



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

ORDER PAPER

THURSDAY, APRIL 18, 2024 AT 2.30 PM

PRAYER

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. Questions and Statements (as listed in the Appendix)
8. ***** THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022).**
(The Senate Majority Leader)

(First Reading)

9. ***THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)**
(Sen. Wakili Hillary Sigei, MP)

(Second Reading)

(Resumption of debate interrupted on Thursday, 30th November, 2023)
(Division)

10. *****THE CONFLICT OF INTEREST BILL, 2023 (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Thursday, 28th March, 2024)
(Division)

...../Bills

11. *****THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2022)**
(The Senate Majority Leader)

(Second Reading)
(Resumption of debate interrupted on Tuesday 16th April, 2024)
(Division)

12. ***THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)**
(Sen. Beatrice Ogolla, MP)

(Second Reading)
(Resumption of debate interrupted on Tuesday 16th April, 2024)

13. *****THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023)**
(The Senate Majority Leader)

(Second Reading)
(Resumption of debate interrupted on Wednesday 17th April, 2024 – Afternoon Sitting)

14. ***THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 25 OF 2023)**
(Sen. Samson Cherarkey, MP)

(Second Reading)

15. ***THE CO-OPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2023)**
(Sen. Omar Mariam Sheikh, MP)

(Second Reading)

16. ***THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)**
(Sen. Eddy Oketch, MP)

(Second Reading)

17. ***THE FIRE AND RESCUE SERVICES PROFESSIONALS BILL (SENATE BILLS NO. 55 OF 2023)**
(Sen. Mohamed Abass Sheikh, MP)

(Second Reading)

- 18. ***THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2024)**
Sen. Kathuri Murungi, MP

(Second Reading)

- 19. **MOTION - APPROVAL OF CONDITIONAL GRANT FOR THE CONSTRUCTION OF MOMBASA MUNICIPAL STADIUM**
(Sen. Mohamed Mwinyihaji Faki, MP)

THAT AWARE THAT Part 2 of the Fourth Schedule to the Constitution of Kenya obligates County Governments with the responsibility to develop, establish, manage, and maintain sports and cultural facilities which includes stadiums, sports arenas, cultural centers, and other related infrastructure;

NOTING THAT the entire Coastal region of the Country lacks a modern stadium built to international standards, thereby depriving the people the benefits that come with stadia and sports facilities;

CONCERNED THAT the construction of the Mombasa Municipal Stadium has encountered delays and setbacks since the inception of the project in 2019 due to financial constraints, which has since been halted depriving the community of the much-needed facility;

NOW THEREFORE the Senate resolves that the National Treasury and the Ministry of Youth Affairs, Creative Economy and Sports allocates a conditional grant to the County Government of Mombasa amounting to 1.7 billion Kenya Shillings for the completion of the Mombasa Municipal Stadium.

- 20. **MOTION - ESTABLISHMENT OF NATIONAL TEACHING AND REFERRAL HOSPITALS IN KENYA**
Sen. Johnes Mwaruma, MP)

AWARE THAT Article 43 (1) (a) of the Constitution of Kenya provides that every person has the right to the highest attainable standard of health, including reproductive health care;

NOTING THAT in Kenya, we have five National Teaching and Referral hospitals with Kenyatta University Research and Teaching Hospital in Kiambu County and Moi Teaching and Referral Hospital in Eldoret, Uasin Gishu County being the only ones outside Nairobi County;

CONCERNED THAT the bed capacity, medical equipment and human capital in these National Teaching and Referral hospitals are not sufficient to absorb all the patients seeking specialized treatment;

...../Motion

FURTHER CONCERNED THAT many Kenyans with critical health conditions travel long distances in order to access specialized services in Moi Teaching and Referral Hospital in Eldoret or Nairobi where the other four National Teaching and Referral hospitals are located, leading to high cost of travel, augmented disease and in some cases deaths along the way;

NOW THEREFORE the Senate urges-

1. The Ministry of Health to:
 - i. Establish National Teaching and Referral hospitals in the Coast, Eastern, North Eastern, Nyanza and Western regions; and
 - ii. Fully equip the National Teaching and Referral Hospitals with modern medical equipment, medical supplies and personnel; and
2. The County Governments to allocate more funds to their respective health dockets to adequately facilitate their County Level 5 and Level 6 hospitals in order to enhance provision of critical health services to reduce the demand for such services from the National Teaching and Referral Hospitals.

