



REPUBLIC OF KENYA

THE SENATE

PROGRAMME OF SENATE BUSINESS

WEEK COMMENCING TUESDAY, NOVEMBER 28, 2023

*** 13TH PARLIAMENT * 2ND SESSION**

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REPUBLIC OF KENYA

THE SENATE

THIRTEENTH PARLIAMENT - SECOND SESSION

PROGRAMME OF SENATE BUSINESS FOR THE WEEK
COMMENCING TUESDAY, NOVEMBER 28, 2023

TUESDAY Communication from the Chair, Messages, Petitions,
28/11/2023 Papers, Notices of Motion, Statements, Motions, and Bills.

**A. MOTION – REPORT OF THE STANDING COMMITTEE ON
DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON
THE APPLICATION FOR CONFERMENT OF CITY STATUS TO
THE MUNICIPALITY OF ELDORET**

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

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the application for conferment of city status to the Municipality of Eldoret laid on the table of the Senate on Wednesday, September 20, 2023 and pursuant to Section 8(6) of the Urban Areas and Cities Act, 2011 the Senate approves the conferment of City status to the Municipality of Eldoret.

(Resumption of debate interrupted on Thursday 19th October, 2023)
(Division)

**B. **THE EQUALIZATION FUND APPROPRIATION BILL, (SENATE
BILLS NO. 30 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

*(Resumption of debate interrupted on Wednesday 18th October, 2023 –
Afternoon Sitting)*
(Division)

C. *THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 29 OF 2023)

(Sen. Miraj Abdillahi Abdulrahman, MP)

(Second Reading)

(Resumption of debate interrupted on Thursday, 16th November, 2023)

(Division)

D. **THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)

(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 22nd November, 2023 – Afternoon Sitting)

(Division)

E. *THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO. 12 OF 2023)

(Sen. Samson Cherarkey, MP)

(Second Reading)

(Resumption of debate interrupted on Thursday 23rd November, 2023)

(Division)

F. *THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL (NATIONAL ASSEMBLY BILLS NO. 21 OF 2023)**

(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Thursday 23rd November, 2023)

(Division)

G. COMMITTEE OF THE WHOLE

***THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)**

(Sen. Mariam Sheikh Omar, MP)

H. COMMITTEE OF THE WHOLE

***THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)**

(Sen. Maureen Tabitha Mutinda, MP)

- I. **COMMITTEE OF THE WHOLE**
***THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)**
(Sen. Enoch Wambua, MP)
- J. **COMMITTEE OF THE WHOLE**
***THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)**
(Sen. Crystal Asige, MP)
- K. **COMMITTEE OF THE WHOLE**
***THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**
(Sen. Crystal Asige, MP)
- L. **COMMITTEE OF THE WHOLE**
***THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)**
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- M. **MOTION - REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS**
(Sen. Wahome Wamatinga, MP)

THAT AWARE THAT the high unemployment rate in Kenya has pushed many Kenyans to seek loans from Saccos, Microfinance Institutions and Banks to start Small and Medium Enterprises (SMEs) to sustain their livelihoods;

NOTING THAT the youth in particular have invested in movable assets, including vehicles and motorcycles, to start business in the transport industry and most of them have signed up to the ride hailing apps including but not limited to Uber, Taxify, Bolt and Little cab;

COGNIZANT THAT the Banking Act 2015 CAP 488 does not provide for renegotiation on the loan repayment agreement whenever the business environment becomes unfavorable as a result of the high cost of living, lowered earnings from the App providers and high interest rates;

NOW THEREFORE the Senate urges the National Treasury and Economic Planning to come up with a policy framework to review the Banking Act in order to renegotiate the repayment terms of the loans and provide cushion for Kenyans with non-performing loans and prevent the loss of their movable assets.

(Resumption of debate interrupted on 1st November, 2023 – Balance of time – 2hrs)

N. MOTION - REPORT OF THE AD-HOC COMMITTEE TO INVESTIGATE THE PROLIFERATION OF RELIGIOUS ORGANISATIONS AND CIRCUMSTANCES LEADING TO MORE THAN 95 DEATHS IN SHAKAHOLA, KILIFI COUNTY.

(Chairperson of the Ad-Hoc Committee)

THAT, the Senate adopts the Report of the Ad-Hoc Committee to investigate the proliferation of religious organisations and circumstances leading to more than 95 deaths in Shakahola, Kilifi County laid on the Table of the Senate on Thursday, 19th October, 2023.

(Resumption of debate interrupted on Thursday 23rd November, 2023)

O. MOTION - REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS ON ITS CONSIDERATION OF THE AUDIT REPORTS OF THE WATER SERVICE PROVIDERS FOR THE YEAR ENDED 30TH JUNE, 2019, 30TH JUNE, 2020 AND 30TH JUNE, 2021.

