



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

ORDER PAPER

TUESDAY, MAY 28, 2024 AT 2.30 PM

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. **MOTION - THE SECOND REPORT OF THE PROCEDURE AND RULES COMMITTEE (PRC) ON THE REVIEW OF THE STANDING ORDERS OF THE SENATE**
(The Vice-Chairperson, Procedure and Rules Committee)

THAT, pursuant to Standing Orders 267, 268 and 270, the Senate approves the Second Report of the Procedure and Rules Committee on the review of the Standing Orders of the Senate, laid on the Table of the Senate, on Wednesday, 22nd May, 2024, and that pursuant to the provisions of Article 124 (1) of the Constitution and Standing Orders 270 and 272-

- (i) resolves to amend its Standing Orders as contained in Annex 1 of the Report; and
 - (ii) orders that the amendments to the Standing Orders as contained in Annex 1 to the Report come into effect on the 25th June, 2024.
9. *****THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

...../Bills

*(Resumption of debate interrupted on Wednesday, 22nd May, 2024 –
Afternoon Sitting)
(Mover to reply)*

10. *****THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)**
(The Senate Majority Leader)

*(Second Reading)
(Resumption of debate interrupted on Thursday, 16th May, 2024)
(Division)*

11. *****THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)**
(The Senate Majority Leader)

*(Second Reading)
(Resumption of debate interrupted on Wednesday, 22nd May, 2024 –
Afternoon Sitting)
(Division)*

12. ***THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO.
47 OF 2023)**
(Sen. Hamida Kibwana, MP)

*(Second Reading)
(Resumption of debate interrupted on Wednesday, 22nd May, 2024 –
Afternoon Sitting)
(Division)*

13. *****THE CANCER PREVENTION AND CONTROL (AMENDMENT) (NO. 2)
BILL (NATIONAL ASSEMBLY BILLS NO. 45 OF 2022)**
(Sen. Samson Cherarkey, MP – Co- Sponsor)

*(Second Reading)
(Resumption of debate interrupted on Thursday, 23rd May, 2024)
(Division)*

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

(Second Reading)

15. ***THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL
(SENATE BILLS NO. 13 OF 2023)**
(Sen. James Murango, MP)

(Second Reading)

16. ***THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)**
(Sen. Miraj Abdillahi Abdulrahman, MP)

(Second Reading)

- 17. ***THE RICE BILL (SENATE BILLS NO. 19 OF 2023)**
(Sen. James Murango, MP)
(Second Reading)
- 18. ***THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE BILLS NO. 31 OF 2023)**
(Sen. Karungo Thang’wa, MP)
(Second Reading)
- 19. ***THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)**
(Sen. Mohamed Chute, MP)
(Second Reading)
- 20. ***THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)**
(Sen. Kathuri Murungi, MP)
(Second Reading)
- 21. ***THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 40 OF 2023)**
(Sen. Hamida Ali Kibwana, MP)
(Second Reading)
- 22. ***THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)**
(Sen. Esther Anyieni Okenyuri, MP)
(Second Reading)
- 23. ***THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)**
(Sen. Edwin Sifuna, MP)
(Second Reading)
- 24. **MOTION - REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE STATUS OF IMPLEMENTATION OF PROJECTS FUNDED BY THE CONDITIONAL GRANT FOR THE CONSTRUCTION OF COUNTY HEADQUARTERS**
(The Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the status of implementation of projects funded by the Conditional Grant for the construction of County Headquarters laid on the Table of the Senate on Thursday, 28th March, 2024.

(Resumption of debate interrupted on Wednesday, 22nd May, 2024 – Afternoon Sitting)

25. **MOTION - REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF WEST POKOT COUNTY ASSEMBLY FOR THE FINANCIAL YEAR 2018/2019 AND REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF ISIOLO, KIAMBU, KITUI, MARSABIT, NAROK, NYAMIRA, TRANS NZOIA, WEST POKOT AND MURANG'A COUNTY ASSEMBLIES FOR THE FINANCIAL YEAR 2019/2020**

(The Chairperson, County Public Accounts Committee)

THAT, the Senate adopts the Report of the Select Committee on County Public Accounts on its consideration of the Report of the Auditor General on the financial statements of West Pokot County Assembly for the financial year 2018/2019 and Reports of the Auditor General on the financial statements of Isiolo, Kiambu, Kitui, Marsabit, Narok, Nyamira, Trans Nzoia, West Pokot and Murangá County Assemblies for the financial year 2019/2020 laid on the table of the Senate on Thursday, 7th March, 2024.

