



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (FOURTH SESSION)
THE SENATE
ORDER PAPER
THURSDAY, OCTOBER 06, 2016 AT 2.30 P.M

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (As listed in the Appendix)
5. Papers (As listed in the Appendix)
6. Notices of Motion
7. Statements (As listed in the Appendix)
8. ***THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL)**
(AMENDMENT) BILL (SENATE BILL NO. 9 OF 2016)
(Sen. Fatuma Dullo)
(Second Reading)
(Resumption of Debate interrupted on Tuesday, 4th October, 2016)
(Division)
9. ***THE SELF HELP ASSOCIATIONS BILL (SENATE BILL NO. 2 OF 2015)**
(Sen. Martha Wangari)
(Second Reading)
(Resumption of Debate interrupted on Tuesday, 4th October, 2016)
(Division)
10. *****THE ASSISTED REPRODUCTIVE TECHNOLOGY BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2014)**
(The Senate Majority Leader)
(Second Reading)
(Resumption of Debate interrupted on Tuesday, 4th October, 2016)
(Division)
11. **COMMITTEE OF THE WHOLE**
***THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2016)**
(Sen. Daniel Karaba)
(Resumption of Debate interrupted on Wednesday, 5th October, 2016)
(Division)

..... /Bill

12. ***THE ASSUMPTION OF OFFICE OF GOVERNOR BILL (SENATE BILL NO. 10 OF 2016)**

(Sen. Paul Kimani Wamatangi)

(Second Reading)

13. ***THE NATIONAL COHESION AND INTEGRATION (AMENDMENT) BILL (SENATE BILL NO. 6 OF 2016)**

(Sen. Beatrice Elachi)

(Second Reading)

14. ***THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 8 OF 2016)**

(Sen. (Eng.) Muriuki Karue)

(Second Reading)

15. **MOTION** (Sen. Peter Mositet)
(Standing Committee on Education)

AWARE that Article 43 (1) (f) of the Constitution of Kenya provides that every person has the right to education and that Article 53 (1) (b) of the Constitution provides that every child has the right to free and compulsory basic education;

COGNIZANT that Article 54 (1) (b) of the Constitution provides that a person with any disability is entitled to access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person;

RECOGNIZING that education in Kenya is a shared function of both the county and national governments;

CONCERNED that while significant gains have been made under the Free Education Programme introduced in the year 2003, access and participation of children with special needs is generally low across the country and their needs have not been specifically addressed;

NOW THEREFORE the Senate directs the Standing Committee on Education to inquire into the performance of the Ministry of Education, Science and Technology in the implementation of the policy statements and strategies made in the National Special Needs Education Policy Framework, 2009 and report back to the Senate within three months.

16. **MOTION** – (Sen. (Prof.) John Lonyangapuo)
(Department of Education)

THAT, whereas Article 53 (1)(b) of the Constitution provides that every child in Kenya has the right to free and compulsory basic education;

RECOGNIZING the importance of education in the alleviation of the main challenges facing Kenya's sovereignty identified at independence, namely; poverty, illiteracy and disease;

..... /*Motion*

APPRECIATING the gains made following the implementation of the free primary education program in 2003 and cognizant of the principles set out in the Basic Education Act of 2013 whose objectives include promotion and regulation of free and compulsory basic education besides providing for accreditation, registration and management of basic education institutions;

NOTING the substantial resources invested by the national and county governments, parents, sponsors and development partners in the provision of basic education;

FURTHER NOTING that pursuant to the Basic Education Act, the County Director of Education is vested with numerous responsibilities including facilitation of auditing of all basic educational institutions in the respective county thereby leaving fundamental gaps of governance especially in the management of the available resources;

NOW THEREFORE, the House recommends to the Cabinet Secretary for Education to facilitate the creation of the office of an auditor to specifically audit the basic education institutions' funds to enhance transparency and accountability and improve governance in the management of these institutions.

17. **MOTION** – (Chairperson, Standing Committee on National Security and Foreign Relations)

THAT, this House adopts the Report of the Standing Committee on National Security and Foreign Relations on the assessment of the security situation in Mandera County, Laikipia County and Kapedo (Border town of Turkana and Baringo Counties) conducted between 19th January and 5th February, 2015 and laid on the Table of the House on Wednesday, 29th July, 2015.

