



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (FOURTH SESSION)
THE SENATE
ORDER PAPER
TUESDAY, JULY 07, 2020 AT 2:30 PM

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages (as listed in the Appendix)
4. Petitions (as listed in the Appendix)
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Statements (as listed in the Appendix)
8. **THE INVESTMENT PROMOTION (AMENDMENT) BILL (SENATE BILLS NO. 8 OF 2020)**
(Sen. (Dr.) Alice Milgo, MP)
(First Reading)
9. **MOTION – PROVISION OF CEMETERY, FUNERAL PARLOURS AND CREMATORIA IN ALL COUNTIES**
(Sen. (Dr.) Alice Milgo, MP)

THAT, AWARE THAT under Article 61 of the Constitution of Kenya, land in Kenya is classified into three categories, public, Community and private land;

FURTHER AWARE THAT, public land is vested in both the County and National Governments and is managed on their behalf by the National Land Commission, and that Article 62 (2) clarifies the distribution of public land between the two levels of government.;

COGNIZANT THAT, the Fourth Schedule of the Constitution delegates cemeteries, funeral parlours and crematoria as a function of County Governments;

...../Motion

CONCERNED THAT, cemeteries in the Country are filling up, and counties are finding it increasingly difficult to identify land to allocate as “public” for use as a cemetery with the knowledge that any cemetery or burial-place that is crowded and therefore dangerous to health is defined as constituting a nuisance in the Public Health Act;

NOW THEREFORE, the Senate calls upon the county governments to ensure that funds are allocated in the County Annual Development Plans for FY 2020/2021, towards the planning and development of cemetery, funeral parlours and crematory facilities.

*(Resumption of debate interrupted on Thursday, 12th March, 2020)
(Division)*

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

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

THAT, the Senate **adopts** the Seventh Progress Report of the Ad-hoc Committee on COVID -19 Situation in Kenya, laid on the Table of the Senate on Tuesday, 16th June, 2020.

11. **COMMITTEE OF THE WHOLE
THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION
(AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILLS NO. 35 OF
2019)**

(The Senate Majority Leader)

12. **COMMITTEE OF THE WHOLE
THE COUNTY TOURISM BILL (SENATE BILLS NO. 5 OF 2019)**

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

13. ***THE PROMPT PAYMENT BILL (SENATE BILLS NO. 3 OF 2020)**

(Sen. (CPA) Farhiya Haji, MP and Sen. Sakaja Johnson, MP)

(Second Reading)

*(Resumption of debate interrupted on Tuesday, 23rd June, 2020 -
Afternoon Sitting)*

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

(Sen. Johnes Mwaruma, MP)

(Second Reading)

15. ***THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 1
OF 2020)**

(Sen. Abshiro Halake, MP)

(Second Reading)

16. ***THE COUNTY RESOURCE DEVELOPMENT BILL (SENATE BILLS NO. 2 OF 2020)**
(Sen. Rose Nyamunga, MP)
(Second Reading)

17. *****THE SECTIONAL PROPERTIES BILL (NATIONAL ASSEMBLY BILLS NO. 23 OF 2019)**
(The Senate Majority Leader)
(Second Reading)

18. ***THE COMMUNITY HEALTH SERVICES BILL (SENATE BILLS NO. 5 OF 2020)**
(Sen. (Dr.) Agnes Zani, MP)
(Second Reading)

19. *****THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 51 OF 2017)**
(The Senate Majority Leader)
(Second Reading)

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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.

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 INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILLS NO. 35 OF 2019)

(The Senate Majority Leader)

NOTICE is given that the Chairperson to the Standing Committee on Justice, Legal Affairs and Human Rights, intends to move the following amendments to the Independent Electoral and Boundaries Commission (Amendment) (No. 3) Bill (National Assembly Bills No. 35 of 2019) at the Committee Stage—

CLAUSE 2

THAT clause 2 of the Bill be amended—

(a) in paragraph (a) by deleting the word “eleven” appearing immediately after the words “therefor the words” and substituting therefor the word “seven”;

(b) by deleting paragraph (b) and substituting therefor the following new paragraph—

(b) by deleting paragraph 1(2) and substituting therefor the following new subparagraph—

(2) The selection panel shall consist of—

(a) two men and two women nominated by the Parliamentary Service Commission;

(b) one person nominated by the Law Society of Kenya; and

(c) two persons nominated by the Inter-religious Council of Kenya.

