



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (SECOND SESSION)**

**THE SENATE**

**ORDER PAPER**

**TUESDAY, OCTOBER 17, 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
6. Notices of Motion (as listed in the Appendix)
7. Questions and Statements (as listed in the Appendix)
8. **\*THE PUBLIC HOLIDAYS (AMENDMENT) BILL (SENATE BILLS NO. 31 OF 2023)**  
(Sen. Karungo Thang'wa, MP)  
*(First Reading)*
9. **\*THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2023)**  
(Sen. Godfrey Osotsi, MP)  
*(First Reading)*
10. **\*THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL, (SENATE BILLS NO. 38 OF 2023)**  
(Sen. (Dr.) Boni Khalwale, MP)  
*(First Reading)*
11. **\*THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL, (SENATE BILLS NO. 40 OF 2023)**  
(Sen. Hamida Kibwana, MP)  
*(First Reading)*

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

*(First Reading)*

- 13. **\*THE ENERGY (AMENDMENT) BILL, (SENATE BILLS NO. 42 OF 2023)**  
(Sen. Edwin Sifuna, MP)

*(First Reading)*

- 14. **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 5<sup>th</sup> October, 2023)***

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

*(Second Reading)*

- 16. **\*THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)**  
(Sen. Moses Kajwang’ 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)*

...../Motion

20. **\*\*\*\*THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (SENATE BILLS NO. 22 OF 2023)**

(The Senate Majority Leader)

*(Second Reading)*

21. **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;

**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.

...../**Motion**

- 22. **MOTION - REPORT OF THE 146<sup>TH</sup> ASSEMBLY OF THE INTER - PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN MANAMA, KINGDOM OF BAHRAIN FROM 11<sup>TH</sup> TO 15<sup>TH</sup> MARCH, 2023.**  
(Sen. Kathuri Murungi, MP)

**THAT**, the Senate notes the Report of the 146<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings, held in Manama, Kingdom of Bahrain, from 11<sup>th</sup> to 15<sup>th</sup> March, 2023, laid on the Table of the Senate on Tuesday 2<sup>nd</sup> May, 2023.

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

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

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**NOTICE**

The Senate resolved on 15<sup>th</sup> 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**

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**APPENDIX**

**1. PETITIONS**

i.) Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Mr. Kimutai Kirui and other residents of Uasin Gishu County concerning alleged fraud by the First Choice Recruitment and Consultancy Agency Limited.

ii.) Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Dr. David Bhimji Atallah and others on unfair terms and conditions for Universal Health Coverage (UHC) staff and delay in internship posting conjoined with the Petition on unfair treatment of the COVID Health Emergency Response Project (CHERP) staff beyond the pandemic.

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

iii.) Petition to the Senate by residents of Turkana County concerning the state of insecurity in Turkana County.

*(Sen. James Lomenen, MP)*

**2. QUESTIONS AND STATEMENTS**

**STATEMENTS**

**a) Pursuant to Standing Order 52(1)**

i.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to make a statement concerning the sterling performance of Mr. Kevin Kiptum at the 2023 Chicago Marathon.

ii.) Nominated Senator (Sen. Crystal Asige, MP) to make a statement concerning commemoration of the World Sight Day.

**b) Pursuant to Standing Order 53(1)**

i.) The Senator for Bungoma County (Sen. David Wafula, MP) to seek a statement from the Standing Committee on Health regarding healthcare services to the beneficiaries of the National Health Insurance Fund (NHIF).

ii.) The Senator for Bungoma County (Sen. David Wafula, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding the status of recent employment of senior management positions at the Kenya National Highways Authority (KeNHA).

- iii.) The Senator for Migori County (Sen. Eddy Oketch, MP) to seek a statement from the Standing Committee on Health regarding the death of Ms. Maurine Achieng' and her newborn baby at health care facilities in Nairobi County.
- iv.) The Senator for Kiambu County (Sen. Karungo Thangwa, MP) to seek a statement from the Standing Committee on Roads, Transportation and Housing concerning the status of compensation of land owners along the Western bypass in Kabete by Kenya National Highways Authority (KeNHA).
- v.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding an attack on a Kenyan athlete by a stray dog in Buenos Aires in Argentina.
- vi.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Health regarding the medical insurance cover for Nandi County staff.
- vii.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Information, Communication and Technology concerning the financial status and operations of the Postal Corporation of Kenya.
- viii.) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning civilian deaths and injuries caused by the country wide demonstrations including cases in Kisumu County.
- 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 promotion of fish farming in Kisumu County.
- x.) Nominated Senator (Sen. Veronica Maina, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding the promotion of African attire.
- xi.) Nominated Senator (Sen. Veronica Maina, MP) to seek a statement from the Standing Committee on Labour and Social Welfare concerning allegations of politically-instigated harassment of employees in the counties.

- xii.) Nominated Senator (Sen. Esther Okenyuri, MP) to seek a statement from the Standing Committee on Finance and Budget concerning the socio-economic impact of the Hustler Fund.
- xiii.) The Senator for Embu County (Sen. Alexander Mundigi, MP) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding stalled government irrigation projects in Embu County.
- xiv.) The Senator for Embu County (Sen. Alexander Mundigi, MP) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding alleged shortage of certified seeds supply to farmers.
- xv.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a statement from the Standing Committee on Finance and Budget regarding the underpayment of retirement benefits to former employees of Housing Finance Corporation of Kenya (HFCK).
- xvi.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Health regarding the high prevalence of cancer in Marsabit County.
- xvii.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries concerning the existence of an Artificial Insemination (AI) goat centre in Ahiti Ndomba in Kirinyaga County.
- xviii.) 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.
- xix.) 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.
- xx.) Nominated Senator (Sen. Hamida Kibwana, MP) to seek a statement from the Standing Committee on Information, Communication and Technology regarding the sale of Telkom Kenya to Infrastructure Corporation Africa.
- xxi.) 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 Kangundo road.



- xxii.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding the alleged grabbing of Tom Mboya Social Hall in Makadara Constituency.
  
- xxiii.) Nominated Senator (Sen. Crystal Asige, MP) to seek a statement from the Standing Committee on Labour and Social Welfare concerning the status of the implementation of the court order mandating the Registrar of trade unions to register the Kenya Musicians' Union.

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**NOTICE PAPER I**

**Tentative Business for**

**Wednesday, October 18, 2023**

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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, October 18, 2023 (Morning Sitting)

**A. QUESTIONS**

<b>QUESTION NO.</b>	<b>SENATOR</b>	<b>SUBJECT</b>	<b>MINISTRY</b>
018	Sen. James Lomenen, MP	Inaction of the Kenyan Government to hasten the release of the Turkana pastoralists arrested in Uganda	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.) REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS  
(Sen. Wahome Wamatinga, MP)
- ii.) DESIGNATION OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES  
(Sen. Crystal Asige, MP)

**NOTICE PAPER II**

**Tentative Business for**

**Wednesday, October 18, 2023**

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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, October 18, 2023 (Afternoon Sitting)

**A. 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)

**B. 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)

**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)

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