



**REPUBLIC OF KENYA**

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**THE SENATE**

**NOTICE PAPER**

**WEEK COMMENCING TUESDAY, NOVEMBER 28, 2017**

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***\* 12<sup>TH</sup> PARLIAMENT \* 1<sup>ST</sup> SESSION***

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**REPUBLIC OF KENYA**  
**THE SENATE**  
**TWELFTH PARLIAMENT (FIRST SESSION)**  
**NOTICE PAPER**

**FOR THE WEEK COMMENCING TUESDAY, NOVEMBER 28, 2017**

**TUESDAY:**            Communication from the Chair, Messages, Petitions, Papers, and  
28/11/2017            Statements

**PUBLIC HOLIDAY**

*(Swearing - in of the President – Elect)*

**WEDNESDAY:**    Communication from the Chair, Messages, Petitions, Papers, Notices of  
29/11/2017        Motion, Statements, Motions and Bills

**A. THE COUNTY GOVERNMENTS (AMENDMENT) (NO.2) BILL**  
**(SENATE BILLS NO. 7 OF 2017)**  
(Sen. Mutula Kilonzo Junior)

*(First Reading)*

**B. \*THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL**  
**(SENATE BILLS NO. 8 OF 2017)**  
(Sen. Mutula Kilonzo Junior)

*(First Reading)*

**C. MOTION – OPERATIONALIZATION OF THE NATIONAL DROUGHT**  
**MANAGEMENT AUTHORITY ACT** - (Sen. Fatuma Dullo)  
(Ministry of Interior and Coordination of National Government)

**AWARE** that the right to adequate food is affirmed under Article 25 of the 1948 Universal Declaration of Human Rights, and Article 11 of the 1966 International Covenant on Economic, Social and Cultural Rights as part of the right to an adequate standard of living;

**FURTHER AWARE THAT** Article 43 (1) (c) and (d) of the Constitution of Kenya provides for economic and social rights for every person and in particular the right to be free from hunger, to have adequate food of acceptable quality, and to have clean and safe water in adequate quantities;

**CONCERNED** that this fundamental right is under threat as various Counties battle severe drought occasioned by successive failure in rainfall;

**CONCERNED** that over 3.4 million people including over 370,000 children are acutely malnourished and in urgent need of emergency assistance while millions of livestock have perished and the remaining are in extremely poor body condition as a result of the drought;

**FURTHER CONCERNED** that the situation in drought ravaged parts of the country poses a serious threat to human dignity, peace, security and stability following loss of livelihoods leading to scramble for scarce resources by the affected communities;

**NOTING** that Parliament enacted the National Drought Management Bill which was assented to on 1<sup>st</sup> April, 2016 and which seeks to comprehensively address the matter of persistent droughts in the country;

**NOW THEREFORE**, the Senate calls upon the Ministry of Interior and Coordination of National Government and relevant state agencies responsible including the National Drought Management Authority to-

1. Expeditiously implement the National Drought Management Authority Act, 2016 and set up the necessary infrastructure to mitigate against persistent droughts; and
2. Come up with efficient drought response strategies aimed at saving lives of both people and livestock.

**D. MOTION - CONTROLLER OF BUDGET ANNUAL COUNTY GOVERNMENTS BUDGET IMPLEMENTATION REVIEW REPORT FOR FINANCIAL YEAR 2016/2017** - (The Senate Majority Leader)  
(The National Treasury)

**THAT**, the Senate notes the Controller of Budget Annual County Governments Budget Implementation Review Report for Financial Year 2016/2017, laid on the table of the House on Wednesday, 8<sup>th</sup> November, 2017.

**E. Any Other Business**

**THURSDAY:**      **Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions and Bills**  
30/11/2017

**A. \*\*\*\*THE WAREHOUSE RECEIPTS SYSTEM BILL (SENATE BILLS NO. 10 OF 2017)**  
(The Senate Majority Leader)

*(First Reading)*

**B. \*THE COUNTY BOUNDARIES BILL (SENATE BILL NO.6 OF 2017)**  
(Sen. Mutula Kilonzo Jr.)

*(First Reading)*

**C. MOTION - CONTROLLER OF BUDGET ANNUAL COUNTY GOVERNMENTS BUDGET IMPLEMENTATION REVIEW REPORT FOR FINANCIAL YEAR 2016/2017 - (The Senate Majority Leader)**  
(The National Treasury)

**THAT**, the Senate notes the Controller of Budget Annual County Governments Budget Implementation Review Report for Financial Year 2016/2017, laid on the table of the House on Wednesday, 8<sup>th</sup> November, 2017.

