMMITTEE ON THE FORMALIZATION OF MSABAHA SETTLEMENT SCHEME

Hon. Ray: Thank you, Mr. Speaker. Again, I beg to move the following Motion:-

THAT, this House adopts the Report of the Lands, Energy, Housing, Physical Planning and Urban Development Committee on the formalization of Msabaha Settlement Scheme that is reference number 139/KLF/1/2021- Ganda Ward laid on the Table of this House on the 11th of August 2023.

Thank you, Mr. Speaker, Sir.

Mr. Speaker, before I can upon hon. Twaher to second this Motion, I would like to inform the House that the Committee had several meetings and public participation conducted. The Department of Lands, Energy, Housing, Physical Planning and Urban Development through the Office of the County Secretary forwarded the proposed Msabaha Squatters formalization

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scheme reference number 139/KLF/1/2021 plan which was tabled on Thursday, 6th July 2023 and committed to the Committee for scrutiny and they later tabled a Report before the House.

The Committee in collaboration with the Department of Lands, Energy, Housing, Physical Planning and Urban Development retreated for a day at Baobab Hotel in Kilifi on Tuesday 11th July 2023 where Members were appraised on the framework of the squatter's settlement scheme.

Pursuant to Article 196 (1) (b) of the Constitution of Kenya, 2010, the Committee invited interested members of the public and stakeholders to submit their memorandum on the proposed Msabaha squatters formalization scheme reference number 139/KLF/1/2021 written memorandum to be forwarded to the Office of the Clerk of the County Assembly of Kilifi P.O. Box 332-80200 Malindi or emailed to klfassembly@gmail.com on or before Friday 17th July, 2023 at 4.30 p.m.

The Committee further invited relevant stakeholders and members of the public to submit any presentations or views in public participation as indicated in the schedule below. So, we had a public participation that was on Thursday, 13th July 2023 at Msabaha IFC. That was the venue at 10:10 a.m. and then at 2:00 p.m. public participation was at Pendukiani PEFA Church. Then, on Friday, 14th July 2023 at Praise Baptist Church from 10:00 a.m. After these meetings and public participation, we had several findings and challenges. Number one is that some people were not present during the making of the boundaries and the Committee had not reached out to them.

Then two; in the proposed settlement scheme there was no place which had been set aside for a public cemetery and a playground for kids. Then number three; some of the residents had not received their plot numbers and the Committee in charge did not have sufficient information. Number four; verification of the plot numbers had not been done.

Despite these, the Committee had their recommendations and our recommendations are; having considered all the concerns of the planning committees and the residents of the Msabaha and guided by a provision of the Constitution of Kenya, 2010 Section 48 and 49 and Part Nine of the County Planning of the County Governments Act, 2021 Part Five, the County Integrated Development Plan (CIDP), Second and the Third Schedule of the Urban and Cities Act, 2011 and Kilifi County Assembly Standing Orders which lay out the procedures and mandate of the Committee, the Committee recommends the adoption of the Msabaha squatter's formalization scheme, which is reference number 139 KLf/1/2021 plan. I would like to call upon hon. Twaher to second the Motion. Thank you.

The Speaker (Hon. Mwambire): I am trying but it seems... In fact, in my clipboard you are appearing but in the clerk's clipboard, you are not appearing. I do not know what is happening. It has gone off. Is it possible...? Okay, continue.

Hon. Twaher: Asante, mheshimiwa Spika, kwa fursa hii. Nimesimama kuunga mkono Hoja hii ili kutimiza kiu ya wakaazi wa Msabaha na Wadi ya Ganda kwa ujumla, kupata matumaini ya kupata hati miliki. Sisi kama Wanakamati wa Ardhi tumepitia na vilio vya wananchi viko katika Ripoti yetu na tunaomba Bunge hii ipitishie Ripoti hii ili kilio cha watu wa Ganda na watu wa Msabaha kiweze kusikika katika kaunti hii. Asante, mheshimiwa Spika.

(Question proposed)

The Speaker (Hon. Mwambire): Members, you are now at liberty to make contributions, but you will just do so with a show of hand. Yes, hon. Oscar.

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Hon. Oscar: Thank you, Mr. Speaker, for granting me this opportunity. I stand to fully support this Motion as an Elected Member of Ganda Ward. Before I proceed with my contribution, I would also like to thank the Lands Committee. They did a very good job. I was there, they invited me, and we went through the public participation. What I would just like to pass through are the challenges that we met.

The people were not fully embracing it because they did not come out as much as I expected but all the same, the recommendations that the Committee has put across so that the residents in that said plot of Mazrui can get at least the cemetery; is to my recommendation and suggestion if it can be fast-tracked so that our people of Ganda Ward and then Msabaha area could get these titles in time. Above all, I stand to support this Motion. Thank you.

The Speaker (Hon. Mwambire): Yes, hon. Changawa. Sorry, Members, there is a technical hitch on my clipboard. You will put in a request but raise your hand and point out that will be given the rise from there. Hon. Changawa from Dabaso.

Hon. Changawa: Asante, mheshimiwa Spika, kwa kunipa nafasi hii kuchangia mawili matatu katika mjadala huu. Nataka kuchukua nafasi hii mwanzo kabisa kushukuru Kamati kwa mpango huu ambao waliona ni sawa kufika nyanjani na kushughulikia maneno ya ardhi. Mimi kituo changu cha kwanza kutoka Malindi ni Msabaha *Primary*. Kwa hivyo ninagawanya kabisa na Mwenzangu hon. Oscar akiwa yeye yuko Ganda *Ward* lakini Msabaha *Primary* ikiwa iko Dabaso *Ward*.

Kwa hivyo, nataka kusimama kuunga mkono ya kwamba jambo hili lifanywe haraka sana iwezekanavyo. Maswala ya shamba yameua watu; yamepoteza maisha ya watu. Kwa hiyo, si maswala ya kuchezea na pia kwa sababu hata tumeitwa katika mkao maalum kabisa kumaanisha kwamba jambo ambalo tunalijadili hapa ni la umuhimu na hata halihitaji upinzani na halihitaji muda mrefu ni muda mfupi sana tumalizane na hili jambo. Nasimama kuunga mkono na wote wataunga mkono on *my behalf* na waweke hilo swali. Asante sana.

The Speaker (Hon. Mwambire): Mheshimiwa Changawa, najua ingawaje hili swala linataja Msabaha ambapo ni wewe na mheshimiwa Oscar ambao mnagawanya lakini ni jambo ambalo linauhusiano mzito sana na Gatuzi zima la Kilifi. Kwa hivyo, itakuwa si vyema tukiwacha nyinyi wawili mmeongea tuseme ni sawa mngekuwa mmeyapanga nyumbani mkifika tumalize. Mheshimiwa Grace.

Hon. (Ms.) Grace: Asante, Bw. Bwana Spika. Mwanzo, nachukua fursa hii kushukuru Kamati ya Ardhi. Walijitolea walizunguka na wakati tulienda kule Bw. Spika niliona kiu cha kina mama wa Msabaha ambao wameishi miaka mingi bila stakabadhi; wameishi na wasi wasi kuwa siku moja watakuja kuondolewa. Watu wa Ganda wanashukuru sana kwa Kamati ya Ardhi na Gatuzi lote la Kilifi.

Kwa hivyo, Bw. Spika, ninaunga mkono na ninaomba iweze kuharakishwa ili wale kina mama ambao wako na watoto pale ambao wako na wasi wasi wa kuondolewa ambao wako na wasi wasi wa kuwa siku moja kama hawako watoto wao watahangaishwa. Mimi kama mama mwenzao ninasema iharakishwe na wapatiwe hizo stakabadhi na ninaunga mkono kwa sababu mimi ni jirani pia upande ule mwengine wa Dabaso na Watamu. Asante.

The Speaker (Hon. Mwambire): Hon. Members, one of our machines is working, so, I will allow the operator from the other side to give the rights to those who have made requests in the orders the requests have come. So, do not raise your hands; you will get a request from the order on the other machine.

Hon. Ziro: Asante sana, Bw. Spika, kwa kunipatia hii fursa. Mimi pia nimesimama kuunga mkono Hoja hii ambayo imeletwa na Kamati ya Ardhi.

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Kwanza, nataka niwapongeze kwa sababu swala la ardhi ni swala nyeti sana na hii hatua ambayo wamefanya ya kuweza kuwatambua watu wale wa wadi ya Ganda kupata vyeti vyao, nafikiri itakuwa ni hatua ambayo tunaunga mkono kama Bunge la Gatuzi ya Kilifi. Natumai tunaweza kutambua hata zile ardhi nyingine ambazo labda wakimaliza hii wafike. Kule Mwanamwinga pia nafikiri tunawahitaji waweze kufika na waweze kutupatia uhuru wa kutumia mashamba yetu. Asante.

Hon. Mohamed: Asante, Bw. Spika. Mimi pia nimesimama kuunga mkono Ripoti hii kwamba tatizo la mashamba limekuwa tatizo sugu, si Kilifi Kaunti peke yake, hata Pwani nzima. Kwa hivyo, ikiwa tutaweza kuchukua mkono kama huu ambao utakuwa unatatua shida za ardhi, basi tutakuwa tunachukua mwenendo ambao unastahili. Kwa hivyo, nasimama kuunga mkono Ripoti hii. Asante.

Hon. Tete: Asante, Bw. Spika, kwa kunipa fursa hii. Nasimama kuunga mkono Hoja hii. Nyuma yake ikiwa kuna machache ambayo ningetaka kuyazungumza ambayo yalijiri na yakawa ni ya kuvunja moyo. Mimi ni mmoja katika Kamati ya Ardhi na nimetembea pamoja na wenzangu kujua matatizo ambayo wenzetu wa Msabaha waliyapitia.

Mojayapo ya watu wa Msabaha ambayo wameyapitia ni kwamba ugavi wa eneo lile mpaka kufikia kupata vyeti si mara ya kwanza. Kuna wakati walipewa vyeti na kwa lalama zao tulizozisikia tukiwa nyanjani, ni kwamba stakabadhi wanazo lakini makao si yao. Swala hili ningetaka kwa kipindi hiki ambacho tumekuwa nyanjani mpaka kufikia mahali tunasema ya kwamba wanaenda kupokea vyeti vyao, hivi vyeti si vya mara ya kwanza. Watakuwa wana vyeti vingine zaidi ya mara mbili.

Ni ombi langu ya kwamba wapate vyeti na kudhibitishiwa ama kuhakikishiwa ya kwamba ile ardhi ambayo wanapewa vyeti haitakuwa na utata kiasi ya kwamba wakose matumaini ya kwamba kuna serikali ambayo inawapigania. Kwa hivyo, utata huu ambao upo ndani ya Msabaha, sio utata peke yake ambao tuna ushuhudia ndani ya Kilifi Kaunti.

Mimi ni muathiriwa katika mambo ya mashamba kama *squatter* maeneo ya Kilifi Kaunti; Mtwapa naweza sema kwamba ndio ngome ya *squatters*. Kwa hivyo, ningomba Msabaha iwe mfano. Vyeti vitakavyopeanwa viwe ni vyeti ambavyo vina uhalali na kuhakikisha ya kwamba wakaazi wa eneo lile wana amani katika makao yao. Hali hiyo ikijiri ama ikiendelezwa, naomba sehemu itakayofuata kuwa mfano iwe ni eneo la Shimo la Tewa. Kwa haya, nasema asante Bw. Spika. Naunga mkono.

Hon. Hinzano: Asante sana, mheshimiwa Spika. Kwanza, nakushukuru kwa kunipatia nafasi na pia nimshukuru Mwenyezi Mungu nikiwa niko hai kusimama katika Bunge hili tukufu kuweza kuunga mkono Ripoti hii ambayo imeletwa na Kamati ya Ardhi. Katika Jimbo letu la Kilifi, limetumiwa vibaya kwa sababu mengi katika majimbo yote ya Jamhuri yetu ya Kenya wako huru kikamilifu.

