



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

ORDER PAPER

TUESDAY, JULY 23, 2024 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Questions and Statements (as listed in the Appendix)
8. **MOTION – THE CURRENT STATE OF THE NATION**
(The Senate Majority Leader and the Senate Minority Leader)

RECOGNIZING the State of the nation at this moment; the ongoing protests following the passing of the Finance Bill (National Assembly Bills No. 30 of 2024) on 25th June, 2024 by the National Assembly; the loss of lives, maiming and loss of property that has been occasioned following these protests;

COGNIZANT THAT pursuant to Article 115(1)(b) of the Constitution His Excellency the President of the Republic of Kenya declined to assent to the Bill and referred it back to the National Assembly with recommendations to delete all clauses of the Bill;

ACKNOWLEDGING THAT the conversation on the Finance Bill has triggered the broader important public conversation on the question of the high cost of living juxtaposed against the wasteful expenditure in all public institutions including Parliament;

...../Motion

FURTHER ACKNOWLEDGING the issues raised by the youth and other members of the public to do with corruption, impunity, incompetence within state and public appointments, opulent lifestyles of public officers, unemployment and high cost of living amongst other issues bedeviling the economy;

NOW THEREFORE, the Senate–

1. calls upon-
 - i) the National Assembly to expeditiously consider the presidential memorandum pursuant to Article 115(2)(a);
 - ii) all government ministries, departments and agencies, and constitutional commissions, including Parliament, to put in place austerity measures in undertaking their respective functions;
 - iii) the Ethics and Anti-Corruption Commission (EACC) and other government multi sector agencies in the governance, justice, law and order sector to upscale and make concerted efforts to fight corruption;
 - iv) the National Police Service to cease abductions, unlawful arrests, extra judicial killings and exercise restraint in dealing with peaceful and unarmed demonstrators;
 - v) release of all persons arrested for planning and participating in peaceful demonstrations relating to the enactment of the Finance Bill;
 - vi) the government to waive hospital bills for persons who have been injured and defray funeral expenses for those who lost their lives, during the demonstrations; and
 - vii) the Judiciary to prioritize and expedite all court cases relating to the enactment of the Finance Bill and the resultant demonstrations.
2. considers all the challenges facing the country and makes necessary recommendations to address them.

(Resumption of debate interrupted on Thursday, 18th July, 2024)

9. *****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, 28th May, 2024)
(Division)

10. ***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, 30th May, 2024)

(Division)

11. ***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, 11th July, 2024)

(Division)

12. ***THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 20 OF 2023)**

(Sen. Veronica Maina, MP)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 16th July, 2024)

(Division)

13. **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, 2nd 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
- ii. the Social Health Insurance (Tribunal Procedure) Rules, 2024, (Legal Notice No. 48 of 2024).

(Resumption of debate interrupted on Wednesday, 10th July, 2024 – Afternoon Sitting)

(Division)

...../Motion

14. **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 Thursday, 18th July, 2024)
(Division)*

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

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

(Second Reading)

(Resumption of debate interrupted on Thursday, 16th May, 2024)

16. ***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 Thursday, 30th May, 2024)
(Mover to reply)*

17. ****THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)**

(The Chairperson, Standing Committee on Labour and Social Welfare)

(Second Reading)

18. ***THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)**

(Sen. James Murango, MP)

(Second Reading)

19. ***THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)**

(Sen. Miraj Abdillahi Abdulrahman, MP)

(Second Reading)

20. ***THE RICE BILL (SENATE BILLS NO. 19 OF 2023)**

(Sen. James Murango, MP)

(Second Reading)

...../Bills

21. ***THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE BILLS NO. 31 OF 2023)**

(Sen. Karungo Thang’wa, MP)

(Second Reading)

22. ***THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)**

(Sen. Mohamed Chute, MP)

(Second Reading)

23. ***THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)**

(Sen. Kathuri Murungi, MP)

(Second Reading)

24. ***THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)**

(Sen. Edwin Sifuna, MP)

(Second Reading)

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)

...../Motion

26. **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.

27. **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.

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. PETITION

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)

2. PAPER

The Kenya National Commission on Human Rights (KNCHR) Annual Report for 2022/2023.

(The Senate Majority Leader)

3. NOTICE OF 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, 23rd July, 2024.

4. QUESTIONS AND STATEMENTS

a) Request for Statements pursuant to Standing Order 53(1)

- i) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the employment of persons above the mandatory retirement age by Kisumu County Government.
- ii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Devolution and Intergovernmental Relations regarding the state of stadia facilities in Kisumu County.

- iii) 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.

- iv) 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, July 24, 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, July 24, 2024 (Morning Sitting).

A. MOTIONS

- i) 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)
- ii) REPORT OF THE 66TH COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30TH SEPTEMBER – 6TH OCTOBER, 2023
(Sen. (Prof.) Margaret Kamar, MP)
- iii) 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)
- 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) REPORT OF THE KENYA DELEGATION TO THE 148TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN GENEVA, SWITZERLAND FROM 23RD TO 27TH MARCH, 2024
(Sen. Catherine Mumma, MP)

- vii) REPORT OF THE 14TH ORDINARY SESSION OF THE PLENARY ASSEMBLY AND RELATED MEETINGS OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE OF THE GREAT LAKES REGION, HELD IN LIVINGSTONE, ZAMBIA, FROM 15TH TO 19TH APRIL, 2024
(Sen. Ali Ibrahim Roba, MP)

- viii) ESTABLISHMENT OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES
(Sen. Crystal Asige, MP)

- ix) ADDRESSING THE CHALLENGE OF POWER PURCHASE AGREEMENT RENEWALS AND ELECTRICITY SUPPLY IN KENYA
(Sen. Wahome Wamatinga, MP)

- x) STOPPAGE OF FUNDS TO ISIOLO COUNTY DUE TO THE FAILURE BY THE GOVERNOR TO HONOUR SENATE SUMMONSES
(Sen. Fatuma Dullo, MP)

NOTICE PAPER II

Tentative Business for Wednesday, July 24, 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, July 24, 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 TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)
(Sen. Wakili Hillary Sigei, MP)
- iii) *THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)
- iv) ****THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)
(The Senate Majority Leader)
- v) *THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO. 47 OF 2023)
(Sen. Hamida Kibwana, MP)
- vi) ***THE CANCER PREVENTION AND CONTROL (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 45 OF 2022)
(Sen. Samson Cherarkey, MP – Co- Sponsor)
- vii) ***THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)
(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)
- vi) *THE FIRE AND RESCUE SERVICES PROFESSIONALS BILL (SENATE BILLS NO. 55 OF 2023)
(Sen. Mohamed Abass Sheikh, MP)

C. MOTIONS

- i) 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)
- ii) 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)