(The Chairperson, Committee on County Public Investments and Special Funds)

THAT, the Senate adopts the Reports of the Select Committee on County Public Investments and Special Funds on its consideration of the Audit Reports for the year ended, 30th June, 2019, 30th June, 2020 and 30th June, 2021 of the following Water Service Providers-

- i.) Amatsi Water Services Company Limited - Vihiga County;
- ii.) Bomet Water Company Limited – Bomet County;
- iii.) Gusii Water and Sanitation Company Limited – Kisii/Nyamira Counties;
- iv.) Kisumu Water and Sanitation Company Limited –Kisumu County;
- v.) Kwale Water and Sewerage Company Limited – Kwale County; and
- vi.) Nyeri Water and Sanitation Company Limited – Nyeri County

and the Audit Report of the Wajir Water and Sewerage Company Limited for the year ended 30th June, 2021, laid on the Table of the Senate on Thursday, 23rd November, 2023.

P. MOTION - REPORT OF THE 146TH ASSEMBLY OF THE INTER – PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN MANAMA, KINGDOM OF BAHRAIN FROM 11TH TO 15TH MARCH, 2023.

(Sen. Kathuri Murungi, MP)

THAT, the Senate notes the Report of the 146th Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings, held in Manama, Kingdom of

Bahrain, from 11th to 15th March, 2023, laid on the Table of the Senate on Tuesday 2nd May, 2023.

Q. MOTION – REPORT OF THE SECOND ORDINARY SESSION OF THE 6TH PAN-AFRICAN PARLIAMENT (PAP) HELD IN MIDRAND SOUTH AFRICA FROM 15TH MAY TO 2ND JUNE, 2023

(Sen. Danson Mungatana, MP)

THAT, the Senate adopts the Report of the Second Ordinary Session of the 6th Pan-African Parliament (PAP) held in Midrand South Africa from 15th May to 2nd June, 2023 laid on the Table of the Senate on Tuesday, 1st August, 2023.

R. MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS

(Sen. William Cheptumo, MP)

THAT AWARE THAT, cattle rustling is a major menace and security threat in the South and North Rift regions and some other regions of the country;

CONCERNED THAT, the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational programs and other economic activities owing to the destruction and/or closure of educational, health and other institutions;

FURTHER CONCERNED THAT; the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution;

NOW THEREFORE, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors:

1. Declares cattle rustling a National Disaster;
2. Establish a National Task force on cattle rustling to:
 - (i) Investigate the causes of the rampant cattle rustling in the said region and the Country at large;

(ii) Establishes extent of loss and damage the cattle rustling has occasioned to the communities in all the affected Counties;

3. Create a special fund for mitigating the losses suffered by and in compensating all victims of cattle rustling and settle all internally displaced persons occasioned by the menace.

S. MOTION - DESIGNATION OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES

(Sen. Crystal Asige, MP)

THAT AWARE THAT, Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

NOTING THAT the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions which if uncontrolled, will result to negative impact of climate change that will adversely affect millions of Kenyans;

CONCERNED THAT the number of private vehicles has significantly grown leading to increased road accidents, carbon emission and vehicle congestion costs which are in excess of Kshs. 100 billion in GDP per year;

NOW THEREFORE the Senate urges the Ministry of Roads and Transport, in collaboration with the Council of Governors, and the National Climate Change Council to;

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas;
- ii.) provide affordable, safe and efficient public transport including but not limited to development of Bus Rapid Transport (BRT) in the urban areas;
- iii.) encourage the use of electric hybrid buses and provide appropriate incentives for their use; and
- iv.) design an infrastructure that can support non – motorized transport facilities such as pedestrian and bicycle access within urban centers; and
- v.) ensure inter-modal connectivity among the various transport modes.

T. MOTION - DEVELOPMENT OF A POLICY AND LAW FOR SOCIAL RISK MANAGEMENT IN INFRASTRUCTURE DEVELOPMENT PROJECTS IN KENYA

(Sen. Catherine Mumma, MP)

AWARE THAT the Constitution has entrenched a strong Bill of Rights in Chapter 4, which recognizes human rights including socio-economic rights and the principle of equality and non-discrimination;

FURTHER AWARE THAT Kenya lacks a policy for guiding the management of these Social Risks in the design and implementation of infrastructure projects;

CONCERNED THAT inadequate attention to social risks in the planning and implementation of development projects at both national and county levels makes them unacceptable and end up costing the taxpayer colossal sums of money in suits filed before the courts and tribunals by local communities and affected interest groups seeking protection from such social risks;

NOW, THEREFORE, the Senate resolves that:

1. The National and County Governments develop a Social Risk Management Policy that outlines the standards, guidelines and procedures for guiding infrastructure and other development projects both at the national and county governments; and
2. The national executive establishes an independent multi-sectoral agency under the authority of the Cabinet secretary in charge of Social Security and Protection to design a mechanism that can factor in the inclusion of Social Impact Assessments standards and monitor their implementation in infrastructure and other development projects in Kenya.

