



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (THIRD SESSION)
THE SENATE
SUPPLEMENTARY ORDER PAPER
WEDNESDAY, JUNE 24, 2015 AT 2.30 P.M

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements (As Listed in the Appendix)
8. *** THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 5 OF 2015)

(Chairperson, Standing Committee on Finance, Commerce and Budget)

(Second Reading)

(Resumption of Debate interrupted on Thursday, 18th June, 2015)

(Division)

9. * THE REPRODUCTIVE HEALTH CARE BILL (SENATE BILL NO. 17 OF 2014)

(Sen. Judith Sijeny)

(Second Reading)

(Resumption of Debate interrupted on Thursday, 18th June, 2015)

(Division)

10. COMMITTEE OF THE WHOLE

*** THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 5 OF 2015)

(Chairperson, Standing Committee on Finance, Commerce and Budget)

11. COMMITTEE OF THE WHOLE***** THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILL NO. 34 OF 2014)**

(Chairperson, *Ad hoc* Committee on Legislation on Royalties accruing from Natural Resources)

(Resumption of Debate interrupted on Wednesday, 17th June, 2015)
(Division)

12. *** THE COUNTY RETIREMENT SCHEME BILL (SENATE BILL NO. 25 OF 2014)**

(Sen. (Prof.) Kindiki Kithure)

(Second Reading)

13. COMMITTEE OF THE WHOLE*** THE PARLIAMENTARY SERVICE (AMENDMENT) BILL (SENATE BILL NO. 21 OF 2014)**

(Sen. Kiraitu Murungi)

14. COMMITTEE OF THE WHOLE*** THE NATIONAL GOVERNMENT COORDINATION (AMENDMENT) BILL (SENATE BILL NO. 30 OF 2014)**

(Sen. (Prof.) John Lonyangapuo)

15. ***** THE PUBLIC APPOINTMENTS (COUNTY ASSEMBLY APPROVAL) BILL (SENATE BILL NO. 20 OF 2014)**

(Chairperson of the Standing Committee on Labour and Social Welfare)

(Second Reading)

16. ***** THE COUNTY EARLY CHILDHOOD EDUCATION BILL, (SENATE BILL NO. 32 OF 2014)**

(Chairperson, Standing Committee on Education)

(Second Reading)

17. *** THE FOOD SECURITY BILL, (SENATE BILL NO. 23 OF 2014)**

(Sen. Beatrice Elachi)

(Second Reading)

18. ***** THE COUNTY ASSEMBLY SERVICES BILL, (SENATE BILL NO. 27 OF 2014)**

(Chairperson, Standing Committee on Legal Affairs and Human Rights)

(Second Reading)

19. *** THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014)**

(Sen. Halima Abdille)

(Second Reading)

20. ***** 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)

21. *** THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL
(SENATE BILL NO. 36 OF 2014)

(Chairperson, *Ad hoc* Committee on Establishment of Public Compensation Bureaus)

(Second Reading)

22. 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).

23. MOTION - (The Chairperson, Standing Committee on Finance, Commerce and Budget)

THAT, the Senate adopts the Report of the Commission on Revenue Allocation on the recommended County Governments Budget ceilings on recurrent expenditures for new structures for the Financial Year 2015/16 pursuant to section 107 (2A) of the Public Finance Management Act laid on the Table of the House on Wednesday, 1st April, 2015.

24. MOTION - (The Chairperson, Standing Committee on Finance, Commerce and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance, Commerce and Budget on Operations of Makueni County Assembly laid on the Table of the House on Wednesday, 1st April, 2015.

KEY

■ Denotes a Majority /Minority Party Bill

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■ Denotes a Committee Bill

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■ Denotes a National Assembly Bill

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■ Denotes any other Bill

...../Notice of Amendments

NOTICES OF AMENDMENTS**a) *** THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILL NO. 34 OF 2014)**

- i) Notice is given that Sen. Agnes Zani intends to move the following amendments to the Natural Resources (Benefit Sharing) Bill, 2014, at the committee stage –

CLAUSE 3

THAT clause 3 of the Bill be amended in subclause (1) by inserting the phrase “natural resources as defined in Article 260 of the Constitution including” immediately after the words of “the exploitation of”.

