



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**ORDER PAPER**

**THURSDAY, JULY 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
7. Questions and Statements (as listed in the Appendix)
8. **MOTION – THE CURRENT STATE OF THE NATION**  
(The Senate Majority Leader and the Senate Minority Leader)

**RECOGNIZING** the State of the nation at this moment; the ongoing protests following the passing of the Finance Bill (National Assembly Bills No. 30 of 2024) on 25<sup>th</sup> June, 2024 by the National Assembly; the loss of lives, maiming and loss of property that has been occasioned following these protests;

**COGNIZANT THAT** pursuant to Article 115(1)(b) of the Constitution His Excellency the President of the Republic of Kenya declined to assent to the Bill and referred it back to the National Assembly with recommendations to delete all clauses of the Bill;

**ACKNOWLEDGING THAT** the conversation on the Finance Bill has triggered the broader important public conversation on the question of the high cost of living juxtaposed against the wasteful expenditure in all public institutions including Parliament;

...../Motion

**FURTHER ACKNOWLEDGING** the issues raised by the youth and other members of the public to do with corruption, impunity, incompetence within state and public appointments, opulent lifestyles of public officers, unemployment and high cost of living amongst other issues bedeviling the economy;

**NOW THEREFORE**, the Senate–

1. calls upon-
  - i) the National Assembly to expeditiously consider the presidential memorandum pursuant to Article 115(2)(a);
  - ii) all government ministries, departments and agencies, and constitutional commissions, including Parliament, to put in place austerity measures in undertaking their respective functions;
  - iii) the Ethics and Anti-Corruption Commission (EACC) and other government multi sector agencies in the governance, justice, law and order sector to upscale and make concerted efforts to fight corruption;
  - iv) the National Police Service to cease abductions, unlawful arrests, extra judicial killings and exercise restraint in dealing with peaceful and unarmed demonstrators;
  - v) release of all persons arrested for planning and participating in peaceful demonstrations relating to the enactment of the Finance Bill;
  - vi) the government to waive hospital bills for persons who have been injured and defray funeral expenses for those who lost their lives, during the demonstrations; and
  - vii) the Judiciary to prioritize and expedite all court cases relating to the enactment of the Finance Bill and the resultant demonstrations.
2. considers all the challenges facing the country and makes necessary recommendations to address them.

***(Resumption of debate interrupted on Thursday, 11<sup>th</sup> July, 2024)***

9. **MOTION - REPORT OF THE SELECT COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE SOCIAL HEALTH INSURANCE (GENERAL) REGULATIONS, 2024 AND THE SOCIAL HEALTH INSURANCE (TRIBUNAL PROCEDURE) RULES, 2024**

(The Chairperson, Select Committee on Delegated Legislation)

**THAT**, the Senate adopts the Report of the Select Committee on Delegated Legislation on its consideration of the Social Health Insurance (General) Regulations, 2024 and the Social Health Insurance (Tribunal

...../Motion

Procedure) Rules, 2024, laid on the Table of the Senate on Tuesday, 2<sup>nd</sup> July, 2024; and that pursuant to Section 18 of the Statutory Instruments Act, the Senate resolves to annul: -

- i. the Social Health Insurance (General) Regulations, 2024 (Legal Notice No. 49 of 2024);and
- ii. the Social Health Insurance (Tribunal Procedure) Rules, 2024, (Legal Notice No. 48 of 2024).

***(Resumption of debate interrupted on Wednesday, 10<sup>th</sup> July, 2024 – Afternoon Sitting)  
(Division)***

- 10. **\*\*\*THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)**  
(The Senate Majority Leader)

*(Second Reading)*  
***(Resumption of debate interrupted on Tuesday, 28<sup>th</sup> May, 2024)  
(Division)***

- 11. **\*THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 40 OF 2023)**  
(Sen. Hamida Ali Kibwana, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Thursday, 30<sup>th</sup> May, 2024)  
(Division)***

- 12. **\*THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)**  
(Sen. Esther Anyieni Okenyuri, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Thursday, 11<sup>th</sup> July, 2024)  
(Division)***

- 13. **\*THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 20 OF 2023)**  
(Sen. Veronica Maina, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Tuesday, 16<sup>th</sup> July, 2024)  
(Division)***

- 14. **\*THE CONSTITUTION OF KENYA (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 52 OF 2023)**  
(Sen. Raphael Chimera, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Thursday, 30<sup>th</sup> May, 2024)  
...../Bills***

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

*(Second Reading)*

- 16. **\*\*\*THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**  
(The Senate Majority Leader)

*(Second Reading)*

- 17. **\*THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 3 OF 2024)**  
(Sen. Ledama Olekina, MP and Sen. William Kisang, MP)

*(Second Reading)*

- 18. **\*THE COUNTY CIVIC EDUCATION BILL (SENATE BILLS NO. 4 OF 2024)**  
(Sen. Esther Okenyuri, MP)

*(Second Reading)*

- 19. **\*THE COUNTY STATISTICS BILL (SENATE BILLS NO. 5 OF 2024)**  
(Sen. Ali Ibrahim Roba, MP)

*(Second Reading)*

- 20. **\*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)**  
(The Senate Majority Leader)

*(Second Reading)*

- 21. **\*\*\*\*THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILLS NO. 12 OF 2024)**  
(The Senate Majority Leader)

*(Second Reading)*

- 22. **\*\*\*\*THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**  
(The Senate Majority Leader)

*(Second Reading)*

...../Motion

23. **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.

