



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

TUESDAY, OCTOBER 03, 2023 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages (as listed in the Appendix)
4. Petitions (as listed in the Appendix)
5. Papers
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. ***THE E - HEALTH BILL (SENATE BILLS NO. 32 OF 2023)**
(Sen. Hamida Kibwana, MP)
(First Reading)
9. *****THE SUGAR BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2022)**
(The Senate Majority Leader)
(First Reading)
10. *****THE DIGITAL HEALTH BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2023)**
(The Senate Majority Leader)
(First Reading)
11. *****THE SOCIAL HEALTH INSURANCE BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2023)**
(The Senate Majority Leader)
(First Reading)

...../Motion

12. **MOTION - EXTENSION OF THE MANDATE OF THE AD HOC COMMITTEE TO INVESTIGATE THE PROLIFERATION OF RELIGIOUS ORGANIZATIONS AND THE CIRCUMSTANCES LEADING TO THE DEATHS OF MORE THAN 95 PEOPLE IN SHAKAHOLA, KILIFI COUNTY.**

(The Chairperson, Ad-Hoc Committee)

THAT, AWARE that at the Sitting of the Senate held on Thursday, 27th April, 2023, the Senate, by Resolution, established an Ad Hoc Committee to investigate the proliferation of religious organizations and the circumstances leading to the deaths of more than 95 people in Shakahola, Kilifi County;

APPRECIATING that the initial mandate of the Select Committee was due to lapse on Wednesday, 26th July, 2023 but was extended for a further thirty (30) days at a Sitting of the Senate held on Tuesday, 1st August, 2023 to allow the Committee to conclude the investigations owing to the evolving nature of the matter at the time; with discovery of new grave sites;

NOTING that the renewed mandate of the Committee lapsed on 5th September, 2023, and the Committee is yet to meet a number of key stakeholders in order to prepare a comprehensive report;

NOW, THEREFORE, the Senate resolves to renew the mandate of the Ad Hoc Committee by a further period not exceeding seven (7) days from 5th October, 2023 and to table its final report in the Senate on or before 11th October, 2023.

13. **MOTION - EXTENSION OF THE MANDATE OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYA VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI**

(The Chairperson, Ad-Hoc Committee)

THAT, AWARE that at the Sitting of the Senate held on Thursday, 27th June, 2023, the Senate, resolved to establish an Ad Hoc Committee to investigate the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi and report back to the House within three months of its establishment;

REALIZING that the three-month period will lapse on 30th September, 2023 but, owing to the magnitude of the work involved, the Committee will not have completed its work within the duration;

NOTING the need for more time to carry out a thorough inquiry into this matter;

NOW, THEREFORE, the Senate resolves to renew the mandate of the Ad Hoc Committee for a further period not exceeding forty-five (45) days of this resolution, and to table its final report in the Senate on or before 10th November, 2023.

- 14. ******THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (SENATE BILLS NO. 22 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

- 15. ******THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (NATIONAL ASSEMBLY BILLS NO. 23 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

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

(Second Reading)

- 17. ****THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)**
(The Chairperson, Standing Committee on Labour and Social Welfare)

(Second Reading)

- 18. ****THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)**
(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

(Second Reading)

- 19. ***THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO.12 OF 2023)**
(Sen. Samson Cherarkey, MP)

(Second Reading)

- 20. **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;

...../Motion

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.

21. **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.

...../Notice

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. MESSAGES

- i. Message from the National Assembly on the passage, by the National Assembly, of the Sugar Bill (National Assembly Bill No. 34 of 2022)
- ii. Message from the National Assembly on the passage, by the National Assembly, of the Digital Health Bill (National Assembly Bill No. 57 of 2023)
- iii. Message from the National Assembly on the passage, by the National Assembly, of the Social Health Insurance Bill (National Assembly Bill No. 58 of 2023)

2. PETITIONS

- i.) Petition to the Senate by the Cultural Environmental Care Society (CECARE) concerning the conversion of Land LR NO. 209/2378/1 Pumwani Majengo, from public to private land.