NOTICE

The Senate resolved on 14th February, 2024 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

1. PAPERS

- i.) The Fisheries Management and Development (Fish Levy Trust Fund) Regulations, Legal Notice No. 52 of 2024.
- ii.) The Fisheries Management and Development (Marine Fisheries) Regulations, Legal Notice No. 53 of 2024.
- iii.) Report of the Auditor General on Financial Statements of Kisumu County Social Health Insurance Fund for the year ended 30th June, 2021.
- iv.) Report of the Auditor General on Financial Statements of Kisumu County Social Health Insurance Fund for the year ended 30th June, 2022.
- v.) Report of the Auditor General on Financial Statements of Kisumu County Social Health Insurance Fund for the year ended 30th June, 2023.
- vi.) Report of the Auditor General on Financial Statements of the City of Kisumu for the year ended 30th June, 2023.
- vii.) Report of the Auditor General on Financial Statements of the Kisumu County Education Fund for the year ended 30th June, 2023.
- viii.) Report of the Auditor General on Financial Statements of Gulf Water Services Company Limited for the year ended 30th June, 2023.
- ix.) Report of the Auditor General on Financial Statements of Nyanas Water and Sanitation Company Limited for the year ended 30th June, 2023.
- x.) Report of the Auditor General on Financial Statements of the County Government of Kiambu – County Revenue Fund for the year ended 30th June, 2023.
- xi.) Report of the Auditor General on Financial Statements of the County Government of Kiambu – Receiver of Revenue for the year ended 30th June, 2023.
- xii.) Report of the Auditor General on Financial Statements of Kiambu County Health Services Facility Improvement Fund (HSFIF) for the year ended 30th June, 2023.
- xiii.) Report of the Auditor General on Financial Statements of Kiambu Water and Sewerage Company Limited for the year ended 30th June, 2023.

- xiv.) Report of the Auditor General on Financial Statements of Baringo County Executive Mortgage Scheme Fund for the year ended 30th June, 2023.
- xv.) Report of the Auditor General on Financial Statements of Baringo County Assembly (Staff) Car Loan and Mortgage Fund for the year ended 30th June, 2023.
- xvi.) Report of the Auditor General on Financial Statements of Baringo County Older Persons and Persons with Disability Fund for the year ended 30th June, 2023.
- xvii.) Report of the Auditor General on Financial Statements of the County Government of Bomet – County Revenue Fund for the year ended 30th June, 2023.
- xviii.) Report of the Auditor General on Financial Statements of Bomet County Bursary Fund the year ended 30th June, 2023.
- xix.) Report of the Auditor General on Financial Statements of Bomet County Education Revolving Fund for the year ended 30th June, 2023.
- xx.) Report of the Auditor General on Financial Statements of Bomet County Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023.
- xxi.) Report of the Auditor General on Financial Statements of Bomet Municipality for the year ended 30th June, 2023.
- xxii.) Report of the Auditor General on Financial Statements of Municipal Council of Machakos Water and Sewerage Company Limited for the year ended 30th June, 2023.
- xxiii.) Report of the Auditor General on Financial Statements of Mavoko Water and Sewerage Company Limited for the year ended 30th June, 2023.
- xxiv.) Report of the Auditor General on Financial Statements of Kathiani Water and Sanitation Company Limited for the year ended 30th June, 2023.
- xxv.) Report of the Auditor General on Financial Statements of Mwala Water and Sewerage Company Limited for the year ended 30th June, 2023.
- xxvi.) Report of the Auditor General on Financial Statements of Matungulu Kangundo Water and Sewerage Company Limited for the year ended 30th June, 2023.
- xxvii.) Report of the Auditor General on Financial Statements of Nakuru City for the year ended 30th June, 2023.

