



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (FOURTH SESSION)
THE SENATE
ORDER PAPER
THURSDAY, MARCH 17, 2016 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 (As Listed in the Appendix)
7. Statements (As Listed in the Appendix)
8. **MOTION** – (The Senate Majority Leader)

THAT, pursuant to Standing Order Nos. 177(3) & 179(1), the Senate approves the following Senators nominated by the Rules and Business Committee, to be members of the Sessional Committee on County Public Accounts and Investments -

1. Sen. (Prof.) Anyang' Nyong'o
2. Sen. George Khaniri
3. Sen. Henry Ole Ndiema
4. Sen. Kennedy Okong'o Mong'are

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

(The Senate Majority Leader)

(Second Reading)

(Resumption of Debate interrupted on Wednesday, 16th March, 2016)

10. ***THE MICRO AND SMALL ENTERPRISES (AMENDMENT) BILL (SENATE BILL NO. 12 OF 2015)**

(Sen. Kimani Wamatangi)

(Second Reading)

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

(Sen. Martha Wangari)

(Second Reading)

...../Motion

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

(The Senate Majority Leader)

(Second Reading)

13. **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.

14. **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;

CONCERNED that the Statement delivered to the Senate on 30th 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

...../Motion

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.

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

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■ Denotes a Committee Bill

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■ Denotes any other Bill

...../Appendix

APPENDIX

1. PAPERS

- i) The Business of the Senate for the coming week;
(The Senate Majority Leader)
- ii) Report of the Commonwealth Women Parliamentarians Regional Capacity Building Workshop held in Dar Es Salaam, Tanzania on 20th – 23rd January, 2016.
(Sen. Joy Gwendu)

2. NOTICES OF MOTION

- i) **Notice of Motion** – (The Senate Majority Leader)
THAT, pursuant to Standing Order Nos. 177(3) & 179(1), the Senate approves the following Senators nominated by the Rules and Business Committee, to be members of the Sessional Committee on County Public Accounts and Investments-
 - 1. Sen. (Prof.) Anyang' Nyong'o
 - 2. Sen. George Khaniri
 - 3. Sen. Henry Ole Ndiema
 - 4. Sen. Kennedy Okong'o Mong'are
- ii) **Notice of Motion** – (Sen. Joy Gwendu)
THAT, the Senate notes the Report of the Commonwealth Women Parliamentarians Regional Capacity Building Workshop held in Dar Es Salaam, Tanzania on 20th – 23rd January, 2016 laid on the Table of the House on Thursday, March 17, 2016.

3. STATEMENTS TO BE ISSUED

- a) The Chairperson, Standing Committee on Finance, Commerce and Budget to issue a statement on expenditure of money set aside to mitigate the effects of el-nino rains across the country in 2015/16 (Sen. George Khaniri);
- b) The Chairperson, Standing Committee on Education to issue a statement on implementation of the Basic Education Act, 2013 and the Kenya Gazette notice outlawing corporal punishment (Sen. Martha Wangari);
- c) The Chairperson, Standing Committee on Energy to issue a statement on provision of electricity at Oldonyiro Ward in Isiolo County (Sen. Fatuma Dullo);
- d) The Chairperson, Standing Committee on Information and Technology to issue a statement on poor mobile phone network services in Oldonyiro Ward and its environs (Sen. Fatuma Dullo);
- e) The Chairperson, Standing Committee on Legal Affairs and Human Rights to issue a statement on the ongoing voter registration by the IEBC (Sen. Mutahi Kagwe);
- f) The Chairperson, Standing Committee on Lands and Natural Resources to issue a statement on the operationalization of the County Wildlife Conservation and Compensation Committees (Sen. Fatuma Dullo);
- g) The Senate Majority Leader on Business of the Senate for the coming week.
