



REPUBLIC OF KENYA  
ELEVENTH PARLIAMENT – (FOURTH SESSION)  
THE SENATE  
**ORDER PAPER**  
THURSDAY, MARCH 10, 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 NATIONAL CEREALS AND PRODUCE BOARD (AMENDMENT)**  
**BILL (SENATE BILL NO. 15 OF 2015)**  
(Sen. (Dr.) Zipporah Kittony)

*(Second Reading)*

*(Resumption of Debate interrupted on Tuesday, 8<sup>th</sup> March, 2016)*  
*(Division)*

9. **\*THE COUNTY LIBRARY SERVICES BILL (SENATE BILL NO. 6 OF 2015)**  
(Sen. Joy Gwendu)

*(Second Reading)*

*(Resumption of Debate interrupted on Wednesday, 9<sup>th</sup> March, 2016)*  
*(Division)*

10. **\*\*\*THE ORDER OF PRECEDENCE AND TITLES BILL (NATIONAL ASSEMBLY**  
**BILL NO. 11 OF 2014)**  
(The Senate Majority Leader)

*(Second Reading)*

11. **\*THE MICRO AND SMALL ENTERPRISES (AMENDMENT) BILL (SENATE**  
**BILL NO. 12 OF 2015)**  
(Sen. Kimani Wamatangi)

*(Second Reading)*

12. **\*\*THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 10**  
**OF 2015)**  
(Chairperson, Sessional Committee on Delegated Legislation)

*(Second Reading)*

...../Motion

13. **\*THE NATIONAL HOSPITAL INSURANCE FUND (AMENDMENT) BILL**  
**(SENATE BILL NO. 9 OF 2015)**

(Sen. Martha Wangari)

*(Second Reading)*

14. **\*\*\*THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.43 OF 2013)**

(The Senate Majority Leader)

*(Second Reading)*

15. **\*\*\*THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL**  
**(NATIONAL ASSEMBLY BILL NO. 18 OF 2014)**

(The Senate Majority Leader)

*(Second Reading)*

16. **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 19<sup>th</sup> January and 5<sup>th</sup> February, 2015 and laid on the Table of the House on Wednesday, 29<sup>th</sup> July, 2015.

17. **MOTION-** (Sen. Kembi-Gitura)

**THAT**, the Senate notes the Report of the ACP Parliamentary Assembly and the 29<sup>th</sup> Session of the ACP-EU Joint Parliamentary Assembly held at the Grand Pacific Hotel, Suva, Fiji from 10<sup>th</sup> to 17<sup>th</sup> June, 2015, laid on the Table of the House on Wednesday, 25<sup>th</sup> November, 2015.

18. **MOTION** (Sen. George Khaniri)  
(Ministry of Devolution and Planning)

**THAT WHEREAS** the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act makes provision for the prevention, protection and provision of assistance to internally displaced persons and affected communities and gives effect to the Great Lakes Protocol on the Protection and Assistance to Internally Displaced Persons, and the United Nations Guiding Principles on Internal Displacement;

**OBSERVING** that the Act establishes the National Consultative Coordination Committee on Internally Displaced persons whose mandate is to inter alia, ensure registration of internally displaced persons and maintain a data base of such persons and advise the Cabinet Secretary for Devolution and National Planning on the exercise of his or her powers and functions under the Act;

...../Motion

**CONCERNED** that the Statement delivered to the Senate on 30<sup>th</sup> September, 2015 by the Chairperson of the Standing Committee on Labour and Social Welfare as a response to inquiries on the status of IDPs resettlement points to the fact that the distribution of the Internally Displaced Persons Fund, which was approximately KShs15 billion, was done in a discriminatory manner and the criterion for profiling the IDPs was skewed;

**NOW THEREFORE**, the Senate resolves to establish a Select Committee to investigate the operations of the Ministry of Devolution and National Planning and the National Consultative Coordination Committee on Internally Displaced Persons as far as resettlement process and criteria used to profile and pay IDPs is concerned and further determine whether the KShs15 billion was used for the intended purpose and report back to the Senate within three months;

**AND FURTHER** that the Members of the Select Committee are-

1. Sen. Boy Juma Boy
2. Sen. Stephen Sang'
3. Sen. Muriuki Karue
4. Sen. Anyang' Nyong'o
5. Sen. Peter Mositet
6. Sen. George Khaniri
7. Sen. Naisula Lesuuda
8. Sen. Janet Ong'era
9. Sen. Emma Mbura

19. **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.

...../Notice

**NOTICE**

The Senate resolved on 10<sup>th</sup> 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

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**APPENDIX****1. PETITIONS**

- a) Petition by Samuel A. Opiyo, concerning the remuneration of Early Childhood Education (ECDE) Teachers and development of ECDE infrastructure in Laikipia County;
- b) Petition by David O. Gesicho, for enactment of Legislation to confine the National and County Governments to the exclusive use of interest free Islamic Bonds ('Sukuk') in borrowing from the Domestic and International Financial Markets;

*(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 Senate Majority Leader to issue a statement on the status of compensation of IDPs including integrated IDPs in the former Nyanza, Coast, Western, Turkana and Trans Nzoia regions(Sen. Moses Wetang'ula);
- b) The Chairperson, Standing Committee on Labour and Social Welfare to issue a statement on the Youth Enterprise Development Fund and its accessibility to youth with pre-existing businesses (Sen. Catherine Mukiite);
- c) The Chairperson, Sessional Committee on Devolved Government to issue a statement on allowances paid to nominated Members of the County Assembly and facilities provided to them (Sen.(Prof.) John Lonyangapuo);
- d) The Chairperson, Standing Committee on Lands and Natural Resources to issue a statement on weather forecasts made by the meteorological department (Sen. Kennedy Mong'are);
- e) The Chairperson, Standing Committee on Education to issue a statement on shortage of teachers in West Pokot County (Sen. (Prof.) John Lonyangapuo);
- f) The Chairperson, Standing Committee on Education to issue a statement on remittance of teachers' deductions by TSC to teachers' SACCOs (Sen. (Prof.) John Lonyangapuo);
- g) The Chairperson, Standing Committee on National Security and Foreign Relations to issue a statement on harassment of residents of Machakos County by police (Sen. Johnson Muthama);
- h) The Senate Majority Leader to issue a statement on Business of the Senate for the coming week.

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