



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

MORNING SITTING

WEDNESDAY, SEPTEMBER 27, 2023 AT 9.30 AM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. ******THE PRIMARY HEALTH CARE BILL (SENATE BILLS NO. 44 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Tuesday 26th September, 2023)

9. **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.

10. **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 of this resolution, and to table its final report in the Senate on or before 4th October, 2023.

11. **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.

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**

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APPENDIX

1. PAPERS

- i.) Report of the Standing Committee on Energy on its inquiry into the high cost of electricity in the Country.

(The Chairperson, Standing Committee on Energy)

- ii.) Report of the Standing Committee on Finance and Budget on the County Governments Additional Allocations Bill (National Assembly Bills No. 23 of 2023)

(The Chairperson, Standing Committee on Finance and Budget)

2. QUESTIONS AND STATEMENTS

QUESTIONS

Question No. 011 The Senator for Laikipia County (Sen. John Kinyua Nderitu, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) Could the Cabinet Secretary apprise the Senate on the state of security in Laikipia County, and the wider North Rift region, and state the criteria used in the identification of areas to conduct the ongoing security operation?
- (b) Could the Cabinet Secretary state the measures put in place to ensure the restoration and maintenance of peace in the region, and also provide information on the recruitment, deployment and remuneration of National Police Reservists (NPR) in the region?
- (c) What is the status of recovery of stolen livestock and arraignment of apprehended bandits in court since November 2022 and, could the government consider compensating persons affected by banditry?

Question No. 012 The Senator for Laikipia County (Sen. John Kinyua Nderitu, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) What measures are in place to curb the abuse of Ketamine, an addictive drug popularly known as “Kete”, particularly in the Mt. Kenya region?

...../Appendix

- (b) What efforts has the Ministry made in the establishment of rehabilitation facilities for recovering addicts of the drug?

Question No. 025 The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) Could the Cabinet Secretary provide a per-county schedule of vacancies in positions of Chief and Assistant Chief in Kenya, indicating the period the respective positions have been vacant as well as the causes of the vacancies?
- (b) What plans are in place to ensure the recruitment and deployment of Chiefs and Assistant Chiefs to fill the vacant positions?

Question No. 026 The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) What has occasioned the delay in the recruitment of National Police Reservists (NPRs) in Marsabit County and the wider Northern Frontier Counties?
- (b) Could the Cabinet Secretary indicate the plans in place to ensure prompt recruitment and deployment of the NPRs and also state the projected timelines for the same?

Question No. 032 The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) Is the Cabinet Secretary aware of the kidnappings that have been happening along the Makutano – Sagana highway in Kirinyaga County for the last 2 (two) years, where 11 children have been reported missing without a trace?
- (b) Could the Cabinet Secretary provide an update on the status of investigations into the cases, which have been reported at Sagana, Kiamaciri and Wang'uru Police Stations?

...../Appendix

- (c) What measures is the Government taking to strengthen security in the area to end the kidnappings and bring to book the perpetrators of the heinous acts?

Question No.045 The Senator for Turkana County (Sen. James Lomenen, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) Could the Cabinet Secretary provide an update on the current security situation in West Pokot and Turkana Counties, especially in relation to reported incidents of shooting and robbing of private and public service vehicles by armed bandits, specifically around Kainuk area along the Kitale-Lokichogio highway, which has resulted in the deaths and injury of many residents,
- (b) among them, school-going children, police officers and personnel of Non-Governmental Organizations?
- (c) What measures is the Government taking to enhance security and stability in the border region between West Pokot and Turkana Counties, considering the historical challenges of cattle rustling and inter-community conflicts which have had a negative impact on economic activities in the region?

Question No. 018 The Senator for Turkana County (Sen. James Lomenen, MP) to ask the 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. 036 The Senator for Kajiado County (Sen. Lenku Ole Kanar Seki, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

- (a) What is the status of compensation by the Kenya Electricity Transmission Company Limited (KETRACO) to landowners affected by the construction of UMMA University-Namanga, UMMA University-Konza, and Emali-Loitokitok electricity transmission lines?
- (b) Could the Cabinet Secretary state the measures put in place to ensure that Kajiado County benefits from her energy resources, while indicating the status of exploration of gas, solar, wind and geothermal energy in the County?
- (c) Could the Cabinet Secretary provide details of Corporate Social Responsibility (CSR) agreements between National Oil Corporation of Kenya (NOCK) and local communities in Magadi in Kajiado County with regard to the Lake Magadi oil exploration, noting that Phase Three (3) of the project is about to commence and the community is yet to benefit since the commencement of exploration?
- (d) What measures have been put in place to ensure the CSR agreements are implemented?

Question No. 052 The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

- (a) What is the current number of electricity transmission lines linking Loiyangalani town to Suswa town?
- (b) Could the Cabinet Secretary provide an update on the progress of repair works on the weak transmission line originating from the Lake Turkana Wind Power Plant (LTWP) and also indicate the timelines for its completion?

- (c) Could the Cabinet Secretary provide clarification on the penalty imposed on the Government by LTWP due to the construction delay of the power line, detailing the penalty amount and the average monthly payment made by the Government in relation to this project?
- (d) What actions has the Ministry taken to address the issue involving the purchase of a power fluctuation stabilizer machine by LTWP at a significantly inflated price?

Question No.049 The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, CBS, MP) to ask the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs: -

- (a) Could the Cabinet Secretary provide an update on the current status of gold mining activities in Kakamega County, and state the specific reasons for the stalling of the construction of the gold refinery in Ikolomani Constituency, that was commissioned by the County Government of Kakamega in 2021?
- (b) What measures has the Government put in place to ensure resumption of construction and expedition of completion of the refinery to promote the expansion of the gold mining sector in the region, noting that gold deposits worth over Kshs. 365 million in the County remain untapped?
- (c) Could the Cabinet Secretary explain the measures the Government has put in place to promote responsible and sustainable gold mining practices in the County, in light of the many reported accidents in the mines that have resulted in injuries and loss of lives?

NOTICE PAPER

Tentative Business for

Wednesday, September 27, 2023 (Afternoon Sitting)

(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, September 27, 2023 (Afternoon Sitting).

A. BILLS AT 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 AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)
(Sen. Maureen Tabitha Mutinda, MP)
- iii.) *THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)
(Sen. Mariam Sheikh Omar, MP)
- iv.) ****THE FACILITIES IMPROVEMENT FINANCING BILL (SENATE BILLS NO. 43 OF 2023)
(The Senate Majority Leader)

B. BILLS AT THE SECOND READING STAGE

- i.) ***THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (NATIONAL ASSEMBLY BILLS NO. 23 OF 2023)
(The Senate Majority Leader)
 - ii.) **THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)
(Sen. Moses Kajwang' MP)
 - iii.) *THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)
(Sen. James Murango, MP)
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