



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

WEDNESDAY, MARCH 02, 2022 AT 2.30 P.M.

PRAYER

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 LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2021)**
(The Senate Majority Leader)

(Second Reading)

***(Resumption of debate interrupted on Wednesday, 23rd February, 2022-
Morning Sitting)***

(Division)

9. **COMMITTEE OF THE WHOLE**
***THE LIFESTYLE AUDIT BILL (SENATE BILLS NO. 36 OF 2021)**
(Sen. Farhiya Haji, MP)

(Resumption of debate interrupted on Tuesday, 1st March, 2021)

(Division)

...../Bills

10. **COMMITTEE OF THE WHOLE*****THE LAW OF SUCCESSION (AMENDMENT) BILL, (SENATE BILLS NO. 15 OF 2021)**

(Sen. Abshiro Halake, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

11. **COMMITTEE OF THE WHOLE*****THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)**

(Sen. Abshiro Halake, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

12. **COMMITTEE OF THE WHOLE*****THE SPECIAL NEEDS EDUCATION BILL (SENATE BILLS NO. 44 OF 2021)**

(Sen. (Dr.) Getrude Musuruve and Sen. (Prof.) Margaret Kamar, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

13. **COMMITTEE OF THE WHOLE*****THE ELECTIONS (AMENDMENT) (NO. 3) BILL (SENATE BILLS NO. 48 OF 2021)**

(Sen. (Eng.) Ephraim Maina, MP)

14. **COMMITTEE OF THE WHOLE*****THE COUNTY RESOURCE DEVELOPMENT BILL (SENATE BILLS NO. 45 OF 2021)**

(Sen. Rose Nyamunga, MP)

15. ***THE ELECTIONS (AMENDMENT) (NO.2) BILL (SENATE BILLS NO. 43 OF 2021)**

(Sen. Ledama Olekina, MP)

(Second Reading)

16. ***THE ELECTION CAMPAIGN FINANCING (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2021)**

(Sen. Ledama Olekina, MP)

(Second Reading)

...../Motion

17. **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-

- (i) Developing legislation and policies to protect the elderly including ensuring all elderly persons in their counties are registered in the OPCT programme; and
- (ii) Organise value addition mechanisms such as financial training to help the beneficiaries of the programme to efficiently utilize this allowance.

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

18. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE SPECIAL AUDIT REPORT ON UTILIZATION OF COVID-19 FUNDS BY TWENTY EIGHT (28) COUNTY GOVERNMENTS**

(The Chairperson, Standing Committee on Health)

THAT the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty eight (28) county governments, laid on the Table of the Senate on Wednesday, 9th February, 2022.

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...../Notice

NOTICE

- 1) **NOTICE** is given that, pursuant to Standing Order 251A and 251B, the sitting will be a hybrid sitting consisting of Senators who are physically present in the Senate Chamber and Senators participating virtually from a remote location through **Zoom** online meeting platform, as per guidelines issued by the Speaker pursuant to Standing Order 251A (4).
- 2) **NOTICE** is given that on 9th February, 2022, the Senate resolved –

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 LAW OF SUCCESSION (AMENDMENT) BILL, SENATE BILLS NO. 15 OF 2021

(Sen. Abshiro Halake, MP)

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 Law of Succession (Amendment) Bill, Senate Bills No. 15 of 2021, at the Committee Stage —

CLAUSE 2

THAT the Bill be amended by deleting clause 2 and substituting therefor the following new clause —

Amendment of
section 3 of Cap
160.

2. Section 3 of the Law of Succession Act, hereinafter referred to as the “principal Act”, is amended —

- (a) in subsection (1) by inserting the following new definitions in their proper alphabetical sequence —

“child” includes an adopted child and a child who is conceived during the lifetime of a deceased person and is subsequently born after the death of the deceased person;

“intermeddling” means —

- (a) taking possession of, disposing off, charging, receiving, distributing, leasing or using property of a deceased without authority under this Act or any other applicable law;
- (b) ejecting a surviving spouse or child from the matrimonial home; or
- (c) any unlawful dealing with a deceased person’s estate;

“matrimonial home” means any property that is owned or leased by one or both spouses and occupied or utilized by the spouses as their family home, and includes any other attached property;

- (b) by deleting subsection (2); and
- (c) by deleting subsection (3).

...../Amendments

CLAUSE 3

THAT the Bill be amended by deleting clause 3.

CLAUSE 4

THAT the Bill be amended by deleting clause 4 and substituting therefor the following new clause —

Repeal of section 32 of Cap 160. **4.** The principal Act is amended by repealing section 32.

