



REPUBLIC OF KENYA

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**ORDER PAPER**

**THURSDAY, JULY 25, 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. **\*\*\*THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL  
(NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)**  
(The Senate Majority Leader)

*(Second Reading)*

***(Resumption of debate interrupted on Tuesday, 28<sup>th</sup> May, 2024)***

***(Division)***

9. **\*THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE  
BILLS NO. 40 OF 2023)**  
(Sen. Hamida Ali Kibwana, MP)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 30<sup>th</sup> May, 2024)***

***(Division)***

10. **\*THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE  
BILLS NO. 41 OF 2023)**  
(Sen. Esther Anyieni Okenyuri, MP)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 11<sup>th</sup> July, 2024)***

***(Division)***

...../Bills

11. \*THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 2023)

(Sen. Veronica Maina, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Tuesday, 16<sup>th</sup> July, 2024)*

*(Division)*

12. \*THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL (SENATE BILLS NO. 38 OF 2023)

(Sen. (Dr.) Boni Khalwale, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Tuesday, 23<sup>rd</sup> July, 2024)*

*(Division)*

13. \*THE CONSTITUTION OF KENYA (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 52 OF 2023)

(Sen. Raphael Chimera, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Tuesday, 23<sup>rd</sup> July, 2024)*

*(Division)*

14. \*THE FIRE AND RESCUE SERVICES PROFESSIONALS BILL (SENATE BILLS NO. 55 OF 2023)

(Sen. Mohamed Abass Sheikh, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Wednesday, 24<sup>th</sup> July, 2024 - Afternoon Sitting)*

*(Division)*

15. MOTION - REPORT OF THE SELECT COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE SOCIAL HEALTH INSURANCE (GENERAL) REGULATIONS, 2024 AND THE SOCIAL HEALTH INSURANCE (TRIBUNAL PROCEDURE) RULES, 2024

(The Chairperson, Select Committee on Delegated Legislation)

**THAT**, the Senate adopts the Report of the Select Committee on Delegated Legislation on its consideration of the Social Health Insurance (General) Regulations, 2024 and the Social Health Insurance (Tribunal Procedure) Rules, 2024, laid on the Table of the Senate on Tuesday, 2<sup>nd</sup> July, 2024; and that pursuant to Section 18 of the Statutory Instruments Act, the Senate resolves to annul: -

- i. the Social Health Insurance (General) Regulations, 2024 (Legal Notice No. 49 of 2024);and

...../Motion

- ii. the Social Health Insurance (Tribunal Procedure) Rules, 2024, (Legal Notice No. 48 of 2024).

***(Resumption of debate interrupted on Wednesday, 10<sup>th</sup> July, 2024 –  
Afternoon Sitting)  
(Division)***

16. **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, 28<sup>th</sup> March, 2024.

***(Resumption of debate interrupted on Thursday, 18<sup>th</sup> July, 2024)  
(Division)***

17. **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, 8<sup>th</sup> May, 2024.

***(Resumption of debate interrupted on Wednesday, 24<sup>th</sup> July, 2024 –  
Morning Sitting)  
(Question to be Put)***

18. **\*\*THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)**

(The Chairperson, Standing Committee on Energy)

*(Second Reading)*

***(Resumption of debate interrupted on Wednesday, 24<sup>th</sup> July, 2024 –  
Afternoon Sitting)***

19. **\*THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2024)**

(Sen. Kathuri Murungi, MP)

