



**REPUBLIC OF KENYA**  
**THIRTEENTH PARLIAMENT – (THIRD SESSION)**  
**THE SENATE**  
**ORDER PAPER**  
**MORNING SITTING**

**WEDNESDAY, APRIL 17 2024 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 – STATUS OF PENDING BILLS IN COUNTIES**  
(Sen. Ledama Olekina, MP)

**AWARE THAT**, as at 31<sup>st</sup> December, 2023, according to the County Governments Budget Implementation Review report for the first half of the financial year 2023/2024, County Governments had accumulated a total of Ksh.156.34 Billion shillings in pending bills with Nairobi City County accumulating the largest share of Ksh.107, 037,053,000 followed by Kiambu and Mombasa Counties at Kshs. 5,711,614,412 and Kshs. 3,922,131,877 respectively;

**CONCERNED THAT**, the accumulated pending bills in Counties have significantly affected service providers in the counties leading to closure of businesses, stalling of county projects, adversely affecting economic growth in counties, service delivery and ultimately slowing down the country's economic growth;

**FURTHER CONCERNED** that most of the service providers in the counties are battling court cases lodged against them by their financiers and suppliers while others are languishing in poverty exacerbated by the increased cost of living, with increased mental health disease incidences and others dying as a result of the effects of colossal amounts of debt owed to them by county governments;

...../**Motion**

**NOW THEREFORE**, the Senate-

1. recommends that all County Governments pay verified pending bills amounting to less than Ksh. 1 Billion by the end of this financial year and those above Ksh.1 Billion by the end of the financial year 2024/2025; and
2. Resolves that-
  - i. pursuant to the provisions of Regulation 41(2) & (3) of the Public Finance Management (County Governments) Regulations, 2015, County Governments prioritize payment of pending bills as a first charge on the County Revenue Fund failure to which the subsequent quotas budget releases will not be done;
  - ii. County Governments shall only pay pending Bills contained in their respective procurement plans pursuant to Regulation 50 (2) & (3) of the Public Finance Management (County Governments) Regulations;
  - iii. Supplementary budgets for county governments are prepared in the 3<sup>rd</sup> Quarter to curb instances of arbitrary re-allocations out of the approved budget estimates; and
  - iv. County governments shall conduct public participation while formulating supplementary budgets, failure to which the Controller of Budget (CoB) shall not approve the supplementary budgets.

***(Resumption of debate interrupted on Thursday, 28<sup>th</sup> March, 2024 – Balance of time 2 hours 40 minutes)***

9. **MOTION - REPORT OF THE 66<sup>TH</sup> COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30<sup>TH</sup> SEPTEMBER – 6<sup>TH</sup> OCTOBER, 2023**

(Sen. (Prof.) Margaret Kamar, MP)

**THAT**, the Senate notes the Report of the 66<sup>th</sup> Commonwealth Parliamentary Conference held in Accra, Ghana from 30<sup>th</sup> September – 6<sup>th</sup> October, 2023 laid on the Table of the Senate on 15<sup>th</sup> February, 2024.

10. **MOTION - REPORT OF THE 147<sup>TH</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN LUANDA, ANGOLA ON 23<sup>RD</sup> TO 27<sup>TH</sup> OCTOBER, 2023**

(Sen. Catherine Mumma, MP)

**THAT**, the Senate notes the Report of 147<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Luanda, Angola on 23<sup>rd</sup> to 27<sup>th</sup> October, 2023 laid on the Table of the Senate on Thursday 29<sup>th</sup> February, 2024.

...../Motion

- 11. **MOTION - REPORT OF THE 63<sup>RD</sup> SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND 43<sup>RD</sup> SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS IN BRUSSELS, BELGIUM**  
(Sen. Kathuri Murungi, MP)

**THAT**, the Senate notes the Report of the 63<sup>rd</sup> Session of the OACPS Parliamentary Assembly and 43<sup>rd</sup> Session of the ACP-EU Joint Parliamentary Assembly Meetings in Brussels, Belgium laid on the table of Senate on Wednesday, 6<sup>th</sup> December, 2023.

