



**12TH PARLIAMENT
THE SENATE
MOTIONS TRACKER – SECOND SESSION, 2018**

| No | SUBJECT | NOTICE OF MOTION | PROPOSER | SECONDER | AFFECTS/ DOES NOT AFFECT COUNTIES | DIVISION | DATES DEBATED AND CONCLUDED | REMARKS |
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| 1. | <p>THAT, pursuant to Standing Orders 178 and 183 (3), the Senate approves the following Senators to be Members of the Senate Business Committee:</p> <ol style="list-style-type: none"> 1. Sen. Kenneth M. Lusaka - Speaker of the Senate - Chairperson 2. Sen. Kipchumba Murkomen - Senate Majority Leader 3. Sen. Moses Wetang'ula- Senate Minority Leader 4. Sen. Fatuma Dullo- Deputy Senate Majority Leader 5. Sen. James Orengo- Deputy Senate Minority Leader 6. Sen. Susan Kihika – Senate Majority Whip 7. Sen. Mutula Kilonzo Jnr.- Senate Minority Whip 8. Sen. Petronilla Were- Senate Deputy Minority Whip 9. Sen. Mohamed Maalim Mahamud 10. Sen. Johnson Sakaja 11. Sen. Samwel L. Poghisio 12. Sen. Ledama Olekina. | Tuesday, 13.02.18 | Senate Majority Leader | Sen. Minority Leader | Does not affect counties | - | Tuesday, 13.02.18 | Adopted without amendments on Tuesday, 13.02.18 |
| 2. | <p>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,</p> | Wednesday 14.02.2018 | Senate Deputy Majority Leader | Sen. Minority Deputy Whip | Does not affect counties | - | Wednesday 14.02.2018 | Adopted without amendments on Thursday, 14.02.18 |

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| | 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. | | | | | | | |
| 3. | THAT , notwithstanding the provisions of Standing Order 100 (4), the debate on any Motion for the adjournment of the Senate to a day other than the next normal sitting day in accordance with the calendar of the Senate shall be limited to a maximum of two hours with not more than fifteen minutes for each Senator speaking after which the Senate shall adjourn without question put; Provided that when the period of recess proposed by any such Motion does not exceed nine calendar days, the debate shall be limited to a maximum of thirty (30) minutes, and shall be confined to the question of adjournment. | Wednesday 14.02.2018 | Senate Deputy Majority Leader | Sen. Minority Deputy Whip | Does not affect counties | - | Wednesday 14.02.2018 | Adopted without amendments on Thursday, 14.02.18 |
| 4. | THAT , pursuant to Standing Order 100 (1), the Senate resolves that the debate on the Motion on the Presidential Address shall be limited to a maximum of three sitting days with not more than fifteen minutes for each Senator speaking, excluding the Mover in moving and replying who shall be limited to thirty minutes in either case and that the Senate Majority Leader and the Senate Minority Leader shall be limited to thirty minutes each. | Wednesday 14.02.2018 | Senate Deputy Majority Leader | Senate Deputy Minority Whip | Does not affect counties | - | Wednesday 14.02.2018 | Adopted without amendments on Wednesday, 15.02.2018 |
| 5. | THAT , pursuant to Standing Order No. 179 (2) (d), the Senate approves the following Senators nominated to serve in the Procedure and Rules Committee, in addition to Senators specified in Standing Order 179 (2) (a), (b) and (c)- 1. Sen. Christopher Lang'at, MP 2. Sen. Beth Mugo, EGH, MP 3. Sen. (Dr) Agnes Zani, MP | Wednesday 14.02.2018 | Senate Deputy Majority Leader | Sen. Minority Deputy Whip | Does not affect counties | - | Wednesday 14.02.2018 | Adopted without amendments on Thursday, 14.02.18 |
| 6. | THAT , pursuant to Standing Orders No. 183, 212 and 213, the Senate approves the following Senators, nominated to serve in Select Committees of the Senate as follows- | Wednesday 14.02.2018 | Senate Deputy Majority Leader | Sen. Minority Deputy Whip | Does not affect counties | - | Wednesday 14.02.2018 | Adopted without amendments on Thursday, 14.02.18 |

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| | <p>A. COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION</p> <p>Sen. Fredrick Outa, MP to replace Sen. Beatrice Kwamboka, MP</p> <p>B. COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS</p> <ol style="list-style-type: none"> Sen. Fatuma Dullo, CBS, MP Sen. Kimani Wamatangi, MP Sen. Mithika Linturi, MP Sen. Kibiru Charles Reubenson, MP Sen. Omanga Millicent, MP Sen. Mohamed Faki, MP Sen. Ledama Olekina, MP Sen. Moses Kajwang', MP Sen. (Prof.) Sam Onger, EGH, MP <p>C. COMMITTEE ON DELEGATED LEGISLATION</p> <ol style="list-style-type: none"> Sen. Kang'ata Irungu, MP Sen. Prengei Victor, MP Sen. Haji Farhiya Ali, MP Sen. Poghismo Samuel Losuron, EGH, MP Sen. Omanga Millicent, MP Sen. Judith Pareno, MP Sen. Mutinda Kabaka, MP Sen. Okong'o Omogeni, MP Sen. Mohamed Faki, MP | | | | | | | |
| 7. | <p>THAT, Pursuant to section 15 (1) (b) (ii), of the Parliamentary Powers and Privileges Act, and Standing Order 183, the Senate approves the following Senators nominated to serve in the Committee on Powers and Privileges, in addition to the Speaker of the Senate, who, pursuant to Section 15 (1) (b) (i) of the Parliamentary Powers and Privileges Act, shall be the Chairperson of the Committee.</p> <ol style="list-style-type: none"> Sen. Falhada Iman, MP Sen. Kimani Wamatangi, MP | Wednesday 14.02.2018 | Senate Deputy Majority Leader | Sen. Minority Deputy Whip | Does not affect counties | - | Wednesday 14.02.2018 | Adopted without amendments on Thursday, 14.02.18 |

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| | <p>3. Sen. Millicent Omanga, MP</p> <p>4. Sen. Kang'ata Irungu, MP</p> <p>5. Sen. Rose Nyamunga, MP</p> <p>6. Sen. Sylvia Kasanga, MP</p> | | | | | | | |
| 8. | <p>WHEREAS Article 59 of the Constitution establishes the Kenya National Human Rights and Equality Commission to among other functions investigate complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct;</p> <p>AND WHEREAS Parliament enacted the Commission on Administrative Justice Act (No.23 of 2011) to restructure the Kenya National Human Rights and Equality Commission and to establish the Commission on Administrative Justice pursuant to Article 59(4) of the Constitution to provide for the membership, powers and functions of the Commission on Administrative Justice and for connected purposes;</p> <p>AWARE that the function of the Commission on Administrative Justice among others is to investigate any conduct in state affairs, or any act or omission in public administration by any State organ, State or public officer in National and County Governments that is alleged or suspected to be prejudicial or improper or is likely to result in any impropriety or prejudice; including investigating complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct within the public sector;</p> <p>FURTHER AWARE that the Commission is expected to carry out its mandate in accordance with the values and principles set out in the Constitution and other laws of Kenya;</p> <p>COGNIZANT that the right to access public service and fair administrative actions is critical to delivery of services to the people both at the National and the county levels of government and in other related public</p> | Wednesday 14.02.2018 | Sen. Petronila Were | Sen. Judith Pareno | Does not affect counties | - | Tuesday 15.05.2018 Thursday 17.05.2018 | Adopted without amendments on Thursday, 17.05.18 |

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| | <p>institutions;</p> <p>CONCERNED that the Commission has its headquarters in Nairobi with satellite offices in the counties of Mombasa, Kisumu, Isiolo and UasinGishu;</p> <p>FURTHER CONCERNED that the absence of the Commission offices in the rest of the Counties has made it difficult for members of the public to report allegations of maladministration, delay, administrative injustice, discourtesy, incompetence, misbehaviour, inefficiency or ineptitude within the public service;</p> <p>NOW THEREFORE, the Senate calls upon the Commission on Administrative Justice to urgently establish satellite offices in all other remaining counties to decentralize its services to facilitate members of the public to interact with the Commission and report allegations of maladministration in the public service with ease.</p> | | | | | | | |
| 9. | <p>THAT, pursuant to Standing Order 29(1), this House approves the Senate Calendar (Regular Sessions of the Senate) for the year 2018 (<i>February to December, 2018</i>), laid on the Table of the House on Tuesday, 20th February, 2018.</p> | Tuesday 20.02.2018 | Senate Deputy Majority Leader | Sen. Minority Whip | Does not affect counties | - | Tuesday 20.02.2018 | Adopted without amendments on Tuesday, 20.02.2018 |
| 10. | <p>THAT, pursuant to Standing Orders No. 181, 183 and 212, the Senate approves the following Senators, nominated to serve in Select Committees of the Senate as follows-</p> <p>A. STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES</p> <p>Sen. Stewart Madzayo, MP to replace Sen. (Prof.) Malachy Imana Ekal, MP</p> <p>B. STANDING COMMITTEE ON ROADS AND TRANSPORTATION</p> <p>Sen. (Prof.) Malachy Imana Ekal, MP to replace Sen.</p> | Wednesday 21.02.2018 | Senate Deputy Majority Leader | Senate Minority Leader | Does not affect counties | | Wednesday 21.02.2018 | Adopted without amendments on Wednesday 21.02.2018 |

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| | Stewart Madzayo, MP | | | | | | | |
| 11. | 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, 10 th October, 2017 | Wednesday 21.02.2018 | Senate Deputy Majority Leader | Senate Deputy Minority Whip | Affects Counties | AYES-35 NOES-0 ABST-1 | Wednesday 28.02.2018 Concluded Thursday 01.03.2018 Division Tuesday 07.03.2018 | Adopted without amendments on Tuesday 07.03.2018 |
| 12. | THAT , this House adopts the Report of the 8 th Ordinary Session of the the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR), held on 5 th – 7 th December, 2017, in the Central African Republic, laid on the Table of the House on Tuesday, 20 th February, 2018 | Wednesday 21.02.2018 | Sen. Samuel Poghisio | Sen. (Dr.) Alice Milgo) | Does not affect counties | - | Thursday 22.02.2018 Tuesday 06.03.2018 Tuesday 13.03.2018 | Adopted without amendments on Tuesday 13.03.2018 |
| 13. | THAT , this House adopts the Report of the Senate Delegation to the Women Political Leaders Annual Global Summit, held in Reyjavik, Iceland from 28 th -30 th November, 2017, laid on the Table of the House on Tuesday, 20 th February, 2018 | Wednesday 21.02.2018 | Sen. (Dr.) Alice Milgo) | Sen. Mary Seneta | Does not affect Counties | - | Thursday 22.02.2018 Thursday 17.05.2018 | Adopted without amendments on Thursday 17.05.2018 |
| 14. | AWARE that Article 27 of the Constitution of Kenya guarantees equality of every person in enjoyment of all rights and fundamental freedoms and prohibits discrimination against any person on any ground including disability and language; FURTHER AWARE that Article 24 (2) (a) of the United Nations Convention on the Rights of Persons With Disabilities prohibits persons with disabilities from exclusion from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability; ACKNOWLEDGING that Article 7 of the Constitution of Kenya provides for the national language of the Republic as Kiswahili and the official languages of the | Wednesday 21.02.2018 | Sen. (Dr.) Getrude Musuruve | Sen. Mwinyihaji Faki | Does not affect counties | - | Tuesday 29.05.2018 | Adopted without amendments on Tuesday 29.05.2018 |

