



**REPUBLIC OF KENYA**

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**THE SENATE**

**PROGRAMME OF SENATE BUSINESS**

**WEEK COMMENCING TUESDAY, MARCH 08, 2016**

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***\* 11<sup>TH</sup> PARLIAMENT \* 4<sup>TH</sup> SESSION***

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**REPUBLIC OF KENYA**

**THE SENATE**

**ELEVENTH PARLIAMENT (FOURTH SESSION)**

**PROGRAMME OF SENATE BUSINESS**

**FOR THE WEEK COMMENCING TUESDAY, MARCH 08, 2016**

**TUESDAY:**            Communication from the Chair, Messages, Petitions, Papers, and  
08/03/2016            Statements

**A. \*\*\*THE ORDER OF PRECEDENCE AND TITLES BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2014)**

(The Senate Majority Leader)

*(First Reading)*

**B. COMMITTEE OF THE WHOLE**

**\*THE KENYA NATIONAL EXAMINATIONS COUNCIL (AMENDMENT) BILL (SENATE BILL NO. 7 OF 2015)**

(Sen. David Musila)

*(Resumption of Debate interrupted on Thursday, 18<sup>th</sup> February, 2016)*

*(Division)*

**C. COMMITTEE OF THE WHOLE**

**\*\*THE OFFICE OF THE COUNTY ATTORNEY BILL, (SENATE BILL NO. 37 OF 2014)**

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

*(Resumption of Debate interrupted on Thursday, 18<sup>th</sup> February, 2016)*

*(Division)*

**D. COMMITTEE OF THE WHOLE**

**\*THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILL NO. 42 OF 2014)**

(Sen. Stephen Sang)

*(Resumption of Debate interrupted on Thursday, 18<sup>th</sup> February, 2016)*

*(Division)*

**E. COMMITTEE OF THE WHOLE**

**\*\*\*THE WATER BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2014)**

(The Senate Majority Leader)

*(Resumption of Debate interrupted on Thursday, 3<sup>d</sup> December, 2015)*

**F. COMMITTEE OF THE WHOLE**

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

(Sen. Halima Abdille)

**G. \*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 Thursday, 25<sup>th</sup> February, 2016)*

**H. \*THE COUNTY LIBRARY SERVICES BILL (SENATE BILL NO. 6 OF 2015)**

(Sen. Joy Gwendo)

*(Second Reading)*

*(Resumption of Debate interrupted on Tuesday, 1<sup>st</sup> March, 2016)*

**I. MOTION – (Chairperson Ad Hoc Committee on Prisons and Borstal Institutions)**

**AWARE THAT** the Senate on 22<sup>nd</sup> October, 2015, resolved to establish a Select Committee (Adhoc Committee on Prisons and Borstal Institutions) consisting of eleven (11) Senators to enquire into the rights of detained persons, persons held in custody and other imprisoned persons under the law, requiring Parliament to enact legislation to provide for the human treatment of such persons with due regard to the relevant international human rights instruments and report back to the House within three months of its establishment.

**REALIZING THAT** the three month period lapsed today 25<sup>th</sup> February, 2016 and owing to the magnitude of the work involved, the Committee was not able to complete its work within the stipulated period;

**NOTING THE NEED** for more time to carry out a thorough inquiry into this matter;

**NOW THEREFORE**, the Senate resolves to renew the mandate of the Committee for a further period of forty-five (45) days to enable the Committee complete its work and report to the House.

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

(Sen. Kimani Wamatangi)

*(Second Reading)*

**K. \*\*THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 10 OF 2015)**

(Chairperson, Sessional Committee on Delegated Legislation)

*(Second Reading)*

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

(Sen. Martha Wangari)

*(Second Reading)*

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

(The Senate Majority Leader)

*(Second Reading)*

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

(The Senate Majority Leader)

*(Second Reading)*

**O. Any Other Business**

**WEDNESDAY:** Communication from the Chair, Messages, Petitions, Papers, Notices of  
09/03/2016 Motion, Statements, Motions and Bills

**A. COMMITTEE OF THE WHOLE**

**\*\* THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)**

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

**B. COMMITTEE OF THE WHOLE**

**\*\*THE COUNTY GOVERNMENTS DISASTER MANAGEMENT BILL  
(SENATE BILL NO. 40 OF 2014)**

(Chairperson, Standing Committee on National Security and Foreign Relations)

**C. COMMITTEE OF THE WHOLE**

**\*\* THE COUNTY ASSEMBLIES SERVICES BILL (SENATE BILL NO. 27 OF  
2014)**

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

**D. COMMITTEE OF THE WHOLE**

**\*\* THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL  
(SENATE BILL NO. 35 OF 2014)**

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

**E. COMMITTEE OF THE WHOLE**

**\*THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF  
ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 8 OF 2015)**

(Sen. Hassan Omar)

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

(Sen. Kimani Wamatangi)

*(Second Reading)*

**G. \*\*THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 10 OF 2015)**

(Chairperson, Sessional Committee on Delegated Legislation)

*(Second Reading)*

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

(Sen. Martha Wangari)

*(Second Reading)*

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

(The Senate Majority Leader)

*(Second Reading)*

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

(The Senate Majority Leader)

*(Second Reading)*

**K. Any Other Business**

**THURSDAY:**      Communication from the Chair, Messages, Petitions, Papers, Notices of  
10/03/2016      Motion, Statements, Motions and Bills

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

(Sen. Kimani Wamatangi)

*(Second Reading)*

**B. \*\*THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 10 OF 2015)**

(Chairperson, Sessional Committee on Delegated Legislation)

*(Second Reading)*

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

(Sen. Martha Wangari)

*(Second Reading)*

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

(The Senate Majority Leader)

*(Second Reading)*

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

(The Senate Majority Leader)

*(Second Reading)*

**F. MOTION** – (Chairperson, Standing Committee 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.

**G. 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.

**H. 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 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

**I. 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.

**J. 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