



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

AFTERNOON SITTING

WEDNESDAY, APRIL 19, 2023 AT 2.30 PM

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. *****THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 9 OF 2023)**
(The Senate Majority Leader)

(Second Reading)
***(Resumption of debate interrupted on Wednesday, 19th April, 2023 –
Morning Sitting)***
(Division)

9. **COMMITTEE OF THE WHOLE**
*****THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 9 OF 2023)**
(The Senate Majority Leader)

10. ****THE EQUALIZATION FUND APPROPRIATION BILL (SENATE BILLS NO. 3 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 19th April, 2023 – Morning Sitting)

(Question to be proposed)

11. ***THE PROMPT PAYMENT BILL (SENATE BILLS NO. 8 OF 2022)**

(Sen. Mariam Sheikh Omar, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 12th April, 2023 – Afternoon Sitting)

12. ***THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)**

(Sen. Enoch Wambua, MP)

(Second Reading)

13. ***THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2022)**

(Sen. Samson Cherarkey, MP)

(Second Reading)

14. ***THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)**

(Sen. Maureen Tabitha Mutinda, MP)

(Second Reading)

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

(Sen. Wakili Hillary Sigei, MP)

(Second Reading)

16. ***THE KONZA TECHNOPOLIS BILL (SENATE BILLS NO. 2 OF 2023)**

(Sen. Gloria Orwoba, MP)

(Second Reading)

17. ***THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)**

(Sen. Crystal Asige, MP)

(Second Reading)

...../Motion

18. ***THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)**

(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

(Second Reading)

19. ***THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 5 OF 2023)**

(Sen. Beth Syengo, MP)

(Second Reading)

20. **MOTION - REVIEW OF THE MINIMUM WAGE NECESSITATED BY HIGH COST OF LIVING**

(Sen. Karen Nyamu, MP)

THAT, AWARE THAT minimum wages in Kenya are specified as part of a national wage policy and guided by the Regulation of Wages and Conditions of Employment Act (CAP 229) aimed at reducing poverty as well as protecting and promoting the living standards of workers;

CONCERNED THAT, despite the increase in Kenya's minimum wage in May 2022 by 12% to help workers cope with the surge in consumer prices, the current inflation rates have had a knock-on effect on the cost of living and doing business in the country with the prices of goods, household energy bills, and transport remaining stubbornly high;

NOW THEREFORE the Senate resolves that the Cabinet Secretary for Labour and Social Protection engages all stakeholders including the General Wages Advisory Board (GWAB) and the Agricultural Wages Advisory Board (AWAB) with a view of raising the minimum wage by at least 50% as from 1st May, 2023.

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;

...../Motion

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.

22. **MOTION - ACCELERATING THE IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT GOALS (SDGs)**

(Sen. Catherine Mumma, MP)

AWARE THAT, the 2030 agenda for Sustainable Development adopted by all United Nations Member States in 2015 provides a shared global blueprint aimed at ending poverty , protecting the earth’s environment and climate and ensuring that people everywhere enjoy peace and prosperity;

APPRECIATING THAT, the implementation of the 2030 agenda for Sustainable Development in Kenya started by the official launch of the Sustainable Development Goals (SDGs) in Kenya in 2016 followed by the development of the Country SDGs roadmap to guide the transition from Millennium Development Goals to SDGs and the mainstreaming of the SDGs at both the National and County Governments;

CONCERNED THAT , the implementation of the 2030 agenda for sustainable Development in Kenya has been affected negatively by shocks such as continued drought since 2019 in Kenya and around the world , serious invasion by desert locusts, the COVID-19 pandemic and other public health calamities and the current strained state of the Kenyan economy;

NOW THEREFORE, the Senate resolves that the State Department for Economic Planning in consultation with the Council of Governors comes up with reviewed implementation roadmaps for the two levels of Government taking into account the shocks that have impeded or any other that are likely to impede the implementation of the 2030 agenda for Sustainable Development.