CLAUSE 5

THAT the Bill be amended by deleting clause 5 and substituting therefor the following new clause —

Repeal of section 33 of Cap 160. **5.** The principal Act is amended by repealing section 33.

CLAUSE 6

THAT clause 6 of the Bill be amended —

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

(b) by inserting the following new subsections immediately after subsection (1)—

(1A) The interest of the surviving spouse under subsection (1)(b) shall determine upon remarriage.

(1B) Notwithstanding subsection (1), —

(a) where the surviving child is not a child of the surviving spouse—

(i) the surviving spouse shall be entitled to the personal and household effects of the deceased absolutely and a life interest in one-half of the whole residue of the net intestate estate; and

- (ii) the surviving child shall be entitled to one-half of the whole residue of the net intestate estate which shall be held in accordance with section 41, and if there be more than one child they shall share equally;
- (b) where the surviving children include a child who is not a child of the surviving spouse —
 - (i) the surviving spouse shall be entitled to the personal and household effects of the deceased absolutely;
 - (ii) the net intestate estate shall, in the first instance, be divided equally amongst the surviving spouse and all the surviving children;
 - (iii) the surviving spouse shall have a life interest in his or her share and that of his or her children under subsection (1B)(b)(ii); and
 - (iv) the share of the surviving child who is not a child of the surviving spouse under subsection (1B)(b)(ii) shall be held in accordance with section 41, and if there be more than one child they shall share equally.
- (b) by inserting the following new paragraph immediately after paragraph (b) —
 - (c) by deleting subsection (5) and substituting therefor the following new subsection -
 - (5) Subject to the provisions of sections 41 and 42 and to any appointment or award made under this section, the whole residue of the net intestate estate shall, on the death or re-marriage of the surviving spouse, devolve upon the surviving child, if there be only one, or be equally divided among the surviving children.

...../Amendments

CLAUSE 8

THAT clause 8 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph —

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

(a) father and mother in equal share; or, if either is dead;

CLAUSE 9

THAT the Bill be amended by deleting clause 9.

INSERTION OF NEW CLAUSE 8A

THAT the Bill be amended by inserting the following new clause immediately after clause 8 —

Amendment of
section 40 of Cap
160.

8A. Section 40 of the principal Act be amended by inserting the following new subsection immediately after subsection (2) —

(3) Notwithstanding subsection (1), where any of the surviving children is not a child of any of the wives of the deceased, that child shall —

(a) be considered a house in determining the share of dependants in the net intestate estate under subsection (1); and

(b) the share of such child shall be held in accordance with section 41, and if there be more than one child they shall share equally.

...../Amendments

B. *THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)

(Sen. Abshiro Halake, MP)

NOTICE is given that the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, intends to move the following amendments to the Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Senate Bills No. 21 of 2021), at the Committee Stage —

CLAUSE 3

THAT clause 3 of the Bill be amended –

- (a) by deleting paragraph (e); and
- (b) in paragraph (g) by deleting the word “for” appearing at the beginning of the paragraph and substituting therefor the word “the”.

CLAUSE 4

THAT clause 4 be amended in paragraph (c) by deleting the words “the marginalised” appearing immediately after the words “and in particular” and substituting therefor the word “vulnerable”.

HEADING TO PART II

THAT the Bill be amended by deleting the heading to Part II and substituting therefor the following new heading –

PART II – OBLIGATIONS OF THE NATIONAL AND COUNTY GOVERNMENTS

CLAUSE 5

THAT clause 5 of the Bill be amended –

- (a) in subclause (1) –
 - (i) by deleting paragraph (e) and substituting therefor the following new paragraph –
 - (e) put in place measures that target vulnerable persons to ensure the realisation of their economic and social rights and that such persons have access to goods and services that are of acceptable standards;

...../Amendments

- (ii) by deleting paragraph (g) and substituting therefor the following new paragraph –

(g) create awareness and build capacity of citizens to enable them develop their understanding, skills and capacity for equitable and effective participation in the formulation, implementation and monitoring of policies, strategies or programmes aimed at realising their economic and social rights;

- (b) in subclause (2) by –

- (i) deleting paragraph (d) and substituting therefor the following new paragraph –

(d) prioritise the allocation of resources to ensure the realisation of economic and social rights while taking into account the special needs of vulnerable persons within the respective counties;

- (ii) deleting paragraph (g) and substituting therefor the following new paragraph –

(g) identify factors that impede the realisation of economic and social rights and their causes and institute corrective measures.