- 12. **MOTION - REPORT OF THE 9<sup>TH</sup> INTER-PARLIAMENTARY UNION (IPU) GLOBAL CONFERENCE OF YOUNG PARLIAMENTARIANS HELD IN HANOI, VIETNAM FROM 15<sup>TH</sup> TO 17<sup>TH</sup> SEPTEMBER, 2023**  
(Sen. John Methu, MP)

**THAT**, the Senate notes Report of the 9<sup>th</sup> Inter-Parliamentary Union (IPU) Global Conference of Young Parliamentarians held in Hanoi, Vietnam from 15<sup>th</sup> to 17<sup>th</sup> September, 2023 laid on the table of Senate on Tuesday, 5<sup>th</sup> March, 2024.

- 13. **MOTION - ESTABLISHING 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;

**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 with adverse effect to millions of Kenyans;

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

**NOW THEREFORE** the Senate urges the Ministry of Roads and Transport, Ministry of Environment, Climate Change and Forestry, 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 across the country;
- ii.) Identify and develop County car-free zones, also known as “pedestrians’ precincts”, in urbanized areas, where its infrastructure and activities are restricted to pedestrians alone;

...../Motion

- iii.) provide affordable, safe and universally designed public transport access to and around these car-free zones, including, but not limited to, development of Bus Rapid Transport (BRT) in the urban areas;
- iv.) design inclusive mobility infrastructure that supports non – motorized transport facilities, such as pedestrian spaces, bicycle lanes and green spaces, within the Central Business District of every County; and
- v.) ensure inter-modal connectivity among the various transport modes.

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**NOTICE**

The Senate resolved on 14<sup>th</sup> 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**

**QUESTIONS AND STATEMENTS**

**QUESTIONS**

**Question No. 028                   The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to ask the Cabinet Secretary for Defence: –**

- a) Are the renovation works at Uhuru Park in Nairobi City, which was being undertaken by the Kenya Defence Forces (KDF), complete?
- b) Has the park been handed over to the Nairobi City County Government and, if not, could the Cabinet Secretary provide a timeline for the same?

**Question No. 009                   The Senator for Kisumu County [Sen. (Prof.) Tom Ojienda, SC, MP] to ask the Cabinet Secretary for Health: -**

- a) Could the Cabinet Secretary confirm that there is widespread medical insurance fraud perpetrated by healthcare facilities in Kenya, particularly within the private health sector, through practices such as unnecessary medical tests, scans and incorrect diagnosis, aimed at unfairly generating revenue for the facilities?
- b) Has the Government conducted an inquiry into this matter, and if so, could the Cabinet Secretary table the report of its findings?
- c) What measures has the Government put in place to ensure accountability by healthcare facilities and to provide compensation to the victims of medical insurance fraud?

**Question No. 001                   The Senator for Kisumu County [Sen. (Prof.) Tom Ojienda, SC, MP] to ask the Cabinet Secretary for Interior and National Administration: -**

- a) Could the Cabinet Secretary provide a status update on investigations into the inter-communal clashes that occurred in Sondu town, which lies in the border region of Kericho and Kisumu counties, during the demonstrations in June and July, 2023?

- b) What progress has the Government made in the disarmament of armed groups in the town?
- c) What measures has the Government put in place to promote peaceful coexistence and prevent a recurrence of inter-communal clashes in the town?

**Question No. 002**

**The Senator for Tharaka-Nithi County (Sen. Mwenda Gataya Mo Fire, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- a) Are there plans by the National Government to construct offices, deploy administrative officers and provide necessary equipment to Chiakariga Sub-County in Tharaka-Nithi County, which was established in 2022 but remains non-functional and, if so, could the Cabinet Secretary provide timelines for the same?
- b) What specific measures has the Ministry also undertaken to fast-track the establishment of offices for other Government institutions, including the National Treasury Office, within the Sub-County?
- c) Could the Cabinet Secretary provide a status update on the construction of a Divisional Police Headquarters as well as required police stations in the Sub-County?
- d) What other specific measures has the Government taken to enhance access to National Government services by residents of the Sub-County?