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| | <p>republic as Kiswahili and English;</p> <p>APPRECIATING that the Report of the Commission of Enquiry into Education in Kenya (the Ominde Commission of 1965) proposed that Kiswahili language be taught as a compulsory subject both in primary and secondary schools in Kenya with the aim of making the language a vehicle for literacy works relevant to community work of various kinds;</p> <p>COGNIZANT that Kiswahili language has been recognized as a unifying language in the East African Community, hence making it a lingua franca in the region;</p> <p>CONCERNED that under the new curriculum of education in Kenya that is being piloted, learners with hearing disability are not offered Kiswahili language in primary schools, secondary schools and primary teachers training colleges;</p> <p>NOW THEREFORE, the Senate calls upon the Ministry of Education, Science and Technology and other relevant state agencies to:</p> <ol style="list-style-type: none"> offer Kiswahili language as a core subject to learners with hearing disability in primary schools, secondary schools and primary teacher colleges; come up with an elaborate syllabus for teaching Kiswahili as a core subject to deaf learners in primary, secondary and teacher training colleges; and come up with an elaborate syllabus for teaching Kenya Sign Language (KSL) as an optional subject for learners who have no hearing disability and for deaf learners. | | | | | | | |
| 15. | <p>THAT, pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 174 (7) of the Senate, this House adopts the Report of the Standing Committee on Finance and Budget on the 2018 Budget</p> | Tuesday 27.02.2018 | Chairperson, Standing Committee on Finance | Vice Chair, Standing Committee on Finance | Affects Counties | AYES-32 NOES-0 ABST-0 | Wednesday 28.02.2018 | Adopted without amendments on |

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| | Policy Statement, laid on the Table of the Senate on Tuesday, 27th February, 2018. | | and Budget | and Budget | | | | Wednesday 28.02.2018 |
| 16. | <p>THAT, pursuant to the provisions of Article 127(2) of the Constitution, the Senate approves the appointment of the following Members to the Parliamentary Service Commission-</p> <p>(a) under sub-section (c) (i) -</p> <p>(i) The Hon. Naomi Shabaan, EGH, M.P. (ii) The Hon. Adan Keynan, CBS, M.P. (iii) Sen. Beth Mugo, EGH, M.P. (iv) Sen. Aaron Cheruiyot, M.P.</p> <p>(b) under sub-section (c) (ii)-</p> <p>(i) The Hon. Ben Momanyi, M.P. (ii) The Hon. Aisha Jumwa, M.P. (iii) Sen. George Khaniri, MGH, M.P.</p> | Tuesday 27.02.2018 | Senate Majority Leader | | Does not affect counties | - | Tuesday 27.02.2018 | Adopted without amendments on Tuesday 27.02.2018 |
| 17. | <p>THAT, this House notes the Reports of the 47th and 48th Sessions of the African, Caribbean and Pacific (ACP) Parliamentary Assembly and the Inter-Sessional meeting and the 34th Session of the African, Caribbean and Pacific – European Union (ACP-EU) Joint Parliamentary Assembly held in Brussels on 9th to 12th October, 2017 and Haiti on 13th to 20th December, 2017, respectively, laid on the Table of the House on Wednesday, 28th February, 2018.</p> | Wednesday 28.02.2018 | Sen.(Prof.) Margaret Kamar | Sen. Samuel Poghisio | Does not affect counties | - | Tuesday 15.05.2018 | Adopted without amendments on Tuesday 15.05.2018 |
| 18. | <p>AWARE THAT the National Council for Persons with Disabilities was established through the Persons with Disabilities Act, 2003;</p> <p>FURTHER AWARE THAT registration of persons living with disabilities is a function of the National Council for Persons with Disabilities;</p> <p>ALSO AWARE THAT persons living with disabilities are estimated to be about 10% of any given population;</p> | Wednesday 28.02.2018 | Sen. George Khaniri | Sen. Getrude Musuruve | | | Thursday 07.06.2018 Wednesday 18.07.2018 | Adopted without amendments on Wednesday 18.07.2018 |

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| | <p>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;</p> <p>AWARE THAT medical services are now a devolved functions;</p> <p>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;</p> <p>FURTHER CONCERNED THAT without proper registration, many persons living with disabilities are denied services because they lack the necessary proof of disability;</p> <p>ALSO CONCERNED THAT owing to lack of accurate data on persons living with disabilities, the government at both levels cannot plan properly for this category of people;</p> <p>NOW THEREFORE, 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.</p> | | | | | | | |
| 19. | That, the Senate due now adjourns to discuss a definite matter of national importance namely, the security situation in Mt. Elgon Constituency, Bungoma County. (Pursuant to S.O 34) | Tuesday 06.03.2018 | Senate Minority Leader | Sen. Samuel Poghisio | Does not affect Counties | - | Tuesday 06.03.2018 | Motion concluded without Question put. |
| 20. | THAT, AWARE that Kenya is the third leading producer of black tea in the world accounting for about 10% of the total world tea production; | Wednesday 07.03.2018 | Moved by Sen. Aaron Cheruiyot | Sen. (Prof.) Sam Onger | Does not affect Counties | - | Wednesday 14.07.2018 | Adopted without amendments on Wednesday |
| | COGNIZANT that tea contributes 4% of Kenya's GDP and | | | | | | | |

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| | <p>26% of the country's export earnings; FURTHER AWARE THAT the tea industry in Kenya supports close to six hundred thousand small scale farmers and provides direct or indirect employment to over two million Kenyans;</p> <p>REALIZING that despite tea being Kenya's most important cash crop, the Kenyan tea farmers, who are mainly small scale farmers spread over fourteen counties, continue to receive a disproportionate return for the resources and time they put in tea production;</p> <p>FURTHER ACKNOWLEDGING that the sector continues to face numerous other challenges which require urgent intervention to ensure that this critical sector thrives for the benefit of our economy;</p> <p>CONCERNED that the current situation, if left unchecked, may lead to the collapse of this critical sector of Kenya's economy and great loss to the nation, investors and the Kenyan taxpayers;</p> <p>NOW, THEREFORE, the Senate resolves to establish a Select Committee to conduct an inquiry into the challenges facing the tea sector in Kenya and to submit a Report to the Senate within five months, with specific legislative and policy interventions to address the problems facing the tea sector in Kenya;</p> <p>AND FURTHER that the following Senators be appointed to the Select Committee:-</p> <ol style="list-style-type: none"> 1. Sen. Irungu Kang'ata, MP; 2. Sen. (Dr.) Christopher Lang'at, MP; 3. Sen. Samson Cherarkey, MP; 4. Sen. Cleophas Malalah, MP; 5. Sen. (Prof.) Sam Ogeri, EGH, MP; 6. Sen. Njeru Ndwiga, EGH, MP; 7. Sen. George Khaniri, MGH,MP; 8. Sen. Aaron Cheruiyot, MP; and 9. Sen. Mercy Chebeni, MP. | | | | | | | 14.07.2018 |

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| 21. | <p>THAT, ACKNOWLEDGING that the meeting between His Excellency, The President, The Hon. Uhuru Kenyatta and the distinguished Leader of the NASA Coalition, The Right Hon. Raila Odinga of Friday, 9th March, 2018 putting aside political differences through building bridges marked an important and historic moment for the country;</p> <p>AWARE that this extraordinary opportunity will enable Kenyans to face and address the challenges currently faced, and openly and honestly discuss successes and failures and finally formulate and implement the necessary corrective measures for the country to move forward;</p> <p>COGNIZANT that, ahead of and immediately after the 2017 general elections, Kenya witnessed a number of political upheavals including and not limited to the demonstrations and hate speech which threatened to polarize the country along political and ethnic differences;</p> <p>RECOGNIZING that, the Initiative by His Excellency the President and the Leader of the NASA Coalition made on 9th March, 2018 on 'Building Bridges to a new Kenyan Nation' and aimed at ensuring an all-inclusive and cohesive Nation will require facilitation and support from all arms of government and relevant institutions;</p> <p>COMMITTED to the determination of all Kenyans to live in peace as one indivisible sovereign nation;</p> <p>FURTHER RECOGNIZING that there is need to roll out and implement programmes on shared objectives in a bipartisan manner as was agreed by the two distinguished Leaders-</p> <p>NOW THEREFORE-</p> <p>a) the thanks of the Senate be recorded in commending the H. E The President, The Hon. Uhuru Kenyatta and The Right Hon. Raila Odinga for providing leadership in the patriotic task of promoting unity, peace</p> | Wednesday 14.03.2018 | Deputy Senate Minority Leader | Senate Majority Leader | Does not affect counties | - | Wednesday 14.03.2018 | Adopted without amendment on Wednesday 14.03.2018 |

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| | and harmony in the country and initiating the move towards 'Building Bridges to a new Kenyan Nation'; and b) the Senate commits itself to support and advance, within its mandate, the aims and objectives of the initiative of 'Building Bridges to a new Kenyan Nation'. | | | | | | | |
| 22. | <p>THAT, WHEREAS Kenya's disaster profile is dominated by droughts, fire, floods, terrorism, diseases and epidemics that disrupt livelihoods, destroy infrastructure, divert planned use of resources, interrupt economic activities and retard development;</p> <p>FURTHER WHEREAS the government, through its various agencies, is ultimately responsible for disaster reduction, preparedness and management;</p> <p>COGNIZANT of the fact that government agencies involved in disaster management are usually overwhelmed when called upon to provide response services during disasters and emergencies;</p> <p>AWARE that the Kenya Red Cross Society Act, Cap 256 of the Laws of Kenya establishes the Kenya Red Cross Society, a sole national Red Cross Society in Kenya, as a voluntary aid society;</p> <p>RECOGNIZING, the efforts of the Kenya Red Cross Society to provide first-line disaster response services in incidences of disasters and other emergencies across the country;</p> <p>OBSERVING, the huge financial resources required to finance disaster reduction, preparedness and other emergency services;</p> <p>NOTING that one of the sources of the Kenya Red Cross Society in financing its operations is through accepting unrestricted contributions and assistance, in any form, from individuals, public authorities and private bodies;</p> | Wednesday 14.03.2018 | Sen. George Khaniri | Sen. Halake Abshiro | Does not affect Counties | - | Wednesday 03.10.2018 Thursday 04.10.2018 | Adopted without amendment on Thursday 04.10.2018 |

