



**REPUBLIC OF KENYA**  
**THIRTEENTH PARLIAMENT – (SECOND SESSION)**  
**THE SENATE**  
**ORDER PAPER**  
**MORNING SITTING**  
**WEDNESDAY, NOVEMBER 01, 2023 AT 9.30 AM**

**PRAYER**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **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;

...../Motion

**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.

9. **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.

10. **MOTION - DESIGNATION OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

**THAT AWARE THAT**, Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

...../Motion

**NOTING THAT** the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions which if uncontrolled, will result to negative impact of climate change that will adversely affect millions of Kenyans;

**CONCERNED THAT** the number of private vehicles has significantly grown leading to increased road accidents, carbon emission and vehicle congestion costs which are in excess of Kshs. 100 billion in GDP per year;

**NOW THEREFORE** the Senate urges the Ministry of Roads and Transport, in collaboration with the Council of Governors, and the National Climate Change Council to;

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas;
- ii.) provide affordable, safe and efficient public transport including but not limited to development of Bus Rapid Transport (BRT) in the urban areas;
- iii.) encourage the use of electric hybrid buses and provide appropriate incentives for their use; and
- iv.) design an infrastructure that can support non – motorized transport facilities such as pedestrian and bicycle access within urban centers; and
- v.) ensure inter-modal connectivity among the various transport modes.

11. **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.

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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**

**QUESTIONS AND STATEMENTS**

**QUESTIONS**

**Question No. 018**

**The Senator for Turkana County (Sen. James Lomenen, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -**

- (a) What are the reasons for the Kenya Government's inaction in assisting and hastening the release of the pastoralists from Turkana County, who were arrested in Uganda and charged in court martials in Moroto District in Uganda, for crossing over in search of pasture during the recent drought experienced in the country?
- (b) When will the Government intervene to ensure the release of the pastoralists?

**Question No. 019**

**Nominated Senator (Sen. George Mbugua, MP) to ask the Cabinet Secretary for Health: -**

- (a) What measures has the Government taken to ensure that reproductive health services are accessible to Persons with Disabilities (PWDs) in compliance with Article 43 (a) of the Constitution?
- (b) Could the Cabinet Secretary provide a list of all the medical facilities equipped with disability-friendly infrastructure and, indicate the training programmes developed and resources deployed by the Government to medical practitioners to ensure they are adequately prepared to attend to PWDs?
- (c) What is the Government doing to also ensure that such services as occupational therapy, speech therapy and behavioural therapy, which are essential for children living with disabilities, are all covered by the National Health Insurance Fund (NHIF)?

...../Appendix

**Question No. 063**

**The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, CBS, MP) to ask the Cabinet Secretary for Health: -**

- (a) Could the Cabinet Secretary disclose the initial cost of the project for the construction of Kakamega Teaching and Referral Hospital as was awarded by the County Government of Kakamega, state how much of that amount has been paid to the contractor so far and indicate the percentage of construction works undertaken so far?
- (b) What are the reasons behind the stalling of the project?
- (c) What measures will the Government take to secure the construction site and put an end to the ongoing vandalism and theft of construction materials and equipment?
- (d) What is the Government doing to execute the Presidential Directive that the National Government takes over the stalled project?

**Question No. 041**

**The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Public Service, Performance and Delivery Management: -**

- (a) What criteria is used by the Ministry to categorize and gazette areas as hardship zones in the country, and could the Cabinet Secretary state why Mwea Constituency in Kirinyaga County has not been gazetted as a hardship zone, considering the adverse conditions in most parts of the constituency?
- (b) When does the Ministry intend to classify Mwea Constituency as a hardship area in order to compensate public servants who serve in the region under adverse conditions?

# **NOTICE PAPER**

## **Tentative Business for**

**Wednesday, November 01, 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, 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 EQUALIZATION FUND APPROPRIATION BILL, (SENATE BILLS NO. 30 OF 2023) (Division)  
(The Chairperson, Standing Committee on Finance and Budget)
- ii.) \*THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 29 OF 2023)  
(Sen. Miraj Abdillahi Abdulrahman, MP)
- iii.) \*THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO. 12 OF 2023)  
(Sen. Samson Cherarkey, MP)

...../Notice Paper

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

**C. MOTIONS**

- i.) 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)
  - ii.) 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)
  - iii.) 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)
  - iv.) 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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