- xxviii.) Report of the Auditor General on Financial Statements of Nakuru County Executive (Staff) Car Loan Scheme Fund the year ended 30th June, 2023.
- xxix.) Report of the Auditor General on Financial Statements of Nakuru County Persons with Disabilities Fund for the year ended 30th June, 2023.
- xxx.) Report of the Auditor General on Financial Statements of Nakuru Water Sanitation Services Company Limited for the year ended 30th June, 2023.
- xxxi.) Report of the Auditor General on Financial Statements of Nakuru Rural Water and Sanitation Company Limited for the year ended 30th June, 2023.
- xxxii.) Report of the Auditor General on Financial Statements of Nawasscoal Company Limited for the year ended 30th June, 2023.
- xxxiii.) Report of the Auditor General on Financial Statements of Naivasha Municipality for the year ended 30th June, 2023.
- xxxiv.) Report of the Auditor General on Financial Statements of Naivasha Water and Sanitation Company Limited for the year ended 30th June, 2023.

(The Senate Majority Leader)

2. NOTICE OF 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.

3. QUESTIONS AND STATEMENTS

a) Statements pursuant to Standing Order 56(1) (b)

- i.) The Chairperson, Standing Committee on Information, Communication and Technology to make a Statement relating to the activities of the Committee for the period, January to March, 2024.
- ii.) The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights to make a Statement relating to the activities of the Committee for the period, January to March, 2024.
- iii.) The Chairperson, Standing Committee on Labour and Social Welfare to make a Statement relating to the activities of the Committee for the period, January to March, 2024.
- iv.) The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries to make a Statement relating to the activities of the Committee for the period January to March, 2024.
- v.) The Chairperson, Standing Committee on Health to make a Statement relating to the activities of the Committee for the period, January to March, 2024.

b) Statement pursuant to Standing Order 57(1)

The Senate Majority Leader to issue a Statement on the business of the Senate for the week commencing Tuesday, 23rd April, 2024.

NOTICE PAPER

Tentative Business for Tuesday, April 23, 2024

(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 Tuesday, April 23, 2024.

A. BILLS AT THE SECOND READING STAGE

- i) **THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)
(The Chairperson, Standing Committee on Labour and Social Welfare)
- ii) *THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)
(Sen. James Murango, MP)
- iii) *THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)
(Sen. Miraj Abdillahi Abdulrahman, MP)
- iv) *THE RICE BILL (SENATE BILLS NO. 19 OF 2023)
(Sen. James Murango, MP)
- v) *THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE BILLS NO. 31 OF 2023)
(Sen. Karungo Thang’wa, MP)
- vi) *THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)
(Sen. Mohamed Chute, MP)
- vii) *THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL (SENATE BILLS NO. 38 OF 2023)
(Sen. (Dr.) Boni Khalwale, MP)
- viii) ****THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (SENATE BILLS NO. 22 OF 2023)
(The Senate Majority Leader)
- ix) *THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 40 OF 2023)
(Sen. Hamida Ali Kibwana, MP)

B. MOTIONS

- i) STATUS OF PENDING BILLS IN COUNTIES
(Sen. Ledama Olekina, MP)

- ii) REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE STATUS OF IMPLEMENTATION OF PROJECTS FUNDED BY THE CONDITIONAL GRANT FOR THE CONSTRUCTION OF COUNTY HEADQUARTERS
(The Chairperson, Standing Committee on Finance and Budget)

- iii) 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)

- iv) REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THARAKA NITHI, HOMA BAY, KAKAMEGA, KIRINYAGA, MAKUENI, MERU, BOMET, MURANG'A, NANDI, NYAMIRA, NYERI, SIAYA, VIHIGA, WAJIR AND SAMBURU COUNTY EXECUTIVES FOR THE FINANCIAL YEAR 2019/2020
(The Chairperson, County Public Accounts Committee)