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| | <p>APPRECIATING, the efforts made by the prudent management of funds by the Kenya Red Cross Society;</p> <p>FURTHER AWARE that emergency fund is a substantial proportionate Vote Head in both the national and county government budgets;</p> <p>CONCERNED, that the Kenya Red Cross Society has not been allocated a budget from the national and county governments despite the huge contribution in disaster and emergency response across the country;</p> <p>NOW THEREFORE, the Senate urges the national and county governments to explore collaborative mechanisms for the Kenya Red Cross Society to support and implement a paradigm shift from post disaster response to risk reduction by developing and implementing a national disaster risk financing strategy across all sectors and incorporate it into the national and county development planning and financing processes.</p> | | | | | | | |
| 23. | <p>THAT, pursuant to Article 230 (2) (b) (vii) of the Constitution and section 7 (1) and (2) of the Salaries and Remuneration Act, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Senate nominees, on behalf of the county governments, to the position of Member of the Salaries and Remuneration Commission, laid on the Table of the House on Tuesday, 20th March, 2018.</p> <p>THAT, pursuant to Article 230 (2) (b) (vii) of the Constitution and section 7 (1) and (2) of the Salaries and Remuneration Act, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Senate nominees, on behalf of the county governments, to the position of Member of the Salaries and Remuneration Commission, laid on the Table of the House on Tuesday, 20th March, 2018, subject to deleting the tables appearing at paragraphs 17 and 57 on pages 7 and 23, respectively and substituting therefor the following new table-</p> | Wednesday 21.03.2018 | Sen. Mahamud Mohamud | Sen. Mutula Kilonzo (Jnr.) | Affects Counties | AYES-26 NOES-0 ABST-0 | | Adopted with amendment on Wednesday 21.03.2018 |

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| No. | Name | Gender | Id/Pp No. | Age | County | Mean Score |
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| 1. | Sen. Isaac Kipkemb oi Melly | M | 2175 6124 | 39 | Uasin Gishu | 78.00 |
| 2. | Ms. Margaret Sawe | F | 1336 4926 | 43 | Nandi | 75.00 |

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

Thursday 22.03.2018
Sen. Fatuma Dullo

Motion withdrawn Pursuant to Standing Order 56(1)

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| | <p>permanently address the challenge of effects of floods by, among other things-</p> <ol style="list-style-type: none"> 1. developing and enforcing regulations for preventing the obstruction of riparian reserves and natural water courses; and 2. preventing and regulating the construction of informal settlements, and ensuring prevention of construction on low lying areas and flood plains. <p>And further that the relevant government agency to execute this task submits a report to the Senate within the three months of the adoption of this motion.</p> | | | | | | | |
| 25. | <p>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;</p> <p>ALSO AWARE that education is a basic need and a tool for intellectual empowerment and social-political development;</p> <p>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;</p> <p>COGNISANT that both levels of Government complement each other in promoting sustainable education;</p> <p>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;</p> <p>FURTHER CONCERNED that both the school</p> | Thursday 22.03.2018 | Sen. (Dr.) Abdullahi Ali | Sen. (Dr.) Alice Milgo | Does not affect Counties | - | Tuesday 31.07.2018 Wednesday 01.08.2018 | Adopted without amendment on Wednesday 01.08.2018 |

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| | <p>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;</p> <p>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;</p> <p>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;</p> <p>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-</p> <ol style="list-style-type: none"> 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 this disadvantages the region compared to other parts of Kenya and proposing ways of addressing the challenges. <p>And that the Committee submits a report to the Senate within three months of adoption of this Motion by the Senate.</p> | | | | | | | |

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| 26. | <p>THAT, pursuant to Article 5 of the Protocol to the Treaty establishing the African Economic Community and relating to the Pan-African Parliament, the Senate approves the appointment of the following Members of Parliament to the Pan-African Parliament-</p> <p>1) The Hon. Jude Njomo, MP; 2) The Hon. Beatrice Kones, MP; 3) The Hon. Janet Ong'era, MP; 4) Sen. (Dr.) Abdullahi Ibrahim Ali, MP; and 5) Sen. Stewart Madzayo, MP.</p> | Thursday 29.03.2018 | Senate Majority Lader | Sen. Mutula Kilonzo Jnr. | Does not affect Counties | - | Thursday 29.03.2018 | Adopted without amendments on Thursday 29.03.2018 |
| 27. | <p>THAT, pursuant to Standing Orders 28 and 29, the Senate do adjourn until Tuesday, 8th May, 2018.</p> | Thursday 29.03.2018 | Senate Majority Leader | Sen. James Orengo | Does not affect Counties | - | Thursday 29.03.2018 | Adopted without amendments on Thursday 29.03.2018 |
| 28. | <p>THAT, pursuant to Standing Order 24 (6), the Thanks of the Senate be recorded for the exposition of public policy contained in the Address of the President delivered on Wednesday, 2nd May, 2018 and further the Senate notes the following Reports submitted by H.E. the President in fulfillment of Articles 132 (1) (c) and 240 (7) of the Constitution, laid on the Table of the House on Tuesday, 8th May, 2018-</p> <p>i. Report on the Measures Taken and the Progress Achieved in the Realization of National Values; ii. Report on Progress made in fulfillment of the International Obligations of the Republic; and iii. Report on the State of Security.</p> | Tuesday 08.05.2018 | Senate Deputy Majority Leader | Sen. (Prof.) Sam Ongeru | Does not affect Counties | | Tuesday 08.05.2018 Wednesday 09.05.2018 Thursday 10.05.2018 | Adopted without amendment on Thursday 10.05.2018 |
| 29. | <p>AWARE that infrastructure development and specifically, construction of roads is a key pillar of Kenya's vision 2030 whose objective is to spur movement of people and goods, promote trade and economic activities, encourage development and attract investments;</p> <p>NOTING that there is a very strong correlation between a country's economic development and the quality of its road network;</p> <p>CONCERNED that Government's efforts to expand the</p> | Tuesday 08.05.2018 | Sen. Sylvia Kasanga | Sen. (Dr.) Getrude Musuruve | Does not affect Counties | - | Thursday 19.07.2018 | Adopted without amendment on Thursday 19.07.2018 |

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| | <p>roads infrastructure are mainly focused on the urban and peri-urban areas of the country thus leaving rural areas with dilapidated or no access roads;</p> <p>FURTHER CONCERNED that fifty five years since independence and over five years after institutionalization of devolution, the Country's roads infrastructure is to a large extent still underdeveloped with only slightly above 9,000 kilometres of the about 178,000 kilometres of roads paved;</p> <p>COGNISANT that, Part Two of the Fourth Schedule to the Constitution of Kenya (2010) mandates County Governments to manage county transport, including; roads, street lighting, traffic and parking, amongst other county public transport matters;</p> <p>DEEPLY CONCERNED that, County Governments are continuously prioritizing routine maintenance works over sustainable and durable road quality works due to budgetary constraints;</p> <p>NOW THEREFORE the Senate calls upon the Ministry of Transport, Infrastructure, Housing and Urban Development to develop and adopt standard policy regulations prescribing modern, eco-friendly and inexpensive technologies to be applied across the 47 counties for construction, upgrading and maintenance of rural access roads in order to ensure durability and sustainability of the access roads and also to reduce maintenance expenses.</p> | | | | | | | |
| 30. | <p>THAT, this House adopts the Report of the Sessional Committee on County Public Accounts and Investments on the inquiry into the Financial operations of Kajiado County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Thursday, 10th May, 2018.</p> | Thursday 10.05.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. Ledama ole Kina | Affects Counties | - | Thursday 26.07.2018 | Debate on Motion concluded and awaiting Division |

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| 31. | 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 Narok County Executive for the Financial year 2013/2014 (1 st July 2013 - 30 th June, 2014) laid on the Table of the House on Thursday, 10 th May, 2018. | Thursday 10.05.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. Mohamed Mwinyihaji Faki | Affects Counties | - | Thursday 26.07.2018 | Debate on Motion concluded and awaiting Division |
| 32. | 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 Turkana County Executive for the Financial year 2013/2014 (1 st July 2013 - 30 th June, 2014) laid on the Table of the House on Thursday, 10 th May, 2018. | Thursday 10.05.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. (Prof.) Sam Onger | Affects Counties | - | Thursday 26.07.2018 | Debate on Motion concluded and awaiting Division |
| 33. | THAT this House adopts the Report of the proceedings of the First Extraordinary Session of the Plenary Assembly of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) held in Kinshasa, Democratic Republic of Congo from 19 th – 20 th March, 2018, laid on the Table of the Senate on Tuesday, 15 th May, 2018. | Tuesday 15.05.2018 | Sen. Samuel Poghisio | | Does not affect Counties | - | Tuesday 11.09.2018 | Adopted without amendment on Tuesday 11.09.2018 |
| 34. | THAT , pursuant to Standing Order 17, the Senate approves the nomination of Senator Judith Pareno to replace Senator Cleophas Malala as a member of the Speaker's Panel and to further preside over the Senate in the absence of the Speaker and the Deputy Speaker, pursuant to Article 107(1)(c) of the Constitution and Standing Order 15 of the Senate. | Tuesday 15.05.2018 | The Senate Majority Leader | Sen. Mutula Kilonzo Junior | Does not affect Counties | - | Wednesday 06.05.2018 | Adopted without amendment on Wednesday 16.05.2018 |
| 35. | THAT , this House notes the Report of the proceedings of the Inter- Parliamentary Union (IPU) Parliamentary Hearings at the United Nations, held in New York, USA from 22 nd – 23 rd February, 2018, laid on the Table of the House on Tuesday, 15 th May, 2018. | Wednesday 16.05.2018 | Sen. Naomi Shiyonga | Sen. Mutula Kilonzo Junior | Does not affect Counties | - | Thursday 07.06.2018 | Adopted without amendment on Thursday 07.06.2018 |
| 36. | THAT , pursuant to Standing Orders 29(4) and 54 (b), the Senate resolves to alter its Calendar (Regular Sessions), adopted on Tuesday, 20 th February, 2018, in respect of the Second Part, to proceed on a Recess from Friday, 18 th to Monday, 28 th May, 2018, to afford Senators an opportunity to participate in the Third Annual Legislative | Thursday 17.05.2018 | Senate Deputy Majority Leader | Sen. Mutula Kilonzo Junior | Does not affect Counties | - | Thursday 17.05.2018 | Adopted without amendment on Thursday 17.05.2018 |

