



REPUBLIC OF KENYA

THE SENATE

PROGRAMME OF SENATE BUSINESS

WEEK COMMENCING TUESDAY, SEPTEMBER 17, 2019

**** 12TH PARLIAMENT * 3RD SESSION***

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REPUBLIC OF KENYA

THE SENATE

TWELFTH PARLIAMENT (THIRD SESSION)

PROGRAMME OF SENATE BUSINESS

FOR THE WEEK COMMENCING TUESDAY, SEPTEMBER 17, 2019

TUESDAY: Communication from the Chair, Messages, Petitions, Papers, Notices of 17/09/2019 Motion, Statements, Motions and Bills.

A. *THE CONSTITUTION OF KENYA (AMENDMENT) BILL (SENATE BILLS NO. 16 OF 2019)

(Sen. CPA. Farhiya Ali, MP and Sen. Mutula Kilonzo Junior, MP)

(First Reading)

B. *THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILLS NO. 17 OF 2019)

(Sen. Mercy Chebeni, MP)

(First Reading)

C. *THE COUNTY TOURISM BILL (SENATE BILLS NO. 5 OF 2019)

(Sen. (Dr.) Agnes Zani, MP)

(Second Reading)

D. **THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 10 OF 2019)

(Chairperson, Standing Committee on Tourism, Trade and Industrialization)

(Second Reading)

E. MOTION - ENGAGEMENT OF COMMUNITY HEALTH WORKERS BY COUNTY GOVERNMENTS

(Sen. Rose Nyamunga, MP)

THAT, AWARE THAT county health facilities, and the promotion of primary health care are devolved functions, and each county government is striving to offer the best healthcare to the people of Kenya;

COGNIZANT THAT, the provision of healthcare services is continuously riddled with numerous challenges ranging from understaffing of personnel to inadequate facilities and equipment resulting in congestion in hospitals further restricting effective service delivery;

NOTING THAT every Kenyan has a right to affordable and accessible healthcare, and the President has launched a pilot universal health care program called “Afya Care” that will see many Kenyans access improved healthcare;

CONCERNED THAT, the diverse nature of counties and wanting infrastructural development is compromising the quality and accessibility of health centres especially during emergency situations, resulting in the loss of many lives occasioned by the failure by patients to reach health facilities in time;

FURTHER CONCERNED THAT, in each county there are numerous unemployed community health workers who are adept at working with communities in emergency situations, and have the requisite experience to support the medical practitioners in our country where, according to the World Health Organization 2014 report, there are two (2) doctors for every ten thousand (10,000) people;

NOW THEREFORE, the Senate resolves that the Council of Governors in partnership with the Ministry of Health –

- (i) Develop a policy for the training, certification and employment of community health workers to enhance the emergency health service delivery in the Counties, and
- (ii) Facilitate the said community health workers with the necessary basic equipment for use during emergency cases.

F. Any Other Business

WEDNESDAY: **Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions and Bills and Business that is not concluded on Tuesday, 17th September, 2019.**
18/09/2019

A. *THE ELECTIONS (AMENDMENT) BILL (SENATE BILLS NO. 18 OF 2019)
(Sen. Ephraim Maina, MP)

(First Reading)

B. *THE ALTERNATIVE DISPUTE RESOLUTION BILL (SENATE BILLS NO. 19 OF 2019)

(Sen. (Arch.) Sylvia Kasanga, MP)

(First Reading)

C. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 8 OF 2019)

(Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

D. COMMITTEE OF THE WHOLE

****THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 8 OF 2019)**

(Chairperson, Standing Committee on Finance and Budget)

E. COMMITTEE OF THE WHOLE

***THE COMMISSION ON ADMINISTRATIVE JUSTICE BILL (SENATE BILLS NO. 6 OF 2019)**

(Sen. Petronilla Were Lokorio, MP)

F. **THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 39 OF 2018)**

(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 6th August, 2019)

G. MOTION - FORMATION OF COMMUNITY FOREST ASSOCIATIONS TO AID IN MANAGEMENT OF FOREST RESOURCES WITHIN COUNTIES

(Sen. (Arch.) Sylvia Kasanga, MP)