U. Any Other Business

WEDNESDAY

29/11/2023

(Morning Sitting)

Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Questions, Motions, Bills and any other Business not concluded on Tuesday, 28th November, 2023.

A. QUESTIONS

QUESTION NO.	SENATOR	SUBJECT	MINISTRY
018	Sen. James Lomenen, MP	Inaction of the Kenyan Government to hasten the release of the Turkana pastoralists arrested in Uganda	The Prime Cabinet Secretary and Ministry of Foreign and Diaspora Affairs
067	Sen. Kathuri Murungi, MGH, MP	Delay in the disbursement of funds to the National Health Insurance Fund (NHIF)	The National Treasury and Economic Planning
059	Sen. James Murango, MP	Delayed repair and replacement of defective power transformers in Mwea Constituency, Kirinyaga County	Energy and Petroleum
074	Sen. Richard Onyonka, MP	Terms of the Government-to-Government (G-to-G) agreement for the supply of fuel between Kenya and the Gulf countries	Energy and Petroleum
078	Sen. Danson Mungatana, MGH, MP	Compensation for wayleaves by KETRACO in Tana River County	Energy and Petroleum
079	Sen. Mohammed Chute, MP	Disruptions of power supply in most parts of the country	Energy and Petroleum

B. MOTION - APPEAL TO COUNTY GOVERNMENTS TO SET ASIDE LAND FOR THE PLANTING OF INDIGENOUS TREES

(Sen. Richard Onyonka, MP)

THAT, AWARE of the crucial role played by indigenous trees in purification of air and combating of climate change, protection against floods and water pollution, in the field of medicine, nutrition and timber production, among other roles;

APPRECIATING that the National Government, through the National Landscape and Ecosystem Restoration Programme, plans to increase the national forest cover to 30% by planting fifteen (15) billion trees and, in furtherance of the Programme, gazetted 13th November, 2023 as a Public Holiday to allow Kenyans to plant trees;

CONCERNED that the Government is yet to establish elaborate measures for the growing and protecting of indigenous trees and to involve such crucial players as the County Governments, hence impeding the sustainability of the programme;

NOW, THEREFORE, the Senate urges the 47 county Governments to set aside land and resources to be used in the planting and protection of indigenous trees, in support of the initiatives by the National Government.

C. *THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)

(Sen. Wakili Hillary Sigei, MP)

(Second Reading)

D. *THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)

(Sen. Moses Kajwang' MP)

(Second Reading)

E. **THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)

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

(Second Reading)

F. Any Other Business

WEDNESDAY
29/11/2023
(Afternoon Sitting)

Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions, Bills and any other Business not concluded on Tuesday, 28th November, 2023.

A. *THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)

(Sen. Beatrice Ogolla, MP)

(Second Reading)

B. *THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)

(Sen. Miraj Abdillahi Abdulrahman, MP)

(Second Reading)

C. *THE RICE BILL (SENATE BILLS NO. 19 OF 2023)

(Sen. James Kamau Murango, MP)

(Second Reading)

D. THE WATER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 33 OF 2023)

(The Senate Majority Leader)

(Second Reading)

E. Any Other Business

THURSDAY
30/11/2023

Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions, Bills and any other Business not concluded on Wednesday, 29th November, 2023.

A. *THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE BILLS NO. 31 OF 2023)

(Sen. Karungo Thang'wa, MP)

(Second Reading)

B. *THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)

(Sen. Mohamed Chute, MP)

(Second Reading)

C. *THE REAL ESTATE REGULATION BILL (SENATE BILLS NO. 35 OF 2023)

(Sen. Allan Kiprotich Chesang, MP)

(Second Reading)

D. *THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2023)

(Sen. Godfrey Osotsi, MP)

(Second Reading)

E. *THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL (SENATE BILLS NO. 38 OF 2023)

(Sen. (Dr.) Boni Khalwale, MP)

(Second Reading)

F. *THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 40 OF 2023)

(Sen. Hamida Ali Kibwana, MP)

(Second Reading)

G. *THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)

(Sen. Esther Anyieni Okenyuri, MP)

(Second Reading)

H. *THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)

(Sen. Edwin Sifuna, MP)

(Second Reading)

I. Any Other Business

TUESDAY

05/12/2023

Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions and Bills.

A. **THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (SENATE BILLS NO. 22 OF 2023)**

(The Senate Majority Leader)

(Second Reading)

B. Any Other Business

KEY

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

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

**** - Denotes a Committee Bill**

*** - Denotes any other Bill**