(c) by inserting the following new paragraph immediately after paragraph (b)—

(ba) by inserting the following new paragraph immediately after paragraph 1(2)—

(2A) A person is qualified for appointment as a member of the selection panel if such person—

(a) is a citizen of Kenya;

(b) meets the requirements of leadership and integrity set out in Chapter Six of the Constitution; and

(c) holds a degree from a university recognised in Kenya.

...../Appendix

APPENDIX

1. MESSAGE

Message from the National Assembly on the approval by the National Assembly, of Hon. Rachel Ameso Amolo, as a Member of the Parliamentary Service Commission.

(The Speaker of the Senate)

2. PETITIONS

i) Petition to the Senate by Kenyan youths concerning reforms on the design and structure of the procurement framework in Kenya.

ii) Petition to the Senate by residents of Kiambu County concerning gazettelement of Ondiri Wetland in the County.

(Sen. Isaac Mwaura, MP)

iii) Petition to the Senate by Gov. Stephen K. Sang, the Governor of Nandi County, concerning landslides, as a result of heavy rains, in Nandi County.

iv) Petition to the Senate by Mr. Collins A. Omolo concerning alleged double taxation of pharmacies in Kenya.

(The Speaker of the Senate)

3. PAPERS

i) The Public Health (COVID-19 Restriction of Movement of Persons and Related Measures) (Nairobi Metropolitan Area) (Extension) Order, No. 3 of 2020 – Legal Notice No. 104 of 2020.

ii) The Public Health (COVID-19 Restriction of Movement of Persons and Related Measures) (Daadab Refugee Complex and Kakuma Refugee Camp) (Extension) Order, No. 2 of 2020 – Legal Notice No. 105 of 2020.

iii) The Public Health (COVID-19 Restriction of Movement of Persons and Related Measures) (Mombasa County) (Extension) Order, No. 3 of 2020 – Legal Notice No. 106 of 2020.

iv) The Public Health (COVID-19 Restriction of Movement of Persons and Related Measures) (Mandera County) (Extension) Order, No. 3 of 2020 – Legal Notice No. 107 of 2020.

(The Senate Majority Leader)

4. STATEMENTS**a) Pursuant to Standing Order 47 (1)**

The Senator for Trans - Nzoia County (Sen. (Dr.) Michael Mbito, MP) to make a statement regarding attainment of ideal urban waste management.

b) Pursuant to Standing Order 48 (1)

- i) The Senator for Kakamega County (Sen. Cleophas Malalah, MP) to seek a statement from the Ad-hoc Committee on the COVID-19 Situation in Kenya concerning the role of the National Hospital Insurance Fund (NHIF) in COVID-19 testing for hotel and restaurant staff in the Country.
- ii) Nominated Senator (Sen. Abshiro Halake, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources concerning the status of automation of land registries and general land records.
- iii) The Senator for Kakamega County (Sen. Cleophas Malalah, MP) to seek a statement from the Standing Committee on Finance and Budget concerning the proposed increase of Excise Duty on beer made from sorghum, millet and cassava.
- iv) Nominated Senator (Sen. Beatrice Kwamboka, MP) to seek a statement from the Standing Committee on Roads and Transportation concerning the status of the Nairobi Metropolitan Area Transport Authority (NAMATA).
- v) Nominated Senator (Sen. Beatrice Kwamboka, MP) to seek a statement from the Standing Committee on Education concerning the alleged rise in cases of teenage pregnancies during the COVID-19 pandemic.
- vi) Nominated Senator (Sen. Farhiya Ali Haji, MP) to seek a statement from the Standing Committee on Labour and Social Welfare concerning alleged stalled payment of sitting allowance to members of the Wajir Land Tribunal Board.
- vii) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources concerning the status of Voi Point Limited, L.R. No. 28683.

c) Pursuant to Standing Order 52 (1)

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 14th July, 2020.
