



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

**WEDNESDAY, DECEMBER 01, 2021 AT 2.30 P.M.**

**PRAYER**

1. Administration of Oath
2. Communication from the Chair
3. Messages (as listed in the Appendix)
4. Petitions (as listed in the Appendix)
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Statements (as listed in the Appendix)
8. **MOTION - DEBATE ON THE PRESIDENT'S ADDRESS TO PARLIAMENT – (2<sup>ND</sup> DAY)**  
(The Senate Majority Leader)

**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 His Excellency the President, delivered on Tuesday, 30<sup>th</sup> November, 2021 and further that 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 Senate on Wednesday, 1<sup>st</sup> December, 2021 -

- i) The Eighth (8<sup>th</sup>) State of the Nation Address by His Excellency the President delivered at a Special Sitting of Parliament on Tuesday, 30<sup>th</sup> November, 2021;
- ii) The Eighth (8<sup>th</sup>) Annual Report (2020), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance;
- iii) The Eighth (8<sup>th</sup>) Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya;
- iv) The Annual Report to Parliament on the State of National Security, 2021; and

...../Motion

- v) The Kenya Business Climate Reforms Milestones Report for the year 2020-2021

***(Resumption of debate interrupted on Wednesday, 1<sup>st</sup> December, 2021 – Morning Sitting)***

9. **\*THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 22 OF 2021)**

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

*(Second Reading)*

***(Resumption of debate interrupted on Tuesday, 2<sup>nd</sup> November, 2021) (Division)***

10. **\*THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 17 OF 2021)**

(Sen. Ledama Olekina, MP)

*(Second Reading)*

***(Resumption of debate interrupted on Tuesday, 2<sup>nd</sup> November, 2021) (Division)***

11. **\*\*THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL, (SENATE BILLS NO. 37 OF 2021)**

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 4<sup>th</sup> November, 2021) (Division)***

12. **\*THE COUNTY GOVERNMENTS (AMENDMENT) BILL, (SENATE BILLS NO. 38 OF 2021)**

(Sen. Moses Kajwang', MP)

*(Second Reading)*

***(Resumption of debate interrupted on Tuesday, 16<sup>th</sup> November, 2021) (Division)***

13. **\*THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 9 OF 2021)**

(Sen. Kipchumba Murkomen, MP)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 18<sup>th</sup> November, 2021) (Division)***

14. **\*\*\*THE NATIONAL HEALTH INSURANCE FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 21 OF 2021)**

(The Senate Majority Leader)

*(Second Reading)*

15. **\*THE NATIONAL COHESION AND PEACE BUILDING BILL (SENATE BILLS NO. 19 OF 2021)**

(Sen. Judith Pareno, MP)

*(Second Reading)*

16. **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;

**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.

***(Resumption of debate interrupted on Tuesday, 14<sup>th</sup> September, 2021)***

**NOTICE**

1. **THAT**, pursuant to Standing Order 251A and 251B, the sitting will be a hybrid 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).
  
2. The Senate resolved on 10<sup>th</sup> February, 2021, as follows:-
  - i) **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.
  
  - ii) **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. –

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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. MESSAGE**

Message from the National Assembly on the passage, by the National Assembly, of the Sugar Bill (National Assembly Bills No. 68 of 2019)

*(The Speaker of the Senate)*

**2. PETITIONS**

- i) Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Mr. Taratisio Ileri Kawe regarding the state of the Inua Jamii Programme.
- ii) Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Residents of Kericho County and Members representing Early Childhood Development Education (ECDE) Teachers' Association concerning the recruitment and remuneration of Early Childhood Development Education (ECDE) Teachers in Kericho County.

*(The Chairperson, Standing Committee on Labour and Social Welfare)*

- iii) Petition to the Senate by Hon. James Wahome Ndegwa, MBS, the Speaker of Nyandarua County Assembly, concerning paralysis of the operations of the Nyandarua County Assembly.

*(The Speaker of the Senate)*

- iv) Petition to the Senate regarding unlawful and arbitrary deprivation of land, Internal Displacement of Persons, trespass to land, delayed and non-compensation in respect of way leaves and public rights of way required for irrigation infrastructure and unnecessary, prolonged and inordinate delay in undertaking full implementation of the Lower Kuja irrigation development project in Nyatike Sub County of Migori County, by the management of the National Irrigation Authority.

*(Sen. George Ochilo Ayacko, MP)*

**2. PAPERS**

- i) The 2022 Budget Policy Statement.
- ii) The 2022 Medium Term Debt Management Strategy.
- iii) The Draft Division of Revenue Bill, 2022.
- iv) The Draft County Allocation of Revenue Bill, 2022.