*(Second Reading)*

20. **\*\*\*THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**  
(The Senate Majority Leader)  
*(Second Reading)*
21. **\*THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 3 OF 2024)**  
(Sen. Ledama Olekina, MP and Sen. William Kisang, MP)  
*(Second Reading)*
22. **\*THE COUNTY CIVIC EDUCATION BILL (SENATE BILLS NO. 4 OF 2024)**  
(Sen. Esther Okenyuri, MP)  
*(Second Reading)*
23. **\*THE COUNTY STATISTICS BILL (SENATE BILLS NO. 5 OF 2024)**  
(Sen. Ali Ibrahim Roba, MP)  
*(Second Reading)*
24. **\*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)**  
(The Senate Majority Leader)  
*(Second Reading)*
25. **\*\*\*\*THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILLS NO. 12 OF 2024)**  
(The Senate Majority Leader)  
*(Second Reading)*
26. **\*\*\*\*THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**  
(The Senate Majority Leader)  
*(Second Reading)*
27. **MOTION - REPORT OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES ON A PETITION TO THE SENATE BY RESIDENTS OF SIANY AREA, NYAMIRA COUNTY, REGARDING DESTRUCTION OF 41 HECTARES OF SIANY WETLAND – LR NO. NORTH MUGIRANGO/MAGWAGWA II/403.**  
(The Chairperson, Standing Committee on Land, Environment and Natural Resources)

**THAT**, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition to the Senate by residents of Siany area, Nyamira County, regarding destruction of 41 hectares of Siany Wetland – LR No. North Mugirango/Magwagwa II/403., laid on the Table of the Senate on Tuesday, 23<sup>rd</sup> July, 2024.

...../Motions

28. **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.

***(Resumption of debate interrupted on Wednesday, 24<sup>th</sup> July, 2024 – Morning Sitting)***

29. **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 30<sup>TH</sup> JUNE, 2019, 30<sup>TH</sup> JUNE, 2020 AND 30<sup>TH</sup> 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, 30<sup>th</sup> June, 2019, 30<sup>th</sup> June, 2020 and 30<sup>th</sup> 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 30<sup>th</sup> June, 2021, laid on the Table of the Senate on Thursday, 23<sup>rd</sup> November, 2023.

30. **MOTION - 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)

**THAT**, the Senate adopts the 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 laid on the table of the Senate on Tuesday, 5<sup>th</sup> March, 2024.

31. **MOTION - REPORTS OF THE SELECT COMMITTEE ON COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS ON ITS CONSIDERATION OF THE AUDIT REPORTS OF VARIOUS WATER SERVICE COMPANIES FOR THE FINANCIAL YEARS 2018/2019, 2019/2020 AND 2020/2021**

(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 Financial Years 2018/2019 (Volume IV), 2019/2020 (Volume V) and 2020/2021(Volume VI), for the following Water Service Companies laid on the table of the Senate on Wednesday, 29<sup>th</sup> May, 2024;

- i) Busia Water and Sewerage Services Company Limited;
- ii) Iten- Tambach Water and Sewerage Company Limited;
- iii) Kirinyaga Water and Sanitation Company Limited;
- iv) Malindi Water and Sewerage Company Limited;
- v) Mandera Water and Sewerage Company Limited;
- vi) Migori Water and Sanitation Company Limited;
- vii) Mombasa Water and Sanitation Company Limited;
- viii) Nanyuki Water and Sanitation Company Limited; and
- ix) Nithi Water and Sanitation Company Limited.

32. **MOTION – ESTABLISHMENT OF NATIONAL TEACHING AND REFERRAL HOSPITALS IN KENYA**

(Sen. Johnes Mwaruma, MP)

**AWARE THAT** Article 43 (1) (a) of the Constitution of Kenya provides that every person has the right to the highest attainable standard of health, including reproductive health care;

**NOTING THAT** in Kenya, we have five National Teaching and Referral hospitals with Kenyatta University Research and Teaching Hospital in Kiambu County and Moi Teaching and Referral Hospital in Eldoret, Uasin Gishu County being the only ones outside Nairobi County;

**CONCERNED THAT** the bed capacity, medical equipment and human capital in these National Teaching and Referral hospitals are not sufficient to absorb all the patients seeking specialized treatment;

**FURTHER CONCERNED THAT** many Kenyans with critical health conditions travel long distances in order to access specialized services in Moi Teaching and Referral Hospital in Eldoret or Nairobi where the other four National Teaching and Referral hospitals are located, leading to high cost of travel, augmented disease and in some cases deaths along the way;

**NOW THEREFORE** the Senate urges-

1. The Ministry of Health to:

...../Motions

- i. Establish National Teaching and Referral hospitals in the Coast, Eastern, North Eastern, Nyanza and Western regions; and
  - ii. Fully equip the National Teaching and Referral Hospitals with modern medical equipment, medical supplies and personnel; and
2. The County Governments to allocate more funds to their respective health dockets to adequately facilitate their County Level 5 and Level 6 hospitals in order to enhance provision of critical health services to reduce the demand for such services from the National Teaching and Referral Hospitals.