CLAUSE 6

THAT clause 6 of the Bill be amended in subclause (1) by inserting the following new paragraphs immediately after paragraph (i) –

“(j) ensure and promote value addition of natural resources;

(k) promote local content initiatives; and

(l) facilitate environmental rehabilitation activities after the exploitation of a natural resource.”

CLAUSE 7

THAT clause 7 of the Bill be amended by deleting sub clause (5) and substituting therefor the following new sub clause –

- (5) In nominating and appointing persons as members of the Board, the nominating authorities and the Cabinet Secretary shall have regard to the principles of non-discrimination on the basis of gender, disability, youth and marginalized persons under the Constitution and including the requirements of Chapter Six of the Constitution of Kenya.

CLAUSE 9

THAT clause 9 of the Bill be amended in paragraph (b) by deleting the word “ten” appearing immediately after the words “and at least” in the opening paragraph and substituting therefor the word “seven”.

CLAUSE 37

THAT clause 37 of the Bill be amended in sub clause (1)(b) by deleting subparagraph (i) and substituting therefor the following new subparagraph –

- (i) the financial statements of the Authority including—

(A) a statement of the income and expenditure of the Authority during that year; and

(B) a statement of the assets and liabilities of the Authority as at the last day of that year;”

...../Amendments

CLAUSE 2

That clause 2 of the Bill be amended by inserting the following new definitions in proper alphabetical sequence –

“futures fund” means monies set aside from the sovereign wealth fund for future generations;

“natural resources fund” means monies set aside from the sovereign wealth fund for social and economic development and rehabilitation of depleted natural resources.

- ii) Notice is given that the Chairperson of the Committee on Lands and Natural Resources, intends to move the following amendments to the Natural Resources (Benefit Sharing) Bill, 2014, Senate Bills No. 34 of 2014, at the Committee Stage-

CLAUSE 3

THAT clause 3 of the Bill be amended in sub-clause (1) by inserting the following new paragraphs immediately after paragraph (g)-

(h) geothermal energy;

(i) wind.

CLAUSE 4

THAT clause 4 of the Bill be amended by inserting the following new paragraph immediately after paragraph (e)-

(f) sustainable natural resources management.

CLAUSE 6

THAT clause 6 of the Bill be amended in sub-clause (1) by inserting the following new paragraphs immediately after paragraph (i)-

(j) build the capacity of local communities in negotiations for benefit sharing and implementation of projects;

(k) prepare national guidelines on benefit sharing in consultation with other sectoral leaders; and

(l) identify, in consultation with sector specific organizations, incentives and benefits to promote the conservation of natural resource.

CLAUSE 7

THAT clause 7 of the Bill be amended-

- (a) in sub-clause (1) by deleting the words “environment” appearing in paragraph (b) and substituting therefor the words “natural resources”;

- (b) in sub-clause (1) by deleting the words “the Kenya Association of Manufacturers” appearing in paragraph (g) and substituting therefor the words “a recognized umbrella body representing the interests of the private sector in Kenya”; and

CLAUSE 24

THAT clause 24 of the Bill be amended-

- (a) in sub-clause (1) by deleting the words “in each year” appearing immediately after the words “affected organizations”; and
- (b) in sub-clause (2) by inserting the following new paragraph immediately after paragraph (c)-
- (d) the impact of the exploitation on the people and the environment

CLAUSE 26

THAT clause 26 of the Bill be amended-

- (a) in sub-clause (1) by inserting the words “under this Act” immediately after the words “revenue collected”; and
- (b) in sub-clause (6) by inserting the words “in consultation with the lead agencies for each natural resource” immediately after the words “Authority shall”.

CLAUSE 30

THAT clause 30 of the Bill be amended in sub-clause (2) by inserting the words “within thirty days of its execution” immediately after the word “Authority”.

CLAUSE 32

THAT the Bill be amended by deleting clause 32.

CLAUSE 2

THAT clause 2 of the Bill be amended by inserting the following new definitions in their proper alphabetical sequence-

“Authority” means the Benefit Sharing Authority established under section 5;

“cabinet secretary” means the cabinet secretary for the time being responsible for matters relating to natural resources.