CLAUSE 6

THAT clause 6 of the Bill be amended –

- (a) in subclause (1) by deleting the word “oversee” appearing immediately after the words “The Commission shall” and substituting therefor the words “monitor and report on”; and
- (b) in subclause (2) by inserting the words “of governance” immediately after the words “national values and principles”.

CLAUSE 7

THAT clause 7 of the Bill be amended in subclause (1) –

- (a) by deleting paragraph (d) and substituting therefor the following new paragraph –

(d) identify factors that impede the economic development of, and access to, essential financial services by vulnerable persons and make recommendations to the Cabinet Secretary on policies and strategies necessary to address those factors;

...../Amendments

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

(g) make recommendations to State entities responsible for the delivery of social assistance programmes at the National and county level of government on measures necessary for the effective delivery of the programmes;

(c) by deleting paragraph (h) and substituting therefor the following new paragraph –

(h) in collaboration with relevant stakeholders, create awareness on the realisation of economic and social rights.

CLAUSE 8

THAT clause 8 of the Bill be amended –

(a) by deleting subclause (1) and substituting therefor the following new subclause –

(1) In preparing a county integrated development plan provided for under section 108 of the County Governments Act, each county government shall prepare a county strategic plan for the realisation of economic and social rights as a component of the county integrated development plan.

(b) in subclause (2) by deleting paragraph (c) and substituting therefor the following new paragraph –

(c) programmes and policies aimed at social protection and the promotion of economic and social rights of vulnerable persons within the county;

(c) in subclause (3) by –

(i) deleting paragraph (c) and substituting therefor the following new paragraph –

(c) adopt strategies and plans that enhance the availability, accessibility, acceptability and adaptability of goods and services aimed at facilitating the realisation of economic and social rights;

(ii) deleting paragraph (g); and

...../Amendments

(iii) deleting paragraph (h) and substituting therefor the following new paragraph –

(h) formulate strategic plans that respond effectively to issues affecting the realisation of economic and social rights within the county and provide such safety nets as may be necessary.

CLAUSE 9

THAT the Bill be amended by deleting clause 9 and substituting therefor the following new clause –

Objectives of a county strategic plan. **9.** The principal objective of a county strategic plan prepared under section 8 shall be to enhance the ability of a county government to secure access, availability, acceptability, adaptability and quality of goods and services necessary for the realisation of economic and social rights.

CLAUSE 12

THAT the Bill be amended by deleting clause 12 and substituting therefor the following new clause –

Approval of county strategic plans by the county assembly. **12.** (1) The respective county governor shall, within fourteen days of the preparation of a county strategic plan, submit a copy of the plan to the county assembly for approval.
(2) The county governor shall, upon the approval of the county strategic plan, publish the plan in the respective county gazette and publicise it within the county through such means as provided for under section 95 of the County Governments Act.

CLAUSE 15

THAT clause 15 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause –

(1) A person aggrieved by the decision to implement or refrain from implementing a recommendation under this Part may make an application to court in accordance with Article 22 of the Constitution.

...../Amendments

CLAUSE 16

THAT clause 16 of the Bill be amended by deleting the expression “20(5)” appearing immediately after the words “right under Article” and substituting therefor the expression “22”.

CLAUSE 17

THAT the Bill be amended by deleting clause 17 and substituting therefor the following new clause –

County Fiscal Strategy Paper to contain measures on social economic rights.	17. The respective county treasury shall include in the County Fiscal Strategy Paper – (a) measures aimed at ensuring the realisation of economic and social rights and associated activities for that year; and (b) any progress made in the realisation of economic and social rights.
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HEADING TO PART V

THAT the Bill be amended by deleting the heading to Part V.

CLAUSE 18

THAT the Bill be amended by deleting clause 18.

CLAUSE 19

THAT clause 19 of the Bill be amended in subclause (1) by inserting the word “annually” immediately after the words “section 13(2), prepare”.

CLAUSE 21

THAT clause 21 of the Bill be amended by –

(a) deleting the marginal note and substituting therefor the following new marginal note –

Public awareness framework.

(b) deleting paragraph (c) and substituting therefor the following new paragraph –

...../Amendments

- (c) collaborate with relevant agencies and stakeholders in each county in enhancing the capacity of residents to effectively participate in county affairs aimed at the delivery of goods and services for the realisation of economic and social rights.