Wako huru kikamilifu kwa sababu baada ya watawala wale wakoloni kutoka, ardhi ilirudhishwa kwa wananchi wa Jamhuri yetu ya Kenya. Ni aibu na fedheha kubwa sana kuona katika Kaunti yetu ya Kilifi haya hayakufanyika ndio maana mpaka sasa hivi kutoka tupate uhuru, kuna wananchi ambao wanavunjiwa nyumba zao na kuhamishwa na hata kupoteza maisha. Kwa sababu mara nyingi wanakuja kubomolewa wakati wa usiku, ni huzuni kubwa sana.

Haya maswala tunaongea kuhusu Ganda ni kweli kabisa waweze kupata hati miliki zao ili kuweza kusonga mbele na maisha yao. Lakini naona pia ni bora karibu kila wadi kwa sababu matatizo haya yako katika kila wadi. Uzuri ni kwamba nataka nishukuru hiyo Kamati na pia Bunge hili kwa sababu linalonishangaza mimi katika viongozi ambao wameshapita huku nyuma ama mabunge hayo mawili.

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Kulikuwa kuna ukosefu wa afya ya akili, kwa sababu kuwa kiongozi ni kutatua shida ambayo mwananchi amekupeleka nayo Bungeni, na tulikuwa na viongozi ambao kusema ule ukweli, walikuwa akili zao hazikuwa na afya nzuri. Ambapo waliweza kuongea mambo mengine ambayo hayawezi kuendana sambamba na wananchi. Kwa hivyo, kwa Kamati hii kuleta hii Ripoti hapa na Bunge hili kusimama kwa ajili ya wananchi wa Ganda ambao nimepakana nao, nafikiri kutakuwa na mwongozo mpya wa uongozi katika Bunge hili na kufanya yale ambayo wananchi yanawaumiza pale mashinani. Naunga mkono Ripoti hii. Asante.

Hon. Munyoki: Asante sana, Bw. Spika. Ningependa kuwashukuru wanakamati wenzangu, mimi nikiwa mmoja wao katika hii shughuli ya kuunga mkono Hoja hii ya Msabaha *Settlement Scheme*. Changamoto kubwa tulivyokuwa mashinani, wananchi wengi wa Kilifi hawakuwa na uhakika kama hii shughuli itaisha na vyeti vitaenda kutoka. Walikuwa wanafikiri tumekwenda kufanya istihizai na wao lakini baada ya mkutano na kuwaelezea kinaga ubaga kwamba hii shughuli imefikia mwisho ni katika hali ya kuthibithisha na kumaliziamalizia lakini vyeti vinaenda kutoka, wengi walikuwa na furaha na waliridhika kwamba hii shughuli imeenda kufikia mwisho na vyeti vya kumiliki mashamba vinaenda kutoka. Mimi kwa mara nyingine tena naunga mkono Hoja hii. Asante, Bw. Spika.

Hon. Zia: Asante sana, mheshimiwa Spika, kwa nafasi ambayo umeweza kunitunuku ili kuweza kutoa hoja zangu pia. Vile vile, napeana pongezi kwa Kamati husika ikiongozwa na ndugu yangu mheshimiwa Ray kwa vile ambavyo waliweza kutembelea wananchi wa Msabaha ili kujua tatizo ni nini na hatimaye kuja na hii Ripoti hapa kwa Bungeni.

Kweli naungana na wezangu kuunga mkono hii Ripoti na ni kwamba katika Jimbo letu la Kilifi limekumbwa sana na matatizo haya hasa katika ile sehemu ambayo nimeweza kutoka eneo dogo la Adu. Ni kwamba ni vitu ambavyo vinatamausha kama alivyozungumza mwezangu mheshimiwa Tete wa Shimo la Tewa. Ya kwamba mtu anamiliki cheti na hati miliki halafu unapata kwamba ile ardhi iko na mtu mwingine baadaye.

Mara nyingi huwa nawaambia wananchi wangu kwamba hawana makosa; makosa ni ile ofisi husika ambayo iko kwa sababu wao ndio wanaleta mizozo katika Jimbo hili la Kilifi. Wao ndio ambao wanakuja nyanjani na hata pia wanapeana hizo hati miliki na baadaye utakuta kwamba watu ambao watakuwa pengine kuna bwenyeye fulani ambaye kwa sababu ya pesa ndio wanabadilisha hiyo hati miliki; utaona kwamba yule bwenyeye yuko na kile cheti.

Hili ni jambo ambalo halipendezi kamwe na hii imefanyika hapo Ganda, Chakama na sehemu nyingine ndani ya hili Jimbo. Ni ombi langu ya kwamba sisi waheshimiwa hapa, tuweze kujifunza vitendo kama hivi kwa sababu haitakuwa ni vyema ikiwa mwananchi amepewa hati miliki halafu hiyo hati miliki haitakuwa ya maana katika ile sehemu ambayo anaishi.

Vile vile, kuna tabia ambayo iko tena wakati wanagawanya haya mashamba na kutoa hizo hati miliki. Kuna mambo kwa Kiingereza wanasema kwamba kuna ile kitu ambayo inasemekana ni *picking*; huwa hawafanyi, haya ndio yaliyosababisha matatizo kama yaliyofanyika pale Msabaha. Kila mtu ni afanye kazi kulingana na sheria na kwa mujibu wa kisheria. Mimi na wenzangu huwa tunalaani vitendo kama hivi kwa sababu hili jimbo letu linakumbwa na *cartels*; watu wanaauza mashamba. Wacha tuunde sheria maana tukiwacha jinsi ilivyo, maskwota watapatikana wengi na tutakuwa hatuwapatii suluhu la kudumu. Ni hayo tu, na kwa Kamati pongezi na pia mfike Adu ili kutatua shida za mashamba kule.

(Question, that the Mover be now called upon to reply, put and agreed to)

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Hon. Ray: Thank you, Mr. Speaker Sir, for this chance. I would like to take this opportunity to thank my fellow Members for participating in this debate and passing this Motion. By passing this Motion today it means that residents of Ganda Ward will get their formal document, the deed plan, the beacon certificate, and the title deed.

I will also want to urge Members that passing this Motion will pave the way for the development project in that area because there is a plan. This means that infrastructural projects like road networks can be implemented. I urge my fellow Members to pass the Motion today so we can fulfil the needs of Ganda residents.

(Question put and agreed to)

EXTENSION OF THE MANDATE OF THE AD HOC COMMITTEE ON THE INVESTIGATION OF THE CIRCUMSTANCES WHICH LED TO THE DEATH OF MORE THAN 100 PEOPLE IN SHAKAHOLA VILLAGE IN ADU WARD-KILIFI COUNTY

Hon. Oscar: Thank you, Mr. Speaker for this opportunity. I wish to move a Motion on the extension of the mandate of the Ad hoc Committee on the investigation of the circumstance which led to the death of more than 100 people in Shakahola village in Adu Ward Kilifi County:

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THAT, AWARE THAT, the County Assembly of Kilifi Pursuant to Standing Order 160 (a) established an Ad hoc Committee to investigate the circumstances that led to the death of more than 100 people at Shakahola village in Adu Ward.

FURTHER AWARE THAT, the Committee held several meetings with various stakeholders acknowledging that the life of the Committee lapses upon submission of the Report within three months of its formation as per Standing Order 160A (4) (b).

NOTING THAT, the events surrounding the deaths in Shakahola keep evolving with fresh bodies being exhumed and the need to engage more stakeholders, the Governor, the Kaya elders, the Law Society of Kenya, and the Senate.

THIS HOUSE THEREFORE resolves to extend the mandate of the Committee for a further 30 days from the 10th of August 2023 to engage the above stakeholders and finalize the Committee's Report.

Mr. Speaker Sir, before I call upon the Seconder, kindly allow me to make my submission on what I need to explain to Members...

The Speaker (Hon. Mwambire): Just proceed so that Members can understand you. Just be brief.

Hon. Oscar: Thank you, Mr. Speaker. I will be brief and to the point. The extension of the Shakahola Ad hoc Committee is to finish the Report because what we have is a partial Report. As we speak, there is information that fresh bodies are being exhumed in Shakahola. By tabling this Report now, it means we are going to miss the information that we need most. Above all, the Senate Ad hoc Committee of Shakahola had planned to come and meet stakeholders. We were not able to meet the stakeholders while we were doing the Report findings, which include the Kaya elders, and they have a very important and vital role in giving explanation of the Shakahola.

The extension of the Ad hoc Committee will allow the Committee to come up with a full Report. Above all, we lack the sentiments of the Governor, and this is his County. We were not

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able to get any information from the Governor, so having this extension will allow us to bring a full Report that will be deliberated by this House.

I am sure because this matter is serious and sensitive, it will prevent other such massacres from happening. I call upon hon. Zia to second.

Hon. Zia: Asante sana, mheshimiwa Spika, kwa nafasi hii. Naunga mkono mjadala ulio mbele yetu wa kuongeza siku. Kwanza, najipa pole kwa kile kinachoendelea kule Shakahola, hakipendezi... wacha nikomee hapo maana siwezi ongea zaidi.

The Speaker (Hon. Mwambire): Mheshimiwa Zia, unafaa kusema kama unaunga mkono au la bila hivyo hujafanya lolote.

Hon. Zia: I second.

(Question proposed)

Hon. Tete: Asante, mheshimiwa Spika, kwa fursa hii ambayo nimeipata na ninapenda kuyazungumza yaliyofanyika, yaliojiri na nikisema ya kwamba pole sana mheshimiwa Zia maana huo msiba ulitupata sote kama Wakenya lakini chanzo na sababu ni huko kwako. Nasimama kuunga mkono kuongezwa kwa muda huu na sababu pia nazo zijulikane ya kwamba kuna hatua ambayo tunapelekana mbele tukirudishana nyuma.

Kwanza, nimesikia Ripoti ipo, kumaanisha kwamba kazi waliifanya wakamaliza, halafu mheshimiwa Spika, nasikia ya kwamba kuna upelelezi zaidi ambao unastahili kuendelea kwa sababu kuna miili zaidi inapatikana. Tena si miili tu *fresh*; sasa ni kwamba watu wanaendelea kuuawa ama ni ile ile iliyokuwa imezikwa wakati ule na wale ambao walipatikana wakati ule?

The Speaker (Hon. Mwambire): Ni miili mipya ama ni miili *fresh* ama miili poa?

Hon. Tete: Mimi nimesikia *fresh*.

The Speaker (Hon. Mwambire): Kiswahili ni miili iliyokaaje? Maana alikuwa ameongea kwa lugha ya Kiingereza. Maana umesema miili *fresh* sasa...

Hon. Tete: Sasa hiyo mipya hata bado hakujakuwa na tofauti kwa sababu tukisema ni miili mipya labda tuseme kuna miili zaidi inapatikana lakini kama kuna miili mipya inaamanisha kazi ya kuangamiza jamii inaendelea. Huu upelelezi ama uchunguzi uliofanywa na hii Kamati kwa muda wa miezi mitatu ama ikiwa ni kwa zaidi sielewi, lakini kufika hapo ilipofikia mpaka kutuletea Ripoti ni kwamba walijua kila kitu ambacho kilikuwa wanahitaji kujua ndio maana wakatayarisha Ripoti hii.

Sasa, mheshimiwa Spika, swali langu laja hapa ya kwamba huu muda ambao tunaongezewa ni wale ambao wanakuja kama vile Gavana, Seneta, Wazee wa Kaya; kuja kuangalia hii Ripoti ama wanakuja na mambo yao tofauti ndio hawa washirikishwe hapa?

The Speaker (Hon. Mwambire): If there is an intervention, then it will be detected from the other machine, not this side. So, if you make an intervention, you will be given the rights from the other side.

Hon. Tete: Ikiwa ziko sababu, kuna uwezekano ninakosa ufahamu ya kwamba iongezwe muda na uongezwe mimi ninakubaliana nao. Lakini hii Ripoti ni kwamba haijakamilika wataiongezwa baada ya hawa wengine kufika. Japo naunga mkono sababu kwa upande mwingine, ninaona umuhimu wa wenzangu kuendelea na hiyo *extension* lakini swali ninalo.

