



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

TUESDAY, OCTOBER 31, 2023 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. *****THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 34 OF 2023)**
(Sen. David Wafula Wakoli, MP)

(First Reading)

9. **MOTION – ADOPTION OF THE 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)
(Mover to Reply)

10. *****THE EQUALIZATION FUND APPROPRIATION BILL, (SENATE BILLS NO. 30 OF 2023)**
(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

...../Bills

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

11. ***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 19th October, 2023)

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

(Sen. Wakili Hillary Sigei, MP)

(Second Reading)

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

(Sen. Moses Kajwang' MP)

(Second Reading)

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

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

(Second Reading)

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

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

(Second Reading)

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

(Sen. Samson Cherarkey, MP)

(Second Reading)

17. **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.

...../Motion

18. **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.

19. **MOTION - REPORT OF THE SENATE DELEGATION TO THE 67TH SESSION OF THE COMMISSION ON THE STATUS OF WOMEN (CSW 67) HELD IN NEW YORK, FROM 6TH TO 17TH MARCH 2023.**
(Sen. Fatuma Dullo, MP)

THAT, the Senate notes the Report of the Senate Delegation to the 67th Session of the Commission on the Status of Women (CSW) held in New York, from 6th to 17th March, 2023, laid on the Table of the Senate on Thursday, 29th June, 2023.

NOTICE

The Senate resolved on 15th 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**

-----**XXX**-----

APPENDIX**1. PETITIONS**

- i.) Report of the Standing Committee on Roads, Transportation and Housing on a Petition to the Senate by Mr. Nickey Muoko Mwancha, regarding the construction of a pedestrian bridge at Chiromo, along Waiyaki Way in Nairobi City County.

(The Chairperson, Standing Committee on Roads, Transportation and Housing)

- ii.) Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr. Julius Wairiuko Wanjohi concerning the lack of implementation of a Resolution to absorb the Contracted Instructors under the Economic Stimulus Programme (ESP) by the County Government of Nyeri.

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

- iii.) Report of the Standing Committee on National Security, Defence and Foreign Relations on a Petition to the Senate by Mr. Benson Nyaga Kagate concerning the recognition and remuneration of village elders under the 'Nyumba Kumi' initiative.

(The Chairperson, Standing Committee on National Security, Defence and Foreign Relations)

2. PAPERS

- i.) The 17th Edition of the Bi-Annual Report on the Status of Alcohol and Drug Abuse Control in Kenya.
- ii.) Report of the Auditor General on the financial statements of the Iten County Referral Hospital, County Government of Elgeyo Marakwet for the year ended 30th June, 2022.
- iii.) Report of the Auditor General on the financial statements of the Kapsabet County Referral Hospital, County Government of Nandi for the year ended 30th June, 2022.
- iv.) Report of the Auditor General on the financial statements of the Karatu Level 4 Hospital, County Government of Kiambu for the year ended 30th June, 2022.
- v.) Report of the Auditor General on the financial statements of the Kinango Sub-County Hospital, County Government of Kwale for the year ended 30th June, 2022.

...../Appendix

- vi.) Report of the Auditor General on the financial statements of the Karatina Sub-County Hospital, County Government of Nyeri for the year ended 30th June, 2022.

(The Senate Majority Leader)

- vii.) Report of the Standing Committee on Finance and Budget on its consideration of the Equalization Fund Appropriation Bill (Senate Bills No. 30 of 2023).

(The Chairperson, Standing Committee on Finance and Budget)

- viii.) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of the Constitution of Kenya (Amendment) Bill (Senate Bills No. 15 of 2023).

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

3. QUESTIONS AND STATEMENTS

STATEMENTS

a) Pursuant to Standing Order 52(1)

Nominated Senator (Sen. Catherine Mumma, MP) to make a statement concerning the proposed introduction of service charges at Huduma Centres across the country.

b) Pursuant to Standing Order 53(1)

- i.) The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, MP) to seek a statement from the Standing Committee on Finance and Budget regarding the rental fees incurred by the County Government of Kakamega.
- ii.) The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, MP) to seek a statement from the Standing Committee on Finance and Budget regarding revenue generation and usage by the County Government of Kakamega.
- iii.) The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding the status of employment contracts for the staff engaged by the County Government of Kakamega.
- iv.) The Senator for Machakos County (Sen. Agnes Kavindu, MP) to seek a statement from the Standing Committee on Roads, Transportation and Housing regarding the expansion of roads in Machakos County.