*(Resumption of debate interrupted on Wednesday, 22<sup>nd</sup> May, 2024 – Afternoon Sitting)*

24. **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)

**THAT**, the Senate adopts the 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 Murangá County Assemblies for the financial year 2019/2020 laid on the table of the Senate on Thursday, 7<sup>th</sup> March, 2024.

*(Resumption of debate interrupted on Tuesday, 30<sup>th</sup> April, 2024)*

25. **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.

26. **MOTION - 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 13<sup>th</sup> 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.

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...../Notice

**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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APPENDIX1. PAPERS

- i) Report of the Fifth Parliamentary Dialogue and General Assembly Meeting of the East African Legislative Assembly held in Nairobi, Kenya from 15<sup>th</sup> to 17<sup>th</sup> October, 2023.
- ii) Report of the Committee on General Purpose of the East African Legislative Assembly on the Assessment of the Implementation of the East African Community (EAC) Budget for the Financial Year 2023/2024.
- iii) The East African Community Appropriation Bill, 2024.
- iv) The East African Community Supplementary Appropriation Bill, 2024.
- v) Report of the Committee on General Purpose of the East African Legislative Assembly on the Supplementary Budget request and the East African Community (EAC) Supplementary Appropriation Bill, 2024.
- vi) Report of the Committee on General Purpose of the East African Legislative Assembly on the East African Community Budget Estimates for Revenue and Expenditure for the Financial Year 2024/2025.
- vii) Report of the Committee on Agriculture, Tourism and Natural Resources of the East African Legislative Assembly on the onspot assessment of the implementation of projects and plans by the Lake Victoria Basin Commission and Lake Victoria Fisheries Organisation.
- viii) Report of the Committee on Regional Affairs and Conflict Resolution of the East African Legislative Assembly on the Oversight Activity to assess the processes, regulations and challenges of conducting national general election.
- ix) Resolution of the East African Legislative Assembly paying tribute to the Late Honourable (Dr.) Shogo Richard Mlozi.
- x) Report of the Auditor General on Financial Statement of the County Government of Murang'a Small Traders Empowerment Programme Fund for the year ended 30<sup>th</sup> June, 2021.
- xi) Report of the Auditor General on Financial Statement of the County Government of Murang'a Small Traders Empowerment Programme Fund for the year ended 30<sup>th</sup> June, 2022.

...../Appendix



- xii) Report of the Auditor General on Financial Statement of the County Government of Murang'a Small Traders Empowerment Programme Fund for the year ended 30<sup>th</sup> June, 2023.

*(The Senate Majority Leader)*

**2. QUESTIONS AND STATEMENTS**

**a) Request for Statements pursuant to Standing Order 53(1)**

- i) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the level of disaster preparedness in Kisumu County.
- ii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the cause of violence to traders at Kibuye Market in Kisumu County.
- iii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the management of the operations of Kibuye Market in Kisumu County.
- iv) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the regulatory and management framework for Master Operators in Kisumu County.
- v) The Senator for Samburu County (Sen. (Dr.) Lelegwe Ltumbesi, MP) to seek a Statement from the Standing Committee on Finance and Budget regarding anomalies in the payroll system and delays in payment of staff salaries by the County Executive of Samburu.
- vi) The Senator for Bungoma County (Sen. David Wakoli, MP) to seek a Statement from the Standing Committee on Health concerning the status of payment of monthly stipend to community health promoters in Bungoma County.
- vii) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of the World Bank funded project for the upgrade of water supply and sewerage systems in Taita Taveta County.

- viii) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the change of use from agriculture to commercial, of the land held by M/S Voi Point Limited in Taita Taveta County.

**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, 23<sup>rd</sup> July, 2024.

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**NOTICE PAPER**

**Tentative Business for Tuesday, July 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, July 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 COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)  
(Sen. Kathuri Murungi, MP)
- viii) \*THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)  
(Sen. Edwin Sifuna, MP)

**B. MOTIONS**

- i) 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)

...../Notice Paper

- ii) REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE INQUIRY INTO THE ALLEGED IRREGULARITIES IN THE PROCUREMENT OF LONG-LASTING INSECTICIDE TREATED NETS AT THE KENYA MEDICAL SUPPLIES AUTHORITY  
(Chairperson, Standing Committee on Health)

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