



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**ORDER PAPER**

**MORNING SITTING**

**WEDNESDAY, SEPTEMBER 25, 2024 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. **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)***

9. **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 the 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.

...../Motion

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.

11. **MOTION - 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 20<sup>TH</sup> TO 27<sup>TH</sup> MARCH, 2024**  
(Sen. Danson Mungatana, MP)

**THAT**, the Senate notes the 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 20<sup>th</sup> to 27<sup>th</sup> March, 2024, laid on the Table of the Senate on Wednesday, 24<sup>th</sup> April, 2024.

12. **MOTION - REPORT OF THE KENYA DELEGATION TO THE 148<sup>TH</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN GENEVA, SWITZERLAND FROM 23<sup>RD</sup> TO 27<sup>TH</sup> MARCH, 2024**  
(Sen. Catherine Mumma, MP)

**THAT**, the Senate notes the Report of the Kenya Delegation to the 148<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings Held in Geneva, Switzerland from 23<sup>rd</sup> to 27<sup>th</sup> March, 2024 laid on the Table of the Senate on Thursday, 30<sup>th</sup> May, 2024.

13. **MOTION - REPORT OF THE 14<sup>TH</sup> 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 15<sup>TH</sup> TO 19<sup>TH</sup> APRIL, 2024**  
(Sen. Ali Ibrahim Roba, MP)

**THAT**, the Senate notes the report of the 14<sup>th</sup> 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 15<sup>th</sup> to 19<sup>th</sup> April, 2024 laid on the Table of the Senate on Thursday, 30<sup>th</sup> May, 2024.

...../Motion

14. **MOTION - REPORT OF THE PARLIAMENTARY DELEGATION TO THE 2024 JOINT UNITED NATIONS – INTER-PARLIAMENTARY UNION PARLIAMENTARY HEARING HELD AT THE UNITED NATIONS HEADQUARTERS IN NEW YORK, UNITED STATES OF AMERICA FROM 8<sup>TH</sup> TO 9<sup>TH</sup> FEBRUARY, 2024**

(Sen. Veronica Maina, MP)

**THAT**, the Senate notes the Report of the Parliamentary Delegation to the 2024 Joint United Nations – Inter-Parliamentary Union Parliamentary Hearing held at the United Nations headquarters in New York, United States of America from 8<sup>th</sup> to 9<sup>th</sup> February, 2024 laid on the Table of the Senate on Tuesday, 17<sup>th</sup> September, 2024.

15. **MOTION - ESTABLISHMENT 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;
- 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.

...../Motion

16. **MOTION - STOPPAGE OF FUNDS TO ISIOLO COUNTY DUE TO THE FAILURE BY THE GOVERNOR TO HONOUR SENATE SUMMONSES**

(Sen. Fatuma Dullo, MP)

**THAT AWARE THAT**, pursuant to Article 96 of the Constitution, the Senate represents the counties and serves to protect the interests of the counties and their governments, and that the Senate exercises oversight over national revenue allocated to the county governments;

**FURTHER AWARE THAT**, Article 124 of the Constitution establishes Committees to carry out specific mandates and that Article 125 of the Constitution gives any Committee the power to summon any person to appear before it for the purpose of giving evidence or providing information;

**WHEREAS**, the Senate Standing Committee on Health invited and later summoned the Governor of Isiolo County, Hon. Abdi Ibrahim Hassan, to respond to questions relating to, among others, the ongoing crisis at Isiolo Morgue, NHIF deductions and remittance status and total amount of pending bills owed to the county hospital, which invitation he failed to honour on 21<sup>st</sup> May, 2024 and similarly failed to honour the summonses on 28<sup>th</sup> May, 2024 and 10<sup>th</sup> June, 2024;

**AND WHEREAS** the Governor of Isiolo County failed to honour an invitation by the County Public Investments and Special Funds Committee to respond to issues raised in the Auditor-General's Reports on Isiolo County Bursary Fund, the Isiolo County Emergency Fund and the Isiolo County Youth, Women and People with Disability Fund for the Financial Years 2019/2020, 2020/2021 and 2021/2022 on 28<sup>th</sup> May, 2024;

