



**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (FOURTH SESSION)**  
**THE SENATE**  
**ORDER PAPER**

**TUESDAY, APRIL 28, 2020 AT 2:30 PM**

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Statements (as listed in the Appendix)
8. **\*\*THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 7 OF 2020)**  
(Chairperson, Standing Committee on Finance and Budget)

*(Second Reading)*

9. **\*THE FISHERIES MANAGEMENT AND DEVELOPMENT (AMENDMENT) BILL (SENATE BILLS NO. 22 OF 2019)**  
(Sen. Moses Kajwang', MP)

*(Second Reading)*

***(Resumption of debate interrupted on Wednesday, 19<sup>th</sup> February, 2020)***  
***(Division)***

10. **COMMITTEE OF THE WHOLE**  
**\*\*THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 7 OF 2020)**  
(Chairperson, Standing Committee on Finance and Budget)

11. **COMMITTEE OF THE WHOLE**  
**CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE**  
**OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)**

(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 25<sup>th</sup> February, 2020)*  
*(Division)*

12. **COMMITTEE OF THE WHOLE**  
**CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE**  
**PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO.**  
**22 OF 2018)**

(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 25<sup>th</sup> February, 2020)*  
*(Division)*

13. **\*\*THE PANDEMIC RESPONSE AND MANAGEMENT BILL (SENATE BILLS NO. 6**  
**OF 2020)**

(Chairperson, Ad-Hoc Committee on COVID-19 Situation in Kenya)

*(Second Reading)*

14. **MOTION – THIRD PROGRESS REPORT OF THE AD-HOC COMMITTEE ON**  
**COVID – 19 SITUATION IN KENYA**

(Chairperson, Ad Hoc Committee)

**THAT**, the Senate **notes** the Third Progress Report of the Ad-Hoc Committee on COVID –19 Situation in Kenya, laid on the Table of the Senate on Tuesday, 28<sup>th</sup> April, 2020.

15. **\*\*\*THE NATIONAL DROUGHT MANAGEMENT AUTHORITY (AMENDMENT) BILL**  
**(NATIONAL ASSEMBLY BILLS NO. 26 OF 2019)**

(The Senate Majority Leader)

*(Second Reading)*

16. **THE REPRODUCTIVE HEALTHCARE BILL (SENATE BILLS NO. 23 OF 2019)**

(Sen. Susan Kihika, MP)

*(Second Reading)*

17. **THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL**  
**(SENATE BILLS NO. 24 OF 2019)**

(Sen. Johnes Mwaruma, MP)

*(Second Reading)*

...../Motion

18. **MOTION - RECOGNIZING AND APPRECIATING THE ELDERLY BY COUNTY GOVERNMENTS**

(Sen. Rose Nyamunga, MP)

**THAT, AWARE** that in 2006, the National Government initiated the Older Persons Cash Transfer (OPCT) Programme, popularly known as *Pesa ya Wazee*, which is an unconditional cash transfer programme to destitute elderly persons above the age of 65 years to cater for their subsistence needs;

**NOTING THAT** the beneficiaries receive a monthly stipend of Kshs. 2,000, delivered every two months through appointed payment agents, and also entitled to medical insurance through the National Health Insurance Fund (NHIF);

**CONCERNED HOWEVER THAT** the programme’s credibility is marred by issues of delayed payments to beneficiaries, difficulties in processing of payments through the stipulated agents and payments to unregistered persons;

**NOW THEREFORE**, the Senate recommends that the County Governments complement the efforts of the National Government and assist in resolving these challenges by:-

1. Developing legislation and policies to protect the elderly including ensuring all elderly persons in their counties are registered in the OPCT programme; and
2. Organise value addition mechanisms such as financial training to help the beneficiaries of the programme to efficiently utilise this allowance

-----

**NOTICE**

The Senate resolved on 18<sup>th</sup> February, 2020 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.