33. **MOTION - COUNTY GOVERNMENTS TO SET ASIDE LAND FOR THE PLANTING OF INDIGENOUS TREES**

(Sen. Richard Onyonka, MP)

**THAT, AWARE** of the crucial role played by indigenous trees in purification of air and combating of climate change, protection against floods and water pollution, in the field of medicine, nutrition and timber production, among other roles;

**APPRECIATING** that the National Government, through the National Landscape and Ecosystem Restoration Programme, plans to increase the national forest cover to 30% by planting fifteen (15) billion trees and, in furtherance of the Programme, gazetted 13<sup>th</sup> November, 2023 as a Public Holiday to allow Kenyans to plant trees;

**CONCERNED** that the Government is yet to establish elaborate measures for the growing and protecting of indigenous trees and to involve such crucial players as the County Governments, hence impeding the sustainability of the programme;

**NOW, THEREFORE,** the Senate urges the 47 county Governments to set aside land and resources to be used in the planting and protection of indigenous trees, in support of the initiatives by the National Government.

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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**

**1. PAPER**

The Office of the Director of Public Prosecutions (ODPP) Annual Report for Financial Year 2022/2023.

*(The Senate Majority Leader)*

**2. QUESTIONS AND STATEMENTS**

**a) Statement pursuant to Standing Order 52(1)**

Nominated Senator (Sen. Miraj Abdillahi, MP) to make a Statement regarding the International Convention on Training, Certification and Watchkeeping for Seafarers.

**b) Request for Statements pursuant to Standing Order 53(1)**

- i) The Senator for Mombasa County (Sen. Mwinyihaji Mohamed Faki, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the ownership of freehold land by non-citizens of the Republic of Kenya.
- ii) The Senator for Mombasa County (Sen. Mwinyihaji Mohamed Faki, MP) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the status of the human resource department of the County Government of Mombasa.
- iii) The Senator for Bomet County (Sen. Wakili Hillary Sigei, MP) to seek a Statement from the Standing Committee on Roads and Transportation regarding stalled and/or abandoned infrastructure projects in Bomet County.
- iv) The Senator for Kisii County (Sen. Richard Onyonka, MP) to seek a Statement from the Standing Committee on Roads, Transportation and Housing regarding the leasing of the Jomo Kenyatta International Airport (JKIA) under the 'Build, Operate and Transfer' module of Public-Private Partnership (PPP) to a private company.

**c) Statement pursuant to Standing Order 57(1)**

The Senate Majority Leader to issue a Statement on the business of the Senate for the week commencing Tuesday, 30<sup>th</sup> July, 2024.

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...../Notice Paper

## **NOTICE PAPER**

### **Tentative Business for Tuesday, July 30, 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 Tuesday, July 30, 2024.

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

- i) \*\*THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)  
(The Chairperson, Standing Committee on Labour and Social Welfare)
- ii) \*THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)  
(Sen. James Murango, MP)
- iii) \*THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)  
(Sen. Miraj Abdillahi Abdulrahman, MP)
- iv) \*THE RICE BILL (SENATE BILLS NO. 19 OF 2023)  
(Sen. James Murango, MP)
- v) \*THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE BILLS NO. 31 OF 2023)  
(Sen. Karungo Thang'wa, MP)
- vi) \*THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)  
(Sen. Mohamed Chute, MP)
- vii) \*THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)  
(Sen. Kathuri Murungi, MP)
- viii) \*THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)  
(Sen. Edwin Sifuna, MP)

#### **B. MOTIONS**

- i) 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)