



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

WEDNESDAY, AUGUST 01, 2018 AT 2.30 PM

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
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 – REPORT OF THE SELECT COMMITTEE ON THE SOLAI DAM TRAGEDY**
(Chairperson, Select Committee on Solai Dam Tragedy)

THAT, this House notes the Report of the Select Committee on the Solai Dam tragedy, laid on the Table of the House on Thursday, 26th July, 2018.
9. **COMMITTEE OF THE WHOLE**
***THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2017)**
(Sen. Mutula Kilonzo Jnr., MP)
(Resumption of Debate interrupted on Wednesday, 25th July, 2018)
10. **COMMITTEE OF THE WHOLE**
****THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)**
(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)
11. **COMMITTEE OF THE WHOLE**
******THE FOOD SECURITY BILL (SENATE BILLS NO. 12 OF 2017)**
(The Senate Majority Leader)

12. COMMITTEE OF THE WHOLE*THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 7 OF 2018)

(Sen. Petronila Were Lokorio, MP)

13. *THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2018)

(Sen. Aaron Cheruiyot, MP)

*(Second Reading)**(Resumption of Debate interrupted on Wednesday, 25th July, 2018)*14. *THE LOCAL CONTENT BILL (SENATE BILLS NO. 10 OF 2018)

(Sen. Gideon Moi, MP)

*(Second Reading)*15. MOTION -NEED TO REVIEW AND EVALUATE THE STATE OF EDUCATION IN NORTHERN KENYA

(Sen. (Dr.) Abdullahi Ali, MP)

THAT, AWARE that Article 43 (f) of the Constitution of Kenya stipulates that every person has the right to education, and Article 53(1)(b) provides that every child has the right to free and compulsory basic education;

ALSO AWARE that education is a basic need and a tool for intellectual empowerment and social-political development;

FURTHER AWARE that education is a shared function between the National and the County levels of Government with the National Government being responsible for Primary, secondary and Higher education while the County Government is responsible for preprimary education, village polytechnics and home craft centers;

COGNISANT that both levels of Government complement each other in promoting sustainable education;

CONCERNED that the intake, uptake and quality of education in the Northern Kenya have adversely been affected owing to discrepancies in public resources allocation, insecurity, skewed staffing and teacher training in the region;

FURTHER CONCERNED that both the school completion rate and the national examination outcomes in region are poor and that the number of students from Northern Kenya who qualify for core courses in universities, colleges, technical schools and village polytechnics is minimal compared to other parts of the country;

NOTING WITH CONCERN that due to insecurity and other related concerns, the Teachers Service Commission (TSC) which is the body responsible for the employment and deployment of teachers, has in the recent past, taken steps to transfer non-local teachers from the northern region of Kenya to other parts of the country;

CONCERNED THAT, the transfers have led to shortage of skilled teachers which has been a major cause of the dismal performance in examinations in schools in the region;

...../Motion

NOW THEREFORE, the Senate resolves to task the Standing Committee on Education to conduct an inquiry into the challenges facing the education sector in Northern Kenya with a view to-

1. evaluating the effect of the teacher transfers from the region and recommending to the Ministry of Education, policy measures to address the challenge;
2. evaluating the status of the education infrastructure in the region and proposing solutions to mitigate the current and looming challenges;
3. proposing mechanisms for enhanced resource allocation at both levels of government to facilitate improved education facilities; and
4. assessing school intake compared completion levels in the region in order to ascertain the impact of the challenges facing the schools and how these disadvantages the region compared to other parts of Kenya and proposing ways of addressing the challenges.

And that the Committee submits a report to the Senate within three months of adoption of this Motion by the Senate.

(Resumption of Debate interrupted on Tuesday, 31st July, 2018)

16. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE NAKURU COUNTY EXECUTIVE FOR FY 2013/2014**

(Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Nakuru County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

17. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE KILIFI COUNTY EXECUTIVE FOR FY 2013/2014**

(Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Kilifi County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

18. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE HOMABAY COUNTY EXECUTIVE FOR FY 2013/2014**

(Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Homabay County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

...../Motion

19. MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE KISII COUNTY EXECUTIVE FOR FY 2013/2014

(Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Kisii County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Tuesday, 19th June, 2018.