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| | Summit scheduled to be held from 20 th to 25 th May, 2018, and to resume its sittings on Tuesday, 29 th May, 2018. | | | | | | | |
| 37. | THAT , this House notes the Report of the Senate Delegation to the Inaugural Commonwealth Parliamentarians' Forum held at the Westminster, London, United Kingdom from 26 th February to 1 st March, 2018 laid on the Table of the House on Thursday, 10 th May, 2018. | Wednesday 30.05.2018 | Sen. Moses Kajwang' | | | | | |
| 38. | <p>AWARE THAT on Wednesday, 10th May, 2018, Kenyans woke up to the tragic news of the Solai Dam Tragedy following the bursting of the banks of the privately owned Solai Dam the previous night;</p> <p>CONCERNED THAT, as result of the tragedy, approximately fifty (50) people lost their lives - most of them being small school-going children - in the most unfortunate circumstances and that many more who survived are now hospitalized due to the bodily and psychological injuries inflicted on the them;</p> <p>FURTHER CONCERNED THAT hundreds of families are now homeless with orphans and destitute among them and that majority of the people who had their own habitations, whether own homes, rental or farm quarters, have not been resettled;</p> <p>APPRECIATING the good work of the Red Cross Society of Kenya and the National Government for their swift response upon receiving the information of the dam tragedy;</p> <p>DEEPLY CONCERNED THAT this human catastrophe occurred despite the existence of the Kenya Water Resources Management Authority (WRMA), an institution created by the Water Act of 2002 and mandated to ensure rational and effective management of water resources;</p> <p>FURTHER CONCERNED THAT WRMA does not have a framework on licensing, construction, usage, sharing of</p> | Wednesday 30.05.2018 | Sen. Susan Kihika | Sen. Ledama Olekina | Does not affect Counties | - | Tuesday 05.06.2018 | Adopted without amendment on Tuesday 05.06.2018 |

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| | <p>dam water resources, insurance and inspection of earth dams and that currently there are no standards which dam owners are required to adhere to and comply with;</p> <p>ALSO CONCERNED THAT although WRMA knew that the Solai Dam posed a great risk to Kenyan living downstream, they did little or nothing to avert the danger and that the Solai Dam tragedy appears to have occurred as a result of negligence;</p> <p>NOTING WITH CONCERN the sad revelations following an investigative report by Kenya Human Rights Commission (KHRC) on the Solai Dam tragedy that point to ignorance and a suspicious relationship between the owners of the Dam (the Mansukh Patel family), the National Environmental Management Authority (NEMA) and WRMA officials in their singular and joint omission that resulted in failure to act on early warning information given to them about the impending danger, and the continued failure by NEMA to put in place standards on quality of dam walls and regulations to address the downstream effects and impact of dams whose walls burst, especially the protection and restoration of the flora and fauna and the environment in general;</p> <p>APPREHENSIVE THAT with the continuing heavy rainfall, now and in future, such incidents as the Solai one could happen elsewhere in Kenya;</p> <p>DESIREOUS of the need to take steps towards ensuring that similar man-made disasters are prevented from recurring;</p> <p>NOW THEREFORE the Senate resolves to establish a select committee to-</p> <ul style="list-style-type: none"> a) holistically investigate and establish the circumstances leading to the Solai Dam Tragedy; b) propose modalities for compensation of all the families of the deceased victims and | | | | | | | |

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| | <p>the surviving families;</p> <p>c) ensure the Dam owner makes compensation in regard to the destroyed environment, especially trees and other vegetation and top fertile soils; and</p> <p>d) propose measures to mitigate any such eventual disasters especially for Counties that are prone to floods and landslides.</p> <p>AND THAT the following Senators be members of the Select Committee-</p> <p>i) Sen. Fatuma Dullo, CBS, MP; ii) Sen. Mithika Linturi, MP; iii) Sen. Sakaja Johnson, MP; iv) Sen. (Eng.) Ephraim Maina, MBS, MP; v) Sen. Mutula Kilonzo Junior, MP; vi) Sen. (Prof) Imana Malachy, MP; vii) Sen. Sylvia Kasanga, MP; viii) Sen. Ledama Olekina, MP; and ix) Sen. Susan Kihika, MP.</p> <p>AND FURTHER THAT the Select Committee reports back to the Senate within sixty (60) calendar days after its establishment.</p> | | | | | | | |
| 39. | <p>THAT, pursuant to Standing Orders 178(1)(d) and 183 (3) of the Senate, the Senate approves the appointment of Sen. Cleophas Malalah, MP, as a Member of the Senate Business Committee.</p> | Wednesday 30.05.2018 | Senate Majority Leader | Sen. Beatrice Kwamboka | Does not affect counties | - | Wednesday 30.05.2018 | Adopted without amendment on Wednesday 30.05.2018 |
| 40. | <p>THAT, RECALLING that, in December 2003, Kenya became the first country in the world to sign and ratify the United Nations Convention against Corruption (UNCAC);</p> <p>AWARE that, since then, Kenya has put in place robust laws and regulations, to prevent, combat and punish corruption; among them the Anti-Corruption and Economic Crimes Act (2003), the Public Officers Ethics</p> | Thursday 31.05.2018 | Sen. (Dr.) Isaac Mwaura | Sen. Boniface Kabaka | Does not affect counties | - | Thursday 31.05.2018 | Adopted without amendment on Thursday 31.05.2018 |

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| | <p>Act (2003), the Witness Protection Act (2006); the Proceeds of Crime and Anti-Money Laundering Act (2009), the Leadership and Integrity Act (2012), the Election Campaign Financing Act (2013), the Public Procurement and Asset Disposal Act (2015), the Bribery Act (2016), and the Access to Information Act (2016);</p> <p>FURTHER AWARE that, Kenya has established various institutions and agencies tasked with spearheading and coordinating the fight against corruption; among them the Ethics and Anti-Corruption Commission (EACC), the Director of Public Prosecutions (DPP), and the Directorate of Criminal Investigations (DCI);</p> <p>CONCERNED that, despite these efforts, corruption remains the greatest challenge to Kenya's socio-economic development, including the attainment of the Big Four Agenda for Kenya's development, Kenya's Vision 2030, the African Union's Agenda 2063, and the United Nations Sustainable Development Goals (SDGs);</p> <p>RECALLING that, during the State of the Nation Address to Parliament on 2nd May, 2018, H.E. the President urged Parliament to help design the legal tools needed to help win the fight against corruption;</p> <p>NOW THEREFORE, the Senate resolves that the Standing Committee on Justice, Legal Affairs and Human Rights do undertake a comprehensive review of the relevant policy and legislative framework on the fight against corruption in Kenya, and propose measures to be undertaken, including amendments to the existing legislation, to strengthen the fight against corruption; and that the Committee do table its Report within sixty days.</p> | | | | | | | |
| 41. | <p>THAT, AWARE that Article 43(1)(f) of the Constitution of Kenya provides that every person has a right to education and Article 53(1)(b) of the Constitution states that every child has the right to free and compulsory basic education;</p> <p>COGNIZANT that on 5th January, 2018 during the</p> | Wednesday 06.06.2018 | Sen. (Arch.) Sylvia Kasanga | | | | | Motion not Seconded. Motion has been deferred |

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| | <p>flagging off of national delivery of core course books for schools at Cemastea Karen, His Excellency the President Uhuru Kenyatta stated that his administration has focused on initiatives that ensure every Kenyan has access to quality education, so they can acquire appropriate skills and knowledge that make our country globally competitive;</p> <p>FURTHER AWARE that recently the country has suffered floods in many parts of the country leading to deaths and people being displaced and rendered homeless;</p> <p>DEEPLY CONCERNED that some schools have also remained closed even after other schools reopened while others have been closed as a result of floods and instances of insecurity;</p> <p>FURTHER NOTING that closure of schools due to the said floods as well as insecurity places students and pupils in those schools at a disadvantage as they are unable to access education which is their right, while some of the students in those schools are expected to sit for their national exams at the end of the year and their performance risks being negatively affected by the lost time out of school;</p> <p>NOW THEREFORE, the Senate resolves that the Committee on Education, investigates this matter with a view to: -</p> <ol style="list-style-type: none"> 1. identifying strategies to ensure that the affected students are able to access education as soon as possible; 2. outlining preventative measures to ensure that more students are not affected by the floods and insecurity; and, 3. Submitting a Report to the Senate within sixty (60) days outlining the short and long term strategies, that are being put in place to ensure that schools in flood and insecurity prone areas are not affected in the future. | | | | | | | |

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| 42. | <p>AWARE that Section 15 of the National Construction Authority (NCA) Act prescribes the requirements for registration as a contractor;</p> <p>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;</p> <p>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;</p> <p>APPRECIATING that there is still a good number of local contractors that has demonstrated capacity to perform and deliver projects as required;</p> <p>DEEPLY CONCERNED that foreign contractors are now engaging in projects that local contractors have equal capacity and skill to perform, especially in the counties;</p> <p>RECOGNIZING THAT there is need to grow our local industries by giving job opportunities to Kenyan citizens and building their technical capacities;</p> <p>NOW THEREFORE, the Senate calls upon the Government through the NCA to-</p> <ol style="list-style-type: none"> 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 4) require both local and foreign contractors to undertake corporate social responsibility activities in the counties where they operate. | Thursday 07.06.2018 | Sen. (Arch.) Sylvia Kasanga | Sen. Mutula Kilonzo Jnr. | Does not affect Counties | - | Thursday 26.07.2018 Tuesday 31.07.2018 Wednesday 01.08.2018 | Adopted with amendment on Wednesday 01.08.2018 |

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| 43. | <p>THAT AWARE that the Senate of Kenya is established by Article 93 of the Constitution and its main role, as set out in Article 96 of the Constitution, is to represent and serve the interests of the counties and their governments;</p> <p>FURTHER AWARE that the Senate plays a critical role in the linkage of the devolved governments and the national government;</p> <p>NOTING that since its inception the Senate has held its sittings in Nairobi with its committees occasionally visiting the devolved governments on fact finding missions;</p> <p>COGNIZANT of the need to enhance the interaction between the Senate and county governments as a means of bringing the Senate closer to the counties and the general public;</p> <p>APPRECIATING the recommendation of the Senate Business Committee that a Sitting of the Senate be held away from the traditional premises in Parliament Buildings, Nairobi, in order to-</p> <p>(i) provide an opportunity to members and staff of county assemblies to learn and borrow best practices from the Senate;</p> <p>(ii) promote the role and work of the Senate;</p> <p>(iii) highlight existing opportunities for people to get involved in the work of the Senate; and</p> <p>(iv) develop and strengthen partnerships at the county level and enhance public awareness regarding the Business of the Senate.</p> <p>NOW THEREFORE, pursuant to Article 126 (1) of the Constitution and standing order 31 (1) of the Senate Standing Orders, the Senate resolves that its plenary and committees sittings be held in Uasin Gishu County from 24th to 28th September, 2018.</p> <p><u>RESOLUTION (AS AMENDED)</u></p> | Tuesday 13.06.2018 | The Deputy Senate Majority Whip on behalf of the Senate Majority Leader | | Does not affect counties | - | Tuesday 19.06.2018 Wednesday 20.06.2018 | Adopted with amendment on Thursday 21.06.2018 |