The Speaker (Hon. Mwambire): Hon. Member, there is a problem with the machines, so if you make a request sometimes and they fail to give you the rights...because they are trying but it is not going through. Do not think they are denying you an opportunity. We are trying to manage today's sittings. The hands might confuse but they are trying as much as they can.

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Hon. (Ms.) Grace: Asante, Bw. Spika, kwa kunipa hii fursa. Mimi pia nashukuru Kamati ya Ad hoc kwa kazi ambayo wamefanya. Hili swala la Shakahola si swala la mtu mwingine ila ni swala letu sisi watu wa Kilifi. Kwa sababu sisi ndio tumeathirika na hili swala na hata kama kuna Kamati nyingine ambazo zitawekwa kule kando, sisi ndio tunaangaliwa sana na watu wa Kenya na ulimwengu mzima. Nakumbuka wakati nilisafiri, ilikuwa tukisema tumetoka Kilifi Kaunti tunaambiwa Shakahola! Ilikuwa inasikitisha sana. Hata ukitembea Kaunti nyingine unaulizwa Shakahola kunaendelea aje? Hiyo inamaanisha sisi watu wa Kilifi ndio kwa kimombo wanasema *motherhood* wa hili swala.

Siku tisini (90) si siku kidogo kwa hii Kamati kufanya kazi na wamekuja na swala la kusema wanataka waongezewe siku zingine thelathini (30). Kabla hatujawaongeza hizi siku 30, hizi siku 90 wamefanya kazi ipi? Lazima tujulishwe maanake wakitoka hapa wakienda kule walikuwa wanaenda, walikuwa wanatumia fedha za wanakilifi na ni lazima tujue ni kazi gani walifanya ndio sababu waongezewe hizi siku. Kabla tuongeze siku 30, tunaomba tujue siku 90 wamefanya nini? Hata kama ni wewe, ukitoa fedha zako na ukipeleka watu pahali lazima hizo siku zihesabiwe na ni lazima tujue walifanya nini. Kwa hivyo, mimi ninapinga mpaka watuletee Ripoti. Asante.

The Speaker (Hon. Mwambire): Kindly hold on Members, you will get an opportunity; we are trying to manage the board. Hon. Changawa has been given an opportunity.

Hon. Changawa: Nashukuru, mheshimiwa Spika, lakini nataka nijue nimesimama kwa Hoja ya nidhamu ama umenipea nafasi ya kuchangia?

The Speaker (Hon. Mwambire): Umeomba Hoja ya nidhamu, ndio tulikuwa tunajaribu kushughulikia hii machine iweze kupatikana.

Hon. Changawa: Nataka mwanzo kumwambia mheshimiwa ambaye ametoka kwa Sakafu sasa hivi ya kwamba...

The Speaker (Hon. Mwambire): Hiyo inamaanisha unataka kumpatia habari, itabidi uniruhusu nimuulize kama angetaka kupatiwa habari.

Hon. Changawa: Hata alikuwa amemaliza, lakini nilikuwa nataka kwanza ieleweke ya kwamba...

The Speaker (Hon. Mwambire): Mheshimiwa Grace, unahitaji kupewa habari zaidi?

Hon. (Ms.) Grace: Mheshimiwa Spika, nahitaji kupewa Ripoti na Kamati nzima kama Bunge na si mimi peke yangu.

The Speaker (Hon. Mwambire): Waheshimiwa, ningependa tuchukue hili Bunge kama mahali pa heshima na ninafikiri mnajua vizuri sheria na taadhima za Bunge vile zinaenda. Kwa hivyo, mkianza kuwa mnasimama na mnasema lazima aseme ndio, mtakuwa mnaenda kinyume na malengo yetu ya kuja hapa leo.

Kwa hivyo, tuende pole pole tutaelewana tu. Si itakuwa ni sawa? Kwa hivyo, kama amesema anataka Ripoti wewe ulieleta huu Mjadala baadaye utapatiwa nafasi pia ya kuweza kujibu...

(Hon. Changawa spoke off record)

The Speaker (Hon. Mwambire): Tulia niongee, usianze kusema... unajua ukienda zaidi unaweza ukatoka nje. Naomba uwe na heshima. Mimi ndio nimepewa na najaribu kukupatia muongozo na kama unajifanya kwamba huwezi kuelewa unaleta taharuki kwa Bunge, naomba utulie. Utapatiwa nafasi kwa sababu hawa waheshimiwa wote wamepewa nafasi ya kuongea, baada ya kuongea wewe ndio utakuwa wa mwisho kuweza kutoa majibu ya yale yaliyosemwa.

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Iwapo kutakuwa na kitu unatakikana kujibu, wewe ndio utajibu ili uweze kuwafahamisha zaidi. Mheshimiwa hawezi kukuuliza kibinafsi, kama ni kibinafsi angekufuata nyumbani ama kwa ofisi yako akaja kuuliza. Anauliza kwa niaba ya Bunge na wakaazi wa Kilifi. Ningependa mnichukulie kiheshima kama vile inavyostahili.

So, hon. Changawa take your seat. The information has lapsed; the one you wanted to give the information to said she does not need information but a Report, which is very clear, and the Mover will respond later. Let us proceed to hon. Mkumbi (Mariam).

Hon. (Ms.) Mariam: Asante, Bw. Spika. Nashukuru kwa fursa hii. Nasimama kuunga mkono kuongezwa kwa muda kwa hii Kamati ya Ad hoc kuhusiana na jambo la Shakahola. Kama zile sababu zilizoordheshwa hapo haswa kuhusiana na wale washikadau, tukiangalia sisi kama jamii ya wamijikenda hapa Kilifi wazee wa Kaya ni wa maana sana na wakati tulipokuwa tunaonana na washikadau tulijaribu sana ili tuwapate hawa wazee lakini wakawa wameshikika kwa kiasi fulani.

Halafu jambo lengine, kuna *stakeholder* mwengine wa maana sana ambaye ni Gavana. Tunataka tusikie Gavana wa Kilifi ili yale maoni yake tuweze kuyaingiza katika ile Kamati. Yeye kama Rais wa hili Jimbo ni muhimu na si ati hatukujaribu kumpata lakini hatukupata ile fursa. Ndio maana tunasema tuongezwe siku 30 mimi nikiwa mmoja wa ile Kamati tupate maoni ya hawa wazee kwa sababu sisi na mila zetu maswala yakitokea majanga kama yale haswa lile janga la vifo vya watu wengi, kuna vile wazee wa Kaya kuna maswala ambayo wanaweza kutusaidia huko mbele kuhakikisha kuwa maswala kama yale hayatatokea tena hapa.

Pia, katika kufikiria tunakuja na mbinu gani za kusaidia majanga kama yale yasitokee na pia kuna mambo ambayo baada ya hapa yataenda kufanyika pale katika kile kitovu ambacho haya makaburi yako. Wazee wa Kaya wanaweza kucheza nafasi kubwa sana pale na ndio maana kuna umuhimu wa kuwaona na kuwasikiza.

Nitazungumzia kimila baada ya watu washakufa; kuna dini na wazee wa dini tulikutana nao lakini kuna kile kimila. Kwa hivyo, kuna umuhimu sana wa kuwakuta hawa wazee. Hawa wazee kuna mambo ambayo wanaweza kutusaidia zaidi pia ili kuhakikisha kuwa tunaweka kinga ili siku nyengine maswala kama haya yasitokee. Asante.

Hon. Mohamed: Thank you, Mr. Speaker, for giving me this opportunity. First and foremost, I would also join my fellow colleagues in taking the issue of Shakahola with a lot of seriousness. It was of this seriousness that we expected in the first 90 days the Committee should have treated it. I do not know why they should hear the Committee is coming to meet the Kaya elders, the Governor, and other stakeholders for them to pick it up today and ask for more days. What we request as the House is to let them give us the first 90-day Report then they tell us the most important things they want. The bodies are being exhumed even today and we are very sure because we do not know the extent of the matter, after 30 days there might be some more other bodies to be exhumed. Will they come here and tell us to give them more days? These are public resources so let the Ad hoc Committee be serious. So, I oppose giving them until we get the first 90-day Report.

(Applause)

Hon. Zia: Asante Spika. Kwanza, nataka kufahamisha Bunge ya kwamba ule mjadala wa kwanza tulipitisha kwa siku 60 si 90 kwa hivyo ni wafahamu hilo.

Pili, ni kwamba *Ad Hoc Committee* inaendelea kufanya kazi vizuri sana na ndio maana tunaomba huo wakati uweze kuongezwa kwa sababu tunayo ambayo mheshimiwa Mwenyekiti

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katika hiyo Kamati ameweza kuelezea ya kwamba kunao washikadau wengine ambao hatukuweza kuwafikia. Hata wewe pia hatukuweza kukufikia kwa sababu pia wewe ni muhimu sana na hata pia kulikuwa kuna hayo mapendekezo pia nawe tuweze kukufikia kwa sababu unahusika moja kwa moja kutoa mchango...

The Speaker (Hon. Mwambire): Mheshimiwa Zia, *wewe* ni Bunge ama *wewe* ni nani? Kwa sababu kila mheshimiwa ajiangalie. Mheshimiwa Lilian ameshituka anafikiri ni yeye, Emmnauel Baya na Twaher pia wanaangalia... kuwa wazi ili tujue ni nani ili Bunge liweze kuelewa.

Hon. Zia: Mheshimiwa Spika, ninaongelea kukuhusu wewe. Nasema kwamba wewe pia ni kiungo muhimu katika hiyo Ad hoc kuja ...

The Speaker (Hon. Mwambire): Kama ungeeleza namna hiyo ingeeleweka.

Hon. Zia: Wale ambao walikuwa wanafuatilia walikuwa wanaelewa kwamba nakulenga wewe, mheshimiwa Spika. Asante sana kwa hayo marekebisho.

Mheshimiwa Spika, sioni haja ya kuona kwamba tuendeleze huu Mjadala ama tuingane kwa sababu mheshimiwa Mwenyekiti ameeleza wazi wazi na kuelezea kwamba kunao washikadau wengine ambao wanastahili kuhojiwa na pia sisi hatukuweza kuwafikia kwa sababu huo wakati haukutosha. Ninawarai waheshimiwa wenzangu ili waweze kuungana na mimi na ile timu yote ambayo inashughulikia maswala haya ya hapa Kilifi. Kwa hivyo, mheshimiwa Said, mheshimiwa Grace ungana na mimi na wale wenzangu tuweze kuhakikisha kwamba tunaongeza huo wakati ili tuweze kuja na Ripoti ambayo itaweza kuleta manufaa ndani ya hii Kilifi yetu.

The Speaker (Hon. Mwambire): Hon. Tete, you had put an intervention?

Hon. Tete: It is hon. Twaher using my card.

The Speaker (Hon. Mwambire): Is it you or hon. Twaher?

(Hon. Zia spoke off record)

Hon. Tete: Kama unataka kuongea na mimi...

The Speaker (Hon. Mwambire): Hon. Zia, take your seat.

Hon. Twaher: Yes, thank you, Mr. Speaker, for giving us this opportunity. The Member on the Floor explained to us that the time frame that they were given was not enough for them and the time frame that they were asking for is 30 days. We all understand that the Shakahola issue is very sensitive, and it is something that is serious, but Mr. Speaker, we also want serious engagements by the same Committee as in the first 60 days that we gave them. The explanation the Chairman is giving us is they did not meet the Kaya elders; yesterday, we were at the ceremony of Mekatilili wa Menza and the Kaya elders were all around in this County. They do not live in Nyeri...

(Applause)

Hon. Twaher: Mr. Speaker...

The Speaker (Hon. Mwambire): Members, make good use of the intervention if you are given an opportunity because you have placed an Intervention, please stick to that so that at least we can have the best environment to execute this matter. We do not want another disaster.

Hon. Twaher: Thank you, Mr. Speaker. I stand guided.

The Speaker (Hon. Mwambire): Chairperson Disaster, just sit please. It has not reached your committee, so just sit.