20. MOTION – APPROVAL OF SENATORS TO SERVE IN SELECT COMMITTEES

(Senate Majority Leader)

THAT, pursuant to standing orders 183, 212 and 213, the Senate approves the nomination of Sen. Rose Nyamunga, MP, to serve in the Standing Committee on Devolution and Intergovernmental Relations in place of Sen. James Orengo, EGH, SC, MP.

21. MOTION – MANAGEMENT OF CONSTRUCTION CONTRACTORS

(Sen. (Arch.) Sylvia Kasanga, MP)

THAT, AWARE that Section 15 of the National Construction Authority (NCA) Act prescribes the requirements for registration as a contractor;

ALSO AWARE that Section 18 of the Act mandates the NCA Board to accredit firms incorporated outside Kenya to carry out construction works in Kenya for a prescribed period;

CONCERNED that a large number of registered local contractors cannot perform up to the expected standard leading to collapsed buildings, poor county roads and infrastructure and incomplete contracts;

APPRECIATING that there is still a good number of local contractors that has demonstrated capacity to perform and deliver projects as required;

DEEPLY CONCERNED that foreign contractors are now engaging in projects that local contractors have equal capacity and skill to perform, especially in the counties;

RECOGNIZING THAT there is need to grow our local industries by giving job opportunities to Kenyan citizens and building their technical capacities;

NOW THEREFORE, the Senate calls upon the Government through the NCA to-

1. conduct a fresh registration drive of all building and infrastructure contractors in order to weed out all non-performing ones and to identify those who demonstrate compliance;
2. enforce strict oversight on foreign contractors and institute a mechanism to handle complaints raised against contractors;
3. ensure that foreign contractors are only awarded contracts that local contractors cannot handle and require them to include technology transfer to locals; and

...../Motion

4. require both local and foreign contractors to undertake corporate social responsibility activities in the counties where they operate.

*(Resumption of Debate interrupted on Thursday, 26th July, 2018)
(Balance of Time 2hrs)*

22. **MOTION – FLOOD SITUATION IN THE COUNTRY**

(Sen. Fatuma Dullo, MP)

THAT, aware that several days of heavy rains recently have caused severe flooding in many parts of the country, resulting in multiple deaths and devastating damage to property and infrastructure;

NOTING with concern that, whenever Kenya experiences periods of severe drought, torrential rains usually follow;

CONCERNED that year in year out, the challenge of floods continues to recur, leading to loss of human and animal life, displacement of people and wanton destruction of property;

COGNIZANT that the number of Kenyans needing emergency food aid as a result of displacement caused by the current floods continues to rise by the day, and that the floods have also washed away many bridges and destroyed roads in many parts of Kenya;

ALSO CONCERNED that no effective measures, such as improved storm water harvesting, proper drainage infrastructure and preventing the destruction of riparian reserves and natural water courses, to mitigate and/or provide a lasting solution to the menace of flooding, have been taken;

NOW THEREFORE, the Senate calls upon the National Government to develop a lasting framework to permanently address the challenge of effects of floods by, among other things-

- i. developing and enforcing regulations for preventing the obstruction of riparian reserves and natural water courses; and
- ii. preventing and regulating the construction of informal settlements and ensuring prevention of construction on low lying areas and flood plains.

And further that the relevant government agency to execute this task submits a report to the Senate within three months of the adoption of this Motion.

NOTICE

The Senate resolved on 14th February, 2018 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
- **** - Denotes a Committee Bill
- *** - Denotes any other Bill

NOTICES OF AMENDMENTS

A. *THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2017)

(Sen. Mutula Kilonzo Jnr., MP)

a) **NOTICE** is hereby given that Sen. Mutula Kilonzo Jnr., intends to move the following amendments to the County Boundaries Bill (Senate Bills No. 6 of 2017) at the Committee of the Whole -

CLAUSE 7

THAT the Bill be amended by deleting clause 7 and substituting therefor the following new clause-

Establishment of a county boundaries mediation committee. 7. (1)The Senate may pass a resolution for the establishment of a county boundaries mediation committee upon —

- (a) a request by the governor of any county whose boundary is disputed; or
- (b) a request by the senator of any county whose boundary is disputed;
- (c) a request by a registered voter of a county whose boundary is disputed; or
- (d) the recommendation of the Senate, made under section 21, for mediation as the means of resolving a boundary dispute.