18. **MOTION** – (Chairperson, Standing Committee on National Security and Foreign Relations)

THAT, this House adopts the Report of the Standing Committee on National Security and Foreign Relations on the study visit to Russia laid on the Table of the House on Tuesday, 15th March, 2016.

19. **MOTION** – (Sen. (Dr.) Agnes Zani)

THAT, the Senate notes the Report of the 3rd Global Open Government Partnership (OGP) summit held in Mexico City, from 25th October to 1st November, 2015 laid on the Table of the House on Tuesday, April 19, 2016.

20. **MOTION** – (Sen. Daniel Karaba)

THAT, the Senate adopts the Report of the Standing Committee on Education on the 19th Conference of Commonwealth Education Ministers held in Bahamas from 22nd to 26th June, 2015 laid on the Table of the House, today 14th April, 2016.

21. **MOTION** – (Sen. Daniel Karaba)

THAT, the Senate adopts the Report of the Standing Committee on Education on the 38th Session of the UNESCO General Conference in Paris, France held at UNESCO Headquarters from 3rd to 18th November, 2015 laid on the Table of the House, today 14th April, 2016.

..... /Notice

NOTICE

The Senate resolved on 10th February, 2016 as follows:-

THAT, pursuant to Standing Order 100 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

KEY

- ****** ■ Denotes a Majority /Minority Party Bill
- ***** ■ Denotes a National Assembly Bill
- **** ■ Denotes a Committee Bill
- *** ■ Denotes any other Bill

NOTICE OF AMENDMENT

***THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2016)**

(Sen. Daniel Karaba)

NOTICE is given that Senator Danson Mwazo intends to move the following amendment to the County Governments (Amendment) Bill, 2016, at the Committee Stage-

CLAUSE 2

THAT clause 2 of the Bill be deleted and substituted with the following new clause-

Amendment
to the Third
Schedule of
No.17 of 2012

2. The Third Schedule of the County Governments Act is amended-
 - a) in paragraph 6 by deleting the words "Wundanyi Urban Area" and substituting therefor the words, "Mwatate Urban Area".
 - b) in paragraph 20 by deleting the words "Kerugoya Urban Area" and substituting therefor the words, "Kutus Urban Area".

APPENDIX**1. PETITION**

Petition by members of the Garissa County Assembly on the rejected Garissa County Government Budget Estimates for the financial year 2016/2017.

(The Speaker of the Senate)

2. PAPER

The Business of the Senate for the coming week.

(The Senate Majority Leader)

3. STATEMENTS TO BE ISSUED

- a) The Chairperson, Standing Committee on National Security and Foreign Relations to issue a statement on the shooting of a school girl from Ulanda High School in Migori County by a stray bullet (Sen. Martha Wangari);
- b) The Chairperson, Standing Committee on National Security and Foreign Relations to issue a statement regarding assault of a Matatu driver by a police officer along Mombasa-Kilifi road (Sen. Stewart Madzayo);
- c) The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries to issue a statement on increase of price of maize flour (Sen. Catherine Mukiite);
- d) The Chairperson, Standing Committee on Education to issue a statement on recent burning of Secondary Schools in Kisii County (Sen. Janet Ong'era);
- e) The Chairperson, Standing Committee on National Security and Foreign Relations to issue a statement on the security situation in the Republic of South Sudan (Sen. Moses Wetang'ula);
- f) The Chairperson, Standing Committee on Health to issue a statement on the rise in the number of deaths resulting from curable diseases in parts of western Kenya (Sen. Moses Wetang'ula);
- g) The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries to issue a statement on the fate of tea farmers who lost money in the collapse of Imperial Bank and Chase Bank (Sen. (Prof.) Wilfred Lesan);
- h) The Chairperson, Standing Committee on National Security and Foreign Relations to issue a statement on dismissal from service of Private Abdirahman Omar Madey, an infantryman at the 3rd Batallion of the Kenya Rifles (Kenya Army), service No. 55662 (Sen. Ali Bule);
- i) The Chairperson, Sessional Committee on implementation to issue a statement on status of implementation of the Senate resolution on the disappearance of twins at Pumwani maternity Hospital on 6th January, 2015 (Sen. Martha Wangari);
- j) The Senate Majority Leader on Business of the Senate for the coming week.
