



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (FIFTH SESSION)
THE SENATE
ORDER PAPER

THURSDAY, FEBRUARY 25, 2021 AT 2.30 P.M.

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Statements (as listed in the Appendix)
8. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE 2021 BUDGET POLICY STATEMENT AND MEDIUM TERM DEBT MANAGEMENT STRATEGY**
(Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate, adopts the Report of the Standing Committee on Finance and Budget on the 2021 Budget Policy Statement and Medium Term Debt Management Strategy, laid on the Table of the Senate on Wednesday, 24th February, 2021, and pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order 180 (7) of the Senate, approves the 2021 Budget Policy Statement.

9. ***THE COOPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2020)**
(Sen. (Dr.) Agnes Zani, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 17th February, 2021)
(Division)

...../Motion

10. **MOTION - ADOPTION OF REPORTS OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON AUDIT REPORTS FOR COUNTY EXECUTIVES FOR FINANCIAL YEARS 2015/2016, 2016/2017, AND 2017/2018 (VOLUMES I, II AND III)**

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

THAT this House adopts the Reports of the Sessional Committee on County Public Accounts and Investments on the consideration of the Audit Reports of the following County Executives for the Financial Years 2015/2016, 2016/2017, and 2017/2018, laid on the Table of the Senate on Thursday, 11th February, 2021 –

(i) **Volume I -**

- a) Baringo
- b) Elgeyo Marakwet
- c) Homa Bay
- d) Kakamega
- e) Kiambu

(ii) **Volume II -**

- a) Kisii
- b) Mandera
- c) Mombasa
- d) Taita Taveta
- e) Kilifi

(iii) **Volume III -**

- a) Garissa
- b) Wajir
- c) Narok
- d) Kericho
- e) Lamu

***(Resumption of debate interrupted on Tuesday, 23rd February, 2021)
(Division)***

11. **MOTION - ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE EARLY CHILDHOOD EDUCATION BILL (SENATE BILLS NO. 26 OF 2018)**

(Chairperson, Mediation Committee)

THAT this House adopts the Report of the Mediation Committee on the consideration of the Early Childhood Education Bill (Senate Bills No. 26 of 2018), laid on the Table of the Senate on Thursday, 18th February, 2021,

...../Motion

and pursuant to Article 113 of the Constitution and Standing Order 161 (3) of the Senate Standing Orders, approves the mediated version of the Bill.

***(Resumption of debate interrupted on Wednesday, 24th February, 2021)
(Division)***

12. **MOTION - ADOPTION OF REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON AUDIT REPORTS FOR COUNTY EXECUTIVES FOR FINANCIAL YEAR 2014/2015 (1ST JULY, 2014 TO 30TH JUNE, 2015)**

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

THAT this House adopts the Report of the Sessional Committee on County Public Accounts and Investments on the consideration of the Audit Reports of the Bomet; Homa Bay; Isiolo; Kakamega; Kiambu; Laikipia; Kisumu; Mandera; Migori; Mombasa; Murang’a; Nandi; Nyeri; Samburu; Siaya; Tana River; Tharaka Nithi; Trans Nzoia; Turkana and Wajir County Executives for the Financial Year 2014/2015 (1st July, 2014 to 30th June, 2015), laid on the Table of the Senate on Thursday, 18th February, 2021.

(Resumption of debate interrupted on Wednesday, 24th February, 2021)

13. **MOTION - FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES**

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

THAT, WHEREAS Kenya is a multi-ethnic and multi-racial country with rich and diverse cultural resources such as traditional medicine and foods, arts, craft, music, dances, dress among others;

AWARE THAT, the Constitution, in its preamble acknowledges the cultural diversity of the Kenyan people who are determined to live in peace and unity as one indivisible sovereign nation whilst, Article 11 of the Kenyan Constitution recognizes culture as the foundation of the nation;

NOTING that, while the Department of Culture under the Ministry of Sports, Culture and Heritage has been playing some of the key roles in promotion of cultural integration, formulation of policies and standards that will guide the development of culture, little information has been available to the Kenyan public;

ACKNOWLEDGING , that culture performs a significant role in the life of a child, the cultural background in which a child is brought up affects the totality of his or her life’s activities;

...../Motion

CONCERNED, that our children are losing their sense of identity due to the negative influences due to inadequate cultural identity catalyzed by

globalization which has led to catastrophic consequences to the next generation as experienced in our country where a majority of young people are showing symptoms of feeling suicidal, anxious, feeling of hopelessness, anger, violence, feeling isolated, and paranoia;

NOW THEREFORE, the Senate urges the Cabinet Secretary, Ministry of Sports, Culture and Heritage to –

- a) Formulate cultural development policies and initiatives to inculcate stronger community values, safeguard Kenya’s heritage, recognize local heroes and promote socio-cultural opportunities in the counties; and
- b) Formulate strategies to create an enabling environment for protection and promotion of diversity of cultural expressions in all counties.