(The Speaker of the Senate)

- ii.) Petition to the Senate by Muindi Mbingu Memorial Ngelani Association concerning historical injustices suffered by residents of Ngelani area in Machakos County during the colonial period.

(Sen. Agnes Kavindu, MP)

3. QUESTIONS AND STATEMENTS

STATEMENTS

a) Pursuant to Standing Order 52 (1)

- i.) The Senator for Turkana County (Sen. James Lomenen, MP) to make a statement concerning the untapped potential of Lake Turkana's blue economy.
- ii.) The Senator for Turkana County (Sen. James Lomenen, MP) to make a statement concerning the displacement and aggression faced by the Turkana Community.

b) Pursuant to Standing Order 53(1)

- i.) Nominated Senator (Sen. George Mbugua, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding the leasing of idle public land to farmers.

- ii.) The Senator for Kiambu County (Sen. Karungo Thangwa, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding the mitigation efforts by government to control the overflow of Karimenu II dam.
- iii.) The Senator for Baringo County (Sen. William Cheptumo, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding the settlement of outstanding compensation claims for deaths and injuries caused by snake bites.
- iv.) Nominated Senator (Sen. Catherine Mumma, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding measures put in place to address the state of insecurity in Turkana County.
- v.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding vaccine production and distribution at the Kenya Veterinary Vaccines Production Institute.
- vi.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Labour and Social Welfare concerning equal representation in recruitment processes in state agencies.
- vii.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Education regarding the status of construction of Technical and Vocational Education and Training (TVET) institutions.
- viii.) Nominated Senator (Sen. Hamida Kibwana, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding reports of abuse in care homes for the elderly.
- ix.) Nominated Senator (Sen. Hamida Kibwana, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding dumping of textile, plastic and synthetic waste in Kenya.
- x.) Nominated Senator (Sen. Hamida Kibwana, MP) to seek a statement from the Standing Committee on Health concerning the challenges faced by Kenyans with hearing impairment.
- xi.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Health concerning bills owed to the Kenya Medical Supplies Agency (KEMSA).

NOTICE PAPER I**Tentative Business for****Wednesday, October 04, 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, October 04, 2023 (Morning Sitting)

A. QUESTIONS

QUESTION NO.	SENATOR	SUBJECT	MINISTRY
041	Sen. James Kamau Murango, MP	Categorization of Mwea Constituency as a hardship area	Public Service, Gender and Affirmative Action
051	Sen. Mohamed Said Chute, MP	Status of construction of Marsabit Stadium	Youth Affairs, Sports and the Arts
053	Sen. Samson Cherarkey, MP	Team Kenya's participation in the World Athletics Championship in Budapest	Youth Affairs, Sports and the Arts
055	Sen. Mohamed Said Chute	Participation of Kenya in the African Union Mission to Somalia (AMISOM)	Defense

B. MOTIONS

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

...../Notice Paper I

- iii.) 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)

NOTICE PAPER II

Tentative Business for

Wednesday, October 04, 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, October 04, 2023 (Afternoon Sitting)

A. BILLS AT THE SECOND READING STAGE

- i.) *THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)
(Sen. Moses Kajwang’ MP)
- ii.) *THE CONSTITUTION OF KENYA (AMENDMENT) BILL (SENATE BILLS NO. 15 OF 2023)
(Sen. Beth Syengo, MP)

B. BILLS AT THE COMMITTEE OF THE WHOLE

- i.) *THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023) (DIVISION)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- ii.) *THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)
(Sen. Mariam Sheikh Omar, MP)
- iii.) *THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)
(Sen. Maureen Tabitha Mutinda, MP)
- iv.) *THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)
(Sen. Enoch Wambua, MP)
- v.) *THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)
(Sen. Crystal Asige, MP)
- vi.) *THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)
(Sen. Crystal Asige, MP)
- vii.) *THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

- viii.) **THE EQUALIZATION FUND (ADMINISTRATION) BILL (SENATE BILLS NO. 14 OF 2023)
(The Chairperson, Standing Committee on Finance and Budget)

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
- 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)
- iv.) 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)
-