



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

WEDNESDAY, FEBRUARY 10, 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 (as listed in the Appendix)
7. Statements (as listed in the Appendix)
8. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON MOTIONS**
(The Senate Majority Leader)

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.

9. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON ADJOURNMENT MOTION**
(The Senate Majority Leader)

THAT, notwithstanding the provisions of Standing Order 106 (1), 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

...../Motion

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.

10. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON MOTION ON THE ADDRESS BY HIS EXCELLENCY THE PRESIDENT**

(The Senate Majority Leader)

THAT, pursuant to Standing Order 106 (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.

11. ***THE MUNG BEANS BILL (SENATE BILLS NO. 9 OF 2020)**

(Sen. Enoch Wambua, MP)

(Second Reading)

12. ***THE COOPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2020)**

(Sen. (Dr.) Agnes Zani, MP)

(Second Reading)

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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) Bi-Annual Report for the Commission on Administrative Justice for the period January to June 2020.
- ii) Annual Report of the National Gender and Equality Commission for the year 2018/2019.
- iii) Report of the Council of Governors Statutory Report for the year 2019/2020.
- iv) Report of National Government Budget Implementation Review for the first quarter for the Financial Year 2020/2021.
- v) Report of the County Governments Budget Implementation Review for the Financial Year 2020/2021.
- vi) Special Report of the Auditor General on Utilization of the Covid – 19 Funds by the County Governments.
- vii) Special Report of the Auditor General on Financial Operations of the Bomet County Executive for the Financial Year 2015/2016.
- viii) Report of the Auditor General on the Financial Statements of the County Assembly of Turkana for the year ended 30th June, 2019
- ix) Report of the Auditor General on the Financial Statements of the County Executive of Turkana for the year ended 30th June, 2019.
- x) Report of the Auditor General on the Financial Statements of Migori County Assembly for the year ended 30th June, 2019
- xi) Report of the Auditor General on the Financial Statements of Migori County Executive for the year ended 30th June, 2019.
- xii) Report of the Auditor General on the Financial Statements of the County Assembly of Kisumu for the year ended 30th June, 2019
- xiii) Report of the Auditor General on the Financial Statements of the County Executive of Kisumu for the year ended 30th June, 2019.
- xiv) Report of the Auditor General on the Financial Statements of the County Assembly of Wajir for the year ended 30th June, 2019
- xv) Report of the Auditor General on the Financial Statements of Wajir County Executive for the year ended 30th June, 2019.

(The Senate Majority Leader)

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2. NOTICES OF MOTION

i) **DEVELOPMENT OF DAY CARE POLICY IN THE COUNTIES AND DEPARTMENT OF BASIC EDUCATION**

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

THAT, AWARE THAT, Constitution of Kenya (Article 53) affirms that children have basic rights, including the right to education, nutrition, shelter, health care and parental care, provisions that are aligned with those cited in both the Convention on the Rights of the Child and the Africa Charter on the Rights and Welfare of the Child, to which Kenya is a signatory;

CONCERNED THAT, the current status of day care facilities in the Country are not child friendly or habitable and there is need to bridge this gap to capture the play group class in the new 2-6-3-3-3 curriculum that is replacing the 32 year old 8-4-4 system;

ACKNOWLEDGING THAT, most working parents lack quality Day care facilities, as the playgroup is a safe place for them to take their children while they are at work;

NOW THEREFORE, the Senate urges that the Council of Governors in conjunction with the Ministry of Education ensure that:

- a) Counties allocate at least 10 percent of their budget on Early Childhood Development Education (ECDE) towards this vulnerable group; and,
- b) Policy is developed to incorporate the needs of children who are less than three years of age.

ii) **FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES**

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

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;

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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;

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.

3. STATEMENTS

a) Pursuant to Standing Order 47 (1)

The Senator for Trans-Nzoia County (Sen. (Dr.) Michael Mbiti, MP) to make a statement regarding the quality of salt in the Kenyan market.

b) Pursuant to Standing Order 48 (1)

- i) The Senator for Kakamega County (Sen. Cleophas Malalah, MP) to seek a statement from the Standing Committee on Tourism, Trade and Industrialization concerning alleged multiple tax payment by lorries and trucks transporting building materials across counties in Kenya.
- ii) Nominated Senator, (Sen. Falhada Iman, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations on the alleged arson attack on the Garissa County Assembly facilities.
- iii) Nominated Senator, (Sen. Petronilla Were Lokorio, MP) to seek a statement from the Standing Committee on Labour and Social Welfare on the status and operations of the Kenya Scouting Association (KSA).

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- iv) The Senator for Wajir County, (Sen. (Dr.) Abdullahi Ali, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding abduction, disappearance and murder of members of the public in Wajir County.
- v) Nominated Senator, (Sen. Beatrice Kwamboka, MP) to seek a statement from the Standing Committee on Education regarding the state of affairs at Wangu Primary School in Dandora Phase II, Nairobi City County.
- vi) Nominated Senator, (Sen. Falhada Iman, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding rampant police harassment of civilians while enforcing the COVID-19 protocols and guidelines.
- vii) Nominated Senator, (Sen. Beatrice Kwamboka, MP) to seek a statement from the Standing Committee on Education on the rise in incidents of fires in learning institutions in the Country.

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