- v) The Council of Governors Annual Statutory Report for the year 2020/2021.
- vi) State of the Judiciary and the Administration of Justice Annual Report for the year 2020/2021.
- vii) Report of the Auditor General on the Financial Statements of Machakos County Executive for the year ended 30<sup>th</sup> June 2020.
- viii) Report of the Auditor General on the Financial Statements of Machakos County Assembly for the year ended 30<sup>th</sup> June 2020.
- ix) Report of the Auditor General on the Financial Statements of Kitui County Executive for the year ended 30<sup>th</sup> June 2020.
- x) Report of the Auditor General on the Financial Statements of Kitui County Assembly for the year ended 30<sup>th</sup> June 2020.
- xi) Report of the Auditor General on the Financial Statements of Makeni County Executive for the year ended 30<sup>th</sup> June 2020.
- xii) Report of the Auditor General on the Financial Statements of Makeni County Assembly for the year ended 30<sup>th</sup> June 2020.
- xiii) Report of the Auditor General on the Financial Statements of Lamu County Executive for the year ended 30<sup>th</sup> June 2020.
- xiv) Report of the Auditor General on the Financial Statements of Lamu County Assembly for the year ended 30<sup>th</sup> June 2020.
- xv) Report of the Auditor General on the Financial Statements of Lamu County Bursary and Scholarship Fund for the year ended 30<sup>th</sup> June 2019.
- xvi) Report of the Auditor General on the Financial Statements of Kakamega County Maternal Child Health and Family Planning Fund for the year ended 30<sup>th</sup> June 2019.
- xvii) Report of the Auditor General on the Financial Statements of Bungoma County Executive for the year ended 30<sup>th</sup> June 2020.
- xviii) Report of the Auditor General on the Financial Statements of Bungoma County Assembly for the year ended 30<sup>th</sup> June 2020.
- xix) Report of the Auditor General on the Financial Statements of Bungoma County Disability Empowerment Fund for the year ended 30<sup>th</sup> June 2019.

- xx) Report of the Auditor General on the Financial Statements of Mandera County Executive for the year ended 30<sup>th</sup> June 2020.
- xxi) Report of the Auditor General on the Financial Statements of Mandera County Assembly for the year ended 30<sup>th</sup> June 2020.
- xxii) Report of the Auditor General on the Financial Statements of Garissa County Executive for the year ended 30<sup>th</sup> June 2020.
- xxiii) Report of the Auditor General on the Financial Statements of Garissa County Assembly for the year ended 30<sup>th</sup> June 2020.
- xxiv) Report of the Auditor General on the Financial Statements of Vihiga County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June 2019.
- xxv) Report of the Auditor General on the Financial Statements of Kericho County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2019.
- xxvi) Report of the Auditor General on the Financial Statements of Uasin Gishu County Enterprise Development Fund for the year ended 30<sup>th</sup> June 2019.
- xxvii) Report of the Auditor General on the Financial Statements of Vihiga County Executive for the year ended 30<sup>th</sup> June 2020.
- xxviii) Report of the Auditor General on the Financial Statements of Vihiga County Assembly for the year ended 30<sup>th</sup> June 2020.
- xxix) Report of the Auditor General on the Financial Statements of Kisii County Executive for the year ended 30<sup>th</sup> June 2020.
- xxx) Report of the Auditor General on the Financial Statements of Kisii County Assembly for the year ended 30<sup>th</sup> June 2020.
- xxxi) Report of the Auditor General on the Financial Statements of Meru County Executive for the year ended 30<sup>th</sup> June 2020.
- xxxii) Report of the Auditor General on the Financial Statements of Meru County Assembly for the year ended 30<sup>th</sup> June 2020.
- xxxiii) Report of the Auditor General on the Financial Statements of Marsabit County Executive for the year ended 30<sup>th</sup> June 2020.
- xxxiv) Report of the Auditor General on the Financial Statements of Marsabit County Assembly for the year ended 30<sup>th</sup> June 2020.

*(The Senate Majority Leader)*

- xxxv) Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on the Ethnic Diversity and inclusivity at the Kenya Maritime Authority (KMA) and the Kenya Ports Authority (KPA).

*(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)*

**3. NOTICE OF MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION ON ETHNIC DIVERSITY AND INCLUSIVITY AT THE KENYA MARITIME AUTHORITY (KMA) AND KENYA PORTS AUTHORITY (KPA)**

(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)

**THAT**, the Senate adopts the Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on ethnic diversity and inclusivity at the Kenya Maritime Authority (KMA) and Kenya Ports Authority (KPA) laid on the Table of the Senate on Wednesday, 1<sup>st</sup> December, 2021.

**4. STATEMENTS**

**a) Pursuant to Standing Order 48 (1)**

- i) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries concerning the operations of the National Irrigation Board.
- ii) The Senator for Nandi County (Sen. Cherarkey Samson, MP) to seek a statement from the Standing Committee on Justice, Legal Affairs and Human Rights concerning unqualified persons practicing as advocates in various private companies.
- iii) The Senator for Nandi County (Sen. Cherarkey Samson, MP) to seek a statement from the Standing Committee on Lands, Environment and Natural Resources concerning Land leases in Nandi County.
- iv) Nominated Senator (Sen. Abshiro Halake, MP) to seek a statement from the Standing Committee on Education concerning the discontinuation of the School Feeding Programme in Isiolo County.
- v) Nominated Senator (Sen. Beatrice Kwamboka, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the state of police stations in the Country.



- vi) Nominated Senator (Sen. Beatrice Kwamboka, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the status of an inquest into the murder of Ms. Agnes Wanjiru allegedly by a British army officer, in Nanyuki, Laikipia County, following her disappearance in March, 2012.

**b) Pursuant to Standing Order 51 (1) (b)**

- i) The Chairperson, Standing Committee on Finance and Budget to issue a statement relating to the activities of the committee.
- ii) The Chairperson, Standing Committee on Health to issue a statement relating to the activities of the committee.
- iii) The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights to issue a statement relating to the activities of the committee.
- iv) The Chairperson, Standing Committee on Labour and Social Welfare to issue a statement relating to the activities of the committee.
- v) The Chairperson, Standing Committee on Land, Environment and Natural Resources to issue a statement relating to the activities of the committee.
- vi) The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration to issue a statement relating to the activities of the committee.

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