(2) A request under subsection (1) (a) to (c) shall be made to the Senate and shall be accompanied by —

- (a) evidence that notice was given to every county government of a county whose boundary is the subject of the dispute referred to in subsection (1); and
- (b) a description in writing identifying the specific disputed county boundary under the First Schedule.

(3) The Senate shall consider a request under subsection (2) within twenty-one days.

CLAUSE 8

THAT clause 8 of the Bill be amended by deleting the marginal note and substituting therefor the following new marginal note —

Appointment of members of a mediation committee.

CLAUSE 9

THAT clause 9 of the Bill be amended in sub-clause (1) by-

(a) deleting paragraph (b) and substituting therefor the following new paragraph-

(b) one person from each of the affected counties with at least five years' experience in conflict management, nominated by respective the governors;

(b) deleting paragraph (c) and substituting therefor the following new paragraph-

(c) a commissioner of the National Land Commission nominated by the National Land commission from amongst the commissioners;

(c) inserting the following new paragraph immediately after paragraph (c) —

(ca) a licensed surveyor nominated by the Land Surveyors' Board established under the Survey Act;
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CLAUSE 10

THAT clause 10 of the Bill be amended in the introductory phrase to sub-clause (1), by inserting the words "by the President" immediately after the words "may be removed from office".

CLAUSE 18

THAT clause 18(1) of the Bill be amended by inserting the following new paragraph immediately after paragraph (b) —

(ba) The Senator of a county whose boundary is proposed to be altered or a Member of the National Assembly representing a constituency within the county whose boundary is proposed to be altered;

CLAUSE 20

THAT clause 20 of the Bill be amended in the introductory phrase by deleting the word "twenty-one" appearing immediately after the words "the Senate shall within" and substituting therefor the word "thirty".

CLAUSE 23

THAT the Bill be amended by deleting clause 23 and substituting therefor the following new clause-

Consideration of report of special committee by the National Assembly. **23.** (1) The National Assembly shall consider a resolution received under section 22(b) within thirty days of receipt of the resolution.

(2) If the National Assembly —

- (a) concurs with the resolution of the Senate for the establishment of a commission, a commission shall be established in accordance with section 24 of this Act; or
- (b) does not concur with the resolution of the Senate for the establishment of a commission, the petition shall be referred to a parliamentary mediation committee comprising an equal number of members from each House.

(3) If the National Assembly fails to consider the resolution of the Senate within the specified time, the National Assembly is deemed to have approved the resolution of the Senate.

(4) Where the National Assembly approves the resolution of the Senate, the Speaker of the Senate shall, within seven days of the approval by the National Assembly, forward the resolution to the President for the establishment of a commission in accordance with section 24.

(5) (a) The parliamentary mediation committee under sub-section (2) shall, within twenty-one days of referral of the petition, consider the petition and agree on a recommendation in terms of section 21 (1).

(b) If the parliamentary mediation committee arrives at a common recommendation, each House shall vote to approve or reject the resolution of the parliamentary mediation committee.

(c) If the parliamentary mediation committee recommends the establishment of a county boundaries parliamentary mediation committee, section 22(a) shall apply with necessary modifications.

...../Amendments

(d) If the parliamentary mediation committee recommends the establishment of a commission, subsection (4) shall apply with necessary modifications.

(e) If the mediation committee fails to agree on a recommendation, no further proceedings shall take place in respect of the Petition.

CLAUSE 31

THAT the Bill be amended by deleting clause 31 and substituting therefor the following new clause-

Tenure of 31. A commission shall stand dissolved within one the month -

Commission. (a) after the submission of its final report to Parliament; or

(b) after the conclusion of any legal proceedings, to which the commission is enjoined as a party, arising from the work of the commission.