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Hon. Twaher: The Chairperson of Disaster Management also comes from that area of Shakahola. What we are suggesting here is that we want serious engagements by the Ad hoc Committee. If you are given a mandate of 60 days and you want an extension, we need a serious explanation. Why another 30 days? Do you want to meet the Governor? The Governor was not seen; the Governor is always there. You just book an appointment with the secretary.

(Loud consultations)

The Speaker (Hon. Mwambire): How can we have an intervention on an intervention?

Hon. Twaher: Mr. Speaker, you see we are intervening in the way this Motion was put in this House. The explanation for why the Committee is seeking more days is that the Kaya elders were not seen; these people are within the area of Kilifi County. The Governor was not seen; the Governor is the president of this county.

(Loud consultations)

Mr. Speaker, I need protection. Mr. Speaker, the recommendation by the Chairperson of the Committee to get more than 30 days is not valid. Thank you, very much, I stand to oppose this Motion.

The Speaker (Hon. Mwambire): That was a contribution, not an intervention. Hon. Edward Ziro, just proceed. Hon. Zia, were you contributing, or you were on a Point of Order? Hon. Ziro, just sit so that he can conclude.

Hon. Zia: Asante sana, mheshimiwa Spika. Nataka kumfahamisha mwenzangu ambaye amekuwa hapa kwa *intervention* ya kwamba, kwanza tulipewa siku 60.

The Speaker (Hon. Mwambire): You were supposed to make your contribution. Just proceed.

Hon. Zia: Mheshimiwa Spika, mimi nilikuwa niko katika hii Hoja ya kwamba tuweze kuongezewa huo muda na sababu ya kwanza ni ile ambayo nimeelezea kwamba kuna *stakeholders* ambao hatujaonana nao...

The Speaker (Hon. Mwambire): Kiswahili wanaitwa washikadau.

Hon. Zia: Ndio, washikadau. Asante sana kwa marekebisho. Pili, mheshimiwa Spika, ni kwamba katika hali ile ambayo iko pale Shakahola inatamausha na pia ambayo nimeangalia kile kinaendelea. Ile miili mipya ambayo kuna yale makaburi ambayo yako pale lakini kuna makaburi mengine ambayo bado ni mabichi na watu wengine wanatolewa; ni watu ambao bado hawajaoza wengine. Ni kuonyesha kwamba kuna mapendekezo fulani ambayo tunastahili kujua zaidi, yaani tuweze kuchunguza zaidi kuhusiana na hawa maafisaa wa polisi ambao wako pale Shakahola.

Je, wanaifanya vipi ile kazi ama kwa sababu tulitangulia kuenda? Lakini yale ambayo walituambia na ambayo yanaendelea kutukia ni kuonyesha kwamba kuna ulegevu fulani ambao unaendelea kufanyika pale Shakahola. Hivyo basi, ndio tukawa tunaomba hiyo nafasi ili tuweze kuonana na hao washikadau na pia tuweze kurudi tena kuonana na *County Commissioner* na yule *Police Commandant* katika hii Kilifi. Tuone ni shida inatokezea na wapi?

Kwa hivyo, mheshimiwa Spika, tunaomba na kuwasih wenzangu waheshimiwa hapa waweze kutupatia huo muda ili tuweze kuenda kuchunguza zaidi ili tutakaporudi tena hapa kwa Bunge na kupeana hiyo Ripoti iwe ni Ripoti ambayo itakuwa iko na majibu ya wakenya ili waweze kujua zaidi. Asante sana, mheshimiwa Spika.

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The Speaker (Hon. Mwambire): Labda kabla msemaji mwengine ama mheshimiwa mwengine kutoa changizo zake ningependa tu kuwashauri. Mheshimiwa akichukua nafasi, kile kitu muhimu naomba ueleweke kwa sababu haya ni maombi umeleta Bungeni na kwanza unatakikana utoe maombi yako vizuri ili waheshimiwa wakuelewe. Na anayeomba pia huwa mnyenyekevu; mwenye maneno matamu yenye kuvutia ili wale wenzako waweze kujua anaombwa na awe na moyo wa huruma akukubalie. Lakini nyinyi vile mnafanya msichukulie kwamba kuomba ni rahisi; ndio unaona wengine huenda wakaomba wakapewa ama wakakubaliwa na wengine wakaomba wakaambiwa kwamba ngojea ama wakanyimwa.

Naomba utaratibu kidogo ili nyinyi mnaoomba muombe kwa hali kidogo itakuwa inaeleweka; kila mmoja aelewe na Bunge zima lielewe kwa sababu maombi yenu mliyotoa hayakutolewa tu kwa hapa Bunge peke yake bali Kilifi nzima inasikiza na Kilifi nzima inafuatilia na Kenya nzima pia inafuatilia. Hili swala kama lingefanyika kwa Gatuzi lengine lingekuwa rahisi sana tungekuwa tunafuatilia kwa kando.

Saa hizi liko kwetu mikononi na ninaona kadri vile tunavyoenda tunaweza kuwa tunaenda kinyume na matarajio ya wengi na itakuwa ni fedheha kwetu kama Bunge zima. Ningewaomba nyinyi ambao pia mtaongea kama mko katika ile sehemu ya wale waombaji na wale sehemu ambayo mnataka kupatia habari zaidi ili mkubali maombi ama mtoe uamuzi muongee kwa lugha ambayo inaeleweka na muongee kwa ufasaha ili wakaazi wa Kilifi waweze kufuatilia vizuri na nyinyi ambao mmetoa maombi mtu kusema kwamba sitaki haimaanishi kwamba usimame katika kiti chako na umuote kwa sababu inamaanisha kwamba unamlazimisha. Hapa hakuna cha ugaidi.

Hapa ni mambo ya maelewano. Ujasiri si kuonyeshana vidole lakini ni kuelewana. Ningeomba tafadhali tuifanye kwa njia ambayo ina ufasaha vizuri. Hata kama mashine zetu hazionyeshi vizuri kwa sababu ya hitilafu ya mitambo lakini tukiifanya vizuri mtapatiwa nafasi. Najaribu kuwapatia muongozo ili kidogo ilete ladha.

Nataka waheshimiwa, pia, hata tukitoka hapa siku yetu iwe haijapotea. Watu wasema kweli hili swala ni gumu kule Kilifi na waheshimiwa wametoa rai hii na uamuzi huu wa busara. Itakuwa ni vyema zaidi na itatusaidia hata siku zijazo. Waheshimiwa, lolote tufanyalo litatumika siku zijazo kama muongozo. Kwa hivyo, ningewaomba tafadhali. Mheshimiwa Morris Hinzano nafasi ni yako. Mpatie mheshimiwa Morris (Hinzano) halafu mheshimiwa Edward Ziro utarudi.

Hon. Hinzano: Asante sana, mheshimiwa Spika, kwa kunipatia nafasi. Kabla sijaunga ama kupinga, kwanza kabisa nikuwa na huruma na wananchi wa Kilifi. Wananchi wa Kilifi walipatwa na msiba hapo Shakahola. Kamati hii ikaundwa ikapatiwa siku 60 ili kuweza kutuletea habari kamili juu ya yale ambayo yalifanyika pale. Sababu ambazo zimetolewa kwamba wanataka wakakutane na Gavana na wazee wa Kaya, sidhani kama hawa wazee wa Kaya na Gavana walihama katika Kaunti yetu ya Kilifi.

(Applause)

...Na muda wa siku 60 uchukulie ni wewe jamaa yako alipotea kule ama alifariki, halafu hapa umepatiwa siku 60 umuletee habari ni nini kiliendelea, unaomba tena muda kwa sababu hayakuhusu wewe. Ikiwa mmechunguza siku 60 na hamjapata Ripoti kamili ya kuleta hapa kwa Bunge na kuweza kutufahamisha, inaweza kufahamika kwamba pengine hamna hiyo elimu ya uchunguzi wa hayo mambo...

(Applause)

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...Kwa sababu, kama mngekuwa na elimu na fikra na mawazo ya kuweza kuleta hiyo Ripoti, mngeleta hapa Bungeni na ikiwa pengine mnataka tuongeze ili mtafute wataalamu waweze kuwasaidia, hilo mtuambie ili tuweze kuongeza tukiwa na sababu maalumu kwamba tunaenda kutafuta wataalamu wawasaidie lakini...

(Hon. Changawa stood on a Point of Order)

The Speaker (Hon. Mwambire): Hon. Changawa.

Hon. Changawa: Mheshimiwa Spika, nafikiri tuko na Kamati nyingi katika hili Bunge. Kamati ni *an extension* ya Bunge zima, kwa hivyo chochote kinachofanywa na Kamati wakiona hakina maana inaaminisha wewe nawe ni mmoja wao. Nataka nisema kwamba mheshimiwa ambaye yuko kwa Sakafu apeane pole. Kamati haikujichangua yenyewe na iliwekwa ndani ya hili Bunge.

Nataka pia nimwambie kwamba Gavana tunajua yuko, lakini je, waeza amka leo ukaenda ukamtafuta Gavana ukampata? Ama ni lazima yeye apeane siku na wakati wake ya kwamba anapatikana. Hawa wazee wa Kaya najua wako lakini lazima uongee nao wakupe siku maalumu ili wao wenyewe wa *confirm* ndio uende ukawaone. Nataka niseme hata kama tutachangia sana huu mjadala, lakini tuangazie ya kwamba huu mjadala si mjadala wa kuchezea; ni mjadala ambao hata Seneti, Kamati ya Ad hoc iko na *extension* wameomba na wakapewa lakini hapa sisi kama waathirika tunaenda kulichezea basi litatukula wenyewe kama alivyosema Mackenzie.

(Laughter)

The Speaker (Hon. Mwambire): Endelea.

Hon. Hinzano: Asante sana, mheshimiwa Spika. Mimi naendelea tu kutoa mapendekezo yangu bila uoga wala kutishwa na mtu yeyote.

(Applause)

Sihitaji mtu aniongoze maana mimi naongoza wodi ya Kakuyuni na wananiamini kwamba naweza waongoza na sitaki kuongozwa hapa. Jambo ambalo ni la wazi na ni la uhakika ni kwamba tunaongea kuhusu watu waliofariki na watu ambao familia zinasubiri Ripoti waambiwe ni nini ambacho kilitendeka. Hapo ndipo ambapo tuko ili waweze kupata Ripoti Kamili. Kuongezewa muda, unaweza kuongezewa kukiwa na sababu maalumu na sababu ambazo zimetolewa hazistahili kuongezewa hata siku moja.

(Applause)

Pengine mtuletee sababu nyengine mbadala ambazo zitatufanya kwamba tuweze kukaa kama Bunge na kuweza kuongeza muda lakini kwa haya maoni yangu mimi, familia zilizoondokewa zinahitaji Ripoti haraka na nyinyi msiigize Seneti kwa sababu imeongeza na nyinyi muongeze.

Nyinyi mko katika Kilifi Kaunti na Seneti iko Nairobi; nyinyi mna nafasi ya kupata Ripoti kamili hapa Kilifi kuliko wale wa Nairobi.

Kwa hivyo, mtuletee hiyo Ripoti tujue ni upungufu gani uko ndani ili kwamba tujue ni muda uongezwe kwa sababu umeishia mahali fulani na bado mahali fulani mufike. Hamwezi

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mkaomba Ripoti siku 60 mmepatiwa mmezunguka zunguka sijui mmeenda wapi mnakuja hapa mnatupatia Ripoti namna hii...

(Laughter)

Mheshimiwa Spika, mimi napinga kabisa kuongezwa hata siku moja.

(Applause)

The Speaker (Hon. Mwambire): Hon. Ziro from Mwanamwinga.

Hon. Ziro: Asante sana, mheshimiwa Spika, kwa kunipatia hii nafasi ili pia mimi nitoe maoni yangu. Mimi pia nimesimama kupinga kuongezwa kwa huu muda wa siku 30. Mheshimiwa Spika, hata Biblia inasema wewe kama umepewa kidogo na hujarudisha, hujaonyesha faida ya kile ambacho umepewa halafu unakuja kuomba kingine, utapokonywa hata kile uko nacho pia.

