



REPUBLIC OF KENYA

TWELFTH PARLIAMENT - (SECOND SESSION)

THE SENATE

**SUPPLEMENTARY ORDER PAPER**

TUESDAY, SEPTEMBER 25, 2018 AT 2.30 PM

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
5. Papers
6. Notices of Motion (as listed in the Appendix)
7. Statements (as listed in the Appendix)
8. **\*THE COUNTY LAW COMPLIANCE AND ENFORCEMENT BILL (SENATE BILLS NO 25 OF 2018)**  
(Sen. George Khaniri, MP)  
*(First Reading)*
9. **\*\*THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILLS NO 26 OF 2018)**  
(Chairperson, Standing Committee on Education)  
*(First Reading)*
10. **\*THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO 27 OF 2018)**  
(Sen. Abshiro Halake, MP)  
*(First Reading)*
11. **\*\*\*THE PETROLEUM BILL (NATIONAL ASSEMBLY BILLS NO. 48 OF 2017)**  
(The Senate Majority Leader)  
*(Second Reading)*
12. **\*THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO. 22 OF 2018)**  
(Sen. Judith Pareno, MP)  
*(Second Reading)*

- 13. **\*\*\*THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 52 OF 2017)**  
(The Senate Majority Leader)  
*(Second Reading)*
- 14. **\*THE COUNTY PLANNING (ROADS, PAVEMENTS AND PARKING BAYS) BILL (SENATE BILLS NO 18 OF 2018)**  
(Sen. Ledama Olekina, MP)  
*(Second Reading)*
- 15. **\*THE LOCAL CONTENT BILL (SENATE BILLS NO. 10 OF 2018)**  
(Sen. Gideon Moi, MP)  
*(Second Reading)*
- 16. **\*\*THE IMPEACHMENT PROCEDURE BILL (SENATE BILLS NO. 15 OF 2018)**  
(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)  
*(Second Reading)*
- 17. **\*\*THE DATA PROTECTION BILL (SENATE BILLS NO. 16 OF 2018)**  
(Chairperson, Standing Committee on Information and Technology)  
*(Second Reading)*
- 18. **\*THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILLS NO. 21 OF 2018)**  
(Sen. Samuel Poghisio, MP)  
*(Second Reading)*
- 19. **\*THE COUNTY OUTDOOR ADVERTISING CONTROL BILL (SENATE BILLS NO. 19 OF 2018)**  
(Sen. Samuel Poghisio, MP)  
*(Second Reading)*
- 20. **MOTION - COMMENDING ELIUD KIPCHOGE FOR BREAKING THE WORLD MARATHON RECORD**  
(The Senate Majority Leader)

**COGNIZANT THAT** Eliud Kipchoge broke the world marathon record held by a fellow Kenyan athlete Dennis Kimetto during the 2018 Berlin Marathon held on Sunday, 16<sup>th</sup> September, 2018;

**AWARE THAT** Kenya has earned international respect in athletics over the years courtesy of such hard work and stellar performance by our athletes in both on and off the field events which has brought us together as a country and encouraged cohesion in line with our National Anthem;

**FURTHER AWARE THAT** athletics has created significant economic opportunities and infrastructure in the Rift Valley creating thousands of jobs for many would be jobless youth, thus engaging them in a productive and meaningful manner for purposes of nation building;

**FURTHER AWARE THAT** the youth are a critical component of the Big 4 agenda by the government and that development of athletics will lead to more productivity by a significant population of the youth who constitute a formidable part of the demographic structure of the country;

...../Motion

**COGNIZANT THAT** more support from the government is needed to fight the doping menace that has bedevilled our athletes and to encourage and motivate young and upcoming athletes to strive for excellence untainted by the vice;

**NOTING THAT** performances by our sportsmen and women are indeed commendable and deserve special recognition, the Senate now commends Mr. Eliud Kipchoge for his excellent performance in the Marathon and specifically for breaking the world marathon record and urges the national government to-

- a) Set aside additional funds to improve sports facilities;
- b) Establish a conducive environment in the country by giving incentives to investors in the sports sector;
- c) Provide psychosocial support to active and former athletes including a pension scheme; and
- d) Create a fund to cushion athletes who are forced to early retirement due to illness, injury or other circumstances.

21. **MOTION - PAYMENT OF A ONE-OFF HONORARIUM AND MONTHLY PENSION TO FORMER COUNCILORS**

(Sen. John Kinyua, MP)

**THAT AWARE** that National Forum of Former Councilors petitioned the Senate regarding the need for legislative interventions to address the plight and welfare of former Councilors;

**FURTHER AWARE** that the Senate Standing Committee on Labour and Social Welfare considered the Petition and tabled its report on Tuesday, 16<sup>th</sup> February, 2016;

**ACKNOWLEDGING** that the Committee’s report on the Petition made five recommendations among them that-

- 1. one-off honorarium of Kshs1.5 Million be paid to former councilors who served a minimum of one term since independence; and
- 2. monthly pension of at least Kshs30,000 be paid to former councilors.

