



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

TUESDAY, MAY 05, 2020 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 (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Statements (as listed in the Appendix)
8. ***THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL**
(SENATE BILLS NO. 4 OF 2020)
(Sen. (Dr.) Agnes Zani, MP)
(First 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, 19th February, 2020)
(Division)
10. *****THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION**
(AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILLS NO.35 OF 2019)
(The Senate Majority Leader)
(Second Reading)
(Resumption of debate interrupted on Thursday, 20th February, 2020)
(Division)

...../Motion

11. MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET REGARDING THE IMPLEMENTATION STATUS OF THE SENATE RESOLUTION ON COUNTY GOVERNMENTS' INFRASTRUCTURE PROJECTS

(Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget regarding the implementation status of the Senate Resolution on County Governments' infrastructure projects comprising County Executive Headquarter offices, Assembly chambers and offices and County State officers' residences laid on the Table of the Senate on 28th April, 2020.

*(Resumption of debate interrupted on Tuesday, 28th April, 2020)
(Division)*

12. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 7 OF 2020)

(Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

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. COMMITTEE OF THE WHOLE
THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 7 OF 2020)

(Chairperson, Standing Committee on Finance and Budget)

**15. 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, 25th February, 2020)
(Division)*

**16. 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, 25th February, 2020)
(Division)*

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

(The Senate Majority Leader)

(Second Reading)

18. ***THE REPRODUCTIVE HEALTHCARE BILL (SENATE BILS NO. 23 OF 2019)**

(Sen. Susan Kihika, MP)

(Second Reading)

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

(Chairperson, Ad Hoc Committee)

THAT, the Senate **adopts** the Fourth Progress Report of the Ad-hoc Committee on COVID -19 Situation in Kenya, laid on the Table of the Senate on Tuesday, 5th May, 2020.

NOTICE

The Senate resolved on 18th 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.

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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. PETITIONS

- a) Petition to the Senate on alleged corruption and embezzlement of funds in the County Government of Narok with respect to awarding of tenders.

(The Speaker of the Senate)

- b) Report of the Standing Committee on Finance and Budget on a Petition to the Senate by Mr. Edward Mwangi concerning unpaid pending Bills by the National Youth Service (NYS) to contractors and service providers.

(Chairperson, Standing Committee on Finance and Budget)

2. PAPERS

- a) The Fourth Progress Report of the Ad-hoc Committee on COVID-19 Situation in Kenya.

(Chairperson, Ad-hoc Committee)

- b) Report of the Standing Committee on Agriculture, Livestock and Fisheries on the Fisheries Management and Development (Amendment) Bill (Senate Bills No. 22 of 2019).

(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

3. NOTICE OF MOTION - FOURTH PROGRESS REPORT OF THE AD-HOC COMMITTEE ON COVID - 19 SITUATION IN KENYA

(Chairperson, Ad-hoc Committee)

THAT, the Senate **adopts** the Fourth Progress Report of the Ad-hoc Committee on COVID - 19 Situation in Kenya, laid on the Table of the Senate on Tuesday, 5th May, 2020.

4. STATEMENTS

a) Pursuant to Standing Order 47(1)

- i. 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.
- ii. The Senator for Trans Nzoia County (Sen. (Dr.) Michael Mbito, MP) to make a statement concerning misleading information in the media concerning Coronavirus (COVID-19).

b) Pursuant to Standing Order 48(1)

- i. 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).
- ii. 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).
