



REPUBLIC OF KENYA  
THIRTEENTH PARLIAMENT – (THIRD SESSION)  
THE SENATE  
ORDER PAPER

TUESDAY, APRIL 16, 2024 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages (as listed in the Appendix)
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **\*\*\*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, 28<sup>th</sup> March, 2024)***  
***(Division)***
9. **\*\*THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)**  
(The Chairperson, Standing Committee on Labour and Social Welfare)  
*(Second Reading)*
10. **\*THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)**  
(Sen. James Murango, MP)  
*(Second Reading)*
11. **\*THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)**  
(Sen. Beatrice Ogolla, MP)  
*(Second Reading)*

...../Bills

- 12. **\*THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)**  
(Sen. Miraj Abdillahi Abdulrahman, MP)

*(Second Reading)*

- 13. **\*THE RICE BILL (SENATE BILLS NO. 19 OF 2023)**  
(Sen. James Murango, MP)

*(Second Reading)*

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

*(Second Reading)*

- 15. **\*THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE BILLS NO. 31 OF 2023)**  
(Sen. Karungo Thang’wa, MP)

*(Second Reading)*

- 16. **\*THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)**  
(Sen. Mohamed Chute, MP)

*(Second Reading)*

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

*(Second Reading)*

- 18. **\*THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL (SENATE BILLS NO. 38 OF 2023)**  
(Sen. (Dr.) Boni Khalwale, MP)

*(Second Reading)*

- 19. **MOTION - DECLARATION OF CATTLE RUSTLING AND BANDITRY AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**  
(Sen. William Cheptumo, MP)

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

...../Motion

**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 health 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/banditry to:
  - (i) Investigate the causes of the rampant cattle rustling and banditry in the said region and the Country at large;
  - (ii) Establishes the extent of suffering, loss and damage the cattle rustling/banditry 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/banditry and settle all internally displaced persons occasioned by the menace.

***(Resumption of debate interrupted on Wednesday, 6<sup>th</sup> March, 2024 – Morning Sitting – Balance of time 56 minutes)***

**20. MOTION – STATUS OF PENDING BILLS IN COUNTIES**

(Sen. Ledama Olekina, MP)

**AWARE THAT**, as at 31<sup>st</sup> December, 2023, according to the County Governments Budget Implementation Review report for the first half of the financial year 2023/2024, County Governments had accumulated a total of Ksh.156.34 Billion shillings in pending bills with Nairobi City County accumulating the largest share of Ksh.107, 037,053,000 followed by Kiambu and Mombasa Counties at Kshs. 5,711,614,412 and Kshs. 3,922,131,877 respectively;

...../Motion

**CONCERNED THAT**, the accumulated pending bills in Counties have significantly affected service providers in the counties leading to closure of businesses, stalling of county projects, adversely affecting economic growth in counties, service delivery and ultimately slowing down the country’s economic growth;

**FURTHER CONCERNED** that most of the service providers in the counties are battling court cases lodged against them by their financiers and suppliers while others are languishing in poverty exacerbated by the increased cost of living, with increased mental health disease incidences and others dying as a result of the effects of colossal amounts of debt owed to them by county governments;

**NOW THEREFORE**, the Senate-

1. recommends that all County Governments pay verified pending bills amounting to less than Ksh. 1 Billion by the end of this financial year and those above Ksh.1 Billion by the end of the financial year 2024/2025; and
2. Resolves that-
  - i. pursuant to the provisions of Regulation 41(2) & (3) of the Public Finance Management (County Governments) Regulations, 2015, County Governments prioritize payment of pending bills as a first charge on the County Revenue Fund failure to which the subsequent quotas budget releases will not be done;
  - ii. County Governments shall only pay pending Bills contained in their respective procurement plans pursuant to Regulation 50 (2) & (3) of the Public Finance Management (County Governments) Regulations;
  - iii. Supplementary budgets for county governments are prepared in the 3<sup>rd</sup> Quarter to curb instances of arbitrary re-allocations out of the approved budget estimates; and
  - iv. County governments shall conduct public participation while formulating supplementary budgets, failure to which the Controller of Budget (CoB) shall not approve the supplementary budgets.

***(Resumption of debate interrupted on Thursday, 28<sup>th</sup> March, 2024 – Balance of time 2 hours 40 minutes)***

...../Motion

21. **MOTION - 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)

**THAT**, the Senate adopts the 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 laid on the Table of the Senate on Thursday, 28<sup>th</sup> March, 2024.

22. **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 30<sup>TH</sup> JUNE, 2019, 30<sup>TH</sup> JUNE, 2020 AND 30<sup>TH</sup> 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, 30<sup>th</sup> June, 2019, 30<sup>th</sup> June, 2020 and 30<sup>th</sup> 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 30<sup>th</sup> June, 2021, laid on the Table of the Senate on Thursday, 23<sup>rd</sup> November, 2023.