**AND FURTHER WHEREAS** the Governor of Isiolo County failed to honour five (5) invitations on diverse dates between 28<sup>th</sup> March, 2023 and 8<sup>th</sup> March, 2024 by the County Public Accounts Committee to respond to queries raised by the Auditor General in the Financial Statement of the County Executive of Isiolo for the Financial Years 2019/2020 and 2020/2021;

**CONCERNED THAT** following the numerous incidents of failure and or refusal by the Governor of Isiolo County to honour invitations and summonses, the County Public Accounts Committee scheduled for a meeting at Isiolo County offices on 8<sup>th</sup> March, 2024 which the Governor failed to attend;

**FURTHER CONCERNED THAT** the committees of the Senate, pursuant to Article 179 (4) of the Constitution, invited Governor Abdi Ibrahim Hassan in his capacity as the Chief Executive Officer of the County, and he failed and/or refused to appear before the committees to answer the respective audit queries raised by the Auditor-General with respect to whether or not public monies have been applied lawfully and in an effective manner by the county government;

...../Motion

**NOW THEREFORE, THE SENATE RESOLVES THAT -**

- 1) pursuant to Article 228 (4) and (5) of the Constitution, the Controller of Budget should not authorize any withdrawal of public funds by the County Government of Isiolo until the Governor has responded to the issues raised in the summonses to the satisfaction of the Senate; and
- 2) the National Treasury, pursuant to Article 225 of the Constitution and Section 96 of the Public Finance Management Act, stops forthwith the transfer of funds to the County Government of Isiolo.

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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. PAPERS**

- i.) Report of the Auditor General on Financial Statements of Samburu Sub County Level 4 Hospital - County Government of Kwale for the year ended 30<sup>th</sup> June, 2022.
- ii.) Report of the Auditor General on Financial Statements of Siaya County Level 4 Hospital - County Government of Siaya for the year ended 30<sup>th</sup> June, 2022.
- iii.) Report of the Auditor General on Financial Statements of Wajir County Referral Hospital - County Government of Wajir for the year ended 30<sup>th</sup> June, 2022.
- iv.) Report of the Auditor General on Financial Statements of Garissa County Level 5 Referral and Teaching Hospital - County Government of Garissa for the year ended 30<sup>th</sup> June, 2022.
- v.) Report of the Auditor General on Financial Statements of Rangwe Level 4 Hospital - County Government of Homa Bay for the year ended 30<sup>th</sup> June, 2022.
- vi.) Report of the Auditor General on Financial Statements of Engineer County Level 4 Hospital- County Government of Nyandarua for the year ended 30<sup>th</sup> June, 2022.
- vii.) Report of the Auditor General on Financial Statements of Nanyuki Teaching and Referral Hospital - County Government of Laikipia for the year ended 30<sup>th</sup> June, 2022.
- viii.) Report of the Auditor General on Financial Statements of Nyahururu County Referral Hospital - County Government of Laikipia for the year ended 30<sup>th</sup> June, 2022.
- ix.) Report of the Auditor General on Financial Statements of Nyang'ande Sub County Level 4 Hospital - County Government of Kisumu for the year ended 30<sup>th</sup> June, 2022.
- x.) Report of the Auditor General on Financial Statements of Nyang'oma Sub County Level 4 Hospital - County Government of Kisumu for the year ended 30<sup>th</sup> June, 2022.
- xi.) Report of the Auditor General on Financial Statements of Maragua Sub County Level 4 Hospital - County Government of Murang'a for the year ended 30<sup>th</sup> June, 2022.