**Question No. 038**

**The Senator for Meru County (Sen. Kathuri Murungi, MGH, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- a) What is the status of investigations into the abduction, torture and execution of Mr. Daniel Muthiani Bernard (deceased), alias Sniper, who went missing on 2nd December, 2023 and whose mutilated body was found dumped in River Mutonga in Tharaka Nithi County on 16th December, 2023?
- b) Could the Cabinet Secretary explain the inordinate delay in conclusion of the said investigations?

- c) Why has there not been regular communication on the status of the investigations, in light of the public interest in the matter?

**Question No. 039**

**The Senator for Turkana County (Sen. James Lomenen, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- a) Has the Ministry undertaken an impact assessment of the curfew imposed in major towns and centers in Turkana County, particularly Lokichar, Nakabosan, Kekunyuk, Kalemngorok, Kaputir, Kakongu and Kainuk areas and, if so, could the Cabinet Secretary indicate the extent to which the curfew has achieved its intended purpose?
- b) Could the Cabinet Secretary explain the higher prevalence of crime during curfew hours compared to non-curfew hours and clarify whether this is attributable to security personnel allowing unauthorized vehicles and individuals to move around during curfew hours?
- c) Are there plans to lift the curfew, in light of the negative impact it has had on the livelihoods of the residents and, if so, could the Cabinet Secretary indicate the timelines for the same?
- d) What alternative measures has the Ministry taken to effectively tackle insecurity in the region, and could the Cabinet Secretary also indicate any initiative by the Government to strengthen community policing, which is a more sustainable approach?

**Question No. 043**

**The Senator for Tana River County (Sen. Danson Mungatana, MGH, MP) to ask the Cabinet Secretary for Interior and National Administration:**

Are there plans to re-establish the Wema General Service Unit (GSU) camp in Tana River County, which was closed after it was marooned by floods during the heavy rains experienced across the country in December, 2023 and if so, could the Cabinet Secretary provide the timelines for the same?

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# **NOTICE PAPER**

## **Tentative Business for**

### **Wednesday, April 17, 2024 (Afternoon Sitting)**

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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, April 17, 2024 (Afternoon Sitting).

#### **A. BILLS AT THE FIRST READING STAGE**

- i) \*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 5 OF 2023)  
(The Senate Majority Leader)
- ii) \*\*\*THE ELECTION OFFENCES (AMENDMENT) BILL (SENATE BILLS NO. 9 OF 2024)  
(The Senate Majority Leader and the Senate Minority Leader)
- iii) \*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)  
(The Senate Majority Leader and the Senate Minority Leader)
- iv) \*\*\*THE ELECTIONS (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2024)  
(The Senate Majority Leader and the Senate Minority Leader)
- v) \*\*\*THE POLITICAL PARTIES (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2024)  
(The Senate Majority Leader and the Senate Minority Leader)

#### **B. BILLS AT THE COMMITTEE OF THE WHOLE STAGE**

- i) \*THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)  
(Sen. Moses Kajwang<sup>2</sup>, MP)
- ii) \*\*\*THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 34 OF 2022)  
(Sen. David W. Wafula, MP – Co-sponsor)

#### **C. BILLS AT THE SECOND READING STAGE**

- i) \*THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)  
(Sen. Wakili Hillary Sigei, MP)
- ii) \*\*\*THE CONFLICT OF INTEREST BILL, 2023 (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)  
(The Senate Majority Leader)

- iii) \*\*\*THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2022)  
(The Senate Majority Leader)
- iv) \*THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)  
(Sen. Beatrice Ogolla, MP)
- v) \*\*\*THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023)  
(The Senate Majority Leader)
- vi) \*\*THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)  
(The Chairperson, Standing Committee on Labour and Social Welfare)
- vii) \*THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)  
(Sen. Kathuri Murungi, MP)
- viii) \*THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)  
(Sen. Esther Anyieni Okenyuri, MP)
- ix) \*THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)  
(Sen. Edwin Sifuna, MP)
- x) \*\*\*THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)  
(The Senate Majority Leader)
- xi) \*\*\*\*THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)  
(The Senate Majority Leader)
- xii) \*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2023)  
(The Senate Majority Leader)
- xiii) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)  
(Sen. Johnes Mwaruma, MP)
- xiv) \*THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO. 47 OF 2023)  
(Sen. Hamida Kibwana, MP)

**D. 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)

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