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| | <p>THAT AWARE that the Senate of Kenya is established by Article 93 of the Constitution and its main role, as set out in Article 96 of the Constitution, is to represent and serve the interests of the counties and their governments;</p> <p>FURTHER AWARE that the Senate plays a critical role in the linkage of the devolved governments and the national government;</p> <p>NOTING that since its inception the Senate has held its sittings in Nairobi with its committees occasionally visiting the devolved governments on fact finding missions;</p> <p>COGNIZANT of the need to enhance the interaction between the Senate and county governments as a means of bringing the Senate closer to the counties and the general public;</p> <p>APPRECIATING the recommendation of the Senate Business Committee that a Sitting of the Senate be held away from the traditional premises in Parliament Buildings, Nairobi, in order to-</p> <ul style="list-style-type: none"> i) provide an opportunity to members and staff of county assemblies to learn and borrow best practices from the Senate; ii) promote the role and work of the Senate; iii) highlight existing opportunities for people to get involved in the work of the Senate; and iv) develop and strengthen partnerships at the county level and enhance public awareness regarding the Business of the Senate. <p>NOW THEREFORE, pursuant to Article 126 (1) of the Constitution and Standing Order 31 (1) of the Senate Standing Orders, the Senate resolves that its plenary and committees sittings be held in Uasin Gishu County from 24th to 28th September, 2018 and that a programme of</p> | | | | | | | |

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| | sittings outside the Parliament Buildings in Nairobi, be drawn to ensure that such sittings take place in all regions during the term of this Senate. | | | | | | | |
| 44. | 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 (1 st July 2013 - 30 th June, 2014) laid on the Table of the House on Tuesday, 19 th June, 2018. | Tuesday 19.06.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. Ledama Olekina | Affects Counties | AYES 27 NOES 0 ABST 0 | Wednesday 19.09.2018 | Adopted without amendments on Thursday 20.09.2018 |
| 45. | 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. | Tuesday 19.06.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. Ledama Olekina | Affects Counties | AYES 27 NOES 0 ABST 0 | Wednesday 19.09.2018 | Adopted without amendments on Thursday 20.09.2018 |
| 46. | 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. | Tuesday 19.06.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. Ledama Olekina | Affects Counties | AYES 27 NOES 0 ABST 0 | Wednesday 19.09.2018 | Adopted without amendments on Thursday 20.09.2018 |
| 47. | 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. | Tuesday 19.06.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. Ledama Olekina | Affects Counties | AYES 27 NOES 0 ABST 0 | Wednesday 19.09.2018 | Adopted without amendments on Thursday 20.09.2018 |
| 48. | THAT, AWARE that the Ministry of Tourism has developed and published the Kenya National Tourism Blueprint 2030 in May 2017; FURTHER AWARE that Kenya Tourism Agenda 2018 – | Tuesday 19.06.2018 | Sen. Ledama Olekina | Sen. Johnson Sakaja | Does not affect counties | - | Tuesday 09.10.2018 Thursday 11.10.2018 | Adopted without amendments on Thursday 11.10.2018 |

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| | <p>2022, launched in April 2018, establishes the foundation for the National Tourism Blueprint 2030 and is the tool for initiating the components of the Blue Print;</p> <p>ALSO AWARE that the contribution of travel and tourism to Kenyan GDP stood at 9.7 % in 2017, up from 9.3 % previous year;</p> <p>COGNIZANT that in the next 10 years every industry will be changed by technology;</p> <p>ALSO AWARE that Kenya Tourism Board has partnered with Google, Safaricom, Kenya Wildlife Service and Tourism Finance Corporation to created new digital content for local tourism;</p> <p>CONCERNED that Kenya’s tourism industry’s potential is underutilized, as asserted by CS Najib Balala in a presentation to the senate committee on the performance;</p> <p>AWARE that Kenya’s position in World Economic Forum’s Travel & Tourism Competitiveness Index Ranking is 80 out of 136 in 2017, having improved by 2 points from 2015, while having currently the lowest score in cultural resources and business travel with 1.6 points out of 7;</p> <p>FURTHER CONCERNED that majority of the solutions proposed by the tourism agenda are brick and mortar type and not addressing the trends, that in less than two years, globally the share of online booking has grown from 9% to almost 33% and the lucrative and fast-growing segment of business tourism;</p> <p>ALSO CONCERNED that Kenya will continue to attract only beach and park type tourists , ignoring the large number of conference and business travelers, who largely never leave Nairobi and are offered minimal exposure to Kenya;</p> <p>NOW THEREFORE, the Senate calls upon the Ministry</p> | | | | | | | |

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| | of Tourism to approach tourism sector with modern innovation and implement tangible, measurable and impactful solutions, resulting in improvement of Kenya's ranking in the World Economic Forum Travel & Tourism Competitiveness Index 2019 by 6 positions and improve the lowest score of cultural resources and business travel by 1 point. | | | | | | | |
| 49. | <p>THAT AWARE that National Forum of Former Councilors petitioned the Senate regarding the need for legislative interventions to address the plight and welfare of former Councilors;</p> <p>FURTHER AWARE that the Senate Standing Committee on Labour and Social Welfare considered the Petition and tabled its report on Tuesday, 16th February, 2016;</p> <p>ACKNOWLEDGING that the Committee's report on the Petition made five recommendations among them that-</p> <ol style="list-style-type: none"> one-off honorarium of Kshs. 1.5 Million be paid to former councilors who served a minimum of one term since independence; and monthly pension of at least Kshs. 30,000 be paid to former councilors. <p>APPRECIATING that the recommendations were based on the fact that former Councilors did not receive fixed emoluments and experienced disparities with regard to access to pension services and terms and conditions of pension schemes over the years, which made it difficult to fairly and equitably determine each councilor's rightful benefits retrospectively;</p> <p>CONCERNED that the State Department for Social Services and Security, State Department for Devolution and the National Treasury have to date not implemented the Committee's recommendations on the Petition;</p> <p>NOW THEREFORE, the Senate calls upon the Principal Secretaries to the said State Departments and the</p> | Thursday 21.06.2018 | Sen. John Kinyua | Sen. Samson Cherargei | Does not affect counties | - | Thursday 18.10.2018 | Adopted without amendment on Thursday 18.10.2018 |

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| | National Treasury to take necessary steps to implement the recommendations contained in the Report. | | | | | | | |
| 50. | <p>THAT, AWARE that Article 43 (f) of the Constitution stipulates that every person has a right to education;</p> <p>FURTHER AWARE that Kenya is among the State Parties that ratified the United Nations Convention on the Rights of Persons with Disabilities in which the parties undertook to ensure that persons with disabilities are not excluded from the general education system and that the education of persons, and in particular children, who are blind, deaf or deaf-blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development;</p> <p>ACKNOWLEDGING that hearing impaired learners have linguistic challenges and perform dismally in academics since all subjects other than Kiswahili and foreign languages are taught and examined in English;</p> <p>COGNIZANT that hearing impaired learners who are educable can master the essentials of English language as they are able to sign sing the National Anthem in Signing Exact English (SEE);</p> <p>NOW THEREFORE, the Senate calls upon the Ministry of Education, Science and Technology to-</p> <ol style="list-style-type: none"> 1. ensure that Signing Exact English (SEE) is used as a mode of instruction for persons with hearing impairment who are educable; 2. develop SEE instructional materials for learners with hearing impairment; 3. work with linguists and researchers to develop sign language resources; and 4. ensure that sign language linguistics is offered as a discipline in universities and teacher training colleges. | Thursday 21.06.2018 | Sen. (Dr.) Gertrude Musuruve | Sen. Wario Golich | Does not affect counties | - | Thursday 11.10.2018 Wednesday 17.10.2018 Thursday 25.10.2018 | Adopted without amendment on Thursday 25.10.2018 |

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| 51. | THAT , this House notes the Report of the 138th Assembly of the Inter – Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland from 22nd – 28th March, 2018 laid on the Table of the Senate on Thursday, 21st June, 2018. | Thursday 21.06.2018 | Sen. Enoch Wambua | | | | | |
| 52. | THAT , pursuant to Standing Orders 28 and 29, the Senate do adjourn until Tuesday, 3rd July, 2018. | Thursday 21.06.2018 | The Senate Deputy Majority Whip on behalf of the Senate Majority Leader | Sen. Moses Kajwang' | Does not affect Counties | - | Thursday 21.06.2018 | Adopted without amendment on Thursday 21.06.2018 |
| 53. | THAT , this Senate notes the Report of the Senate Delegation to the Women Political Leaders Annual Global Summit held in Vilnius, Lithuania from 6th - 8th June, 2018 laid on the Table of the House on Thursday, 21st June, 2018. | Wednesday 04.07.2018 | Sen. (Dr.) Agnes Zani | Sen. (Dr.) Alice Milgo | Does not affect Counties | - | Thursday 19.07.2018 | Adopted without amendment on Thursday 19.07.2018 |
| 54. | AWARE THAT Article 43(1) of the Constitution provides that every person has a right to the highest attainable standard of health, which includes the right to health care services; NOTING THAT cases of mental illness are on the rise with 1 in 4 Kenyans likely to suffer from a mental disorder at some point in their lives, coupled with the fact that many Kenyans with mental illness do not receive adequate treatment; CONCERNED THAT the World Health Organization has ranked Kenya sixth, among African countries with the highest number of depression cases; DEEPLY CONCERNED that there exists internal inequities in the distribution of the already low numbers of mental health workers in Kenya with the available professionals being concentrated in cities leaving rural area with very few professionals if any; FURTHER CONCERNED THAT , delivery of mental health services is facing a myriad of challenges key | Tuesday 10.07.2018 | Sen. Mercy Chebeni/Sen (Arch.) Sylvia Kasanga | Sen. (Dr.) Sam Onger | Does not affect counties | - | Thursday 12.07.2018 | Adopted without amendment on Thursday 12.07.2018 |

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| | <p>among them, inadequate and understaffed rehabilitation facilities and outreach programmes leading to the provision of insufficient mental healthcare services at the psychiatric units;</p> <p>NOW THEREFORE the Senate calls upon the National Government in collaboration with the County Governments to-</p> <ol style="list-style-type: none"> 1. increase the number of specialized well equipped mental health facilities and develop effective outreach and other mental health programmes targeting Kenyans in remote areas and learning institutions; 2. increase the allocated mental health budget to ensure there are adequate funds targeting this specific area; and 3. develop initiatives to encourage more Kenyans to pursue and specialize in psychiatry and build the capacity of community health workers and staff in mental health facilities through continuous training. | | | | | | | |
| 55. | <p>THAT, this House notes the Report of the Standing Committee on Education on the 20th Conference of Commonwealth Education Ministers (20CCEM) held in Nadi, Fiji from 19-23 February, 2018, laid on the Table of the House on Thursday, 12th July, 2018.</p> <p><u>RESOLUTION (AS AMENDED)</u></p> <p>THAT, this House notes the Reports of the Standing Committee on Education on the 20th Conference of Commonwealth Education Ministers (20CCEM) held in Nadi, Fiji from 19-23 February, 2018 and the TVET Conference held in Victoria, Canada from 27th April – 2nd May, 2018, laid on the Table of the House on Thursday, 12th July, 2018 and Wednesday, 1st August, 2018 respectively.</p> | Thursday 12.07.2018 | Chairperson, Standing Committee on Education | Sen. Mary Seneta | Does not affect counties | - | Thursday 25.10.2018 | Adopted with amendment on Thursday 25.10.2018 |
| 56. | <p>THAT, this House notes the Report of the proceedings of the Global Parliamentary Conference (GPC), held at the World Bank Headquarters, in Washington DC, United States of America from 16th to 17th April, 2018, laid on</p> | Thursday 12.07.2018 | Sen. (Dr.) Abdullahi Ali | | | | | |