- b) * **THE PARLIAMENTARY SERVICE (AMENDMENT) BILL (SENATE BILL NO. 21 OF 2014)**
(Sen. Kiraitu Murungi)

NOTICE is given that Sen. Kiraitu Murungi intends to move the following amendments to the Parliamentary Service (Amendment) Bill, 2014, at the Committee Stage -

Clause 4

THAT clause 4 of the Bill be amended in the proposed new clause 12B by-

- (a) deleting paragraph (c) appearing in sub-clause (2);
- (b) renumbering the subclause appearing immediately after sub-clause (2) as sub-clause (3); and
- (c) deleting paragraph (c) appearing in subclause (3).

- c) *** **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 5 OF 2015)**

(Chairperson, Standing Committee on Finance, Commerce and Budget)

NOTICE is given that Senator Billow Kerrow intends to move the following amendments to the County Allocation of Revenue Bill, 2015, at the Committee Stage-

CLAUSE 5

THAT clause 5 of the Bill be amended —

- (a) in sub-clause (1) by –
 - (i) deleting the letter “H” appearing immediately after the words “set out in Column” and substituting therefor the letter “G”;
 - (ii) deleting paragraph (f); and
- (b) by deleting sub-clause (5).

NEW CLAUSE 5A

THAT the Bill be amended by inserting the following new clause immediately after clause 5-

Budget ceilings for recurrent expenditure.	5A. The budget ceilings for the recurrent expenditure for each county government for the financial year 2015/16 shall be as set out in the Fourth Schedule.
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...../Amendments

SECOND SCHEDULE

THAT the Bill be amended by deleting the Second Schedule and substituting therefor the following new Schedule;