23. **MOTION - 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)

**THAT**, the Senate adopts the 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 laid on the table of the Senate on Tuesday, 5<sup>th</sup> March, 2024.

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**NOTICE**

The Senate resolved on 14<sup>th</sup> 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. MESSAGE**

Message from the National Assembly on the passage, by National Assembly, of the Statutory Instruments (Amendment) Bill (National Assembly Bills No. 5 of 2023)

*(Speaker of the Senate)*

**2. PAPERS**

- i.) The National Police Service Report for 2023.
- ii.) Report of the Auditor General on Financial Statements of the County Executive of Elgeyo Marakwet for the year ended 30<sup>th</sup> June, 2023.
- iii.) Report of the Auditor General on Financial Statements of the County Assembly of Elgeyo Marakwet for the year ended 30<sup>th</sup> June, 2023.
- iv.) Report of the Auditor General on Financial Statements of Elgeyo Marakwet County Assembly Catering Services Revolving Fund for the year ended 30<sup>th</sup> June, 2023.
- v.) Report of the Auditor General on Financial Statements of Elgeyo Marakwet County Assembly Car and Mortgage Revolving Fund for the year ended 30<sup>th</sup> June, 2023.
- vi.) Report of the Auditor General on Financial Statements on Receiver of Revenue – Elgeyo Marakwet County Government for the year ended 30<sup>th</sup> June, 2023.
- vii.) Report of the Auditor General on Financial Statements of County Revenue Fund – Elgeyo Marakwet County Government for the year ended 30<sup>th</sup> June, 2023.
- viii.) Report of the Auditor General on Financial Statements of Elgeyo Marakwet Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2023.
- ix.) Report of the Auditor General on Financial Statements of Elgeyo Marakwet County Education Fund for the year ended 30<sup>th</sup> June, 2023.
- x.) Report of the Auditor General on Financial Statements of the County Executive of Isiolo for the year ended 30<sup>th</sup> June, 2023.
- xi.) Report of the Auditor General on Financial Statements of the County Assembly of Isiolo for the year ended 30<sup>th</sup> June, 2023.

...../Appendix

- xii.) Report of the Auditor General on Financial Statements of the County Executive of Laikipia for the year ended 30<sup>th</sup> June, 2023.
- xiii.) Report of the Auditor General on Financial Statements of the County Assembly of Laikipia the year ended 30<sup>th</sup> June, 2023.
- xiv.) Report of the Auditor General on Financial Statements of the County Assembly of Laikipia Car Loan and Mortgage (Staff) Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- xv.) Report of the Auditor General on Financial Statements of Laikipia County State and Public Officers Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- xvi.) Report of the Auditor General on Financial Statements of County Revenue Fund – Laikipia County Government for the year ended 30<sup>th</sup> June, 2023.
- xvii.) Report of the Auditor General on Financial Statements of Receiver of Revenue – Laikipia County Government for the year ended 30<sup>th</sup> June, 2023.
- xviii.) Report of the Auditor General on Financial Statements of Laikipia County Revenue Board for the year ended 30<sup>th</sup> June, 2023.
- xix.) Report of the Auditor General on Financial Statements of Laikipia County Enterprise Fund for the year ended 30<sup>th</sup> June, 2023.
- xx.) Report of the Auditor General on Financial Statements of Laikipia County Emergency Fund for the year ended 30<sup>th</sup> June, 2023.
- xxi.) Report of the Auditor General on Financial Statements of Laikipia County Development Authority for the year ended 30<sup>th</sup> June, 2023.
- xxii.) Report of the Auditor General on Financial Statements of the County Assembly of Laikipia Car Loan and Mortgage (Members) Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- xxiii.) Report of the Auditor General on Financial Statements of Laikipia County Co-operative Development Revolving Fund for the year ended 30<sup>th</sup> June, 2023.
- xxiv.) Report of the Auditor General on Financial Statements of Laikipia County Education Bursary Fund for the year ended 30<sup>th</sup> June, 2023.
- xxv.) Report of the Auditor General on Financial Statements of the County Executive of Samburu for the year ended 30<sup>th</sup> June, 2023.



- xxvi.) Report of the Auditor General on Financial Statements of the County Assembly of Samburu for the year ended 30<sup>th</sup> June, 2023.
- xxvii.) Report of the Auditor General on Financial Statements of Samburu County Executive Staff Mortgage (Members) Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- xxviii.) Report of the Auditor General on Financial Statements of Samburu County Persons Living with Disability Fund the year ended 30<sup>th</sup> June, 2023.
- xxix.) Report of the Auditor General on Financial Statements of Samburu County Youth and Women Enterprise Development Fund for the year ended 30<sup>th</sup> June, 2023.
- xxx.) Report of the Auditor General on Financial Statements of Samburu County Bursary Fund for the year ended 30<sup>th</sup> June, 2023.
- xxxi.) Report of the Auditor General on Financial Statements of Receiver of Revenue – Samburu County Government for the year ended 30<sup>th</sup> June, 2023.
- xxxii.) Report of the Auditor General on Financial Statements of Samburu County Community Conservancies Fund for the year ended 30<sup>th</sup> June, 2023.