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 further 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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NOTICE OF AMENDMENTS

*****THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 9 OF 2023)**

(The Senate Majority Leader)

NOTICE is given that the Vice-Chairperson, Standing Committee on Finance and Budget intends to move the following amendment to the Division of Revenue Bill, (National Assembly Bills No. 9 of 2023), at the Committee Stage-

SCHEDULE

THAT the Bill be amended by deleting the schedule and substituting therefor the following new schedule-

SCHEDULE

(s.4)

ALLOCATION OF REVENUE RAISED NATIONALLY AMONG THE NATIONAL AND COUNTY GOVERNMENTS FOR THE FINANCIAL YEAR 2023/24		
Type/level of allocation	Amount in Kshs.	Percentage (%) of 2019/20 audited and approved revenue*
A. Total Sharable Revenue	2,571,159,000,000	
B. National Government	2,155,504,036,531	
C. Equalization Fund	8,654,963,469	0.5%
D. County equitable share	407,000,000,000	24.3%

* The Equalisation Fund Allocation is based on all Revenue Received in FY 2019/20 of Kshs 1,730,992,693,864 while the County Equitable share is based on Ordinary revenue as defined under Section 2 of the Commission on Revenue Allocation Act, 2011 which amounts to Ksh 1,673,714,909,446 in FY 2019/20.

APPENDIX**QUESTIONS AND STATEMENTS****STATEMENTS****a) Pursuant to Standing Order 52(1)**

- i.) Nominated Senator (Sen. Hamida Kibwana, MP) to make a statement concerning the state of health and safety in schools, following the tragedy at Mukumu Girls' High School in Kakamega County.
- ii.) Nominated Senator (Sen. Hamida Kibwana, MP) to make a statement concerning the election of officials to the Women's Caucus – Kenya Women Senators Association (KEWOSA).

b) Pursuant to Standing Order 53(1)

- i.) Nominated Senator (Sen. Veronica Maina, MP) to seek a statement from the Standing Committee on Trade, Industrialization and Tourism regarding the status of implementation of the “*Buy Kenya-Build Kenya*” initiative to increase competitiveness and consumption of locally produced goods and services.
- ii.) Nominated Senator (Sen. Gloria Orwoba, MP) to seek a statement from the Standing Committee on National Security, Defense and Foreign Relations regarding the need for identity protection.
- iii.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to seek a statement from the Standing Committee on Roads, Transportation and Housing concerning construction works for Ngong road.
- iv.) Nominated Senator (Sen. George Mbugua, MP) to seek a statement from the Standing Committee on Education regarding the status of the special needs teachers at Ngao Special School in Ol-Jororok in Nyandarua County.
- v.) Nominated Senator (Sen. Hamida Kibwana, MP) to seek a statement from the Standing Committee on Health concerning dental and optical healthcare treatment for Kenyans through the National Hospital Insurance Cover (NHIF).
- vi.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Trade, Industrialization and Tourism regarding the status of management of museums and heritage sites in Kenya.

vii.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Justice, Legal Affairs and Human Rights concerning the status of compensation and resettlement of the residents of Buxton Estate in Mombasa County.

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

- i.) The Chairperson, Select Committee on County Public Accounts to issue a Statement relating to the activities of the Committee.
- ii.) The Chairperson, Select Committee on County Public Investments and Special Funds to issue a Statement relating to the activities of the Committee.
- iii.) The Chairperson, Select Committee on Delegated Legislation to issue a Statement relating to the activities of the Committee.

NOTICE PAPER

Tentative Business for

Thursday, April 20, 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 Thursday, April 20, 2023.

A. BILLS AT SECOND READING STAGE

- i.) *THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)
(Sen. Moses Kajwang' MP)
- ii.) *THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)
(Sen. Crystal Asige, MP)
- iii.) *THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)
(The Chairperson, Standing Committee on Labour and Social Welfare)
- iv.) *THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)
(Sen. (Prof. Margaret Kamar, MP and Sen. Crystal Asige, MP)

B. MOTIONS

- i.) REPORT OF THE 61ST SESSION OF THE ORGANISATION OF AFRICAN, CARRIBEAN AND PACIFIC STATES (OACPS) PARLIAMENTARY ASSEMBLY AND THE 42ND SESSION OF THE OACPS -EU JOINT PARLIAMENTARY ASSEMBLY HELD IN MAPUTO, MOZAMBIQUE ON 23RD OCTOBER TO 2ND NOVEMBER, 2022
(Sen. Tabitha Mutinda, MP)
- ii.) RECORD OF THE PROCEEDINGS OF THE FIRST ORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD IN GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA ON 23RD OCTOBER – 12TH NOVEMBER, 2022.
(Sen. Danson Mungatana, MP)
- iii.) INTEGRATION OF ETHNIC MINORITIES AND MARGINALIZED COMMUNITIES IN KENYA
(Sen. William Cheptumo, MP)

...../Notice Paper

- iv.) DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER
AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS
(Sen. William Cheptumo, MP)
