



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (SECOND SESSION)**

**THE SENATE**

**ORDER PAPER**

**MORNING SITTING**

**WEDNESDAY, JUNE 14, 2023 AT 9.30 AM**

**PRAYER**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **MOTION – STATE OF MENTAL HEALTH OF POLICE OFFICERS**  
(Sen. Hamida Kibwana, MP)

**AWARE THAT**, police officers are usually first responders and are often exposed to traumatic scenes and chronic stressors such as, dangerous situations, injuries and violence coupled with the need to report and testify about psychologically stressful scenes;

**COGNIZANT OF**, a survey done by the National Police Service Commission in 2022 which indicated that at least 12 to 13 percent of the 110,000 police officers have mental health challenges stemming from work related issues;

**CONCERNED THAT**, there has been a recent spike of incidents involving police officers, including murder and suicide which have been linked to the state of mental wellbeing;

...../Motion

**NOW THEREFORE**, the Senate urges the National Government and the National Police Service through the Ministry of Interior and National Administration to –

1. declare the current mental health situation within the police service a national emergency;
2. urgently establish a specialized facility to cater for police officers with mental illness;
3. develop and implement policies to reduce the stigma surrounding mental health issues within law enforcement agencies and encourage officers to seek help when needed; and
4. prioritise mental health as a priority health and socio-economic agenda within the Police Service and that in cases of deployment and transfers the service considers the health of the affected officers.

***(Resumption of debate interrupted on Thursday, 4th May, 2023 – Balance of time 2hrs 49mins)***

9. **MOTION - COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES EMBASSY IN NAIROBI**

(Sen. Agnes Kavindu Muthama, MP)

**THAT, AWARE THAT**, disaster is defined as an overwhelming event and circumstance that tests the adaptation of responses of a community or individuals beyond their capability and leads momentarily to massive disruption of function for a community or individual that often exceeds their capacity to cope using existing resources;

**FURTHER AWARE THAT**, such was the case with the 1998 US Embassy Bomb disaster in Nairobi in which many of the Kenyan casualties resulted from the collapse of adjacent buildings located within a two to three block radius, and with reverberations being felt in most parts of Nairobi that resulted in 213 Kenyans and 12 Americans killed and over 5000 citizens of both countries being seriously injured;

**NOTING THAT**, US Allies, including Kenya, have endured the great burden of death, and long-term and in many instances permanent, physical and psychological injury;

**FURTHER NOTING THAT**, the United States Government has since compensated some of the victims and families of US citizens, leaving the families of Kenyan citizens and certain other victims uncompensated;

**NOW, THEREFORE**, the Senate resolves that the Ministry of Foreign Affairs:

...../Motion

- (i) Advances friendship and co-operation between the United States and Kenya by supporting the eligibility of Kenyan and American victims and their personal representatives, surviving spouses and next of kin in the Victim Compensation Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act; and
- (ii) Partners with the Ministry of Health to explore subsidized medical treatment for the surviving victims of the bomb blast.

***(Resumption of debate interrupted on Tuesday, 2<sup>nd</sup> May, 2023 –  
Balance of time – 1hr 46mins)***

**10. MOTION - INCORPORATION OF INTELLIGENT WATER MANAGEMENT SYSTEMS IN BUILDING PLANS FOR SUSTAINABLE LIVING**

(Sen. Wahome Wamatinga, MP)

**THAT, AWARE THAT** water is an essential yet scarce resource whose demand is increasing rapidly due to population growth, urbanization, and industrialization, and whose wastage has become an issue that needs to be addressed urgently owing to Kenya’s vulnerability to climate change;

**NOTING THAT** there is a growth in the number of buildings coming up to accommodate the rapidly growing population thereby posing a challenge to water management;

**APPRECIATING THAT** the incorporation of water management systems in building plans include a variety of techniques and technologies such as rainwater harvesting, waste water recycling, low-flow plumbing, and sensor systems that detect leaks and (de)activate water flow when necessary thereby optimizing the use of water by eliminating water overexploitation, waste water management, and pollution;

**NOW THEREFORE** the Senate urges the Ministry of Lands, Public Works, Housing and Urban Development in coordination with the Council of Governors and the National Environment Management Authority to:

- i. incorporate into the building code and standards a requirement for intelligent water management systems in all building plans; and
- ii. undertake a systematic nation-wide renovation to government-owned buildings to incorporate water management systems.

...../Motion

11. **MOTION - REVIEW OF THE MINIMUM WAGE NECESSITATED BY HIGH COST OF LIVING**

(Sen. Karen Nyamu, MP)

**THAT, AWARE THAT** minimum wages in Kenya are specified as part of a national wage policy and guided by the Regulation of Wages and Conditions of Employment Act (CAP 229) aimed at reducing poverty as well as protecting and promoting the living standards of workers;

**CONCERNED THAT**, despite the increase in Kenya's minimum wage in May 2022 by 12% to help workers cope with the surge in consumer prices, the current inflation rates have had a knock-on effect on the cost of living and doing business in the country with the prices of goods, household energy bills, and transport remaining stubbornly high;

**NOW THEREFORE** the Senate resolves that the Cabinet Secretary for Labour and Social Protection engages all stakeholders including the General Wages Advisory Board (GWAB) and the Agricultural Wages Advisory Board (AWAB) with a view of raising the minimum wage by at least 50% as from 1<sup>st</sup> May, 2023.