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| | the Table of the House on Thursday, 12th July, 2018. | | | | | | | |
| 57. | <p>AWARE that the National Transport and Safety Authority (NTSA) is mandated to plan, manage and regulate the road transport system, while ensuring the provision of safe, reliable and efficient road transport services;</p> <p>FURTHER AWARE that motorcycle transport services have been rapidly embraced throughout the country leading to several challenges including: rise in road accidents involving motorcycle riders, unlawfulness, insecurity and road congestion;</p> <p>COGNIZANT that the National Transport and Safety Authority (Operation of Motorcycles) Regulations that came into force on January 1, 2016 have not adequately addressed the challenges associated with the high numbers of motorcycles as a mode of transport;</p> <p>NOW THEREFORE, the Senate resolves that the Ministry of Transport, Infrastructure, Housing, and Urban Development: -</p> <ol style="list-style-type: none"> 1. identify strategies to enforce the National Transport and Safety Authority (Operation of Motorcycles) Regulations; 2. in collaboration with County Governments, develop programs to sensitize and educate members of boda-boda associations and the public on the laws regulating motorcycle operations; 3. submits a Report to the Senate within ninety (90) days outlining the short and long term strategies, and preventative measures that are being put in place to halt the rising cases of road carnage involving motorcycle riders. | Thursday 12.07.2018 | Sen. (Arch.) Sylvia Kasanga | Sen. (Dr.) Getrude Musuruve | Does not affect counties | - | Thursday 02.8.2018 Thursday 13.09.2018 18.10.2018 | Adopted without amendment on Thursday 18.10.2018 |
| 58. | THAT , this House notes the Report of the 62nd Session of the Commission on the Status of Women laid on the Table of the House on Tuesday, 17th July, 2018. | Tuesday 17.07.2018 | Sen. Abshiro Halake | | | | | |
| 59. | THAT , this House notes the Report of the Sixth Ordinary Session of the Fourth Pan- African Parliament held in Midrand, South Africa, from 7 th to 18 th May, 2018, laid on the Table of the House on Tuesday, 24 th July, 2018. | Wednesday 25.07.2018 | Sen. (Dr.) Abdullahi Ali, MP | | | | | |

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| 60. | That, the House adopts the Report of the Select Committee on the Solai Dam Tragedy laid on the Table of the House on Thursday, 26 th July, 2018 | Thursday 26.07.2018 | Chairperson, Select Committee on Solai Dam Tragedy | Sen. Johnson Sakaja | Does not affect counties | - | Wednesday 01.08.2018 Thursday 02.08.2018 | Adopted without amendment on Tuesday 07.08.2018 |
| 61. | THAT, this House notes the Report of the 49 th Session of the ACP Parliamentary Assembly and Inter- Sessional meeting of the ACP-EU Joint Parliamentary Assembly held on 20 th - 22 nd March, 2018 in Brussels, Belgium, laid on the Table of the House on Tuesday, 31 st July, 2018. | Tuesday 31.07.2018 | Sen. (Prof.) Margaret Kamar | | | | | |
| 62. | AWARE THAT the Street Families Rehabilitation Trust Fund (SFRTF) was established on 11th March, 2003 by the then Ministry of Local Government to address the concerns of all homeless, destitute and vulnerable persons in urban areas, and was registered as a body Corporate in August, 2010 under the Trustees (perpetual succession) Cap 164, Laws of Kenya; FURTHER AWARE THAT the mandate of SFRTF includes coordinating rehabilitation activities for street families; conducting public education on street families issues; mobilizing resources and fundraising as well as receiving donations and funding street families rehabilitation programmes; managing donations for the rehabilitation of street families through a trust fund; monitoring expenditure and disbursement of donations; and advising the government and other relevant agencies on matters relating to rehabilitation of street families; NOTING THAT Article 43 (1) of the Constitution of Kenya provides for the right to every person to the highest attainable standard of health, accessible and adequate housing, adequate food of acceptable quality, clean and safe water in adequate quantities, education, and social security; CONCERNED THAT the street family phenomenon has persisted despite the existence of the SFRTF and street families do not enjoy the rights enshrined in the Constitution due to lack of a national policy on the | Tuesday 31.07.2018 | Sen. Beatrice Kwamboka | | | | | |

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| | <p>rehabilitation of street families, with women and children being the primary victims;</p> <p>COGNIZANT THAT the Ministry of Devolution and ASAL Areas through the SFRTF supports children and youth through charitable and community based organizations which are vetted and approved for funding under the rescue, rehabilitation and reintegration of street families programme;</p> <p>NOTING THAT both the National and County Governments have a role to play in addressing the plight of street families across the Country;</p> <p>NOW THEREFORE the Senate resolves that Ministry of Devolution and ASAL Areas in collaboration with the Council of Governors-</p> <ol style="list-style-type: none"> conducts a census of street families in all urban centres in the country to determine their numbers and demographics; develops a clear policy on street families rehabilitation and reintegration at county level; and tables an audit report of how funds allocated to the SFRTF have been utilized since the Fund was established, indicating the impact of the rehabilitation exercise. | | | | | | | |
| 63. | 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. | Thursday 02.08.2018 | The Deputy Majority Leader | Sen. Ledama Olekina | Does not affect counties | - | Thursday 02.08.2018 | Adopted without amendment on Thursday 02.08.2018 |
| 64. | 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 4 th to 15 th April, 2018, laid on the Table of the Senate on Wednesday, 1 st August, 2018. | Wednesday 01.08.2018 | Sen. (Dr.) Alice Milgo | | | | | |
| 65. | THAT , this House notes the Report of the Standing Committee on Education on the TVET Conference held in Victoria, Canada from 27 th April – 2 nd May, 2018, laid on the Table of the Senate on Wednesday, 1 st August, 2018. | Wednesday 01.08.2018 | Sen. (Dr.) Christopher Lang'at | | | | | Adopted with amendment on Thursday 25.10.2018 |

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| | | | | | | | | (See Motion No. 55) |
| 66. | THAT , this House notes the Report of the Senate Delegation to the Conference on Enhancing the Role of Parliamentarians in the Interlinkage between Population Issues and the 2030 Agenda for Sustainable Development, held in New Delhi, India from 13th – 15th September, 2017, laid on the Table of the House on Thursday, 2nd August, 2018. | Thursday 02.08.2018 | Sen. Fredrick Outa | | | | | |
| 67. | THAT , pursuant to Standing Order 32 (1), the Senate adjourns to discuss Motion on the Report of the Select Committee on the Solai Dam. | Thursday 02.08.2018 | Sen. Ledama Olekina | Sen. Johnson Sakaja | Does not affect counties | - | Thursday 02.08.2018 | Motion Negatived on Thursday 02.08.2018 |
| 68. | 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; 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. | Tuesday 07.08.2018 | Chairperson, Senate Standing Committee on Justice, Legal Affairs and Human Rights | Sen. Mutula Kilonzo Jnr. | Does not affect counties | - | Wednesday 08.08.2018 | Adopted without amendment on Wednesday 08.08.2018 |
| 69. | AWARE THAT Youth Polytechnics, also known as Village Polytechnics, are educational institutions that offer primary school leavers opportunities to acquire relevant knowledge especially technical and vocational skills to increase their employability; FURTHER AWARE THAT youth polytechnics provide | Tuesday 07.08.2018 | Sen. (Prof.) Margaret Kamar | Sen (Dr.) Christopher Langat | Affects Counties | AYES – 28 NOES – 0 ABST - 0 | Thursday 27.09.2018 Wednesday 03.10.2018 | Adopted without amendment on Wednesday 03.10.2018 |

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| | <p>industrial and entrepreneurial skills training to young people in order to increase employment opportunities, reduce dependency levels and increase self-reliance among the youth;</p> <p>RECALLING THAT in 2005, the Youth Training Department of the then Ministry of Youth Affairs and Sports was established through the Presidential Circular No.1 of 2005, with a mandate of revitalizing the Youth Polytechnics countrywide in order to empower youth through provision of accessible, appropriate and quality training in technical, vocational, industrial, entrepreneurship and life skills;</p> <p>COGNIZANT THAT youth polytechnics are a devolved function;</p> <p>PERSUADED THAT Vocational Education and Training is a critical aspect for a developing economy and that it would contribute towards the realization of the Big Four Agenda;</p> <p>CONCERNED THAT, in Kenya, the number of young people who have completed the primary school education but have not joined secondary schools continues to rise by the day;</p> <p>FURTHER CONCERNED THAT county governments have not prioritized youth polytechnic functions despite the polytechnics' capacity to ultimately contribute to both social and economic development;</p> <p>NOW THEREFORE the Senate calls upon each of the 47 county governments to-</p> <p>a) establish youth polytechnics in every location within their respective the areas of jurisdiction and to revamp the already existing youth polytechnics;</p> <p>b) to develop a structure/guidelines for sensitizing the youth who have completed their primary school education but have not joined form one to embrace vocational training in order to acquire the necessary skills to join the labour market.</p> | | | | | | | |

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| 70. | <p>WHEREAS maize is Kenya's staple food whose demand and supply is monitored by the government through the Strategic Grain Reserves;</p> <p>AND WHEREAS that Kenya has been experiencing maize shortage mainly due to the high cost of production, the effects of climate change and poor management of the Strategic Grain Reserves;</p> <p>NOTING that maize farmers have called to question the efficiency and capacity of the National Cereals and Produce Board (NCPB), which is the institution mandated to buy maize from farmers to continuously replenish the strategic reserves, to effectively handle and manage maize produce, forcing small-scale farmers to sell their produce to unscrupulous traders at very low prices;</p> <p>COGNIZANT that the NCPB has on many occasions declined to buy maize from farmers, claiming that its stores are full to capacity, and failed to pay the farmers whose produce it has received, thereby exposing them to severe financial problems;</p> <p>CONCERNED that although the Government has committed to supporting maize farming in Kenya in order to ensure Kenya's food security, little has been done to improve the efficiency of NCPB and protect the maize farmers from exploitation;</p> <p>AWARE that the Government, during periods of maize shortage, grants waivers to enable importation of maize duty-free;</p> <p>CONCERNED that the last duty-free window which was scheduled to terminate in October, 2017 was not terminated and that deliveries continued until late December, 2017 leading to overstocking of most NCPB stores with no clarity as to where the maize deliveries came from;</p> <p>CONCERNED that failure to properly manage the maize</p> | Tuesday 07.08.2018 | Sen. (Prof.) Margaret Kamar | Senate Majority Leader | Does not affect Counties | - | Wednesday 08.08.2018 | Adopted with amendment on Wednesday 08.08.2018 |