*(Resumption of Debate interrupted on Wednesday, 29<sup>th</sup> November, 2017)*

**D. MOTION – SESSIONAL PAPER NO. 6 OF 2016 ON THE NATIONAL URBAN DEVELOPMENT POLICY - (The Senate Majority Leader)**  
(Ministry of Land, Housing and Urban Development)

**THAT**, this House adopts Sessional Paper No.6 of 2016 on the National Urban Development Policy, laid on the Table of the House on Tuesday, October, 10, 2017.

**E. MOTION – THE NATIONAL IRRIGATION POLICY, 2017 - (The Senate Majority Leader)**  
(Ministry of Water and Irrigation)

**THAT**, this House adopts the National Irrigation Policy, laid on the Table of the House on Tuesday, October, 10, 2017.

**F. MOTION – SESSIONAL PAPER NO. 2 OF 2016 ON THE NATIONAL SLUM UPGRADING AND PREVENTION POLICY - (The Senate Majority Leader)**  
(Ministry of Land, Housing and Urban Development)

**THAT**, this House adopts Sessional Paper No.2 of 2016 on the National Slum Upgrading and Prevention Policy, laid on the Table of the House on Tuesday, October, 10, 2017.

**G. MOTION - AUDIT ON DISTRIBUTION OF TEACHERS - (Sen. George Khaniri)**  
(Ministry of Education, Science and Technology)

**THAT WHEREAS** Article 43 (1)(f) of the Constitution of Kenya explicitly provides for the right to education for all;

**AND WHEREAS** it is the responsibility of the State to ensure that the right to education is enjoyed by all;

**OBSERVING THAT** that the Teachers Service Commission (TSC) is the constitutionally mandated body to handle matters of employment, deployment, remuneration and discipline of teachers in all public schools;

**APPRECIATING** efforts made by the national government through the Teachers Service Commission (TSC) to improve the teacher pupil ratio to international standards in all public schools through yearly employment of teachers;

**CONCERNED THAT** currently there exists great disparities in the distribution of teachers in schools across the country, with major teacher shortage being experienced in rural and marginalized areas;

**FURTHER CONCERNED** that there is major inequality in the distribution and allocation of teachers among schools across the country leading to either oversupply or undersupply of teachers in some public schools;

**NOW THEREFORE**, there the Senate calls upon the Ministry of Education, Science and Technology in conjunction with TSC to conduct a countrywide audit on the distribution of teachers in all public schools across the Country and report to the Senate within three months.

**H. MOTION -- REGISTRATION OF PERSONS WITH DISABILITY** - (Sen. George Khaniri)  
(Ministry of East African Community, Labour and Social Protection)

**AWARE THAT** the National Council for Persons with Disabilities was established through the Persons with Disabilities Act, 2003;

**FURTHER AWARE THAT** registration of persons living with disabilities is a function of the National Council for Persons with Disabilities;

**ALSO AWARE THAT** persons living with disabilities are estimated to be about 10% of any given population;

**COGNISANT THAT** for purposes of registration of persons living with disability, it is a mandatory requirement for one to undergo medical examination by a registered medical officer in a registered and certified health facility;

**AWARE THAT** medical services are now a devolved function;

**CONCERNED THAT** of the nearly 4 million Kenyans living with disabilities who reside in Kenya, there is a very small fraction of the number which is duly registered;

**FURTHER CONCERNED THAT** without proper registration, many persons living with disabilities are denied services because they lack the necessary proof of disability;

**ALSO CONCERNED THAT** owing to lack of accurate data on persons living with disabilities, the government at both levels cannot plan properly for his category of people;

**NOW THEREFORE**, there the Senate calls upon the National Council for Persons with Disabilities in collaboration with Ministry of East African Community, Labour and Social

Protection and county governments, to carry out a nationwide registration of all persons living with disabilities in order to determine their exact population to facilitate effective service for this marginalized group of our society.

## **I. Any Other Business**

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### **KEY**

- \* \* \* \*** - Denotes a Majority /Minority Party Bill
- \*\*\*** - Denotes a National Assembly Bill
- \*\*** - Denotes a Committee Bill
- \*** - Denotes any other Bill