



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

THURSDAY, FEBRUARY 11, 2021 AT 2.30 P.M.

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 MUNG BEANS BILL (SENATE BILLS NO. 9 OF 2020)**
(Sen. Enoch Wambua, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 10th February, 2021)

9. ***THE COOPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2020)**
(Sen. (Dr.) Agnes Zani, MP)

(Second Reading)

...../Motion

10. **MOTION -DEVELOPMENT OF DAY CARE POLICY IN THE COUNTIES AND DEPARTMENT OF BASIC EDUCATION**

(Sen. (Dr.) Alice Milgo, MP)

THAT, AWARE THAT, Constitution of Kenya (Article 53) affirms that children have basic rights, including the right to education, nutrition, shelter, health care and parental care, provisions that are aligned with those cited in both the Convention on the Rights of the Child and the Africa Charter on the Rights and Welfare of the Child, to which Kenya is a signatory;

CONCERNED THAT, the current status of day care facilities in the Country are not child friendly or habitable and there is need to bridge this gap to capture the play group class in the new 2-6-3-3-3 curriculum that is replacing the 32 year old 8-4-4 system;

ACKNOWLEDGING THAT, most working parents lack quality Day care facilities, as the playgroup is a safe place for them to take their children while they are at work;

NOW THEREFORE, the Senate urges that the Council of Governors in conjunction with the Ministry of Education ensure that:

- a) Counties allocate at least 10 percent of their budget on Early Childhood Development Education (ECDE) towards this vulnerable group; and,
- b) Policy is developed to incorporate the needs of children who are less than three years of age.

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...../Notice

NOTICE

The Senate resolved on 10th February, 2021, as follows:-

- i) **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

...../Appendix

APPENDIX**1. PETITIONS**

Report of the Standing Committee on Education on a petition to the Senate by Mr. Moses Njenga and Mr. Joseph Mugambi concerning the delayed opening of Njiru Secondary School, Kasarani, Nairobi County.

(Chairperson, Standing Committee on Education)

2. PAPERS

- (i) The Public Health (COVID-19 Indoor Meetings) Rules, Legal Notice 224/2020 published on 30th December, 2020.
- (ii) Report on Public Service Compliance with the values and principles in Articles 10 and 232 of the Constitution for the year 2019/2020.
- (iii) Report of the Auditor General on the Financial Statements of the County Assembly of Homa-Bay for the year ended 30th June, 2019.
- (iv) Report of the Auditor General on the Financial Statements of the County Executive of Homa-Bay for the year ended 30th June, 2019.
- (v) Report of the Auditor General on the Financial Statements of Uasin Gishu County Assembly for the year ended 30th June, 2019.
- (vi) Report of the Auditor General on the Financial Statements of the County Executive of Uasin Gishu for the year ended 30th June, 2019.
- (vii) Report of the Auditor General on the Financial Statements of the County Assembly of Samburu for the year ended 30th June, 2019
- (viii) Report of the Auditor General on the Financial Statements of the County Executive of Samburu for the year ended 30th June, 2019.
- (ix) Report of the Auditor General on the Financial Statements of the County Assembly of Elgeyo Marakwet for the year ended 30th June, 2019.
- (x) Report of the Auditor General on the Financial Statements of Muranga County Executive for the year ended 30th June, 2019.
- (xi) Report of the Auditor General on the Financial Statements of the County Assembly of Nandi for the year ended 30th June, 2019
- (xii) Report of the Auditor General on the Financial Statements of the County Executive of Nandi for the year ended 30th June, 2019.

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- (xiii) Report of the Auditor General on the Financial Statements of the County Executive of Elgeyo Marakwet for the year ended 30th June, 2019.
- (xiv) Report of the Auditor General on the Financial Statements of the County Executive of Homa Bay for the year ended 30th June, 2019.
- (xv) Report of the Auditor General on the Financial Statements of the County Executive of Uasin Gishu for the year ended 30th June, 2019.
- (xvi) Report of the Auditor General on the Financial Statements of the County Assembly of Kisumu for the year ended 30th June, 2019.
- (xvii) Report of the Auditor General on the Financial Statements of the County Executive of Kisumu for the year ended 30th June, 2019.
- (xviii) Report of the Auditor General on Kenya Health sector programme support III-Danida Ref. 104. Kenya.810.300 (Grant) for the year ended 30th June, 2020- County Government of Kisii.
- (xix) Report of the Auditor General on Kisumu Urban Project (Project advance Account) – CKE 1035.01.G for the year ended 30th June, 2020 - County Government of Kisumu.
- (xx) Report of the Auditor General on Kisumu Urban Project (Cash Expenditure Fund) – CKE 1035.01.G for the year ended 30th June, 2020 - County Government of Kisumu.
- (xxi) Report of the Auditor General on Nairobi Sanitation Output Based Aid Project (IDA Grant No. TF014251 and No. TF0A5607) for the year ended 30th June, 2020 - Nairobi City Water and Sewerage Company Limited.

(The Senate Majority Leader)

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3. NOTICES OF MOTION

FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES

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

WHEREAS Kenya is a multi-ethnic and multi-racial country with rich and diverse cultural resources such as traditional medicine and foods, arts, craft, music, dances, dress among others;

AWARE THAT, the Constitution, in its preamble acknowledges the cultural diversity of the Kenyan people who are determined to live in peace and unity as one indivisible sovereign nation whilst, Article 11 of the Kenyan Constitution recognizes culture as the foundation of the nation;

NOTING that, while the Department of Culture under the Ministry of Sports, Culture and Heritage has been playing some of the key roles in promotion of cultural integration, formulation of policies and standards that will guide the development of culture, little information has been available to the Kenyan public;

ACKNOWLEDGING , that culture performs a significant role in the life of a child, the cultural background in which a child is brought up affects the totality of his or her life’s activities;

CONCERNED, that our children are losing their sense of identity due to the negative influences due to inadequate cultural identity catalyzed by globalization which has led to catastrophic consequences to the next generation as experienced in our country where a majority of young people are showing symptoms of feeling suicidal, anxious, feeling of hopelessness, anger, violence, feeling isolated, and paranoia;

NOW THEREFORE, the Senate urges the Cabinet Secretary, Ministry of Sports, Culture and Heritage to –

- a) Formulate cultural development policies and initiatives to inculcate stronger community values, safeguard Kenya’s heritage, recognize local heroes and promote socio-cultural opportunities in the counties; and
- b) Formulate strategies to create an enabling environment for protection and promotion of diversity of cultural expressions in all counties.

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4. STATEMENTS**a) Pursuant to Standing Order 48 (1)**

- i) The Senator for Kakamega County (Sen. Cleophas Malalah, MP) to seek a statement from the Standing Committee on Tourism, Trade and Industrialization concerning alleged multiple tax payment by lorries and trucks transporting building materials across counties in Kenya.
- ii) Nominated Senator, (Sen. (Dr.) Gertrude Musuruve, MP) to seek a statement from the Standing Committee on Education on the return to school of learners who were forced out of school as a result of the COVID-19 pandemic
- iii) Nominated Senator, (Sen. Mary Seneta, MP) to seek a statement from the Standing Committee on Justice, Legal Affairs and Human Rights on the roadmap to the activities leading to the 2022 General Elections.
- iv) The Senator for Wajir County, (Sen. (Dr.) Abdullahi Ali, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding delays in payment of Work Injury Benefit and other labour-related compensations to staff in county governments across the country.

b) 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, 16th February, 2021.

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