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| | <p>situation in Kenya could lead to disillusionment of farmers, famine, civil strife and economic sabotage;</p> <p>NOW THEREFORE, the Senate resolves to establish an Ad Hoc Committee to inquire into the maize crisis in the country and report to the Senate within sixty (60) days after the adoption of this Motion on-</p> <p>i) why farmers who have delivered their produce to NCPB have not been paid to date;</p> <p>ii) the quantity of duty-free maize imported into the country during the duty-free window which was to end in October, 2017 and why the period was extended;</p> <p>iii) the challenges facing the maize farmers and the NCPB and make recommendations on how to resolve the challenges;</p> <p>iv) the maize received by the NCPB for the 2017/18 season, to establish the suppliers; and</p> <p>v) the criteria for identification of millers and business persons involved in the importation of maize to the country.</p> <p>AND FURTHER that the following Senators be members of the Ad Hoc Committee-</p> <ol style="list-style-type: none"> 1. Sen. (Prof.) Margaret Kamar, EGH, MP; 2. Sen. Moses Wetang'ula, EGH, MP; 3. Sen. Samson Cherarkey, MP; 4. Sen. (Dr.) Christopher Langat, MP; 5. Sen. Petronila Were Lokorio, MP; 6. Sen. (Dr.) Michael Mbiti, MP; and 7. Sen. Boniface Kabaka, MP. <p>AMENDED MOTION</p> <p>WHEREAS maize is Kenya's staple food whose demand and supply is monitored by the government through the Strategic Grain Reserves;</p> <p>AND WHEREAS that Kenya has been experiencing maize shortage mainly due to the high cost of production, the effects of climate change and poor management of the Strategic Grain Reserves;</p> | | | | | | | |

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| | <p>NOTING that maize farmers have called to question the efficiency and capacity of the National Cereals and Produce Board (NCPB), which is the institution mandated to buy maize from farmers to continuously replenish the strategic reserves, to effectively handle and manage maize produce, forcing small-scale farmers to sell their produce to unscrupulous traders at very low prices;</p> <p>COGNIZANT that the NCPB has on many occasions declined to buy maize from farmers, claiming that its stores are full to capacity, and failed to pay the farmers whose produce it has received, thereby exposing them to severe financial problems;</p> <p>CONCERNED that although the Government has committed to supporting maize farming in Kenya in order to ensure Kenya's food security, little has been done to improve the efficiency of NCPB and protect the maize farmers from exploitation;</p> <p>AWARE that the Government, during periods of maize shortage, grants waivers to enable importation of maize duty-free;</p> <p>CONCERNED that the last duty-free window which was scheduled to terminate in October, 2017 was not terminated and that deliveries continued until late December, 2017 leading to overstocking of most NCPB stores with no clarity as to where the maize deliveries came from;</p> <p>CONCERNED that failure to properly manage the maize situation in Kenya could lead to disillusionment of farmers, famine, civil strife and economic sabotage;</p> <p>NOW THEREFORE, the Senate resolves to establish an Ad Hoc Committee to inquire into the maize crisis in the country and report to the Senate within sixty (60) days after the adoption of this Motion on-</p> | | | | | | | |

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| | <p>i) why farmers who have delivered their produce to NCPB have not been paid to date;</p> <p>ii) the quantity of duty-free maize imported into the country during the duty-free window which was to end in October, 2017 and why the period was extended;</p> <p>iii) the challenges facing the maize farmers and the NCPB and make recommendations on how to resolve the challenges;</p> <p>iv) the maize received by the NCPB for the 2017/18 season, to establish the suppliers; and</p> <p>v) the criteria for identification of millers and business persons involved in the importation of maize to the country.</p> <p>AND FURTHER that the following Senators be members of the Ad Hoc Committee-</p> <ol style="list-style-type: none"> 1. Sen. (Prof.) Margaret Kamar, EGH, MP; 2. Sen. Moses Wetang'ula, EGH, MP; 3. Sen. Samson Cherarkey, MP; 4. Sen. (Dr.) Christopher Langat, MP; 5. Sen. Petronila Were Lokorio, MP; 6. Sen. (Dr.) Michael Mbito, MP; 7. Sen. Boniface Kabaka, MP; 8. Sen. Erick Okong'o Mogeni; and 9. Sen. Mary Seneta. | | | | | | | |
| 71. | <p>THAT, this House adopts the Report of the Sessional Committee on County Public Accounts and Investments on the inquiry into possible loss of funds through the acquisition of Land LR. No.7879/4 (part) by the National Land Commission, for use by two public schools (Ruaraka High School and Drive-In Primary School), Nairobi City County, laid on the Table of the House on Wednesday, 8th August, 2018.</p> | Wednesday 08.08.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | Sen. Ledama Olekina | Affects Counties | AYES - 15 NOES - 4 ABST - 0 | Thursday 20.09.2018 | Division Tuesday 27.11.2018 Motion Negatived |
| 72. | <p>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;</p> | Wednesday 08.08.2018 | Chairperson, Senate Standing Committee on Justice, Legal Affairs and Human | Sen. Mutula Kilonzo Jnr. | Does not affect counties | - | Wednesday 08.08.2018 | Adopted without amendment on Wednesday 08.08.2018 |

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| | <p>APPRECIATING, that the duration accorded to the Committee to consider the Motion lapsed on 31st July, 2018;</p> <p>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;</p> <p>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.</p> | | Rights | | | | | |
| 73. | <p>AWARE THAT tourism is amongst key sectors of Kenya's economy contributing billions of shillings to the country as well as generating employment and livelihoods to millions of citizens;</p> <p>FURTHER AWARE THAT, Kenya is endowed with different wildlife species which contribute substantially to the national economy through tourism.</p> <p>NOTING THAT, cases of human-wildlife conflict are on the rise as a result of many factors key among them climate change and encroachment on parks and nature reserves leading to deaths and maiming of people by wild animals;</p> <p>FURTHER NOTING THAT there's need to create a conducive environment for peaceful coexistence of humans and wildlife in the same space given the importance of wildlife not only to our economy but ecology as well;</p> <p>CONCERNED that victims and families of victims of human-wildlife conflict are not being compensated for loss of lives, being maimed or loss of means of livelihood due to failure of the Treasury to allocate adequate funds for this purpose contrary to the Wildlife Compensation Management Act 2013;</p> <p>FURTHER CONCERNED that the regions and communities hosting the wildlife are marginalized and do not benefit from the proceeds of wildlife tourism in their area;</p> | Tuesday 12.09.2018 | Sen. Johnes Mwaruma | Sen. (Dr.) Alice Milgo | Does not affect counties | - | Tuesday 06.11.2018 Thursday 08.11.2018 | Adopted without amendment on Thursday 08.11.2018 |

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| | <p>NOW THEREFORE the Senate calls upon the National Government to-</p> <ol style="list-style-type: none"> 1. Allocate adequate funds during the current financial year and subsequent years for compensation; 2. Ensure that victims and families of victims of human-wildlife conflict are always compensated within 90 days of submitting their claims; and 3. Come up with innovative ways of ensuring host communities benefit from the revenue accruing from wildlife tourism. | | | | | | | |
| 74. | <p>AWARE THAT the Senate passed a Motion establishing an Ad-Hoc Committee to conduct an inquiry into the challenges facing the tea sector in Kenya on 14th March, 2018;</p> <p>FURTHER AWARE THAT the Committee was required to table a Report to the Senate within five months from the date of establishment;</p> <p>CONCERNED THAT the duration accorded to the Committee lapsed on 15th August, 2018 while the Senate was on recess;</p> <p>REGRETTING THAT, due to the heavy workload, the Committee is yet to conclude its inquiry and requires more time;</p> <p>NOW, THEREFORE, the Senate resolves to extend the mandate and duration of the Committee by a further sixty (60) days to enable the Committee to conclude its work and table a report in the Senate.</p> | Tuesday 12.09.2018 | Sen. Aaron Cheruiyot | Sen. Okong'o Omogeni | Does not affect counties | - | Thursday 13.09.2018 | Adopted without amendment on Thursday 13.09.2018 |
| 75. | <p>THAT, pursuant to Standing Orders 187, 189 and 218, the Senate approves the nomination of Sen. Fred Outa, MP to serve in the Standing Committee on Health.</p> | Thursday 13.09.2018 | Senate Majority Leader | Senate Minority Whip | Does not affect counties | - | Thursday 13.09.2018 | Adopted without amendment on Thursday 13.09.2018 |
| 76. | <p>THAT, the Senate notes the report of the Standing Committee on Labour and Social Welfare on the nomination to the Parliamentary Service Commission and approves the appointment of Hon. Samuel Kiprono Chepkong'a as a member of the Parliamentary Service</p> | Thursday 13.09.2018 | Senate Majority Leader on behalf of the Chairperson, | Sen. (Dr. Isaack Mwaura) | Does not affect counties | | Thursday 13.09.2018 | Adopted without amendment on Thursday 13.09.2018 |

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| | Commission pursuant to Article 127(2)(d) of the Constitution. | | Standing Committee on Labour and Social Welfare | | | | | |
| 77. | THAT , the Senate adopts the report of the Standing Committee on Finance and Budget on its consideration of the County Governments Cash Disbursement Schedule for the Financial Year 2018/2019, laid on the Table of the Senate on Thursday, 13th September, 2018. | Thursday 13.09.2018 | Chairperson, Standing Committee on Finance and Budget | Sen. Mutula Kilonzo Jnr. | Affects Counties | AYES 26 NOES 0 ABST 0 | Tuesday 18.09.2018 Wednesday 19.09.2018 Thursday 20.09.2018 | Adopted without amendment on Thursday 20.09.2018 |
| 78. | That the Senate Adjourns pursuant to the provisions of standing order 34 to discuss a definite matter of urgent national importance relating to the taxation burden on Kenyans | Thursday 20.09.2018 | Sen. Moses Wetangul | Sen. Farhiya Haji | Does not affect Counties | - | Thursday 20.09.2018 | Resolved without question put pursuant to Standing Orders |
| 79. | COGNIZANT THAT Eliud Kipchoge broke the world marathon record held by a fellow Kenyan athlete Dennis Kimetto during the 2018 Berlin Marathon held on Sunday, 16th September, 2018; AWARE THAT Kenya has earned international respect in athletics over the years courtesy of such hard work and stellar performance by our athletes in both on and off the field events which has brought us together as a country and encouraged cohesion in line with our National Anthem; FURTHER AWARE THAT athletics has created significant economic opportunities and infrastructure in the Rift Valley creating thousands of jobs for many would be jobless youth, thus engaging them in a productive and meaningful manner for purposes of nation building; FURTHER AWARE THAT the youth are a critical component of the Big 4 agenda by the government and that development of athletics will lead to more productivity by a significant population of the youth who constitute a formidable part of the demographic structure of the country; COGNIZANT THAT more support from the government is needed to fight the doping menace that has bedevilled | Tuesday 25.09.2018 | Senate Majority Leader | Senate Minority Leader | Does not affect counties | - | Wednesday 26.09.2018 | Adopted without amendment on Wednesday 26.09.2018 |