AWARE THAT, natural and forest resources prevent floods, droughts, erosion and sedimentation, and increase water supply needed to generate more power, expand farm productivity, and meet the ever-increasing demand for domestic consumption of our exploding population;

NOTING THAT, Article 69 of the Constitution and Section (5), (6) and (21) of the Forests Conservation and Management Act (FCMA) 2016 mandates National & County Governments with the responsibility of protecting, collaborating, maintaining, utilizing and attaining a tree cover of at least 10% of the land area in Kenya;

APPRECIATING THAT, there is need to achieve a holistic ecosystem approach to forest resource management, so as to prevent irreversible consequences of human activities on the environment, it is time to make an urgent call upon our citizenry to actively participate in the protection of forests and plant trees;

NOW, THEREFORE, the Senate urges:

1. THAT, all Citizens as per Article 69(2) of the Constitution, and Sections 48 – 52 of the Forest Conservations Management Act be encouraged through the relevant National Government ministries and County departments to contribute in formation of Community Forest Associations to expedite Community Participation in Forest Resources Management;
2. THAT, the National Government and all the 47 County Governments operationalize Tax & Fiscal Incentives (as per FCMA Section 53 – 55) to promote forest conservation and management, and prevent degradation of tree cover in Public, Private and Community Lands (as measures of ensuring sustainability);

3. THAT the National Government communicates progress towards establishment of a National Tree Planting Week, so that State Agencies, Corporations and Kenyans can adequately prepare for the event;
4. THAT all County Assemblies initiate processes of enacting legislation on Forestry Functions for County Governments (As per FCMA Section 21).

H. Any Other Business

THURSDAY: **Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions and Bills and Business that is not concluded on Tuesday, 17th September, 2019 and Wednesday, 18th September, 2019.**
19/09/2019

A. MOTION - LEGAL AND POLICY INTERVENTIONS FOR CAREGIVERS OF PERSONS WITH PERMANENT MOTOR AND NEUROLOGICAL DISORDERS (Sen. Millicent Omanga, MP)

THAT, AWARE that Cerebral palsy, Down syndrome, Autism and other permanent motor and neurological disorders are birth defects characterised by, among others, disturbances of sensation, perception, cognition, hearing loss, congenital heart defects, lower than average IQ, impairment in social interaction, and rigid, repetitive behaviors;

COGNIZANT that persons born with these and other permanent motor and neurological disorders face considerable difficulties in the social and behavioral aspects of their lives, including discrimination, physical challenges, mental and emotional health issues, and problems with inclusion and social isolation;

ACKNOWLEDGING the critical role that parents and caregivers of persons with permanent motor and neurological disorders play in ensuring that they realize their potential to the fullest extent possible and that they have long, healthy, and satisfying lives;

RECOGNIZING that, in taking care of these persons, caregivers make considerable sacrifices in the pursuit of education, employment, investment, and other opportunities for their own advancement and, in some cases, spend the most productive years of their lives taking care of persons with these disorders;

NOTING that most caregivers lack the training, tools and psychosocial support required in taking care of persons with these permanent disorders, are often subjected to the same stigma as the persons they take care of, and are exposed to stresses and pressure that have an adverse impact on their mental and physical wellbeing;

CONCERNED that, while a lot of progress has been made in taking care of other vulnerable and disadvantaged members of the society, equivalent efforts have not been made to recognize the important role that caregivers play, to create, through policy and legislation, a conducive environment for the provision of adequate, safe and informed care to persons with these disorders;

NOW THEREFORE, the Senate resolves that the Ministry of Labour, Social Security and Services, together with the County Governments, formulate a policy framework for the recognition, training, empowerment and protection for caregivers of persons with permanent motor and neurological disorders, including: -

- a) provision of financial assistance and incentives to caregivers, including inclusion in the list of beneficiaries under the *InuaJamii* Cash Transfer Programmes;
- b) provision of appropriate tax reliefs and exemptions to caregivers, equivalent to those advanced to other Persons with Disabilities (PWDs);
- c) exemption from taxes on goods and services required for the care and protection of persons with the disorders; and
- d) provision of the specialized training, psychosocial and other support necessary to engage in income-generating activities for caregivers of persons with permanent motor and neurological disorders, including accessing the quota set aside in law for vulnerable groups for the supply of goods and services to government entities.