CLAUSE 45

THAT the Bill be amended by deleting clause 45 and substituting therefor the following new clause-

Coming into effect of a county under section 42(3) shall take effect upon the of a next delimitation of the constituency and ward boundaries resolution following a boundaries review process under Article 89 of the Constitution and section 36 of the Independent Electoral and Boundaries Commission Act.

No. 9 of 2011 (2) The Independent Electoral and Boundaries Commission shall, in its report under section 36 (5) of the Independent Electoral and Boundaries Commission Act, state how a resolution under section 42(3) of this Act has been taken into account in the constituency and ward boundaries review process.

(3) The report referred to under subsection (2) shall be submitted to the Senate and the National Assembly for consideration.

(4) The Independent Electoral and Boundaries Commission, in preparing its final report under section 36(8), shall take into account the views of the Senate and the National Assembly.

NEW CLAUSE

THAT the Bill be amended by inserting the following new clause immediately after clause 47-

Petition to **47A.** (1) A petition challenging the alteration of a the High county boundary under this Act shall be filed in the Court on High Court.

alteration

of

boundaries.

(2) A petition under subsection (1) shall be-

(a) filed within twenty-one days of the publication of the boundaries in the *Gazette* under section 42(3); and

(b) determined within sixty days of the filing of the petition.

(3) Any appeal from a decision arising from a petition filed under subsection (2) shall be heard and determined within sixty days of the filing of the appeal.

b) **NOTICE** is hereby given that the Chairperson of the Senate Standing Committee on Devolution and Intergovernmental Relations, intends to move the following amendments to the County Boundaries Bill (Senate Bills No. 6 of 2017) at the Committee of the Whole -

CLAUSE 9

THAT clause 9 of the Bill be amended –

(a) by deleting the marginal note and substituting therefor the following new marginal note —

Composition of the mediation committee.

(b) in clause (2) by deleting the word “ten” appearing immediately after the words “in the last” and substituting therefor the word “five” in paragraph (a);

CLAUSE 12

THAT clause 12 of the Bill be amended by inserting the following new clause immediately after sub clause (2) —

(2a) The secretariat referred to under subsection (1) shall include officers with knowledge and at least five years experience in physical planning or land survey.

...../Amendments

CLAUSE 15

THAT clause 15 of the Bill be amended by deleting the introductory phrase and substituting therefor the following new introductory phrase —

The mediation committee shall, within three months of the resolution of the Senate to establish a mediation committee under section 7, report to the Senate on —

CLAUSE 25

THAT clause 25 of the Bill be amended in sub clause (1) by —

- (a) deleting the word "President" appearing at the end of paragraph(b) and substituting therefor the words "Independent Electoral and Boundaries Commission";
- (b) deleting the word "President" appearing at the end of the paragraph (c) and substituting therefor the words "National Land Commission";
- (c) by inserting the following new paragraph immediately after paragraph (c) —
 - (ca) the Principal Secretary for the time being responsible for matters related to land and physical planning or a representative of the Principal Secretary designated in writing;

CLAUSE 40

THAT clause 40 of the Bill be amended in sub clause (2a) by deleting the words "the county gazette" appearing at the beginning of the paragraph and substituting therefor the words "the Kenya Gazette and the county Gazette," in subparagraph (ii);

NEW CLAUSE

THAT the Bill be amended by deleting clause 42 and substituting therefor the following new clause —

Concurrence by Parliament on alteration of boundary.	42A. (1) Where the National Assembly does not concur with the resolution of the Senate to recommend the alteration of the boundaries of a county under section 42, the resolution shall be referred to a parliamentary mediation committee comprising an equal number of members of each House.
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(2) The parliamentary mediation committee under subsection (1) shall, within twenty-one days of the referral of the resolution, consider the resolution and agree on a recommendation in terms of section 42(3).

(3) If the parliamentary mediation committee arrives at a common recommendation, each House shall vote to approve or reject the resolution of the parliamentary mediation committee.