...../Appendix

- v.) The Senator for Migori County (Sen. Eddy Oketch, MP) to seek a statement from the Standing Committee on Labour and Social Welfare concerning the position of 'Advisor' in the Public Service.
- vi.) The Senator for Busia County (Sen. Andrew Okioti Omtatah, MP) to seek a statement from the Standing Committee on Education regarding the full implementation of the Basic Education Curriculum Framework (BECF).
- vii.) The Senator for Busia County (Sen. Andrew Okioti Omtatah, MP) to seek a statement from the Standing Committee on Education regarding the implementation of Junior Secondary School Curriculum for children with special needs.
- viii.) The Senator for Busia County (Sen. Andrew Okioti Omtatah, MP) to seek a statement from the Standing Committee on Finance and Budget regarding debt waivers and bailouts by the Government of Kenya.
- ix.) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the provision of agricultural extension services in Kisumu County.
- x.) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to seek a statement from the Standing Committee on Education concerning Early Childhood Development Education (ECDE) in Kisumu County.
- xi.) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to seek a statement from the Standing Committee on Finance and Budget concerning pending bills accrued by the County Government of Kisumu.
- xii.) Nominated Senator, (Sen. Hamida Kibwana, MP) to seek a statement from the Standing Committee on Information, Communication and Technology concerning the state of digital infrastructure in the public service.

c) Pursuant to Standing Order 56(1) (aa)

The Chairperson, Standing Committee on Roads, Transportation and Housing to make a statement on the progress made on the consideration of the following six Statements-

- i. Statement by Sen, Crystal Asige, MP regarding retesting of Public Service Vehicle (PSV) upon expiry of their driving licenses;

...../Appendix

- ii. Statement sought by Sen. Joseph Kamau, MP regarding the construction status of the road connecting Lake Kenyatta Primary School to Uziwa Junction, Lamu County;
- iii. Statement sought by Sen. Kathuri Murungi. MP on the progress of the evaluation of tenders and the commencement of dualling works of Meru Town Roads B66/A9 project Phase One;
- iv. Supplementary information to a Statement on the illegal diversion of staff training funds from the accounts of the Kenya Maritime Authority;
- v. Statement by Sen. James Kamau Murango, MP regarding speeding by drivers transporting *miraa* in parts of Kirinyaga County, and
- vi. Supplementary information to a Statement by Sen. Beatrice Ogolla, MP regarding death of boda boda riders and their passengers by sugarcane trailers of a local sugar miller (Sukari Industry) in Ndhiwa Constituency.

NOTICE PAPER I**Tentative Business for****Wednesday, November 01, 2023***(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, November 01, 2023 (Morning Sitting)

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	Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs
019	Sen. George Mbugua, MP	Accessibility of health facilities and services to Persons With Disabilities (PWDs)	Health
063	Sen. (Dr.) Boni Khalwale, MP	State of the stalled project for the construction of the Kakamega Teaching and Referral Hospital	Health
041	Sen. James Murango, MP	Categorization of Mwea Constituency as a hardship area	Public Service, Performance and Delivery Management

B. MOTIONS

- i.) DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS
(Sen. William Cheptumo, MP)
- ii.) REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS
(Sen. Wahome Wamatinga, MP)

...../Notice Paper I

- iii.) DESIGNATION OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES
(Sen. Crystal Asige, MP)

...../*Notice Paper II*

NOTICE PAPER II

Tentative Business for

Wednesday, November 01, 2023

(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, November 01, 2023 (Afternoon Sitting)

A. BILLS AT THE COMMITTEE OF THE WHOLE

- i.) *THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)
(Sen. Mariam Sheikh Omar, MP)
- ii.) *THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)
(Sen. Maureen Tabitha Mutinda, MP)
- iii.) *THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)
(Sen. Enoch Wambua, MP)
- iv.) *THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)
(Sen. Crystal Asige, MP)
- v.) *THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)
(Sen. Crystal Asige, MP)
- vi.) *THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

B. BILLS AT THE SECOND READING STAGE

- i.) *THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)
(Sen. Beatrice Ogolla, MP)
- ii.) *THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)
(Sen. Miraj Abdillahi Abdulrahman, MP)
- iii.) *THE RICE BILL (SENATE BILLS NO. 19 OF 2023)
(Sen. James Kamau Murango, MP)

C. MOTIONS

- i.) ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE DEATH OF THE LATE EDWARD OTIENO ONYANGO DUE TO ALLEGED MEDICAL NEGLIGENCE
(The Chairperson, Standing Committee on Health)
 - ii.) ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE DEATH OF THE LATE MAUREEN ANYANGO AT MAMA LUCY KIBAKI HOSPITAL DUE TO ALLEGED MEDICAL NEGLIGENCE
(The Chairperson, Standing Committee on Health)
 - iii.) ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE CIRCUMSTANCES THAT LED TO THE DEATH OF THE LATE MASTER TRAVIS MAINA AT KENYATTA NATIONAL HOSPITAL
(The Chairperson, Standing Committee on Health)
-