(Resumption of debate interrupted on Tuesday, 30th April, 2024)

26. **MOTION - DECLARATION OF CATTLE RUSTLING AND BANDITRY AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**

(Sen. William Cheptumo, MP)

THAT AWARE THAT, cattle rustling/banditry 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 health 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/banditry to:

...../Motions

- (i) Investigate the causes of the rampant cattle rustling and banditry in the said region and the Country at large;
 - (ii) Establishes the extent of suffering, loss and damage the cattle rustling/banditry 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/banditry and settle all internally displaced persons occasioned by the menace.

(Resumption of debate interrupted on Wednesday, 6th March, 2024 – Morning Sitting – Balance of time 56 minutes)

27. **MOTION - REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS ON ITS CONSIDERATION OF THE AUDIT REPORTS OF THE WATER SERVICE PROVIDERS FOR THE YEAR ENDED 30TH JUNE, 2019, 30TH JUNE, 2020 AND 30TH JUNE, 2021**

(The Chairperson, Committee on County Public Investments and Special Funds)

THAT, the Senate adopts the Reports of the Select Committee on County Public Investments and Special Funds on its consideration of the Audit Reports for the year ended, 30th June, 2019, 30th June, 2020 and 30th June, 2021 of the following Water Service Providers-

- i.) Amatsi Water Services Company Limited - Vihiga County;
- ii.) Bomet Water Company Limited – Bomet County;
- iii.) Gusii Water and Sanitation Company Limited – Kisii/Nyamira Counties;
- iv.) Kisumu Water and Sanitation Company Limited –Kisumu County;
- v.) Kwale Water and Sewerage Company Limited – Kwale County;and
- vi.) Nyeri Water and Sanitation Company Limited – Nyeri County

and the Audit Report of the Wajir Water and Sewerage Company Limited for the year ended 30th June, 2021, laid on the Table of the Senate on Thursday, 23rd November, 2023.

28. **MOTION - REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE INQUIRY INTO THE ALLEGED IRREGULARITIES IN THE PROCUREMENT OF LONG-LASTING INSECTICIDE TREATED NETS AT THE KENYA MEDICAL SUPPLIES AUTHORITY**

(Chairperson, Standing Committee on Health)

THAT, the Senate adopts the report of the Standing on Health on the inquiry into alleged irregularities in the procurement of long-lasting insecticide treated nets at the Kenya Medical Supplies Authority (KEMSA), laid on the Table of the Senate on Wednesday, 8th May, 2024.

NOTICE

The Senate resolved on 14th February, 2024 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 Auditor General on the Financial Statements of Kericho Water and Sanitation Company Limited for the year ended 30th June, 2023.
- ii) Report of the Auditor General on the Financial Statements of Kabianga Tea Farm for the year ended 30th June, 2023.
- iii) Report of the Auditor General on the Financial Statements of Bomet Water and Sanitation Company Limited for the year ended 30th June, 2023.
- iv) Report of the Auditor General on the Financial Statements of Amatsi Water Services Company Limited for the year ended 30th June, 2023.
- v) Report of the Auditor General on the Financial Statements of Kisumu Water and Sanitation Company Limited for the year ended 30th June, 2023.

(The Senate Majority Leader)

2. QUESTIONS AND STATEMENTS

Requests for Statement pursuant to Standing Order 53(1)

- i) The Senator for Elgeyo Marakwet County (Sen. William Kisang, MP) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries concerning the delayed payments to dairy farmers by the Kenya Co-operative Creameries (KCC).
- ii) Nominated Senator (Sen. Mariam Sheikh, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the dangers posed by marauding lions in human settlements in Ongata Rongai, Kajiado County.
- iii) The Senator for Bungoma County (Sen. David Wakoli, MP) to seek a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding alleged mismanagement and corruption at the Mt. Elgon Cooperative Union Coffee Mill.
- iv) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to seek a Statement from the Standing Committee on Health regarding the upgrade of Jaramogi Oginga Odinga Teaching and Referral Hospital (JOOTRH) to a level six facility.