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| | <p>our athletes and to encourage and motivate young and upcoming athletes to strive for excellence untainted by the vice;</p> <p>NOTING THAT performances by our sportsmen and women are indeed commendable and deserve special recognition, the Senate now commends Mr. Eliud Kipchoge for his excellent performance in the Marathon and specifically for breaking the world marathon record and urges the national government to-</p> <p>a) Set aside additional funds to improve sports facilities;</p> <p>b) Establish a conducive environment in the country by giving incentives to investors in the sports sector;</p> <p>c) Provide psychosocial support to active and former athletes including a pension scheme; and</p> <p>d) Create a fund to cushion athletes who are forced to early retirement due to illness, injury or other circumstances.</p> | | | | | | | |
| 80. | <p>THAT, AWARE that the Senate passed a Motion establishing an Ad Hoc Committee to conduct an inquiry into the challenges facing the maize sector in Kenya, on Wednesday, 8th August, 2018;</p> <p>FURTHER AWARE that the Committee was required to table a Report to the Senate within 60 days from the date of establishment;</p> <p>CONCERNED that the duration accorded to the committee will lapse on 13th October, 2018;</p> <p>REGRETTING, that due to the heavy workload, the Committee is yet to conclude its inquiry and requires more time;</p> <p>NOW THEREFORE, the Senate resolves to extend the mandate and duration of the committee by a further forty Five (45) days to enable the Committee to conclude its work and table a report in the Senate.</p> | Tuesday 09.10.2018 | Sen. Mary Seneta of behalf of the Chairperson, Ad Hoc Committee on the Maize Crisis | Sen. James Orenge | Does not affect counties | - | Thursday 11.10.2018 | Adopted without amendment on Thursday 11.10.2018 |
| 81. | <p>THAT, the Senate notes the Report of the Kenya delegation to the 39th Annual Forum of Parliamentarians for Global Action laid on the Table of the House on Thursday 11.10.2018.</p> | Thursday 11.10.2018 | Sen. Mutula Kilonzo Jnr. | | | | | |

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| 82. | <p>WHEREAS Menstrual Health management among women and girls in Kenya has been a major issue particularly for the low income earners with about 65% of women and girls in the country who can barely afford sanitary towels each month;</p> <p>AWARE that many girls and women are severely affected during menstrual cycle and are not able to consistently attend and concentrate in class and school work leading to poor performance;</p> <p>FURTHER AWARE that if not handled appropriately menstruation can cause infections of the urinary tract and pelvic inflammatory diseases as well as bad odour, soiled garments and embarrassment, ultimately leading to infringement on the girls' dignity and other health related complications;</p> <p>COGNIZANT that Menstrual Health Management (MHeM) is a health as well as an education issue and therefore a critical developmental hindrance in Kenya with statistics indicating that one in ten adolescent girls miss school and eventually drop out of school due to menstruation-related issues;</p> <p>RECOGNIZING menstrual hygiene and affordable access to menstrual hygiene products is inextricably linked to rights to health, sanitation, education and dignity among other rights;</p> <p>NOTING that the Basic Education Act, No.14 of 2013 obligates the government to provide free, sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty;</p> <p>CONCERNED that the cost of sanitary towels is too high and out of reach for many girls and women who are out of basic education institutions;</p> <p>FURTHER CONCERNED that classifying and taxing raw materials for locally produced sanitary towels, as luxury items, is counter-productive to the government policies on enhancing the manufacturing sector and distribution of sanitary towels to schools;</p> <p>NOW THEREFORE, the Senate resolves that the Government-</p> <p>a. prioritises gender sensitive budgeting as a way of</p> | Tuesday 23.10.2018 | Sen. Halake Abshiro | Sen. Sylvia Kasanga | Does not affect counties | - | Thursday 22.11.2018 | Adopted without amendment on Thursday 22.11.2018 |

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| | addressing issues affecting women and girls; specifically menstrual health matters. b. initiates measures to ensure zero rating of duty on raw materials used for locally manufactured sanitary towels and zero rating Value Added Tax (VAT) on locally manufactured sanitary towels, to ensure affordability for the many poor households in Kenya; and c. advance further tax incentives to manufacturers for cheaper production of sanitary towels. | | | | | | | |
| 83. | THAT , pursuant to Standing Orders 28 and 29, the Senate do adjourn until Tuesday, 6 th November, 2018. | Thursday 25.10.2018 | Senate Majority Whip | Sen. Halake Abshiro | Does not affect counties | Division | Thursday 25.10.2018 | Adopted without amendments on Thursday 25.10.2018 |
| 84. | THAT , this House adopts the Report of the Sessional Committee on County Public Accounts and Investments on the inquiry into the Financial Operations of the Kiambu, Busia, Kwale, Tana River, Trans Nzoia, Nyandarua, Migori, Kisumu, Samburu, Kericho, Bomet, Bungoma, Garissa, Isiolo, Kitui, Lamu, Makeni, Mandera, Marsabit, Meru, Mombasa, Nyamira, Taita Taveta, Uasin Gishu, Vihiga and Wajir County Executives for the Financial Year 2013/2014 (1st July, 2013 – 30th June, 2014). | Wednesday 14.11.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | | | | | |
| 85. | THAT , this House adopts the Report of the Sessional Committee on Public Accounts and Investments on Fiduciary Risk regarding issues raised by the Auditor General on public financial management by County Governments for Financial Years 2013/14 – 2015/16. | Wednesday 14.11.2018 | Chairperson, Sessional Committee on County Public Accounts and Investments | | | | | |
| 86. | THAT , pursuant to Standing Orders 187 and 189, the House approves the nomination of Sen. George Ochilo Ayacko Mbogo, EGH, MP to serve in the following Select Committees of the Senate – (i) Standing Committee on Agriculture, Livestock and Fisheries. (ii) Standing Committee on National Cohesion, Equal | Tuesday 20.11.2018 | Senate Deputy Majority Leader | Senate Minority Leader | Does not affect counties | - | Wednesday 21.11.2018 | Adopted without amendments on Wednesday 21.11.2018 |

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| | Opportunity and Regional Integration. | | | | | | | |
| 87. | THAT , this House adopts the Report of the of the Ad-hoc Committee on the inquiry of Maize crisis in Kenya laid on the Table of the Senate on 27th November, 2018. | Tuesday 27.11.2018 | Vice Chairperson of the Ad-hoc Committee on the inquiry of the Maize crisis in Kenya | | | | | |
| 88. | <p>THAT, AWARE THAT the Postal Corporation of Kenya is a state-owned Corporation established by the Postal Corporation of Kenya Act, (CAP 411) and operates as a commercial public enterprise;</p> <p>FURTHER AWARE that the Corporation's mandate includes provision of accessible, affordable and reliable Postal Services to all parts of the country in line with its Mission to deliver innovative superior communication, distribution and financial solutions to its customers and create value to stakeholders;</p> <p>NOTING THAT the corporation has remained the most accessible, affordable and effective communications platform in Kenya with a total of 623 outlets spread across the country;</p> <p>CONCERNED THAT that the Corporation has very attractive and innovative services and a developed infrastructure that is underutilized, hampering efforts to carry out its mandate as enshrined in the Act;</p> <p>ACKNOWLEDGING THAT the Corporation would see a much needed revival if included in the Government connectivity project through the National Optic Fibre Backbone project (NOFBI), aimed at ensuring connectivity in all the 47 counties of Kenya whose implementation aims to ease communication across counties as well as improve government service delivery to the citizens such as application of national identity</p> | Tuesday 27.11.2018 | Sen. Cleophas Malalah | | | | | |

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| | <p>cards, passports and registration of births and deaths;</p> <p>NOW THEREFORE, the Senate calls upon the Ministry of Information, Communication and Technology in collaboration with the National Treasury, to:</p> <p>a) ensure fair distribution of postal outlets throughout the country with at least ten (10) functional Postal outlets in each of the 47 counties of Kenya;</p> <p>b) channel Government cash disbursements like the women fund, youth fund and the fund for senior citizens through the Corporation to enable the Corporation earn revenue through commissions charged;</p> <p>c) channel Government mail delivery, and clearing and forwarding services to the Corporation; and,</p> <p>d) channel Government Courier and logistical services through the Corporation</p> | | | | | | | |
| 89. | <p>THAT, this House adopts the Report of the Standing Committee on Finance and Budget on the County Governments' infrastructure projects comprising County Executive Headquarter offices, Assembly Chambers and offices and County State officers' residences, laid on the Table of the Senate on Thursday, 29th November, 2018.</p> | Thursday 29.11.2018 | Chairperson, Standing Committee on Finance and Budget | | | | | |
| 90. | <p>THAT WHEREAS Article 43 (1)(f) of the Constitution of Kenya explicitly provides for the right to education for all;</p> <p>AND WHEREAS Article 24 of the Convention of the Rights of Persons with Disability (CRPD) recognizes the right of persons with disabilities to education without discrimination and on the basis of equal opportunity and that State Parties shall ensure an inclusive education system at all levels and lifelong learning directed to among others, the full development of the dignity and human potential of persons with disabilities;</p> <p>NOTING THAT Dyslexia is a form of disability that involves difficulty in learning to read or interpret words, letters, and other symbols, but does not affect general intelligence;</p> <p>COGNIZANT THAT with the appropriate intervention,</p> | Thursday 29.11.2018 | Sen. (Dr.) Getrude Musuruve | | | | | |

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| | <p>dyslexic children have talents that can be nurtured in an inclusive setting;</p> <p>DEEPLY CONCERNED THAT lack of appropriate curriculum for dyslexic learners in public schools disadvantages such learners resulting to failure to maximize their full potential;</p> <p>NOW THEREFORE the Senate calls upon the national government through the Ministry of Education to:</p> <ol style="list-style-type: none"> 1. ensure that educational needs of dyslexic learners are catered for in all public schools; 2. ensure a differentiated curriculum for dyslexic children is developed and accommodated within the regular curriculum; 3. allocate funds for purpose of developing Special Needs Education (SNE) support materials and resources for dyslexic children in regular public schools; and, 4. ensure that an inclusive mechanism is put in place to facilitate economic empowerment of dyslexic children as they transit from school to the work place. | | | | | | | |