CLAUSE 22

THAT clause 22 of the Bill be amended by inserting the following new paragraph immediately after paragraph (a) –

- (aa) in section 126(1) by inserting the words “including for the realisation of economic and social rights” immediately after the words “strategic priorities” in paragraph (a).

CLAUSE 24

THAT the Bill be amended by deleting clause 24.

CLAUSE 25

THAT the Bill be amended by deleting clause 25.

INSERTION OF NEW CLAUSE 21A

THAT the Bill be amended by inserting the following new clause immediately after clause 21 –

Regulations.

21A. (1) The Cabinet Secretary shall, in consultation with the county executive committee members responsible for finance and the Commission and within twelve months from the commencement of this Act, make regulations generally for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Cabinet Secretary may make regulations –

- (a) to provide a framework for collaboration between the National and county governments, and monitoring by the Commission on the implementation of this Act;

...../Amendments

(b) to provide for the procedures for the conduct of public participation under this Act; and

(c) on the conduct of awareness programmes and the publication and dissemination of information under this Act.

(3) For the purposes of Article 94(6) of the Constitution –

(a) the power of the Cabinet Secretary to make regulations shall be limited to bringing into effect the provisions of this Act and the fulfilment of the objectives specified under subsection (1); and

(b) the principles and standards set out under the Interpretation and General Provisions Act and the Statutory Instruments Act, 2013 in relation to subsidiary legislation shall apply to regulations made under this Act.

Cap. 2.
No. 23 of 2013.

INSERTION OF NEW CLAUSE 21B

THAT the Bill be amended by inserting the following new clause immediately after the new clause 21A –

Amendment to
No. 17 of 2012. **21B.** The County Governments Act is amended in section 107(1) by inserting the following new paragraph immediately after paragraph (d) –

(e) county strategic plans for the realization of economic and social rights under Part IV of the Economic and Social Rights Act.

SCHEDULE

THAT the Schedule to the Bill be amended –

(a) in the introductory clause by inserting the words “the National Government and” immediately after the words “the effort of”;

...../Amendments

- (b) in paragraph (a) by deleting the words “different levels of government” appearing immediately after the words “to the different” and substituting therefor the words “respective departments, agencies and institutions”;
- (c) by deleting paragraph (h) and substituting therefor the following new paragraph –
 - (h) whether or not it has put in place sufficient social safety nets such as cash transfers to vulnerable persons;
- (d) in paragraph (i) by deleting the words “and those in crisis situations” appearing immediately after the words “of the vulnerable” and substituting therefor the words “persons”.

CLAUSE 2

THAT clause 2 of the Bill be amended –

- (a) in the definition of the word “access” by deleting the words “persons in need” appearing immediately after the words “every person including” and substituting therefor the words “vulnerable persons”;
- (b) in the definition of the word “Council of County Governors” by deleting the expression “18” appearing immediately after the words “established under section” and substituting therefor the expression “19”;
- (c) by inserting the following new definition immediately after the definition of the word “county executive committee member” –
 - “county integrated development plan” means the five-year plan developed by a county government in accordance with section 108 of the County Governments Act;
- (d) by deleting the definition of the word “Equalisation Fund”;
- (e) by deleting the definition of the word “subsidy programme”;
- (f) by deleting the definition of the word “person in need”;
- (g) by deleting the definition of the word “vulnerable persons” and substituting therefor the following new definition –

“vulnerable persons” include children, pregnant and nursing mothers, older members of society, internally displaced persons, persons with disability, the sick, persons with chronic illnesses, victims of conflict, persons living in marginalised areas, and members of marginalised communities or groups provided that such persons or groups are unable to meet their economic and social rights, and such other groups as may be identified by the Cabinet Secretary or the respective county governor from time to time.

...../Amendments

LONG TITLE

THAT Bill be amended by deleting the Long Title and substituting therefor the following new Long Title –

AN ACT of Parliament to establish a framework for the realisation of economic and social rights; for monitoring and reporting on the realisation of economic and social rights; and for connected purposes.

SHORT TITLE

THAT clause 1 of the Bill be amended by deleting the words “Preservation of Human Dignity and Enforcement of” appearing immediately after the words “be cited as the”.

...../Appendix

C. *THE ELECTIONS (AMENDMENT) (NO. 3) BILL, SENATE BILLS NO. 48 OF 2021

(Sen. (Eng.) Ephraim Maina, MP)

NOTICE is given that the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, intends to move the following amendments to the Elections (Amendment) (No. 3) Bill (Senate Bills No. 48 of 2021) at the Committee Stage —

CLAUSE 2

THAT clause 2 of the Bill be amended by deleting the definition of the word “party primary”.