Hii Kamati iliomba muda wa siku 60, kama Bunge tuliwaheshimu kama Kamati kwa sababu tulikuwa na hamu sana na kujua ni nini kinaendelea katika Shakahola. Hamu yetu ni kutaka kujua ni nini wamevumbua kule shakahalo. Sasa, baada ya siku 60 mnakuja kutwambia mnaomba tena siku 30?

Mheshimiwa Spika, hii naona kama ni kujirudisha nyuma kama Bunge kwa hivyo, mimi nimesimama kupinga na waheshimiwa tupinge hii Ripoti haraka mana masaa nayo yanaenda.

(Applause)

The Speaker (Hon. Mwambire): Hon. Morgan (Kubo), give him the rights, please.

Hon. Kubo: Asante sana, mheshimiwa Spika, kwa nafasi hii. Mimi nimesimama kupinga kuongezwa...

(Applause)

...kwa sababu moja tu muhimu. Mheshimiwa Oscar ametuambia kwamba wanangoja maseneta waje waungane watupatie Ripoti. Sisi hatukupatia masenata kazi watufanyie hapa. Mbona wangoje wale waje ndo waungane watupatie Ripoti yao? Kuonyesha hiyo kazi yao *wamefail* na hawakufanya lolote la maana. Napinga kwa asilimia mia kwa mia.

The Speaker (Hon. Mwambire): Hon. Meso.

Hon. (Ms.) Meso: Thank you, Mr. Speaker, Sir, for giving me this chance. Hon Members, anything which is emergency or anything which is very serious can take only one or two weeks. We gave these people 60 days and again they came back and asked for another month.

The Speaker (Hon. Mwambire): We gave the Committee 60 days, yes.

Hon. (Ms.) Meso: And again, they are coming back they need another 30 days. Are these people serious? And there is no Report that they have given us in this House? Bodies are rotting in the mortuary; a postmortem has been done and there is nothing. They have told us that postmortem was a, b, c, d. Are they very serious that they need another 30 days?

They do not need those 30 days. So, I oppose 100 per cent and they should go to their drawing board. I just think this Committee should be banned because now they are waiting for

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the Senators to come. Senators are just visitors; the Committee of Kilifi belongs to Kilifi. The Governor is there twenty-four seven and I think they are meeting the Governor almost every day and now they are coming here telling us meeting the Governor and Kaya elders is a problem. I can remember the area MP (Member of Parliament) had a meeting with them yesterday and the function was going well. How come they are saying meeting the Kaya people will take them another month? It's a big joke. Kilifians and other people are watching. I oppose and this Committee should be banned.

Hon. (Ms.) Umi: Asante, Bw. Spika, kwa nafasi hii. Nimesimama kuunga mkono huu mjadala na nawaomba waheshimiwa kwa unyenyekevu tuunge mkono. Tumekula ng'ombe mzima sasa twawacha mkia; kuna msemu unasema hivyo, Mheshimiwa Spika. Tuunge Hoja hii mkono kwa heshima na taadhima.

Hon. Emmanuel: Thank you, so much, hon. Speaker. Before I make my contribution, I am not either opposing or supporting the Motion, but I would wish to make the following regards. Hon. House, with all the intelligence and wisdom of the House, we thought it was better to form the Ad hoc Committee for the issues which were happening in the county. I am aware of the challenges that this Committee has gone through but also in my heart, I am concerned because I have not heard anything from the Committee on what they have at least managed to do.

While this Committee consists of very able Members, whom we trusted to bring a clear answer to these issues, what is puzzling to my mind is they did not map out what they want to do and left out very important stakeholders including the Governor, the Kaya elders, and the Law Society of Kenya, how come? These were supposed to be the first Members to see before going to the site, who are your stakeholders? I am here being asked to add more days but also concerned about the resources and time they have already consumed.

The Kilifians are waiting for this Report. I would like to add 30 days but why? Convince me. I agree with hon. Meso that two weeks could have brought something tangible to convince the House to add 45 more days. They have failed to give a short Report of what they have gathered. I still need more convincing.

The Speaker (Hon. Mwambire): So, you abstain, they will try to convince you, do not worry.

Hon. Emmanuel: Another thing Hon. Speaker, that area was declared a crime scene; that means people were not allowed to go in, maybe as a committee you were allowed in? There is something you have said that makes my decision hard. You have said there are fresh bodies; if that is the case, it means there are fresh graves, which means they are fresh deaths, how? We know that...

(Loud consultations)

Hon. Members, I said I am not against giving you more days; it is a matter of you convincing me. Thank you, Hon. Members and Speaker. I see with the mood we have in the House Members will make an informed decision.

Hon. (Ms.) Tatu: Asante sana, Bw. Spika, kwa kunipa nafasi hii. Napinga kwa sababu kama mlipewa siku 60 kuleta Ripoti na hamjaleta Ripoti, je mkiongezwa siku 30 mtaleta kitu kweli? Hizo siku za kwanza zilikuwa zafaa, hizi 30 ni kidogo bado hamtaleta Ripoti bado mtaitisha siku zingine. Kwa hii, napinga mpaka walete Ripoti tujue wamefikia wapi; tujue mlipitia vikwazo gani pia sisi tunaweza wasaidia kupitia hilo. Napinga hadi watakapoleta Ripoti.

Hon. Paul: Asante sana, mheshimiwa Spika. Mimi ni mmoja wa hiyo Kamati na tulipoanza safari ya kuchunguza; tulitembea na kuchukua maoni, tulisikiza wazee wa vijiji, wa

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nyumba kumi mpaka tukapata mama muathirika pia naye akatupa ujumbe wake. Tumeendelea hivyo kuongea na washikadau mbali mbali na mwisho tukakomea Bunge la Seneti.

Tulipata mawazo ya kwenda kuongea na washikadau zaidi na muda wetu ukawa umetupa kisogo. Hivyo basi tukaamua kuja katika Bunge hili kuomba muda zaidi wa siku 30 ili tuweze kuwaona wale ambao hatuku wafikia ili yale mawazo ambayo wako nayo... ili kwamba kitendo alichokifanya Pastor Mackenziee hapa Kaunti ya Kilifi kisiweze kutokea tena. Ndio maana tumeomba huu muda ili tuweze kuhakikisha ya kwamba wale wengine ambao hatukuwafikia, tuweze kuwafikia watupe maoni yao ili tuweze kuyaleta katika Bunge hili ili tuhakikishe ya kwamba hakutatokea Pastor mwingine ambaye ataleta mambo kama haya. Kitendo ambacho kilifanyika kimeshangaza ulimwengu mzima, na tunapotembea kila mahali tunaambiwa ni nyinyi wale wa Shakahola.

Hata *Pastor* yeyote ambaye atatoka hapa kuelekea sehemu nyingine akisema; mimi ni mhubiri wa kutoka Kilifti anasemekana ni kana kwamba yeye ametoka kwa Mackenziee. Ndio ninaomba waheshimiwa wenzangu huu muda wa siku 30 tupewe ili tuweze kuchukua maoni kwa wale wazee wa Kaya, Gavana na viongozi wengine ama wachungaji wengine ambao pia hatukuweza kuwafikia tuwapate, tuchukue maoni yao alafu tuje tulete hapa. Tuseme ya kwamba tumepitisha hii, tumechukua hii na tukajua na saa hii tunataka tufanye sheria ya kwamba kiongozi yeyote ambaye atakuwa...

The Speaker (Hon. Mwambire): There is an intervention from hon. Ziro.

Hon. Ziro: Bwana Spika, nafikiri tumeelewa zile sababu ambazo zimepeanwa na ni kwa nini wanaomba huu muda. Sababu ambazo zimepeanwa ni wanataka wamtafute Gavana wampate na wanataka wazungukie wazee wa Kaya. Wewe nafikiri umeweka hili jambo wazi ya kwamba unaweza omba kwa njia ambayo yule ambaye anaombwa akose kuelewa. Sasa kwa ufupi ni kwamba, hii Kamati waheshimiwa wamekosa kuwaelewa na hizo hoja zenu. Hatuwezi kuwa tutawapatia mwezi mmoja muende mzunguke Gavana na wazee wa Kaya. Nafikiri, kile ambacho kimebaki sasa ni kuwa mkubali tu kwamba mmeomba kwa njia ambayo haikuweza kuridhisha waheshimiwa na mridhike na yale ambayo waheshimiwa wamepitisha kwamba hawatawapatia siku 30. Mtuletee Ripoti, wenye watakao...

The Speaker (Hon. Mwambire): Hon. Ziro, is that an intervention?

Hon. Ziro: Mimi nishamaliza.

The Speaker (Hon. Mwambire): You are out of order. Hon. Paul proceed, please.

Hon. Paul: Tafadhali waheshimiwa, nataka tu kuwasihi kwa unyenyekevu tumalize hii safari. Kama mwenzangu alivyosema ya kwamba tumeanza vizuri, bado tu huo mkia tumalizane. Kwa hivyo, tafadhali ninawaomba kwa heshima zote mtusaidie tumalize na tulete Ripoti. Asanteni sana na pia asante mheshimiwa Spika kwa nafasi hii.

Hon. Changawa: Asante, mheshimiwa Spika, kwa kunipatia nafasi hii kuchangia katika hii Hoja ya kuongezwa kwa muda kwa Kamati hii ya mikosi. Nataka niseme kwanza kabisa ni nukuu hiki kitabu chetu cha Kanuni za Bunge. No. 160A (4) lakini nitasoma kwa Kizungu maana sijapata kitabu cha Kiswahili.

“An Ad hoc committee established under this Standing Order

- (a) May not deal with a matter that falls within the mandate of another committee; and,
- (b) Shall submit its Report to the Assembly within three months and shall, upon submission of the Report stand dissolved”.

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Nataka niseme ya kwamba kupitia kwa *Standing Order* namba hii ku *table* Ripoti katika hii Bunge ya Ad hoc Committee ilikuwa inamaanisha ya kwamba kazi ya hiyo Kamati imeisha. Hakungekuwa na nafasi tena ya kuomba kuongezwa kwa mud ana *Standing Order* inaongea.

Sasa nasikia viongozi wanasema ya kwamba ili kuongeza wao walikuwa ni wapate mwanzo Ripoti. Ripoti tutaipeana vipi kama *Standing Orders* zetu zenyewe zinasema kwamba *once* uki *submit* Ripoti imekufa. Kitu kingine ambacho sasa pia ni tuongelelee ni kwamba *Standing Order* inaongea kuhusu siku ama miezi mitatu *that is 90 days*. Kamati ilipewa siku 60 peke yake, ndani ya siku 60 kuna *procedures* ama kuna njia za kufwata kabla ya Kamati iitwe Kamati. Kuna vikao vya kuchagua viongozi wa hiyo Kamati na pia kuna vikao tofauti tofauti ndani ya zile siku 60.

Na ndani ya zile siku 60 waheshimiwa tunajua pia ya kwamba hata tuko katika Kamati zetu wengine ni viongozi ama ni... *we are Chairs in our Committees* lakini pia tunajua ya kwamba kuna majanga na mengine ambayo pia yanatupata kama wanadamu. Kwa hivyo, katika zile siku 60 si kazi ya kwamba utanzia siku ya kwanza mpaka siku ya mwisho hata kama ni wewe, hauwezi fanya hivyo.

Sasa basi ikiwa tunaomba hizi siku 30 nafikiri itakuwa ni kwa ajili ya mjibu wa sheria ya kwamba *Standing Order* ilikuwa inasema it is *90 days* na sisi tukapewa *60 days*. Saa hii tunaomba zile siku 30 zengine ili tuongezewe. Sasa kama nilivyo

The Speaker (Hon. Mwambire): There is an intervention from hon. Meso.

Hon. Changawa: Nitairuhusu, mheshimiwa Spika, lakini...

The Speaker (Hon. Mwambire): Ni mimi ndio nimeruhusu, wewe ni ukae chini.

Hon. (Ms.) Meso: Mr. Speaker, the Member on the Floor, is misleading us. Nobody told them that they should come over here for the extension, according to the Standing Order, you have read it so well.