**APPRECIATING** that the recommendations were based on the fact that former Councilors did not receive fixed emoluments and experienced disparities with regard to access to pension services and terms and conditions of pension schemes over the years, which made it difficult to fairly and equitably determine each councilor’s rightful benefits retrospectively;

**CONCERNED** that the State Department for Social Services and Security, State Department for Devolution and the National Treasury have to date not implemented the Committee’s recommendations on the Petition;

**NOW THEREFORE**, the Senate calls upon the Principal Secretaries to the said State Departments and the National Treasury to take necessary steps to implement the recommendations contained in the Report.

...../Motion

22. MOTION - ESTABLISHMENT OF YOUTH POLYTECHNICS IN COUNTIES

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

**THAT, AWARE THAT** Youth Polytechnics, also known as Village Polytechnics, are educational institutions that offer primary school leavers opportunities to acquire relevant knowledge especially technical and vocational skills to increase their employability;

**FURTHER AWARE THAT** youth polytechnics provide industrial and entrepreneurial skills training to young people in order to increase employment opportunities, reduce dependency levels and increase self-reliance among the youth;

**RECALLING THAT** in 2005, the Youth Training Department of the then Ministry of Youth Affairs and Sports was established through the Presidential Circular No.1 of 2005, with a mandate of revitalizing the Youth Polytechnics countrywide in order to empower youth through provision of accessible, appropriate and quality training in technical, vocational, industrial, entrepreneurship and life skills;

**COGNIZANT THAT** youth polytechnics are a devolved function;

**PERSUADED THAT** Vocational Education and Training is a critical aspect for a developing economy and that it would contribute towards the realization of the Big Four Agenda;

**CONCERNED THAT**, in Kenya, the number of young people who have completed the primary school education but have not joined secondary schools continues to rise by the day;

**FURTHER CONCERNED THAT** county governments have not prioritized youth polytechnic functions despite the polytechnics' capacity to ultimately contribute to both social and economic development;

**NOW THEREFORE** the Senate calls upon each of the 47 county governments to-

- a) establish youth polytechnics in every location within their respective the areas of jurisdiction and to revamp the already existing youth polytechnics;
- b) to develop a structure/guidelines for sensitizing the youth who have completed their primary school education but have not joined form one to embrace vocational training in order to acquire the necessary skills to join the labour market.

23. MOTION - DEVELOPMENT AND IMPLEMENTATION OF A NATIONAL DISASTER RISK FINANCING STRATEGY

(Sen. George Khaniri, MP)

**THAT, WHEREAS** Kenya's disaster profile is dominated by droughts, fire, floods, terrorism, diseases and epidemics that disrupt livelihoods, destroy infrastructure, divert planned use of resources, interrupt economic activities and retard development;

**FURTHER WHEREAS** the government, through its various agencies, is ultimately responsible for disaster reduction, preparedness and management;

...../Motion

**COGNIZANT** of the fact that government agencies involved in disaster management are usually overwhelmed when called upon to provide response services during disasters and emergencies;

**AWARE** that the Kenya Red Cross Society Act, Cap 256 of the Laws of Kenya establishes the Kenya Red Cross Society, a sole national Red Cross Society in Kenya, as a voluntary aid society;

**RECOGNIZING**, the efforts of the Kenya Red Cross Society to provide first-line disaster response services in incidences of disasters and other emergencies across the country;

**OBSERVING**, the huge financial resources required to finance disaster reduction, preparedness and other emergency services;

**NOTING** that one of the sources of the Kenya Red Cross Society in financing its operations is through accepting unrestricted contributions and assistance, in any form, from individuals, public authorities and private bodies;

**APPRECIATING**, the efforts made by the prudent management of funds by the Kenya Red Cross Society;

**FURTHER AWARE** that emergency fund is a substantial proportionate Vote Head in both the national and county government budgets;

**CONCERNED**, that the Kenya Red Cross Society has not been allocated a budget from the national and county governments despite the huge contribution in disaster and emergency response across the country;

**NOW THEREFORE**, the Senate urges the national and county governments to explore collaborative mechanisms for the Kenya Red Cross Society to support and implement a paradigm shift from post disaster response to risk reduction by developing and implementing a national disaster risk financing strategy across all sectors and incorporate it into the national and county development planning and financing processes.

**NOTICE**

The Senate resolved on 14<sup>th</sup>February, 2018 as follows:-

**THAT**, pursuant to Standing Order 106 (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

APPENDIX

1. PETITION

Petition by residents of Tinderet sub-county in Nandi County regarding the operations of Karebe Gold Mining Limited.

*(Sen. Samson Cherarkey, MP)*

2. NOTICE OF MOTION - COMMENDING ELIUD KIPCHOGE FOR BREAKING THE WORLD MARATHON RECORD

(The Senate Majority Leader)

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3. **STATEMENT PURSUANT TO STANDING ORDER NO. 48**

Nominated Senator (Sen. Beatrice Kwamboka, MP) to seek a statement from the Chairperson, Standing Committee on Finance and Budget on the implementation status of the Commission on Revenue Allocation Circular Reference CRA/FA/01vol 11 (22) regarding recommendations on County Government Recurrent Expenditure Ceilings for Financial year 2018/19.

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