SECOND SCHEDULE (S. 5(1)						
FY 2015/16						
	Conditional Grant-Level 5 Hospital	Conditional Grant-Free Maternal Health Care Allocation	Conditional Grant-compensation for User Fees Forgone	Conditional Allocation-Leasing of Medical Equipment	Conditional Allocation from Road Maintenance Fuel Levy Fund	Total Conditional Allocation from National Government Revenue
County	Column B	Column C	Column D	Column E	Column F	Column G
Baringo		65,759,400	12,950,107	95,744,680.85	56,410,082	230,864,270
Bomet		58,452,800	16,880,750	95,744,680.85	59,793,197	230,871,428
Bungoma		170,630,600	38,017,014	95,744,680.85	97,507,257	401,899,552
Busia		99,713,600	11,377,011	95,744,680.85	69,109,240	275,944,532
Elgevo/Marakwet		43,409,800	8,624,640	95,744,680.85	41,545,473	189,324,594
Embu	192,882,857	57,593,200	12,032,884	95,744,680.85	48,754,599	407,008,221
Garissa	360,048,000	50,286,600	14,523,507	95,744,680.85	73,319,649	593,922,437
Homa Bay		131,089,000	22,466,004	95,744,680.85	71,582,731	320,882,416
Isiolo		23,209,200	3,340,178	95,744,680.85	38,828,547	161,122,606
Kajiado		49,856,800	16,021,218	95,744,680.85	56,055,021	217,677,720
Kakamega	342,902,857	214,900,000	38,709,716	95,744,680.85	113,164,138	805,421,392
Kericho		98,854,000	17,676,855	95,744,680.85	57,229,294	269,504,830
Kiambu	330,044,000	224,785,400	37,838,646	95,744,680.85	94,811,800	783,224,527
Kilifi		177,077,600	25,867,884	95,744,680.85	94,528,196	393,218,361
Kirinyanga		50,716,400	12,308,920	95,744,680.85	44,947,130	203,717,131
Kisii	338,616,571	194,699,400	26,859,653	95,744,680.85	90,112,658	746,032,963
Kisumu	338,616,571	123,782,400	22,585,235	95,744,680.85	72,170,965	652,899,852
Kitui		63,610,400	23,606,211	95,744,680.85	92,318,534	275,279,826
Kwale		104,441,400	15,149,869	95,744,680.85	65,113,404	280,449,354
Laikipia		63,610,400	9,305,967	95,744,680.85	43,820,742	212,481,790
Lamu		16,762,200	2,366,871	95,744,680.85	26,065,747	140,939,499
Machakos	304,326,286	97,134,800	25,607,954	95,744,680.85	85,984,407	608,798,128
Makueni		80,802,400	20,618,293	95,744,680.85	75,834,678	273,000,052
Mandera		46,418,400	23,910,336	95,744,680.85	113,767,220	279,840,637
Marsabit		19,341,000	6,787,069	95,744,680.85	65,923,423	187,796,173
Meru	244,318,286	123,782,400	31,615,328	95,744,680.85	82,490,349	577,951,044
Migori		165,043,200	21,379,200	95,744,680.85	74,147,432	356,314,513
Mombasa	402,910,857	136,246,600	21,896,682	95,744,680.85	66,030,539	722,829,359
Muranga		80,802,400	21,971,530	95,744,680.85	68,038,977	266,557,588
Nairobi		302,579,200	73,155,271	95,744,680.85	165,100,152	636,579,304
Nakuru	377,193,143	219,627,800	37,373,449	95,744,680.85	103,104,393	833,043,466
Nandi		67,048,800	17,551,588	95,744,680.85	60,405,657	240,750,726
Narok		56,303,800	19,834,915	95,744,680.85	67,173,929	239,057,325
Nyamira		79,942,800	13,945,233	95,744,680.85	52,776,448	242,409,162
Nyandarua		50,716,400	13,898,986	95,744,680.85	54,714,122	215,074,189
Nyeri	368,620,571	82,091,800	16,166,813	95,744,680.85	56,519,885	619,143,750
Samburu		14,183,400	5,220,197	95,744,680.85	45,125,793	160,274,071
Siaya		128,080,400	19,634,077	95,744,680.85	63,456,905	306,916,063
Taita		42,120,400	6,635,345	95,744,680.85	42,042,522	186,542,948
Tana River		19,341,000	5,596,140	95,744,680.85	50,617,289	171,299,110
Tharaka Nithi		35,243,600	8,515,829	95,744,680.85	39,857,530	179,361,640
Trans Nzoia		67,908,400	19,085,197	95,744,680.85	64,782,039	247,520,317
Turkana		23,209,200	19,939,321	95,744,680.85	133,118,571	272,011,773
Uasin Gishu		117,335,400	20,843,281	95,744,680.85	65,941,437	299,864,799
Vihiga		67,908,400	12,928,219	95,744,680.85	49,179,806	225,761,106
Wajir		50,286,600	15,429,821	95,744,680.85	91,879,854	253,340,956
West Pokot		41,260,800	11,950,786	95,744,680.85	54,798,238	203,754,505
GRAND TOTAL	3,600,480,000	4,298,000,000	900,000,000	4,500,000,000	3,300,000,000	16,598,480,006

...../Amendments

NEW SCHEDULE

That the Bill be amended by inserting the following new Schedule immediately after the Third Schedule —

Fourth Schedule (S. 5A)

COUNTY GOVERNMENTS BUDGET CEILINGS ON RECURRENT EXPENDITURE 2015/2016 (KSHS. MILLIONS)