Hon. Changawa: No?

Hon. (Ms.) Meso: The Standing Order that you have just read. Who decided to bring this Motion about the extension?

The Speaker (Hon. Mwambire): Hon. Changawa, just sit down, she is talking to the House, not to an individual.

Hon. (Ms.) Meso: We just want to know the reasons why it was brought to the House. If you are reading the Standing Order, who told the Chairperson of the Ad hoc Committee to bring that to the Floor? It is your mistake and not our mistake. Since it is here on the Floor, we must debate about it.

The Speaker (Hon. Mwambire): She is on an intervention; kindly give her an opportunity to speak. If you have something to clarify you will do so after.

Hon. (Ms.) Meso: He is telling us about the Standing Order, but when we came here there was nothing on the Order Paper about the extension. It was for the Committee themselves that decided when they heard that the Senate is coming to meet the Health Department. That is not our mistake, it is their mistake.

The Speaker (Hon. Mwambire): Proceed, hon. Changawa, I am wondering why you are raising your hand, yet you are still on the Floor.

Hon. Changawa: Nataka kumsadia ya kwamba...

The Speaker (Hon. Mwambire): Saidia Bunge mheshimiwa Changawa.

Hon. Changawa: Sawa, asante. Nataka kusaidia Bunge ya kwamba tuko nyumbani; hatuko katika biashara za Bunge kwa sababu tumefunga Bunge letu. Biashara ambayo inaingia katika hii Bunge tukiwa tuko nyumbani inaingia *under Special Gazette* ambapo *Special Gazette*

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haifanywi na Kamati inafanywa na viongozi hapa. Sasa si makosa yetu ya kwamba tumeingiza ama swala la hii agenda la kuongezwa kwa muda limeingia kati kati halikuwa kwa *Oder Paper*. Si makosa yetu but wale walifanya *that Gazette Notice* ya ile *House Business Committee*. Halafu nikiendeleza huu mjadala katika zile siku... katika kule kupeana Ripoti... *tabling a Report that standing Order is very clear that it shall submit its Report to the Assembly within three months and shall upon submission of the Report shall stand dissolved*, kumaanisha tumekuwa tumepeana Ripoti leo hiyo Kamati ingekuwa imeisha.

The Speaker (Hon. Mwambire): Hon. Changawa, take your seat.

Hon. Changawa: Hatungekuwa tena na uwezo wa kuomba tena *extension*; ni tuombe *extension then ndio* tulete Ripoto nataka ieleweke.

The Speaker (Hon. Mwambire): Take your seat please, hon Kalama is on an intervention.

(Loud consultations)

Hon. Kalama: Asante, Bw. Spika, kwa nafasi hii. Mheshimiwa Changawa amezungumza kuhusu sheria ya Bunge kwamba Kamati ilipewa kulingana na sheria ilikuwa inatajikana Kamati ipewe miezi mitatu kulingana na sheria. Kusema kweli, baada ya kwamba wamepewa hizo siku 60 wakalie hiyo Kamati, kulingana na vile ambavyo wamejieleza ni kwamba hakuna mtu ambaye amewazungumzia na nilivyoisoma ni kwamba wao ndio ambao wameleta huu mjadala kwamba waongezewe hizo siku lakini kusema kweli kisheria ilikuwa hizo siku 60 walipopewa waendeleo na hakukua na haja waje kwa Bunge watuombe sisi waheshimiwa nafasi kwa sababu sheria inasema ni siku 90. Asante.

The Speaker (Hon. Mwambire): Okay, conclude hon. Changawa.

Hon. Changawa: Nataka niseme ya kwamba sheria ya siku 90 iko. Sheria katika *Standing Order* zetu ya kuomba *extension* iko lakini hauwezi *uka-table* halafu ukaomba. Kwa hivyo, nataka ieleweke ya kwamba hiki kitabu kiko kote kote, ni kama Biblia ya kwamba hata Seneti walipewa zile siku walizopewa lakini mwisho wake wakarudi kwa sababu biashara ilikuwa ni ya dharura na ilikuwa ni ngumu wakaomba nafasi. Nataka niseme ya kwamba, hili halifanyiwi hii Kamati ya *Ad hoc* leo; litafanyika mpaka keshoni. Bado tuko katika hili Bunge na tunafanya biashara muhimu sana. Kortini kwenyewe jana sote tuliona wenyewe Mackenziee ameongezewa siku 47 uchunguzi ufanywe. Yuko na miezi mingapi Mackenziee? Lakini kwa nini jana akongezewa siku 47? Ni kwa sababu uchunguzi haufanywi vile tutakavyobeba sisi ama tunavyotaka kuubeba.

Rais aliunda jopo la kuchunguza maswala ya dini, makanisa na wataka kuniambia hili jopo litachukua muda wa mwezi mmoja kufanya hii biashara? Not *unless* kama hautakuwa *serious*. Kama tunataka kuleta vitu ambavyo viko na misingi na viko na uzito na vyenye vitasaidia watu wetu, basi tunawaomba tuongezeni ule mwezi mmoja halafu muone ile Ripoti tutakapowapa kwa sababu nyinyi wenyewe ni mashahidi. Mlijionea wenyewe tulipokuwa Seneti. Mjadala ulipokuwa Seneti na Kamati yetu haukuwa rahisi; ulikuwa mjadala mpaka wao wenyewe kama kuna Ripoti wataandika, nafikiri mengi watabeba ya Kilifi.

Hatuombi hii nafasi ili tukaichezee tunaitaka ili tuwasaidie watu wa Kilifi na wachungaji wenyewe tulipokuwa tunawahoji wao wenyewe kuna mapendekezo mengine ambayo sisi hatukuwa nayo wakayapeana kwa sababu walikuwa wanaona ni muhimu sisi tuende zaidi ya hapo ambapo tulikuwa tumepanga.

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Gavana ni mtu muhimu katika hii *programme* na si kwamba tulimkosa Gavana; tulimtafuta lakini Gavana mpaka afike mahali ambapo nafasi yake imeruhusu ndio tumuone. Hii Ripoti tunapoenda kuipeana ni ya wanakilifi wote ambapo mpaka wabunge wetu tuwaingize ndani tupate maoni yao na watu ambao hapa hatuwezi kuwataja ama kuyataja yote kwa hii siku ya leo ili sote turidhike lakini kwa ule uchache tutasema Gavana, Spika, Wabunge, Seneta na wale wengine wote ambao baada ya kupata hii nafasi tutaenda kukaa ili kuandika ile *programme* yetu ya vile tutakavyozifanya hizi siku kumi. Kwa hayo, nawaomba viongozi wenzangu ya kwamba hili swala liko duniani; liko ulimwengu mzima lakini tunalijadili kwa hivyo tuliangazie. Maamuzi yetu leo yatuchape ama yatusaidie kesho. Asante.

Hon. Mae: Mheshimiwa Spika, asante kwa nafasi hii. Mimi kwanza, niunge mkono mapendekezo ya walio wengi wanayopinga nyongeza ile ya siku za hii Kamati. Mimi ni mmoja wa watu ambao wameathiriwa pale Shakahola. Kule Rabai tuna dada yetu ambaye aliolewa sehemu za huku na yeye pamoja na watoto wake sita walipoteza maisha yao pale. Siku ya leo nimekaa hapa sana nikitarajia kwamba pengine kuna muelekeo ambao Kamati hii ingeweza kutupatia angalau hata mimi nikirudi kule nyumbani niweze kusema kama Bunge la Kilifi kupitia hii Kamati, haya ndio mambo tumeweza kuyapata pale. Lakini ukiangalia ule majadala unaoendelea ni kwamba Kamati hii haina wajuzi wa kuchunguza maswala kama haya.

Kwa hivyo, mimi ningeomba swala hili kwa kuwa limechukuliwa na serikali kuu kule tukiongozwa na Waziri mchapakazi Kithure Kindiki nafikiri serikali kuu, Seneti ndio sehemu pekee ambayo inaweza kupatia dunia nzima na ikianza na watu wa Kilifi Ripoti kamili ya mambo yaliyojiri pale kwa sababu swala la dharura si swala ambalo ati mtu anaweza kurudi hapa atuambie sisi tunataka tuongezwe tena mwezi mzima; hili Bunge kama lina uwezo wa kumsimamisha kazi hata Gavana, Bunge hili bado lina uwezo wa kumuita Gavana hapa. Kwa hivyo, ukituambia kwamba Gavana twamtafuta hatumpati mpaka wakati wake, Wakati upi? Hili Bunge lina nguvu na Kamati ya Ad hoc tuliyoiunda hapa iko na nguvu ya kumwambia Gavana leo tunakutaka kisheria kupitia, Bw. Spika, pale na awache shughuli zake zote aje asikize ameitiwa nini. Muda umekwenda, Bw. Spika, na sisi wengine tunakwenda mbali na ukiangalia maandhari ya Bunge vile yako nafikiri ni wajibu wako upeane swali hapo ili wa kuunga waunge, wa kupinga wapinge ili sisi tuweze kurudi. Mimi nakaa mpaka wa Kwale na Kilifi; ni mbali sana kutoka hapa. Kwa hivyo, kwa heshima na taadhima hebu zingatia na sisi tunaotoka mbali. Asante.

The Speaker (Hon. Mwambire): Sawa Mheshimiwa, maoni yako tutayachukua lakini tupe nafasi kidogo tusikie sauti za waheshimiwa watatu. Mheshimiwa Munyoki.

Hon. Munyoki: Asante sana, Bw. Spika, kwa kunipa nafasi hii tena kuongea. Nasimama kuunga mkono na kuunga mkono kwangu ni kwa maswala mawili. Unajua hapa tunaongea siku 30 lakini kwa kweli sio siku 30 ni siku 16 ambazo Kamati hii itaweza kuwa na huu muda wa kushughulikia hili janga. Kama unavyojua, mikakati iko wiki hii; wiki inayofuata na wiki ile nyengine hatutakuwako. Waheshimiwa ambao wako hapa watakuwa wameshikika katika zile shughuli. Sasa ningeliomba kwa taadhima tuwaongezeni hawa hizo siku 30. Tukisema wakwamie pale walipokwamia hiyo Ripoti wakienda wakitengeneza wakituletea itakuwa ni Ripoti ambayo haijakamilika. Asante, Bw. Spika.

Hon. Brown: Asante sana, mheshimiwa Spika, kwa nafasi hii ambayo nimepata jioni hii ya leo. Mimi niko na jawabu moja tu ambalo ningependa kuchangia ama kusaidia tupate kueleweshwa na hii Kamati ambayo imepatiwa hii kazi. Mimi ninavyoelewa kama upande wa walimu wakati mtu akianza pengine *term* huwa anaambiwa kwamba afanye *scheme of work*.

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Kazi zake zote ambazo ataenda kuzifanya ndani ya ile miezi mitatu atafanya kuanzia wapi na atakomea wapi na *comments* zake zitakuwa namna gani na kazi za siku zitakuwa ni gani.

Sasa shauku yangu ni kwamba hiyo ratiba yao hawa ndugu zetu hii Kamati waliianza vipi maana walikuwa waanze hizo ratiba kuonyesha kwamba wale washikadau ambao wataenda kuonana nao ni kina nani na watawapata namna gani na wako na uwezo wa kumuita mtu yoyote ambaye wanahitaji kwa sababu wamepatiwa uwezo ndani ya Bunge kwamba wanahitaji kumuona mtu fulani kwa maana kitu ambacho ni cha hatari ndani ya jimbo letu la Kilifi. Kwa hivyo, mimi ninashauku hata hizi siku zingine wakipatiwa kutakuwa kuna ulegevu mahali pale. Kwa hivyo, huo ndio ushauri ambao ningependa kupeana. Kwa hivyo, napinga.

The Speaker (Hon. Mwambire): Hon. Mapenzi.

Hon. (Ms.) Mapenzi: Asante sana, mheshimiwa Spika, kwa kunipatia hii nafasi. Hebu si unipatie kipaza sauti ...

