



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (THIRD SESSION)
THE SENATE
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 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)

...../Bill

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

(Sen. Kiraitu Murungi)

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

(Sen. (Prof.) John Lonyangapuo)

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

(Sen. (Prof.) Kindiki Kithure)

*(Second Reading)*14. *** 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)*15. *** THE COUNTY EARLY CHILDHOOD EDUCATION BILL, (SENATE BILL NO. 32 OF 2014)

(Chairperson, Standing Committee on Education)

*(Second Reading)*16. * THE FOOD SECURITY BILL, (SENATE BILL NO. 23 OF 2014)

(Sen. Beatrice Elachi)

*(Second Reading)*17. *** THE COUNTY ASSEMBLY SERVICES BILL, (SENATE BILL NO. 27 OF 2014)

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

*(Second Reading)*18. * THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014)

(Sen. Halima Abdille)

*(Second Reading)*19. *** 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)*20. *** THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILL NO. 36 OF 2014)(Chairperson, *Ad hoc* Committee on Establishment of Public Compensation Bureaus)*(Second Reading)**...../Motion*

21. **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).

22. **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.

23. **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

*** * ***

- Denotes a Committee Bill

- Denotes a National Assembly Bill

- Denotes any other Bill

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;”

CLAUSE 2

That clause 2 of the Bill of 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”;

...../Amendments

- (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. KiraituMurungi)

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).

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);