No.	County	County Assembly	County Executive	Total
1	Mombasa	506,633,450	440,835,009	947,468,459
2	Kwale	470,890,661	422,188,775	893,079,436
3	Kilifi	630,494,611	450,158,126	1,080,652,737
4	Tana River	423,394,183	403,415,705	826,809,888
5	Lamu	304,784,663	375,192,683	679,977,346
6	Taita/Taveta	507,604,218	422,188,775	929,792,993
7	Garissa	683,849,161	440,835,009	1,124,684,170
8	Wajir	560,327,132	435,904,061	996,231,193
9	Mandera	637,920,243	445,765,957	1,083,686,200
10	Marsabit	533,029,240	422,188,775	955,218,015
11	Isiolo	323,510,490	375,192,683	698,703,172
12	Meru	839,515,604	468,804,360	1,308,319,964
13	Tharaka -Nithi	359,409,914	393,965,753	753,375,667
14	Embu	451,911,453	422,188,775	874,100,228
15	Kitui	668,685,315	459,481,243	1,128,166,558
16	Machakos	630,252,131	459,481,243	1,089,733,373
17	Makueni	594,667,329	440,835,009	1,035,502,338
18	Nyandarua	580,568,213	431,511,892	1,012,080,105
19	Nyeri	547,539,390	440,835,009	988,374,399
20	Kirinyaga	506,571,368	412,738,822	919,310,190
21	Murang'a	588,927,919	450,158,126	1,039,086,045
22	Kiambu	889,470,749	496,773,710	1,386,244,459
23	Turkana	977,900,599	440,835,009	1,418,735,608
24	West Pokot	429,992,439	422,188,775	852,181,214
25	Samburu	380,602,009	384,515,800	765,117,809
26	Trans Nzoia	498,398,759	431,511,892	929,910,651
27	Uasin Gishu	502,451,352	440,835,009	943,286,361
28	Elgeyo/Marakwet	425,602,732	422,188,775	847,791,507
29	Nandi	524,198,214	440,835,009	965,033,223
30	Baringo	532,029,481	440,835,009	972,864,489
31	Laikipia	380,490,113	393,965,753	774,455,866
32	Nakuru	792,704,559	487,450,593	1,280,155,152
33	Narok	611,327,422	440,835,009	1,052,162,431
34	Kajiado	529,199,342	412,611,986	941,811,328
35	Kericho	518,037,314	440,835,009	958,872,323
36	Bomet	489,368,979	431,511,892	920,880,871
37	Kakamega	786,853,365	496,773,710	1,283,627,075
38	Vihiga	669,131,656	431,511,892	1,100,643,548
39	Bungoma	677,330,464	468,804,360	1,146,134,824
40	Busia	572,044,404	450,158,126	1,022,202,530
41	Siaya	594,029,051	440,835,009	1,034,864,060
42	Kisumu	533,898,787	450,158,126	984,056,913
43	Homa Bay	722,116,969	459,481,243	1,181,598,212
44	Migori	727,747,850	459,481,243	1,187,229,093
45	Kisii	725,007,565	468,804,360	1,193,811,925
46	Nyamira	428,737,274	422,188,775	850,926,049
47	Nairobi City	1,224,237,793	543,389,295	1,767,627,088
	Total	27,493,395,927	20,633,181,151	48,126,577,078

APPENDIXSTATEMENTS

- a) The Chairperson of the Standing Committee on National Security and Foreign Relations to issue a Statement on Kenya's boundary disputes with Somalia, South Sudan and Uganda (Sen. John Munyes);
 - b) The Chairperson of the Standing Committee on Finance, Commerce and Budget to issue a Statement on the implementation status of the report by the Task force on Parastatal reforms and its implications to Kenya Tourism Board, Kenya Tourism Development Authority and investors in hotel and Tourism (Sen. Joy Gwendu);
 - c) The Chairperson of the Standing Committee on Health to issue a Statement on the disappearance of twin babies from Pumwani maternity hospital on the 5th January 2015 (Sen. Beth Mugo);
 - d) The Chairperson of the Standing Committee on Finance, Commerce and Budget to issue a Statement on the depreciation of the Kenya Shilling against other major currencies (Sen. Mutahi Kagwe);
 - e) The Chairperson of the Standing Committee on Finance, Commerce and Budget to issue a Statement on the review of rates for allowances in the Public Service by the Salaries and Remuneration Commission (Sen. Kiraitu Murungi);
 - f) The Chairperson of the Standing Committee on Land and Natural Resources to issue a Statement on pollution of the Athi River in Machakos and Makueni Counties (Sen. Mutula Kilonzo Jnr.);
 - g) The Chairperson of the Standing Committee on Legal Affairs and Human Rights to issue a Statement on simmering hostility and tension between residents of Vihiga and Kisumu Counties over the Vihiga-Kisumu County boundary (Sen. George Khaniri)
 - h) The Chairperson of the Standing Committee on Education to issue a Statement on the predicament of students of the Garissa Teachers Training College resulting from insecurity in Garissa County (Sen. Christopher Obure);
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