(Hon. Mapenzi spoke off record)

The Speaker (Hon. Mwambire): Huku kwangu kuna shida ukipewa kubali tu hata kama ni jirani.

(Laughter)

Huku kwangu kuna matatizo kidogo tu ya mitambo. Kwa hivyo, endapo pengine jirani amekufungulia dirisha, wewe angalia ndani tu.

Hon. (Ms.) Mapenzi: Asante sana, mheshimiwa Spika. Nimesimama mimi kuunga mkono ombi hili na pia vile vile kabla tuendelee nataka kuipongeza Kamati kwa shughuli walizozifanya na kuzitekeleza kwa ufasaha. Nataka niseme sijipongezi mimi kwa kuwa ni mwanakamati lakini ukweli ulitiririka kutoka Nairobi hadi Bungeni hapa kwamba Kamati ya Kilifi iliweza kufanya kazi nzuri na hiyo ni heshima kwa Bunge nzima, kwamba hatujalala na tunafanya kazi, katika Kamati tumeheshimika waheshimiwa wote ndani ya hili Bunge.

(Applause)

Kwa hivyo, nimeanza kwa kupongeza maanake kazi ilikuwa ni nzuri ni muda tu ulikuwa haujatosha. Maombi ya siku 60 ilikuwa ni Kiingereza tutasema ni wacha nipatiane neno la Kiswahili. Waliomba bila kujua huo muda haungewatosha lakini sheria za Bunge zinapendekeza Ad hoc kushughulikia maswala ndani ya siku 90. Kwa hivyo, kuomba kuongezewa mwezi mmoja tuko katika sheria za Bunge letu.

Tuko sawa sawa na yale maswala ambayo tuliweza kuyashughulikia hayajaweza kukamilika ndiposa hatujaweza kuleta hiyo Ripoti kama vile ndugu yetu Mae anavyosema kwamba alitarajia kufikia leo tutakuwa tumewapatia hatua ambazo labda wale watu wake kule walioathirika waliweza kusaidika. Ndani ya hizo siku ambazo tunaziomba kuna uwezekano wa yale unayoyatarajia kuyapata na mnapoenda kutunyima hiyo nafasi kuna uwezekano kwamba pia mnanyima yale ambayo ndio mngeyatarajia kufika hapa Bungeni.

Kwa hivyo, mimi nimesimama tu kwa heshima na kuwaomba waheshimiwa tuunge mkono hii nafasi hata kama umepinga hapo awali una nafasi ya kusimama tena na kubadili muelekeo na si kwa manufaa ya mimi mheshimiwa Mapenzi ama mheshimiwa Oscar. Leo katika

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Ad hoc hiyo umeniona mimi mheshimiwa Mapenzi na kesho sitakuwa na mtakuja hapa pia kuomba labda shughuli kama hii ama pendekezo kama hili.

Na mimi ninapochunguza na nione kuna umuhimu sitapinga kwa kuwa mimi siko kwa hiyo Kamati. Kwa hivyo tuangalieni kwa makini ndugu zangu. Naomba tushirikiane ni muda tu huu tukamilishe Ripoti yetu tulete ndani ya Bunge na hata hiyo Seneti inatambua kwamba hapa Kilifi tunafanya kazi kwa sababu ya hiyo Kamati tuliyoifika huko tukawa na mazungumzo nao. Ni heshima kwetu sote, mheshimiwa Spika, mimi sitakuwa mwingi wa maneno ninakaa lakini naomba wenzangu wote tuweze kuunga mkono. Asanteni.

The Speaker (Hon. Mwambire): Hon. Members, I had indicated three Members, but you will allow me to give an opportunity to a Senior Member and Senior in age for the period she has been here so that at least we can hear her wisdom. Hon. Radhia, please.

Hon. (Ms.) Radhia: Asante, mheshimiwa Spika, kwa kunitambua na kunipa nafasi kama hii na mimi niweze kuchangia moja ama mawili.

Kwanza, namshukuru Mwenyezi Mungu kwa kuniregesha salama; kwenda salama na kurudi salama. Kama mnavyoelewa ijapokuwa wengi wetu sio waisilamu lakini wanaona ilikuwa katika mitandao ilikuwa safari nzito na ni karibu kwa masaa kwenda lakini kwa utendakazi wake ni kazi kubwa. Tangu niliporudi mpaka saa hii bado sijasikia vizuri. Kwa mtazamo, kule tunavyokazana na kusukumana kwa sababu watu ni wengi na siku ni hizo hizo ambazo zimeandikwa, lakini namshukuru Mwenyezi Mungu nimefika salama.

Mimi kabla sijaunga ama sijapinga ningetaka kutoa mawazo yangu na katika haya mawazo yangu ambayo nitayatoa tayari mtajua kama nimeunga ama nimepinga. Mheshimiwa Spika, hawa tuliowachagua na nikiwambia waheshimiwa wenzangu kwamba hawa pia ni waheshimiwa wenzangu na wana akili kama zetu. Kwa hivyo, nina imani kubwa kama wao walipochaguliwa walienda wakafanya kazi yao kama inavyostahili na si wageni wa kazi kama hii kwa sababu tayari hawa wako kwenye Kamati nyingine.

Kwa hivyo, mheshimiwa Spika, hawa wenzetu walienda wakafanya kazi wamekwamia mahali na ni muhimu waongezewe muda ili wakamilishe yale maombi yao ama yale matakwa yao. Kama hatutawapatia itakuwa makosa; si wao wanakosa ni sisi ambao tumewanyima ule wakati.

Waheshimiwa wenzangu, mimi nawaomba kama siku 30 ni nyingi basi tuwafanyie angalau wiki mbili lakini tukisema tuwanyime kabisa itakuwa kusema ukweli hatukufanya usawa kwenye hili Bunge. Isitoshe, hawa watu hawakuja hapa bali wamekuja wakisema wanaomba; ina maana kuna vitu wamebakisha wanataka wamalizie na kama hili Bunge sisi twaheshimiana, na pia sisi tuko kwa masilahi ya wananchi wa Kilifi wote ni haki yetu tuwapatie huo wakati.

Hili jambo la Shakahola ukiliongelea na hili unaona ni jambo rahisi ama kama wewe halikukufika wewe basi utalionga ni rahisi, lakini tusichukue hili jambo ki wepesi tu kama tunavyolichukulia. Hili jambo ni zito; watu wetu wa Kilifi ikiwa Seneti imeweza kuongezewa muda na huku si kwao, je sisi ambao ni kwetu hawa? Mimi kama mama nawaomba waheshimiwa wenzangu wote hawa wenzetu leo ni mimi kesho ni wewe na hawakuja kujitetea wao wamekuja kutetea mda kwa sababu ya hao hao wananchi wa Kilifi wawafanyie kazi. Nawaomba kama hatuwezi kuwapatia mwezi basi tuwape siku 15, mheshimiwa Tete. Kwa hayo mengi au machache, mimi nimesimama kuunga mkono.

(Question, that the Mover be now called upon to reply, put and agreed to)

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Hon. Oscar: Asante sana, msheshimiwa Spika, kwa kunipatia fursa hii ili kuweza kutoa changizo na pia naona waheshimiwa wametoa changizo zao zenye umuhimu na mimi kama Mwenyekiti wa Kamati hii ningependa sana kwanza kabisa kupongeza Kamati yangu. Lile jambo ambalo umelifanya, msheshimiwa Spika, ni jambo ambalo ni kubwa, zito na gumu sana. Waheshimiwa wenzangu, najua yale mapendekezo na changizo zenu ambazo mmetoa na mimi nitajibu kwa ufupi na kwa ufasaha kabisa lakini jambo la kwanza ningependa waheshimiwa Bunge hili litambue ya kwamba Kamati ya Shakahola inavyoitwa *Ad Hoc* kwa kizungu sio *Standing Committee*, inamaanisha kwamba haina bajeti.

Mheshimiwa Spika, wakati tukienda hizi ziara hapa Kilifi kwanza hawa waheshimiwa katika hii kamati wamejitolea sana. Sehemu nyingi sana tumeenda bila chakula. Sio kwamba tumefanya vile kwa kujali maslahi yetu, hapana! Ni kwa sababu ya kutimiza lile lengo ambalo tumeaminiwa na Bunge hili kuenda kufanya kule nje.

Kuna sehemu nyengine tulikuwa tukitembea, mpaka tuliokuwa Adu na tunamshukuru msheshimiwa Zia aliweza kutusimamia angalau chakula cha mchana. Wakati tunapotoa changizo pia, tuangalie zile changamoto ambazo ziko. Neno la Shakahola hata Bunge la Kitaifa, hata serikali yenyewe ilidhani kwamba ni jambo dogo sana na wakafikiria kama wiki mbili ama tatu watakuwa wamelimaliza lile jambo la Shakahola lakini saa hii tunavyozungumza, serikali bado iko kule msituni. Inamaanisha hili jambo linajitokeza katika kila njia na linabadilika kila kukicha. Ubadilikaji huu ndio ambao umependekeza mambo kama hayo.

Nikisikiza wametoa changizo, poleni sana waheshimiwa ambao wamefikiwa na maafa. Mimi binafsi pale Ganda wako wengine ambao walipoteza maisha. Uchungu nilionao kuhakikisha kwamba Ripoti inakuja kwa haraka ni uchungu sawia na msheshimiwa yeyote ambaye yuko katika hili Bunge. Wakati tulikuwa tunazunguka wacha ibainike katika Bunge hii sio kwamba tumeenda na hakuna kitu ambacho kimetengenezwa; yaani siku 60 zile hakuna lolote lile ambalo Kamati limefanya, hapana! Hapa kuna Ripoti na iko na changizo za wale *stakeholders* tuliokutana nao. Tumesikiza, tumejadili na hapa tunavyozungumza Mungu ni shahidi, yuko mama ambaye ni muathiriwa mkubwa na hata leo mimi huzungumza na yeye na kumsaidia kimaisha. Ukweli ni mkae mkijua pia Kamati imekuwa na watu wenye huruma kule. Tulipata watu wengine walioathirika na hawajapata msaada wowote wa serikali; tunaingia mifukoni tunawasaidia kwa ile imani tuliyonayo.

Ripoti tuliyonayo hatukuweza kuileta Bungeni saa hii kwa sababu kisheria unapoleta hii Ripoti huwa ndio imekamilika lakini tunavyozungumza, msheshimiwa Spika, saa hii ukiangalia taarifa za habari kuna miili mingine mipya ambayo inafukuliwa. Sisi tulipoenda Shakahola, hatukupata fursa ya kuangalia miili inavyofukuliwa. Sio kwamba tunataka kuenda kuona miili, hapana, ile miili inasemekana ni *fresh*, inamaanisha kwamba imekaa...

The Speaker (Hon. Mwambire): Hatuelewi, ieleze Kiswahili ni nini.

Hon. Oscar: Yaani ni mibichi. Yaani haijaka muda mrefu. Ifahamike na Bunge hili tukufu yule ambaye ameshikwa kwa haya maswala yuko gerezeni. Kitu gani ambacho kinapelekea miili mingine mipya ipatikane kule msituni ilhali yeye mtuhumiwa yuko gerezeni? Inamaanisha kuna jambo fiche.

Sio Bunge hili peke yake limeshindwa kuelewa ule utata, hata serikali yenyewe inajiuliza swali hilo. Tunaangalia katika taarifa za habari tunaona kwamba wanakamati wa Ad hoc hawana ujuzi; sisi tuko na ujuzi sana. Ujuzi wetu ambao uko tumepewa wadi nzima kui-*govern* kama vile msheshimiwa Morris (Hinzano) alivyozungumza. Ifahamike mimi niliyesimama hapa kama Mwenyekiti waliniamini pia kwa sabbau watu wa Ganda wameniamini na hiki ni kipindi changu

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cha kwanza kuingia katika siasa na nikachukua kumaanisha akili ziko zimetulia. Huu ni ujuzi na tajriba. Kwa sababu mmetuamini, tupatieni huu muda.