B. MOTION –REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE SESSIONS OF AFRICAN CARIBBEAN PARLIAMENTARY (ACP) ASSEMBLY AND THE SESSIONS OF THE ACP – EU JOINT PARLIAMENTARY ASSEMBLY

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

THAT, this House notes the Report of the Parliament of Kenya Delegation to the 50th Session of the ACP Parliamentary Assembly and the 35th Session of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium, from 13th to 20th June, 2018, laid on the Table of the House on Wednesday, 20th February, 2019; and the Reports of the Parliament of Kenya Delegation to the 51st Session of the ACP Parliamentary Assembly and the Inter-Sessional Meetings of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium, from 9th to 11th October, 2018 and the 52nd Session of the ACP Parliamentary Assembly and the 36th Session of the ACP-EU Joint Parliamentary Assembly held in Cotonou, Benin, from 25th November to 5th December, 2018, both laid on the Table of the House on Thursday, 8th August, 2019.

C. MOTION –REPORTS OF THE PARLIAMENT OF KENYA DELEGATION TO THE GLOBAL SUMMIT ON OPEN GOVERNANCE PARTNERSHIP

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, this House notes the Reports of the Parliament of Kenya Delegation on the Global Open Governance Partnership Summits held in Tbilisi, Georgia, from 17th to 19th July, 2018, laid on the Table of the House on Wednesday, 20th February, 2019, and in Ottawa, Canada, from 29th to 30th May, 2019, laid on the Table of the House on Thursday, 11th July, 2019.

D. MOTION - REPORTS OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN PARLIAMENT AND THE FIRST AND SECOND

**ORDINARY SESSIONS OF THE FIFTH PARLIAMENT OF THE PAN-
AFRICAN PARLIAMENT**

(Sen. (Dr.) Abdullahi Ali, MP)

THAT, this House notes the Reports of the Sixth Ordinary Session of the Fourth Pan-African Parliament held in Midrand, South Africa, from 7th to 18th May, 2018, laid on the Table of the House on Tuesday, 24th July, 2018; the First Ordinary Session of the Fifth Parliament of the Pan African Parliament held in Kigali, Rwanda, from 18th October to 3rd November, 2018, laid on the Table of the House on Tuesday, 12th March, 2019; and, the Second Ordinary Session of the Fifth Parliament of the Pan-African Parliament, held in Midrand, South Africa from 6th to 18th May, 2019 laid on the Table of the Senate on Tuesday, 10th September, 2019.

**E. MOTION - REPORT ON THE THIRD STATUTORY MEETING OF THE
COMMITTEE ON ECONOMIC DEVELOPMENT, REGIONAL
INTEGRATION AND NATURAL RESOURCES OF THE FORUM OF
PARLIAMENTS OF THE INTERNATIONAL CONFERENCE OF THE GREAT
LAKES REGION (FP-ICGLR)**

(Sen. Samuel Poghisio, MP)

THAT, this House notes the Report on the 3rd Statutory Meeting of the Committee on Economic Development, Regional Integration and Natural Resources of the Forum of Parliaments of the International Conference of the Great Lakes Region (FP-ICGLR) held in Bujumbura, Burundi, from 13th to 14th March, 2019, laid on the Table of the House on Tuesday, 21st May, 2019.

**F. MOTION – REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO
THE UNITED NATIONS CONFERENCE ON CLIMATE CHANGE (COP 24).**

(Sen. (Dr.) Abdullahi Ali, MP)

THAT, the Senate notes the Report of the Parliament of Kenya Delegation to the United Nations Conference on Climate Change (COP 24) held in Katowice, Poland, from 3rd to 14th December, 2018, laid on the Table of the Senate on Thursday, 25th July, 2019.

KEY

****** - Denotes a Majority /Minority Party Bill**

***** - Denotes a National Assembly Bill**

**** - Denotes a Committee Bill**

*** - Denotes any other Bill**