(4) If the parliamentary mediation committee recommends the alteration of the boundaries of a county, section 42(3) shall apply with the necessary modifications.

(5) If the parliamentary mediation committee fails to agree on a recommendation, no further proceedings shall take place in respect of the resolution to alter the boundaries of a county.

CLAUSE 2

THAT clause 2 of the Bill be amended by —

- (a) deleting the interpretation of the word “cabinet secretary”; and substituting therefor the following new interpretation “cabinet secretary” means the cabinet secretary for the time being responsible for matters related to land and physical planning;
- (b) deleting the interpretation of the word “county executive committee member”; and substituting therefor the following new interpretation “county executive committee member” means the county executive committee member for the time being responsible for matters related to land and physical planning in the county;
- (c) inserting the following new definition immediately after the definition of the word, “commission” —
 - “dispute” means disagreements between two or more neighbouring counties over the possession or control of land bordering the two or more neighbouring counties;

B. **THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)

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

NOTICE is given that the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights intends to move the following amendments to the Office of the County Attorney Bill (Senate Bills No. 3 of 2018) at the Committee of the Whole -

...../Amendments

CLAUSE 5

THAT clause 5 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause-

- (2) A person qualifies for appointment as County Attorney if such person-
 - (a) is an Advocate of the High Court of Kenya of at least five years standing;
 - (b) has experience as a legal practitioner including experience in the legal academic field; and
 - (c) meets the requirements of Chapter Six of the Constitution.

CLAUSE 6

THAT clause 6 of the Bill be amended-

- (a) in paragraph (a) by deleting the words "executive committee" appearing immediately after the words "to the county" and substituting therefor the word "government";
- (b) in paragraph (c) by inserting the words "on the instructions of the county government" immediately after the word "shall".

CLAUSE 7

THAT clause 7 of the Bill be amended in sub-clause (2) by inserting the words "in consultation with the county public service board" immediately after the word "establish" appearing in paragraph (a).

CLAUSE 10

THAT the Bill be amended by deleting clause 10.

CLAUSE 13

THAT clause 13 of the Bill be amended by deleting sub-clause (2).

PART III - HEADING

THAT the Bill be amended by deleting in the heading the words "PART III – PERFORMANCE OF FUNCTIONS OF THE COUNTY ATTORNEY" appearing immediately after clause 15.

CLAUSE 16

THAT clause 16 of the Bill be amended-

- (a) in sub-clause (1) by deleting the words "County Attorney" appearing immediately after the words "without the approval of the" and substituting therefor the words "county executive committee";

(b) by deleting sub-clause (2) and substituting therefor the following new sub-clause-

(2) A request by a department or public entity to the county executive committee to engage the services of a consultant for the provision of legal services, shall be in writing.

(c) by deleting sub-clause (3) and substituting therefor the following new sub-clause-

(3) An approval by the county executive committee of a request under sub-clause (2) shall be in writing.

CLAUSE 18

THAT clause 18 of the Bill be amended in sub-clause (1) by inserting the words ‘in consultation with the County Attorney’ immediately after the words “public service board shall”.

CLAUSE 19

THAT clause 19 of the Bill be amended by inserting the words “County Attorney, County Solicitor and” immediately before the words “County Legal Counsel”.

CLAUSE 20

THAT clause 20 of the Bill be amended-

(a) in sub-clause (1) by inserting the words “County Attorney, County Solicitor” immediately before the words “County Legal Counsel”;

(b) in sub-clause (2) by deleting the words “County Attorney” appearing immediately before the words “may from time to time” and substituting therefor the words “Cabinet Secretary”

CLAUSE 22

THAT clause 22 of the Bill be amended in sub-clause (1) by inserting the words “in consultation with the county public service board” immediately after the words “the County Attorney”.

CLAUSE 25

THAT the Bill be amended by deleting clause 25.