-----XX-----

**KEY**

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

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

**\*\*** - Denotes a Committee Bill

**\*** - Denotes any other Bill

**NOTICE OF AMENDMENTS**

**A. \*\*THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)**

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)  
***(Consideration of National Assembly Amendments)***

***Schedule of amendments, to the Bill, as passed by the National Assembly on Thursday, November 21, 2019***

**CLAUSE 2**

**THAT** Clause 2 of the Bill is amended by deleting the definition of the term “Cabinet Secretary” and substituting therefor the following new definition- “Attorney-General” means the Attorney-General appointed under Article 156 of the Constitution;

**CLAUSE 5**

**THAT** Clause 5 of the Bill is amended in sub-clause (2) by deleting paragraph (b).

**CLAUSE 6**

**THAT** Clause 6 of the Bill is amended-

- (a) by renumbering the existing provision as sub-clause (1);
- (b) by inserting the following new sub-clause immediately after the renumbered sub-clause (1)-

(2) The County Attorney shall have the status and rank of a member of the county executive committee.

**CLAUSE 20**

**THAT** Clause 20 of the Bill is amended by deleting sub-clause (2) and substituting therefor the following new sub-clause-

(2) The Attorney-General may, from time to time by notice in the *Gazette*, amend the Second Schedule.

**CLAUSE 29**

**THAT** Clause 29 of the Bill is amended by deleting the expression “Cabinet Secretary” and substituting therefor the expression “Attorney-General”

**B. \*THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO. 22 OF 2018)**  
(Sen. Judith Pareno, MP)

***(Consideration of National Assembly Amendments)***

***Schedule of amendments, to the Bill, as passed by the National Assembly on Thursday, November 21, 2019***

**CLAUSE 5**

**THAT**, Clause 5 of the Bill be amended-

(a) by deleting sub-clause (3) and substituting therefor the following new sub-clause-

(3) The relevant county assembly committee may, when considering the petition-

(a) invite the petitioner to clarify or submit such further information as the committee may consider necessary, and;

(b) make a site visit if it is deemed necessary to do so.

(b) by deleting sub-clause (4) and substituting therefore the following new sub-clause-

(4) The relevant county assembly committee shall respond to the petitioner by way of a report addressed to the petitioner and tabled in the county assembly and no debate on or in relation to the report shall be allowed except on the recommendation of the chairperson of the committee and with the approval of the speaker.

(c) in sub-clause (5) by inserting the words “relevant committee or the” immediately after the words “decision of the” when they first appear.

-----

**APPENDIX**

**1. PAPERS**

The Third Progress Report of the Ad-Hoc Committee on COVID-19 Situation in Kenya.

*(Chairperson, Ad-Hoc Committee)*

**2. NOTICE OF MOTION - THIRD PROGRESS REPORT OF THE AD-HOC COMMITTEE ON COVID - 19 SITUATION IN KENYA**

(Chairperson, Ad-Hoc Committee)

**THAT**, the Senate notes the Third Progress Report of the Ad-Hoc Committee on COVID -19 Situation in Kenya, laid on the Table of the Senate on Tuesday, 28th April, 2020.

**3. STATEMENTS**

**Pursuant to Standing Order 47(1)**

- a) Nominated Senator (Sen. Abshiro Halake, MP) to make a statement on the marginalization of the Muslim population with regards to access to finances given to Micro, Small and Medium Enterprises (MSMEs), Women, Youth and Persons with disability by government institutions.
- b) The Senator for Vihiga County (Sen. George Khaniri, MP) to make a statement regarding government response to the COVID-19 pandemic, accountability on government expenditure and enforcement of measures to mitigate against the pandemic.

**Pursuant to Standing Order 48(1)**

- a) The Senator for Isiolo County (Sen. Fatuma Dullo, MP) to seek a statement from the Standing Committee on Education on the alleged irregular recruitment by the Teachers Service Commission (TSC); and
- b) Nominated Senator (Sen. (Arch.) Sylvia Kasanga, MP) to seek a statement from the Standing Committee on Health regarding the operations of the National Hospital Insurance Fund (NHIF).

**Pursuant to Standing Order 51(1)(b)**

The Chairperson of the Ad-hoc Committee on COVID - 19 Situation in Kenya to issue a statement concerning the burial of Mr. James Oyugi Onyango, a resident of Simur village in Ugenya Constituency of Siaya County, who died after reportedly contracting COVID - 19.

-----