



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (THIRD SESSION)
THE SENATE
ORDER PAPER
THURSDAY, JULY 09, 2015 AT 2.30 P.M

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (As Listed in the Appendix)
6. Notices of Motion
7. Statements (As Listed in the Appendix)
8. **MOTION** – (Sen. Sammy Leshore)
(Department of Health)

THAT, cognizant that the core mandate of the National AIDS Control Council (NACC) is to develop strategies, policies and guidelines relevant to the prevention and control of HIV and AIDS in Kenya; noting that the operational structure of NACC has not been aligned to the Constitution of Kenya 2010; acknowledging the objects of devolution as set out under Article 174 of the Constitution; recognizing that under the Fourth Schedule, the health function has been devolved except for the health policy and referral hospitals; concerned that an estimated 1.2 million Kenyans are infected with HIV/AIDS and a 100,000 are infected annually; recognizing the need to achieve an “*AIDS free society*” by stepping up the fight against the pandemic at the County level, the Senate urges the National Government to set up the National AIDS Control Council (NACC) County offices in all County Headquarters with the National Headquarters providing overall co-ordination and that the resources allocated for the fight against HIV/AIDS be disbursed and managed at the County level.

...../Motion

9. **MOTION** – (Sen. Muriuki Karue)
(Sessional Committee on Devolved Government)

THAT, noting that County governments were allocated offices and premises formerly occupied by the defunct local authorities and, to some extent, by former provincial administration;

OBSERVING that these arrangements were satisfactory in most counties;

AWARE that some counties had little or no such offices or premises to inherit resulting in serious operational challenges of such county governments;

APPRECIATING that there are many counties with inadequate physical facilities whether they inherited the envisaged facilities or not;

CONCERNED that the situation, continues to impact negatively on the performance of the said counties;

ACKNOWLEDGING that it is the mandate of the Senate to protect the interests of the counties and to ensure that their governments are fully operational;

NOW THEREFORE, in order to form the basis for possible assistance to counties for headquarter facilities, the Senate resolves to direct the Sessional Committee on Devolved Government to conduct an inquiry into the needs of-

- a) The following four counties: Nyandarua, Tharaka Nithi, Tana River and Lamu, and report to the Senate within one month, and
- b) All the other forty – three counties and report to the Senate within four months.

10. **MOTION** – (Sen. Beatrice Elachi)
(Department of Interior and Coordination of National Government)

THAT, cognizant that Article 12 of the Constitution guarantees a right to citizenship; noting that it is the right of every Kenyan attaining 18 years to register and be issued with a National Identity Card; further noting that the National Identity Card is at the core in determining the extent to which an individual enjoys his or her fundamental rights and freedoms; concerned that Orphans and Vulnerable Children attaining the age of 18 years in children's homes have difficulties obtaining the National Identity Cards, the Senate urges the National Government to take remedial, policy, administrative and legislative measures to improve and expedite the process of registration for National Identity Cards especially for the Orphans and Vulnerable Children who live in children's homes and have attained 18 years of age.

...../Motion

11. **MOTION** - (The Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, the Senate adopts the Interim report of the Senate Sessional Committee on County Public Accounts and Investments on the inquiry into County Government Accounts for the Financial Year 2012/2013- (1st January to 30th June, 2013).

12. **MOTION** – (Sen. Zipporah Kittony)
(Department of Transport and Infrastructure)

THAT, AWARE that traffic congestion in Nairobi Metropolitan Region is increasingly becoming worse leading to increased costs, longer travel times, constrained economic productivity and adverse health and environmental externalities;

CONCERNED that the economic cost of the congestion is estimated to be Kshs.1 billion annually on account of wasted man-hours and wasted fuel due to vehicular queuing;

APPRECIATING the government's effort in mitigating the problem by expanding infrastructure and initiating other interventions such as installation of traffic lights in the Central Business District;

The Senate now calls upon the Government to consider formulating additional policy interventions to mitigate the problem by:-

1. Enacting legislation to allow only high capacity public transport to operate in the city; and
2. Creating regulations to:-
 - a) Require all deliveries to business premises to be done at night;
 - b) Require construction on roads that are in use to be done at night; and
 - c) Reroute heavy commercial vehicles to use the bypasses.

13. ***** THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)**
(Chairperson of the Standing Committee on Legal Affairs and Human Rights)
(*Second Reading*)

(Resumption of Debate interrupted on Wednesday, 1st July, 2015)

14. *** THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014)**
(Sen. Halima Abdille)
(*Second Reading*)

NOTICE

The Senate resolved on 11th February, 2015 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.

APPENDIX**1. PAPERS**

- i) The Business of the Senate for the coming week.
(The Senate Majority Leader)
- ii) The Report of the Auditor General on the Financial Operations of Meru County Executive and Meru County Assembly for the year ended 30 June, 2014;
- iii) The Report of the Auditor General on the Financial Operations of Busia County Executive and Busia County Assembly for the year ended 30 June, 2014;
- iv) The Report of the Auditor General on the Financial Statements of Busia County Government for the year ended 30 June, 2014;
- v) The Report of the Auditor General on the Financial Statements of Kakamega County Government for the year ended 30 June, 2014;
- vi) The Report of the Auditor General on the Financial Operations of Tharaka-Nithi County Executive and Tharaka-Nithi County Assembly for the year ended 30 June, 2014;
(Chairperson, Sessional Committee on County Public Accounts and Investments)

2. STATEMENTS

- a) The Senate Majority Leader to issue a Statement on Business of the Senate for the coming week;
- b) The Chairperson of the Standing Committee on Health to issue a Statement on misdiagnosis and other malpractices in the health sector (Sen. Catherine Mukiite);
- c) The Chairperson of the Standing Committee on National Security and Foreign Relations to issue further information regarding the status of implementation of the agreement between the National Government, Meru and Isiolo Counties on the Meru-Isiolo boundary (Sen. Kiraitu Murungi);
- d) The Chairperson of the Standing Committee on National Security and Foreign Relations to issue a Statement on the state of Security along the Turkana and West Pokot County borders specifically regarding construction of a road by Turkana County from Kainuk to Sarmach in West Pokot County (Sen. (Prof) John Lonyangapuo);

...../Statements

- e) The Chairperson of the Standing Committee on Labour and Social Welfare to issue a Statement regarding the status of the world famous East African Safari Rally (Sen. (Prof) John Lonyangapuo);
- f) The Chairperson of the Standing Committee on Health to issue a Statement regarding the outbreak of Malaria in Western Kenya specifically in Vihiga and Kakamega Counties (Sen. George Khaniri).
- g) The Chairperson of the Standing Committee on Energy to issue a statement on cause of frequent power blackouts in Murang'a County (Sen. Kembi-Gitura)
- h) The Chairperson of the Standing Committee on Legal Affairs and Human Rights to issue a statement on the collapse of Mumias Sugar Company and injection of Ksh2.5B bail-out capital (Sen (Dr.) Boni Khalwale)