CLAUSE 3

THAT clause 3 of the Bill be amended in the proposed new section 32A(1) by deleting the words “a party primary” appearing immediately after the words “for purposes of” and substituting therefor the words “party nominations”.

CLAUSE 4

THAT clause 4 of the Bill be amended by deleting paragraph (b) and substituting therefor the following new paragraph –

(b) in subsection (3) by –

(i) inserting the words “and the Senate” immediately after the words “the National Assembly”; and

(ii) deleting the proviso.

APPENDIX**1. PETITION**

Petition to the Senate by Mr. Mellon Onchwari and others, concerning the plight of Early Childhood Education (ECD) teachers in Nyamira County.

(The Speaker of the Senate)

2. PAPERS

- i.) Report of the Auditor General on the financial statement of Kirinyaga County Assembly Mortgage Fund for the year ended 30th June, 2020;
- ii.) Report of the Auditor General on the financial statement of Kirinyaga County Executive Car Loan and Mortgage Fund for the year ended 30th June, 2020;
- iii.) Report of the Auditor General on the financial statement of Kirinyaga County Executive Alcoholic Drinks and Substance Abuse Control Fund for the year ended 30th June, 2020;
- iv.) Report of the Auditor General on the financial statement of Kirinyaga County Emergency Fund for the year ended 30th June, 2020;
- v.) Report of the Auditor General on the financial statement of Rukanga Water and Sanitation Company Ltd., for the year ended 30th June, 2020;
- vi.) Report of the Auditor General on the financial statement of Isiolo Water and Sewerage Company Ltd., for the year ended 30th June, 2020;
- vii.) Report of the Auditor General on the financial statement of Isiolo County Assembly Car Loan Scheme Fund for the year ended 30th June, 2020;
- viii.) Report of the Auditor General on the financial statement of Homa Bay County Executive Car Loan and Mortgage Fund, for the year ended 30th June, 2020;
- ix.) Report of the Auditor General on the financial statement of Homa Bay County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2020;
- x.) Report of the Auditor General on the financial statement of Homa Bay County Education Bursary Fund for the year ended 30th June, 2020;
- xi.) Report of the Auditor General on the financial statement of Vihiga County Assembly Car Loan and Mortgage Fund, for the year ended 30th June, 2020;

- xii.) Report of the Auditor General on the financial statement of Vihiga Municipal Board for the year ended 30th June, 2020;
- xiii.) Report of the Auditor General on the financial statement of Vihiga County Trade and Enterprise Fund for the year ended 30th June, 2020;
- xiv.) Report of the Auditor General on the financial statement of Demonstration Farms Fund, Kisii, for the year ended 30th June, 2020;
- xv.) Report of the Auditor General on the financial statement of Gusii Water and Sanitation Company Ltd., for the year ended 30th June, 2020;
- xvi.) Report of the Auditor General on the financial statement of Embu County Assembly Car Loan and Mortgage (Members) Scheme Fund, for the year ended 30th June, 2020;
- xvii.) Report of the Auditor General on the financial statement of Embu County Youth Trust Fund for the year ended 30th June, 2020;
- xviii.) Report of the Auditor General on the financial statement of Siaya County Education Bursary Fund for the year ended 30th June, 2020;
- xix.) Report of the Auditor General on the financial statement of Siaya County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2020;
- xx.) Report of the Auditor General on the financial statement of Kisumu County Car and Mortgage Scheme Fund, for the year ended 30th June, 2020;
- xxi.) Report of the Auditor General on the financial statement of Kisumu County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2020;
- xxii.) Report of the Auditor General on the financial statement of Kisumu County Education Fund for the year ended 30th June, 2020;
- xxiii.) Report of the Auditor General on the financial statement of Kericho County Alcoholic Drinks Control Fund for the year ended 30th June, 2020;
- xxiv.) Report of the Auditor General on the financial statement of Meru County Investment and Development Corporation for the year ended 30th June, 2020;
- xxv.) Report of the Auditor General on the financial statement of Meru County Alcoholic Drinks Control Board for the year ended 30th June, 2020;
- xxvi.) Report of the Auditor General on the financial statement of Meru County Microfinance Corporation for the year ended 30th June, 2020;