*(The Senate Majority Leader)*

**3. QUESTIONS AND STATEMENTS**

**Statements pursuant to Standing Order 53(1)**

- i) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to seek a Statement from the Standing Committee on Health concerning the status of healthcare services in Kisumu County.
- ii) The Senator for Uasin Gishu County (Sen. Jackson Mandago, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding reported cases of missing children in Langas Estate in Uasin Gishu County.

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# **NOTICE PAPER**

## **Tentative Business for**

### **Wednesday, April 17, 2024 (Morning 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, April 17, 2024 (Morning Sitting).

<b>QUESTION NO.</b>	<b>SENATOR</b>	<b>SUBJECT</b>	<b>MINISTRY</b>
001	Sen. (Prof.) Tom Ojienda, SC, MP	Inter-communal clashes that occurred in Sondu town during the demonstrations in June and July, 2023	Interior and National Administration
002	Sen. Mwenda Gataya Mo Fire, MP	Non-operationalization of Chiakariga Sub-County in Tharaka-Nithi County	Interior and National Administration
038	Sen. Kathuri Murungi, MGH, MP	Status of investigations into the abduction, torture and execution of Mr. Daniel Muthiani Bernard (deceased), alias Sniper	Interior and National Administration
039	Sen. James Lomenen, MP	Curfew imposed in major towns and centres in Turkana County	Interior and National Administration
043	Sen. Danson Mungatana, MGH, MP	Re-establishment of Wema General Service Unit (GSU) camp in Tana River County which was closed after it was marooned by floods.	Interior and National Administration

**...../Notice Paper I**

009	Sen. (Prof.) Tom Ojienda, SC, MP	Medical insurance fraud perpetrated by healthcare facilities in Kenya	Health
028	Sen. Edwin Sifuna, MP	Status of renovation works at Uhuru Park in Nairobi City County	Defence

**MOTIONS**

- i. REPORT OF THE 66<sup>TH</sup> COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30<sup>TH</sup> SEPTEMBER – 6<sup>TH</sup> OCTOBER, 2023  
(Sen. (Prof.) Margaret Kamar, MP)
- ii. REPORT OF THE 147<sup>TH</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN LUANDA, ANGOLA ON 23<sup>RD</sup> TO 27<sup>TH</sup> OCTOBER, 2023  
(Sen. Catherine Mumma, MP)
- iii. REPORT OF THE 63<sup>RD</sup> SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND 43<sup>RD</sup> SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS IN BRUSSELS, BELGIUM  
(Sen. Kathuri Murungi, MP)
- iv. REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE 13<sup>TH</sup> PLENARY ASSEMBLY OF THE FORUM OF PARLIAMENTS OF THE MEMBER STATES OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR), HELD IN JUBA, SOUTH SUDAN  
(Sen. Roba Ali Ibrahim, MP)
- v. REPORT OF THE 9<sup>TH</sup> INTER-PARLIAMENTARY UNION (IPU) GLOBAL CONFERENCE OF YOUNG PARLIAMENTARIANS HELD IN HANOI, VIETNAM FROM 15<sup>TH</sup> TO 17<sup>TH</sup> SEPTEMBER, 2023  
(Sen. John Methu, MP)
- vi. ESTABLISHING OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES  
(Sen. Crystal Asige, MP)

# **NOTICE PAPER**

## **Tentative Business for**

### **Wednesday, April 17, 2024 (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, April 17, 2024 (Afternoon Sitting).

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

- i) \*THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)  
(Sen. Moses Kajwang, MP)
- ii) \*\*\*THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 34 OF 2022)  
(Sen. David W. Wafula, MP – Co-sponsor)

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

- i) \*THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)  
(Sen. Kathuri Murungi, MP)
- ii) \*THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)  
(Sen. Esther Anyieni Okenyuri, MP)
- iii) \*THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)  
(Sen. Edwin Sifuna, MP)
- iv) \*\*\*THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)  
(The Senate Majority Leader)
- v) \*\*\*\*THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)  
(The Senate Majority Leader)
- vi) \*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2023)  
(The Senate Majority Leader)
- vii) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)  
(Sen. Johnes Mwaruma, MP)

- viii) \*THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO. 47 OF 2023)  
(Sen. Hamida Kibwana, MP)

**C. MOTION**

REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF WEST POKOT COUNTY ASSEMBLY FOR THE FINANCIAL YEAR 2018/2019 AND REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF ISIOLO, KIAMBU, KITUI, MARSABIT, NAROK, NYAMIRA, TRANS NZOIA, WEST POKOT AND MURANG'A COUNTY ASSEMBLIES FOR THE FINANCIAL YEAR 2019/2020.

(The Chairperson, County Public Accounts Committee)

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