...../Appendix

- v) 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 regarding flood mitigation and compensation measures to victims in Kisumu County.

NOTICE PAPER I**Tentative Business for Wednesday, May 29, 2024***(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, May 29, 2024 (Morning Sitting).

A. QUESTIONS

QUESTION NO.	SENATOR	SUBJECT	MINISTRY
037	Sen. (Dr.) Boni Khalwale, CBS, MP)	Welfare of Kenyans working in the Gulf States	Foreign and Diaspora Affairs
040	Sen. (Prof.) Tom Ojienda, SC, MP	Obligations of the Government to Kenyans in the diaspora who face arrest, detention and deportation	Foreign and Diaspora Affairs
021	Sen. Edwin Sifuna, MP	Failure by the e-Citizen digital platform to process payments made to some Government institutions	The National Treasury and Economic Planning
060	Sen. Catherine Mumma, MP	Financing and utilization of the National Government development budget for the FY 2022/2023	The National Treasury and Economic Planning
057	Sen. (Prof.) Tom Ojienda, SC, MP	Climate change initiatives implemented in the country, and their tailoring to the specific needs of each county	Environment, Climate Change and Forestry
072	Sen. James Murango, MP	Discharge of effluent and other pollutants into rivers in Kirinyaga County	Environment, Climate Change and Forestry

B. MOTIONS

- i) REPORT OF THE 66TH COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30TH SEPTEMBER – 6TH OCTOBER, 2023
(Sen. (Prof.) Margaret Kamar, MP)
- ii) REPORT OF THE 147TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN LUANDA, ANGOLA ON 23RD TO 27TH OCTOBER, 2023
(Sen. Catherine Mumma, MP)
- iii) REPORT OF THE 63RD SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND THE 43RD SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS HELD IN BRUSSELS, BELGIUM
(Sen. Kathuri Murungi, MP)
- iv) REPORT OF THE 9TH INTER-PARLIAMENTARY UNION (IPU) GLOBAL CONFERENCE OF YOUNG PARLIAMENTARIANS HELD IN HANOI, VIETNAM FROM 15TH TO 17TH SEPTEMBER, 2023
(Sen. John Methu, MP)
- v) REPORT OF THE KENYA DELEGATION TO THE EXTRAORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD AT THE GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA, FROM 20TH TO 27TH MARCH, 2024
(Sen. Danson Mungatana, MP)
- vi) ESTABLISHMENT OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES
(Sen. Crystal Asige, MP)

NOTICE PAPER II

Tentative Business for Wednesday, May 29, 2024

(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, May 29, 2024 (Afternoon Sitting).

A. BILLS AT COMMITTEE OF THE WHOLE STAGE

- i) ***THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023)
(The Senate Majority Leader)
- ii) *THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)
- iii) *THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)
(Sen. Wakili Hillary Sigei, MP)
- iv) ***THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2023)
(The Senate Majority Leader)

B. BILLS AT THE SECOND READING STAGE

- i) *THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)
(Sen. Johnes Mwaruma, MP)
- ii) *THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 49 OF 2023)
(Sen. Lenku Ole Kanar Seki, MP)
- iii) **THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)
(The Chairperson, Standing Committee on Energy)
- iv) *THE CO-OPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2023)
(Sen. Mariam Sheikh Omar, MP)
- v) *THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)
(Sen. Eddy Oketch, MP)

C. MOTIONS

- i) CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILL No. 9 OF 2022)
(The Senate Majority Leader)

- ii) REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THARAKA NITHI, HOMA BAY, KAKAMEGA, KIRINYAGA, MAKUENI, MERU, BOMET, MURANG'A, NANDI, NYAMIRA, NYERI, SIAYA, VIHIGA, WAJIR AND SAMBURU COUNTY EXECUTIVES FOR THE FINANCIAL YEAR 2019/2020
(The Chairperson, County Public Accounts Committee)