CLAUSE 30

THAT clause 30 of the Bill be amended by deleting the words “County Attorney” appearing immediately before the words “may make Regulations” and substituting therefor the words “Cabinet Secretary”

NEW CLAUSE

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

Tenure of office.	5A. The County Attorney shall hold office for a term of six years.
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CLAUSE 2

THAT clause 2 of the Bill be amended by inserting the following new definition immediately before the definition of the term "County Attorney" -

"Cabinet Secretary" means the Cabinet Secretary responsible for matters relating to justice and legal affairs.

C. **THE FOOD SECURITY BILL (SENATE BILLS NO. 12 OF 2017)**

(The Senate Majority Leader)

NOTICE is given that the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries intends to move the following amendments to the Food Security Bill (Senate Bills No. 12 of 2017) at the Committee of the Whole -

CLAUSE 6

THAT clause 6 of the Bill be amended -

(a) by deleting sub-clause (2) and substituting therefor the following new sub-clause-

(2) In ensuring that the national government fulfils its obligations under sub-section (1), the Authority, in consultation with county governments shall -

CLAUSE 9

THAT clause 9 of the Bill be amended-

(a) by deleting sub-clause (1) and substituting therefor the following new sub-clause -

(1) Every Kenyan has the right to safe and nutritious food that meet their dietary needs at all times -

(b) by deleting sub-clause (2), paragraph (a) and substituting therefor the following new paragraph -

(a) put in place measures to ensure that the nutrition needs of certain special groups of persons who are food poor are adequately met.

(c) by deleting the marginal note and substituting therefor the following new marginal note-

Special groups, pregnant and lactating women.

CLAUSE 12

THAT clause 12 of the Bill be amended -

...../Amendments

(a) in sub-clause (1) by deleting paragraph (e) and substituting therefor the following new paragraphs –

(e) collaborate with the county government in the monitoring, issuance and administration of the food eligibility card to eligible Kenyans by the county food security committees to ensure that food poor persons access food with ease and in a timely manner;

(ea) collaborate with the county government in the monitoring and implementation of the food distribution programme and the food subsidy programme by the county food security committees;

(b) in sub-clause (2), paragraph (o) by inserting the words “In consultation with county governments” immediately before the words “Promote diversification”.

CLAUSE 14

THAT clause 14 of the Bill be amended in sub-clause (1) –

(a) by inserting the following new paragraph immediately after paragraph (g)-

(ga) one person nominated by the Kenya National Human Rights and Equality Commission established under Article 59 of the Constitution of Kenya, 2010.

CLAUSE 23

THAT clause 23 of the Bill be amended in sub-clause (2) by deleting the word “masters” appearing immediately after the words “holds a” in paragraph (a).

CLAUSE 25

THAT clause 25 of the Bill be amended in sub-clause (2) by deleting the words “both at the national and county levels” appearing immediately after the words “food subsidy programme” in paragraph (e).

CLAUSE 31

THAT clause 31 of the Bill be amended –

(a) in paragraph (b) by inserting the words “coordinate the implementation of” immediately before the words “implement the decisions” ;

(b) by deleting paragraph (e); and

(c) in paragraph (f) by inserting the word “monitoring and” immediately before the words “make arrangements for”.

CLAUSE 32

THAT clause 32 of the Bill be amended in sub-clause (2) (c) by inserting the following new subparagraph immediately after sub-paragraph (iv) –

(v) dieticians or nutritionists.

CLAUSE 35

THAT clause 35 of the Bill be amended in sub-clause (1) by inserting the word “health” immediately after the word “livestock”.

...../Amendments

D. *THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 7 OF 2018)

(Sen. Petronila Were Lokorio, MP)

a) **NOTICE** is given that Sen. Petronila Were Lokorio intends to move the following amendments to the Office of the County Printer Bill, 2018 at the Committee Stage –

CLAUSE 10

THAT clause 10 of the Bill be amended by inserting the words “of the county printer” immediately after the words “functions of the office”.

INSERTION ON NEW CLAUSES

THAT the Bill be amended by inserting the following new clauses immediately after clause 10 –

Offences.