14. **MOTION - PARKING CHARGES IN PUBLIC INSTITUTIONS OFFERING ESSENTIAL SERVICES**

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

THAT, AWARE THAT, many urban areas and towns in Kenya lack designated car parking areas as a result of imbalance between parking supply and demand mainly due to ineffective land use planning and miscalculations of space requirements, thereby leading to exorbitant parking fees;

NOTING THAT, most essential services offered in hospitals, educational institutions and other public utilities are offered in urban centers, shopping malls and other designated areas that charge parking fees to access;

ACKNOWLEDGING, that whether they are delivered by public or private providers, essential services such as health, banking, education and other utilities are considered to be public services because they are public goods that sustain the well-being of every citizen and help in the development of the society as a whole;

CONCERNED, that access to hospitals, educational institutions and other places offering essential services might be hindered due to exorbitant parking fees levied on motorists accessing these services;

...../Motion

FURTHER CONCERNED, that charging entry fees amount to double taxation as the motorists who would have paid the parking fees will still pay for the services they seek;

NOW THEREFORE, the Senate urges the Cabinet Secretary for Lands, Housing and Physical Planning together with the Council of Governors to come up with a policy framework to create an enabling environment for protection of motorists accessing essential services from paying exorbitant fees for parking.

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NOTICE

1. The Senate resolved on 10th February, 2021, as follows:-

THAT, pursuant to Standing Order 106 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

2. **THAT**, pursuant to Standing Order 251A and 251B, the sitting will be a hybrid virtual sitting consisting of Senators who are physically present in the Senate Chamber and Senators participating virtually from a remote location through **Zoom** online meeting platform, as per guidelines issued by the Speaker pursuant to Standing Order 251A(4).

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KEY

****- Denotes a Majority / Minority Party Bill

***- Denotes a National Assembly Bill

** - Denotes a Committee Bill

*- Denotes any other Bill

APPENDIX

1. PAPERS

- i) Report of the Auditor General on the Financial Statements of Kisii County Assembly for the year ended 30th June, 2019;
- ii) Report of the Auditor General on the Financial Statements of Kisii County Executive for the year ended 30th June, 2019;

(Senate Majority Leader)

2. STATEMENTS

a) Pursuant to Standing Order 48 (1)

- i) The Senator for Murang'a County, (Sen. Irungu Kang'ata, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the arrest of Sen. Susan Kihika and others, that occurred in Nakuru on 20th February, 2021.
- ii) The Senator for Homa Bay County, (Sen. Moses Otieno Kajwang', MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding dredging and sand harvesting activities around Takawiri Island in Lake Victoria.
- iii) Seneta wa Kaunti ya Mombasa (Sen. Mohamed Faki, MP) kuomba kauli kutoka kwa Kamati ya Barabara na Uchukuzi kuhusu uboreshaji wa barabara ya Mshomoroni-Mwakirunge kufikia hali ya barabara ya lami.
- iv) The Senator for Nandi County, (Sen. Samson Cherargey, MP) to seek a statement from the Standing Committee on Information and Technology on the status of access to information regulations, as provided for in the Access to Information Act of 2016.
- v) The Senator for Nandi County, (Sen. Samson Cherargey, MP) to seek a statement from the Standing Committee on Justice, Legal Affairs and Human Rights on the operationalization of the proposed Legal Aid Fund provided for in the Legal Aid Act of 2016.
- vi) Nominated Senator, (Sen. (Dr) Isaac Mwaura, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding National Government interventions to cushion persons with developmental disabilities, in line with the Big Four Agenda on Universal Health Coverage (UHC).

- vii) Nominated Senator, (Sen. (Dr) Isaac Mwaura, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding the implementation of the guidelines of the Ministry of Public Service, Youth and Gender Affairs on retirement age of public servants with disabilities.

b) Pursuant to Standing Order 52 (1)

The Senate Majority Leader to issue a statement on the Business of the Senate for the week commencing Tuesday, 2nd March, 2021.

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