...../Appendix

- xii.) Report of the Auditor General on Financial Statements of Murang'a Level 5 Hospital - County Government of Murang'a for the year ended 30<sup>th</sup> June, 2022.
- xiii.) Report of the Auditor General on Financial Statements of Muriranja's Level 4 Hospital - County Government of Murang'a for the year ended 30<sup>th</sup> June, 2022.
- xiv.) Report of the Auditor General on Financial Statements of Bondeni Sub County Hospital - County Government of Nakuru for the year ended 30<sup>th</sup> June, 2022.
- xv.) Report of the Auditor General on Financial Statements of Keringet Level 4 Hospital - County Government of Nakuru for the year ended 30<sup>th</sup> June, 2022.
- xvi.) Report of the Auditor General on Financial Statements of Chemolingot Sub County Level 4 Hospital - County Government of Baringo for the year ended 30<sup>th</sup> June, 2022.
- xvii.) Report of the Auditor General on Financial Statements of Cheptalal Level 3B Hospital - County Government of Bomet for the year ended 30<sup>th</sup> June, 2022.
- xviii.) Report of the Auditor General on Financial Statements of Sigor Sub County Level 4 Hospital - County Government of Bomet for the year ended 30<sup>th</sup> June, 2022.
- xix.) Report of the Auditor General on Financial Statements of Ndanai Sub County Level 4 Hospital - County Government of Bomet for the year ended 30<sup>th</sup> June, 2022.
- xx.) Report of the Auditor General on Financial Statements of Ikutha Level 4 Hospital - County Government of Kitui for the year ended 30<sup>th</sup> June, 2022.
- xxi.) Report of the Auditor General on Financial Statements of Katulani Level 4 Hospital - County Government of Kitui for the year ended 30<sup>th</sup> June, 2022.
- xxii.) Report of the Auditor General on Financial Statements of Marsabit Level 5 Hospital - County Government of Marsabit for the year ended 30<sup>th</sup> June, 2022.
- xxiii.) Report of the Auditor General on Financial Statements of Laisamis Sub County Referral Hospital - County Government of Marsabit for the year ended 30<sup>th</sup> June, 2022.

- xxiv.) Report of the Auditor General on Financial Statement of Kalacha Level 4 Hospital - County Government of Marsabit for the year ended 30<sup>th</sup> June, 2022.
- xxv.) Report of the Auditor General on Financial Statement of Mandera County Referral Hospital for the year ended 30<sup>th</sup> June, 2022 - County Government of Mandera.
- xxvi.) Report of the Auditor General on Financial Statement of Kutulo Sub County Hospital - County Government of Mandera for the year ended 30<sup>th</sup> June, 2022.
- xxvii.) Report of the Auditor General on Financial Statement of Banisa Sub County Hospital - County Government of Mandera for the year ended 30<sup>th</sup> June, 2022.
- xxviii.) Report of the Auditor General on Financial Statement of Lafey Sub County Level 4 Hospital - County Government of Mandera for the year ended 30<sup>th</sup> June, 2022.
- xxix.) Report of the Auditor General on Financial Statement of Elwak Sub County Hospital - County Government of Mandera for the year ended 30<sup>th</sup> June, 2022.

*(The Senate Majority Leader)*

## **2. QUESTIONS AND STATEMENTS**

### **QUESTIONS**

**Question No. 041      The Senator for Tana River County (Sen. Danson Mungatana, MGH, MP) to ask the Cabinet Secretary for Public Service and Human Capital Development:**

- a) Could the Cabinet Secretary explain why some services that are offered at *Huduma* centre headquarters are not available at Hola *Huduma* Centre in Tana River County and indicate the criteria used to determine the service charter in each centre?
- b) What measures has the Government taken to ensure equal access to essential services in all *Huduma* centres across the country?
- c) Are there plans to renovate Hola *Huduma* Centre, which is in a dilapidated state, as well as upgrade its services?

...../Appendix



**Question No. 091      The Senator for West Pokot County (Sen. Julius Murgor, MP) to ask the Cabinet Secretary for East African Community (EAC), the ASALS and Regional Development:**

- a) Could the Cabinet Secretary provide details of the socio-economic activities carried out by the Kerio Valley Development Authority (KVDA) in West Pokot County?
- b) How many residents of West Pokot County have been employed by the KVDA on permanent and pensionable terms, and on a temporary basis, respectively?
- c) Have the residents whose land was acquired by the government for the construction of the Turkwel dam been compensated and, if not, when will they be compensated?
- d) Could the Cabinet Secretary state when irrigation of residents' farms will commence, as promised by the Government during the construction of the dam?