10A. A person who –

- (a) fails, without reasonable cause, to –
 - (i) approve the publication of a document required to be published under any written law; or
 - (ii) publish, within the period specified under any written law, a document which has been approved for publication;
- (b) willfully or recklessly, authorises the publication or publishes false or misleading information; or
- (c) without authorisation, alters a document approved for publication,

commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

General penalty.

10B. A person who contravenes any provision of this Act for which no penalty is provided is liable, on conviction, to a fine not exceeding one hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

CLAUSE 2

THAT clause 2 of the Bill be amended by inserting the following new definition immediately after the definition of the term “county *gazette*”-

“county printer” means a person appointed under section 9 of the Act as the head the office of the county printer.

b) **NOTICE** is given that the Chairperson of the Standing Committee on Information, Communication and Technology, Sen. Gideon Moi, intends to move the following amendments to the Office of the County Printer Bill, 2018 at the Committee Stage –
CLAUSE 5

THAT clause 5 of the Bill be amended in paragraph (a) by inserting the words “and information” immediately after the words “gazette such documents”.

CLAUSE 9

THAT clause 9 of the Bill be amended in sub-clause (3) by –

- (a) inserting the words “qualify to” immediately after the words “A person shall”;
- (b) inserting the words “at least” immediately after the word “holds” in paragraph (a); and
- (c) deleting the word “five” appearing immediately after the words “of at least” in paragraph (b) and substituting therefor the word “ten”.

CLAUSE 10

THAT clause 10 of the Bill be amended by inserting the word “and the county printer” immediately after the words “the county secretary”.

APPENDIX1. PETITION

Report of the Standing Committee on Health on a Petition to the Senate by Mr. Gwada Ogot, concerning the decriminalization of Marijuana.

(Chairperson, Standing Committee on Health)

2. PAPERS

a) Report of the Auditor-General on the Financial Statements of the Council of Governors Secretariat for the year ended 30 June, 2017.

(The Senate Majority Leader)

b) Report of the Standing Committee on Labour and Social Welfare on the 2018 Commonwealth Games held in (Gold-Coast), Australia from 4th to 15th April, 2018.

(Sen. (Dr.) Alice Milgo, MP)

c) Report of the Standing Committee on Education on the TVET Conference held in Victoria, Canada from 27th April – 2nd May, 2018.

(Sen. (Dr.) Christopher Lang'at, MP)

3. NOTICES OF MOTION

a) REPORT OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE ON THE 2018 COMMONWEALTH GAMES

(Sen. (Dr.) Alice Milgo, MP)

THAT, this House notes the Report of the Standing Committee on Labour and Social Welfare on the 2018 Commonwealth Games held in Gold-Coast, Australia from 4th to 15th April, 2018.

b) REPORT OF THE STANDING COMMITTEE ON EDUCATION ON THE TVET CONFERENCE

(Sen. (Dr.) Christopher Lang'at, MP)

THAT, this House notes the Report of the Standing Committee on Education on the TVET Conference held in Victoria, Canada from 27th April – 2nd May, 2018.

c) NOTICE OF MOTION – (Chairperson, Senate Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, AWARE that the Senate passed a Motion on “Review of Policy and Legislative Framework on the Fight Against Corruption” by Sen. (Dr.) Isaac Mwaura on 31st May, 2018 and referred it to the Senate Standing Committee on Justice, Legal Affairs and Human Rights for consideration;

APPRECIATING, that the duration accorded to the Committee to consider the Motion is due to lapse on 31st July, 2018;

...../Appendix

REGRETTING, that due to the heavy workload and sheer magnitude of the assignment, the Committee is yet to conclude its deliberations and table its report in the House and requires more time to conduct a further and thorough inquiry into matter;

NOW THEREFORE, the Senate resolves to extend the duration by a further period of thirty (30) days to enable it conclude its work and table its report in the House.

4. **STATEMENT PURSUANT TO STANDING ORDER NO. 46 (2)(A)**

The Senator for Vihiga County (Sen. George Khaniri, MP) to make a statement on a county issue relating to the under-utilization of development funds at the counties, massive corruption and alleged diversion of public funds to personal accounts by some county official.

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