12. **MOTION - INTEGRATION OF ETHNIC MINORITIES AND MARGINALIZED COMMUNITIES IN KENYA**

(Sen. William Cheptumo, MP)

**AWARE THAT**, Kenya is a multi-ethnic country with a rich diversity of cultures, languages and traditions;

**FURTHER AWARE THAT**, ethnic minorities and marginalized communities face significant social, economic and political challenges including discrimination, marginalization and exclusion;

**ACKNOWLEDGING THAT** Articles 10 (2)b, 21(3), 27, 56, 91(1)(e), 100, 174(e), 177(1) (c), 204(3)(b), 216(4) and the Fifth Schedule to the Constitution of Kenya obligate the state to promote and protect the welfare of ethnic minorities and marginalized communities;

**APPRECIATING THAT**, the Government has put in place policies, legal and institutional frameworks including affirmative action programs to address the needs of other special interest groups namely children, persons with disabilities (PWDS), youth, women and the elderly;

**CONCERNED THAT**, ethnic minorities and marginalized communities remain largely unaddressed through similar interventions due to lack of an existing national policy and legislative framework;

...../Motion

**NOW THEREFORE** the Senate resolves that the Ministry of Public Service, Gender and Affirmative Action, the National Gender and Equality Commission and any other relevant state departments in collaboration with the Council of Governors: -

- i.) Initiate measures to identify and address the specific needs and challenges faced by ethnic minorities and marginalized communities in Kenya; and
- ii.) Develop and implement national policy and legislative framework for the integration of ethnic minorities and marginalized communities in Kenya as envisaged in the Constitution of Kenya.

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**NOTICE**

The Senate resolved on 15<sup>th</sup> February, 2023 as follows:-

**THAT**, pursuant to Standing Order 111 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

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

**KEY**

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

**\*\*\*- Denotes a National Assembly Bill**

**\*\* - Denotes a Committee Bill**

**\*- Denotes any other Bill**

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APPENDIX

QUESTIONS AND STATEMENTS

QUESTIONS

**Question No. 011      The Senator for Laikipia County (Sen. John Kinyua Nderitu, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- (a) Could the Cabinet Secretary apprise the Senate on the state of security in Laikipia County, and the wider North Rift region, and state the criteria used in the identification of areas to conduct the ongoing security operation?
- (b) Could the Cabinet Secretary state the measures put in place to ensure the restoration and maintenance of peace in the region, and also provide information on the recruitment, deployment and remuneration of National Police Reservists (NPR) in the region?
- (c) What is the status of recovery of stolen livestock and arraignment of apprehended bandits in court since November 2022 and, could the government consider compensating persons affected by banditry?

**Question No. 012      The Senator for Laikipia County (Sen. John Kinyua Nderitu, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- (a) What measures are in place to curb the abuse of Ketamine, an addictive drug popularly known as “Kete”, particularly in the Mt. Kenya region?
- (b) What efforts has the Ministry made in the establishment of rehabilitation facilities for recovering addicts of the drug?

**Question No. 014**

**The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for East African Community (EAC), the ASALs and Regional Development: -**

- (a) Could the Cabinet Secretary provide a list of the relief food distribution programmes currently being run across the country, indicating the types of food being distributed and the quantity of package?
- (b) Who are the suppliers of relief food under these programmes from 2017 to date, and could the Cabinet Secretary state the amount paid to the respective suppliers and indicate the pending bills accrued, if any?
- (c) Could the Cabinet Secretary explain the tendering process used to award the tenders, and provide details of the types of food products procured and the price per unit in respect of the current programmes?

**Question No. 015**

**The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

- (a) Could the Cabinet Secretary state the type and quantity of goods being imported by corporations and individuals prequalified by the Kenya National Trading Corporation (KNTC)?
- (b) What is the procedure used by KNTC to identify and prequalify companies which import the goods, and could the Cabinet Secretary state how many were awarded business, those currently importing goods, and indicate the type and packaging of these commodities being imported during FY 2021/2022 and FY 2022/2023?
- (c) Could the Cabinet Secretary disclose the financial state of KNTC, and also indicate how much has been paid to the respective suppliers and how much is outstanding?

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# **NOTICE PAPER**

## **Tentative Business for**

**Wednesday, June 14, 2023 (Afternoon Sitting)**

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*(Published pursuant to Standing Order 43 (1))*

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Wednesday, June 14, 2023 *(Afternoon Sitting)*

### **A. BILLS AT THE COMMITTEE OF THE WHOLE**

- i.) \*\*THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 16 OF 2023)  
(The Chairperson, Standing Committee on Finance and Budget)
- ii.) \*THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 6 OF 2022) (Division)  
(Sen. Danson Mungatana, MP)
- iii.) \*THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 7 OF 2022)  
(Sen. Danson Mungatana, MP)

### **B. BILLS AT THE SECOND READING STAGE**

- i.) THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)  
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- ii.) \*THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)  
(Sen. Crystal Asige, MP)
- iii.) \*THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)  
(The Chairperson, Standing Committee on Labour and Social Welfare)
- iv.) \*THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)  
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- v.) \*\*THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)  
(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

...../Notice Paper

- vi.) \*THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO.12 OF 2023)  
(Sen. Samson Cherarkey, MP)

**C. MOTIONS**

- i.) REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS  
(Sen. Wahome Wamatinga, MP)
- ii.) ARBITRARY ARRESTS OF KENYAN FISHERMEN BY UGANDAN AUTHORITIES  
(Sen. (Dr.) Oburu Oginga, MP)
- iii.) ACCELERATING THE IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT GOALS (SDGs)  
(Sen. Catherine Mumma, MP)
- iv.) DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS  
(Sen. William Cheptumo, MP)

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