**Question No. 032      The Senator for Bungoma County (Sen. David Wakoli, MP) to ask the Cabinet Secretary for Tourism and Wildlife:**

- a) What initiatives has the Ministry of Tourism and Wildlife implemented to develop and promote tourism in Bungoma County?
- b) How many employees has the Ministry deployed to the county to support tourism development initiatives, and could the Cabinet Secretary also explain steps taken to address any shortfall?
- c) Could the Cabinet Secretary provide a status update on all programmes in Bungoma County budgeted for by the Ministry in the financial years 2022/2023 and 2023/2024, and outline any other programmes earmarked for funding in the short- and medium-term?
- d) What strategies and incentives has the Ministry deployed to attract local and foreign investment in the tourism sector in Bungoma County?

**Question No. 089      The Senator for West Pokot County (Sen. Julius Murgor, MP) to ask the Cabinet Secretary for Tourism and Wildlife:**

- a) How many tourists have visited Nasolot Game Reserve from January 2019 to date, and could the Cabinet Secretary state the numbers of those who resided within and outside the reserve?
  
- b) Could the Cabinet Secretary provide details of the revenues collected from Nasolot Game Reserve from January 2019 to date and indicate the amount remitted to the County Government of West Pokot?
  
- c) How many residents of West Pokot County have been employed in the game reserve, and could the Cabinet Secretary state the Corporate Social Responsibility (CSR) activities undertaken by the reserve and indicate whether there are plans to enhance these activities?

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# **NOTICE PAPER**

## **Tentative Business for**

**Wednesday, September 25, 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, September 25, 2024 (Afternoon Sitting).

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

- i. \*\*\*THE DIVISION OF REVENUE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 38 OF 2024)(DIVISION)  
(The Senate Majority Leader)
- ii. \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)  
(Sen. Johnes Mwaruma, MP)
- iii. \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 49 OF 2023)  
(Sen. Lenku Ole Kanar Seki, MP)
- iv. \*THE CO-OPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2023)  
(Sen. Mariam Sheikh Omar, MP)
- v. \*THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2024)  
(Sen. Kathuri Murungi, MP)
- vi. \*THE COUNTY GOVERNMENTS ELECTION LAWS (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2024)  
(Sen. Crystal Asige, MP)
- vii. \*THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 3 OF 2024)  
(Sen. Ledama Olekina, MP and Sen. William Kisang, MP)
- viii. \*THE COUNTY CIVIC EDUCATION BILL (SENATE BILLS NO. 4 OF 2024)  
(Sen. Esther Okenyuri, MP)
- ix. \*THE COUNTY STATISTICS BILL (SENATE BILLS NO. 5 OF 2024)  
(Sen. Ali Ibrahim Roba, MP)

- x. \*THE PROVISION OF SANITARY TOWELS BILL (SENATE BILLS NO. 7 OF 2024)  
(Sen. Gloria Orwoba, MP)
- xi. \*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)  
(The Senate Majority Leader)

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

- i. \*\*\*THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023) (Division)  
(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)  
(Sen. Beatrice Ogolla, MP)
- iv. \*\*\*\*THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)  
(The Senate Majority Leader)
- v. \*\*\*THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)  
(The Senate Majority Leader)
- 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 PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 40 OF 2023)  
(Sen. Hamida Ali Kibwana, MP)

**C. MOTIONS**

- i. REPORT OF THE STANDING COMMITTEE ON NATIONAL SECURITY, DEFENCE AND FOREIGN RELATIONS ON A PETITION TO THE SENATE BY MR. SAMUEL ESAPAR ON BEHALF OF RESIDENTS OF TURKANA COUNTY, CONCERNING THE STATE OF INSECURITY IN TURKANA COUNTY.  
(The Chairperson, Standing Committee on National Security, Defence and Foreign Relations)

- 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)
- iii. REPORT OF THE STANDING COMMITTEE ON ENERGY ON ITS INQUIRY INTO THE LIQUEFIED PETROLEUM GAS (LPG) EXPLOSION IN MRADI AREA, EMBAKASI, NAIROBI CITY COUNTY  
(The Chairperson, Standing Committee on Energy)
- iv. DEVELOPMENT OF A POLICY AND LAW FOR SOCIAL RISK MANAGEMENT IN INFRASTRUCTURE DEVELOPMENT PROJECTS IN KENYA  
(Sen. Catherine Mumma, MP)
- v. CONSOLIDATION OF BURSARY FUNDS FOR EQUITABLE ACCESS TO EDUCATION IN KENYA  
(Sen. Karungo Thangwa, MP)

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