- xxvii.) Report of the Auditor General on the financial statement of Meru County Assembly Members Car Loan and Housing Scheme Fund for the year ended 30th June, 2020;
- xxviii.) Report of the Auditor General on the financial statement of Marsabit County Emergency Fund for the year ended 30th June, 2020;
- xxix.) Report of the Auditor General on the financial statement of Kericho Water and Sanitation Company Ltd., for the year ended 30th June, 2020;
- xxx.) Report of the Auditor General on the financial statement of Kericho County Executive Staff Car Loan Scheme Fund for the year ended 30th June, 2020;
- xxxi.) Report of the Auditor General on the financial statement of Kericho County Agricultural Sector Development Support Programme II Fund for the year ended 30th June, 2020;
- xxxii.) Report of the Auditor General on the financial statement of Kericho County Enterprise Fund for the year ended 30th June, 2020;
- xxxiii.) Report of the Auditor General on the financial statement of Sibo Water and Sanitation Company Ltd., for the year ended 30th June, 2020;
- xxxiv.) Report of the Auditor General on the financial statement of Migori County Executive Car Loan and Mortgage Fund for the year ended 30th June, 2020;
- xxxv.) Report of the Auditor General on the financial statement of Tharaka Nithi County Emergency Fund for the year ended 30th June, 2020;
- xxxvi.) Report of the Auditor General on the financial statement of Ngagaka Water and Sanitation Company Ltd., for the year ended 30th June, 2020;
- xxxvii.) Report of the Auditor General on the financial statement of Imetha Water and Sanitation Company Ltd., for the year ended 30th June, 2020;

3. NOTICES OF MOTION

- i.) **INTEGRATING CLIMATE EDUCATION INTO SCHOOL CURRICULUM AT ALL LEVELS**
(Sen. Abshiro Halake, MP)

THAT, AWARE THAT it is important that both the current and future generations are better equipped to address the problem of climate change and this can be accomplished by using appropriate instructional strategies such as integrating climate education into the syllabus to assist students in improving their understanding of climate change and acquiring the essential skills to reduce its effects;

...../Appendix

ACKNOWLEDGING THAT education is crucial to promote climate action as it helps individuals understand and address the impacts of the climate crisis, empowering them with the knowledge, skills, values and attitudes needed to act as agents of change, hence protect the environment and take action by crafting community level solutions;

COGNIZANT OF THE FACT the Constitution of Kenya in Article 42 provides for the right to a clean and healthy environment for every Kenyan, which includes the right to have the environment protected for the benefit of present and future generations;

FURTHER NOTING THAT climate change is a global nightmare with consequences that are already quite visible, and should be a priority for our education curriculum, in accordance to Article 12 of the Paris Agreement which espouses the enhancement of climate change education, training, public awareness, public participation and public access to information;

NOW THEREFORE, the Senate calls upon the Council of Governors in partnership with the Ministry of Education, Science and Technology to:-

1. integrate climate education in the school curriculum in all counties to equip all school going children; and
2. equip teachers and administrators with the necessary information and training skills to teach climate education in schools.

ii.) **FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES**
(Sen. (Arch.) Sylvia Kasanga, MP)

THAT, 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;

...../Appendix

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.

4. STATEMENTS

a) Pursuant to Standing Order 47 (1)

- i.) The Senator for Vihiga County (Sen. George Khaniri, MP), to make a statement concerning Kenya's unfavorable balance of trade status;
- ii.) Nominated Senator (Sen. (Dr.) Gertrude Musuruve Inimah, MP) to make a statement concerning Zero Discrimination Day;

b) Pursuant to Standing Order 48(1)

- i.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Roads and Transportation regarding the increase in the cost of construction of the Nairobi Expressway by Kshs. 7.6 billion.
- ii.) Nominated Senator, (Sen. (Arch.) Sylvia Kasanga, MP) to seek a statement from the Standing Committee on Health concerning the alleged lack of stakeholders engagement in the development of the Kenya Standards on management of persons with substance abuse disorders.

...../Notice Paper

NOTICE PAPER

Tentative Business for

Thursday, March 03, 2022

(Published pursuant to Standing Order 38 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Thursday, March 03, 2022.

A. COMMITTEE OF THE WHOLE

1. ***The Irrigation (Amendment) Bill (National Assembly Bills No. 12 Of 2021)
(The Senate Majority Leader)
2. *The Community Groups Registration Bill (National Assembly Bills No. 20 Of 2021)
(The Senate Majority Leader)

B. MOTION - ADOPTION OF REPORTS OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON AUDIT REPORTS FOR COUNTY EXECUTIVES FOR FINANCIAL YEARS 2018/2019, 2016/2017, AND 2017/2018 (VOLUMES I, II AND III)

(Chairperson, Sessional Committee on County Public Accounts and Investments)