Pili, Gavana anaweza kuwa ni rafiki yako wa karibu wewe kama mheshimiwa sikatai, utampigia simu atashika lakini kama Kamati hatuwezi tu kuenda kumuona kama rafiki yetu. Ratiba na mipangilio yote ya hii Kamati iko hapa. Tulianza kwa *County Commissioner*, tukafuatilia kwa wazee wa vijiji Shakahola wakatuambia picha ilivyokuwa, mapendekezo yao na kila kitu, tukaenda mpaka Seneti kulingana na ratiba lakini kumpata Gavana ni mtu wa mipangilio mingi. Gavana Kilifi Kaunti inamhitaji na sisi tunamhitaji vile vile. *Appointments* ambazo tuliweka zaidi ya mbili Gavana alikuwa ameshikika. Inafaa tuelewe kwamba Mheshimiwa Gavana pia ni binadamu, na anapohudumia watu wa Kaloleni au Magarini kwa dharura ile ni manufaa ya watu wa Kilifi, sio kwamba Gavana hapatikani. Tukitoa hii Ripoti wakati huu itakuwa haina nukuu za Gavana na ni jimbo lake.

Nikimalizia, Kaya *elders* ni wazee wa tambiko. Tuelewe wanahitajika kila sehemu. Hii ratiba ikisema tarehe fulani tunaenda kukutana na wazee wa Kaya, siku hiyo wakisema hawako huwa imeruka kwa sababu ule muda ni mfupi. Tumekaa na *stakeholders* mbali mbali, tumefanya kazi kubwa na Ripoti iko hapa. Tukipewa hizi chache ambazo tumeitisha hawa tutawapata na hii Ripoti itakuwa kamilifu kabisa.

Tukilichukulia hili jambo kwa mzaha tutatunga usaha; tunaweza kutoa hii Ripoti tukaijadili mwisho wa siku hili jambo likatokea tena. Hizi siku tunazomba ni kidogo za kusema kwamba tunataka kuzuia hili janga lisiwahi kutokea tena hapa Kilifi. Ni jambo ambalo litaweza kusaidia kwa sababu kwa nini miili mipya inapatikana? Tutajua jinsi gani ya kuzuia mambo haya kutokea. Naomba sana mlichukulie kwa maanani, kwa msingi mnamumikia watu wenu na sio kwamba waheshimiwa ambao wako kwa hiyo Kamati wanajinufaisha.

La mwsihio, Kamati ya Seneti kule tunavyozungumza ilianza kuundwa kabla yetu na wao kulingana na uchunguzi wao wamezunguka kila mahali lakini bado wamekuja wameomba kwa sababu uchunguzi unazidi kubadilika. Wakiona mambo mapya, inabidi wageuze mbinu.

Kwa hivyo, mheshimiwa Spika na Bunge hili, tunawaomba hizi siku ambazo zimekuwa wakati hii Kamati ikikuja ya Bunge la Seneti tuweze kuijadili pamoja. Mkitunyima hii fursa inamaanisha kwamba Bunge la Seneti likija, itakuwa haina Kamati ya kukaa nayo; Kamati ya kukaa nayo itakuwa kisheria imemaliza muda wake.

Mheshimiwa Spika, hata hii Ripoti saa hii tuilete itakua *illegal* kwa sababu muda wetu umeisha zile siku 90. Sisi sio kwamba tunaitisha siku zengine mpya; Kanuni za Kudumu 160(A) inasema kwamba Kamati kama hii inatakikana siku 90. Tumeweza kutumia siku 60. Ina maana kwamba bado hatuombi muda mbali na zile ambazo ziko kwa sheria. Bunge hili saa hii tunawaomba tu kwa hisani tutimize ile sheria, hata tukileta hii Ripoti bado hatujakuwa mbali na sheria.

La mwisho, ukiangalia lile ombi limesema kwa Kizungu “*This House therefore resolves to extend the mandate of the Committee for a further 30 days from the 10th of August*”. Tarehe 10 Agosti ni jana. Kutoka tarehe 10 Agosti mpaka tarehe 10 Septemba ndio itakuwa mwezi mmoja. Sasa hii ifahamike mheshimiwa Munyoki amezunguza, hatutakuwa hapa Bungeni, wengine. Nafikiri ni wote. Kuna hii *Devolution Conference*, baada ya pale tunaenda CASA (*County Assembly Sports Association*) games; zinazobakia ni siku kumi na sita (16) pekee na siku hizi 16 hata mimi niko tayari hii Kamati isiende hiyo *Devolution* na *CASA games* tuweze kufanyia kazi watu wetu. Hizi siku tunaomba tunataka kuzifanyia kazi hata huko sehemu nyingine tuko tayari, tunaomba kwa heshima yenu na hisani.

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La mwisho, tuwe na jambo la huruma kwa watu wa Kilifi. Najua kila mmoja ana uchugu na jambo la Shakahola tusilichukulie na mzaha. Itakuwa uchungu katika Bunge hili tusifanye mapendekezo ya maana kesho usikie imetokea tena itakuwa ni aibu kubwa sana.

Waheshimiwa wenzangu. sijui mnaliona vipi hili, japo ninavyoliona litakuwa aibu na saa hii tuko katika anga za BBC, Aljazeera, Shakahola inajulikana dunia nzima. Kwa hivyo, tunawaomba muda huu ulio katika sheria ili tutimize malengo mliotuamini nayo na kutuweka katika Kamati hii. Tunaahidi kuja na Ripoti nzuri na nyinyi wenyewe mtafurahia. Nawaomba wale mliokuwa na pingamizi, nafikiri baada ya maelezo yangu mmepata ufahamu na uelewa. Naona anga imebadilika

(Laughter)

Wanacheka, naona uulize hilo swali sasa.

The Speaker (Hon. Mwambire): A few weeks ago, I met a Bishop who is in the task force, and he was also raising some pertinent issues, but I tried to ask him if it is possible for you to visit Mackenzie so that you can get more information. He said that was what they were looking for. I do not know whether the Ad hoc Committee was also exploring meeting Mackenzie at some point because he is also a stakeholder. Even the Senate Committee should also consider.

(Question put and negatived)

(Several Hon. Members stood in their places)

Hon. Members: Division! Division!

The Speaker (Hon. Mwambire): Do we have the numbers to qualify for Division?

(Loud consultations)

The Speaker (Hon. Mwambire): Hon. Changawa, relax, we want to get the numbers, please. Yes, Clerk.

(Loud consultations)

The Speaker (Hon. Mwambire): Members, according to the Standing Orders, those who are standing are more than five which means they qualify for a Division. So let the Division Bell be rung and the door closed so that we can make a clear determination.

(Division Bell was rung)

(The doors were closed, and bar drawn)

DIVISION

ROLL CALL VOTING

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The Speaker (Hon. Mwambire): Yes, hon. Members. Allow me to read through the Standing Orders so that you can be well-guided. Some are making proposals that whatever we do must have clear guidance with the Standing Orders. I do not want us to start formulating our own Standing Orders at this moment.

Standing Order 66 -Voting in the County Assembly:

“(1) Unless otherwise provided under the Constitution or any written law” ... Sorry I am having some problems with my eyesight, but I will make it, I am still very young. “...a question arising in the County Assembly shall be decided by a majority of the Members in the county Assembly, present and voting.

(2) In ascertaining the results on a question under paragraph one, the Speaker shall in the first instance, collect the voices of the ‘Ayes’ and the ‘Noes’ and shall declare the results accordingly.”

We have already passed this part Members, so the other part is Standing Order 69 which is a Division which you have sought for Division.

69. Roll call Division claimed:

(1) The Speaker shall direct a roll call vote to be taken if a Member claims a Division and-

(a) The Speaker considers that there is a reasonable doubt as to the outcome of the vote in question; or”

Clerk, you can read for me so that it can be easier because I have issues with the...just read:

Clerk-at-the-Table: Standing Order 69:

69. Roll call Division claimed:

(1) The Speaker shall direct a roll call vote to be taken if a Member claims a Division and-

(a)The Speaker considers that there is a reasonable doubt as to the outcome of the vote in question; or”

(b) If, on a question other than a question of procedure, five or more Members rise in their places to support the Member claiming the roll call Division.

(2) The Speaker shall direct a Division to be taken in every instance where the Constitution lays down that a fixed majority is necessary to decide any question.

The Speaker (Hon. Mwambire): Standing Order No. 70, proceed.

Clerk-at-the-Table: Standing Order No. 70:

70. Roll call voting:

(1) When the Speaker directs a roll call voting to be taken, the Division Bell shall be rung for ten minutes.

(2) The names of one teller for the “Ayes” and one teller for the “Noes” shall be submitted to the Speaker, and the Speaker shall direct the tellers to take seats at a designated place.

(3) At the end of ten minutes, the Speaker shall direct the doors to be locked and the Bar drawn and no Member shall thereafter enter or leave the County Assembly until after the roll call vote has been taken.

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- (4) When the doors have been locked and the Bar drawn and the names of the tellers have been announced, the Speaker shall put the question again and direct the clerk to call out the names of Members in alphabetical order in the presence of the tellers.
- (5) When called out, each Member shall, thereupon rise in his or her place and declare assent or dissent to the question in the following manner ‘I vote yes’ or ‘I vote no’ or ‘I abstain’ or use appropriate Kenyan Sign Language.
- (6) After the Clerk has read the last name in the Division list, the tellers shall present the results of the roll call vote to the Speaker who shall thereupon announce the results of the vote to the County Assembly.”

The Speaker (Hon. Mwambire): Members, I think it is very clear. We had a similar vote when we were voting to decide on the Kilifi County Public Service Board (CPSB) Chair and Members’ removal if you remember. Though we did not go to a Division, after going for a Division, the vote is normally similar.

So, what we are going to do is get two agents; an agent for “yes” and an agent for “no” and we can probably get an agent for “abstain”. We can get three agents. Hon (Ms.) Kache (Betty) is standing as an agent for “yes”, hon. Naphtali Nyae (Kombo) is the agent for “abstaining” and hon. Ziro is an agent for “no.” We are going to have two clerks; one will be marking while the three Members will act be witnessing and the other clerk will be reading out the names so that we can fast-track the process.

So, Members, stay attentive. You are supposed to pronounce your positions so that even the Members of the public can know your stand. This will be whether you are voting “yes”, “no” or “abstaining.” This process will be clear and transparent and will not have any confusion and hence we will not go to the Standing Order that addresses confusion during the Division process. Is there any Member with an issue or who does not understand what we are going to do? Let us proceed, silence means consent by extension.

(Question put and the Members of the County Assembly proceeded to vote)

AYES: Hon. Radhia; Hon. Changawa; Hon. (Ms.) Amina; Hon. (Ms.) Betty; Hon. (Ms.) Mapenzi; Hon. (Ms.) Faith; Hon. Munyoki; Hon. (Ms.) Mariam; Hon. Oscar; Hon. Paul; Hon. Zia; Hon. Umi.

NOES: Hon. Tete; Hon. Grace; Hon. Twaher; Hon. (Ms.) Maneno; Hon. Messo; Hon. Ziro; Hon. Jambo; Hon. Biryra; Hon. Kalama; Hon. Lilian; Hon. Hinzano; Hon. Mohhamed; Hon. Patricia; Hon. Mwaro; Hon. (Ms.); Hon. Kubo.

ABSTENTIONS: Hon. Kombo; Hon. Stephen; Hon. Brown; Hon. Emmanuel.

Teller of the Ayes: Hon. (Ms.) Betty.

Teller of the Noes: Hon. Ziro.

The speaker (Hon. Mwambire): Yes, Members, I believe you are aware that our House has 51 Members. Nineteen (19) Members were absent, which means we remained with 32 Members who voted. The results are as follows:

AYES: 12

NOES: 16

ABSTAIN: 4

(Question carried by 16 votes to 12)

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ADJOURNMENT

The speaker (Hon. Mwambire): Since there is no other business to transact now, this House stands adjourned until further notice. For those going for the Devolution Conference and CASA games, I wish you all the best and journey mercies. Thank you very much for your cooperation.

The House rose at 12:16 p.m.