



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIRST SESSION)

THE SENATE

SUPPLEMENTARY ORDER PAPER

TUESDAY, NOVEMBER 08, 2022 AT 2.30 PM

PRAYER

1. Administration of Oath (as listed in the Appendix)
2. Communication from the Chair
3. Messages (as listed in the Appendix)
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 VOCATIONAL AND TRAINING BILL (SENATE BILLS NO. 3 OF 2022)**
(Sen. Moses Kajwang', MP)
(First Reading)
9. ****THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS (NO. 2) BILL (SENATE BILLS NO. 4 OF 2022)**
(The Chairperson, Standing Committee on Finance and Budget)
(First Reading)
10. **MOTION - APPOINTMENT OF MEMBERS OF PARLIAMENT TO THE PAN-AFRICAN PARLIAMENT**
(The Senate Majority Leader)

THAT, pursuant to Article 5 of the Protocol to the Treaty establishing the African Economic Community and relating to the Pan-African Parliament, the Senate approves the appointment of the following Members of Parliament to the Pan-African Parliament –

- 1) Sen. (Prof.) Margaret Kamar, EGH, MP;
- 2) Sen. Danson Buya Mungatana, MGH, MP;
- 3) The Hon. Rahab Mukami Wachira, MP;
- 4) The Hon. Joseph Kalasinga Majimbo, OGW MP; and
- 5) The Hon. Esther Muthoni Passaris, MP.

...../*Motions*

11. **MOTION - PROMOTION OF MENTAL HEALTH FACILITIES FOR MOTHERS**

(Sen. Hamida Kibwana, MP)

THAT, AWARE THAT according to the World Health Organization, globally 10% of pregnant women and 13% of women who have just given birth experience a mental condition, referred to as perinatal depression, which is higher in developing countries with 15.6% during pregnancy, and 19.8% after child birth;

FURTHER AWARE that women who go through still birth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

NOTING THAT integrating mental health care into primary healthcare settings requires training in psychiatric care and providing consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

APPRECIATING THAT the Health Act under section 6 (1) (b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will enable mothers go safely through pregnancy, childbirth, and the postpartum period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report;

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the Council of Governors to:

- (i) ensure that all county health facilities with maternity wings, allocate a separate ward for recovery for the mothers who have gone through still birth or those that have lost their babies during delivery;
- (ii) facilitate continuous mental health training and the provision of counselling support in the perinatal wards for all primary care providers in all counties;
- (iii) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,
- (iv) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal and postpartum depression.

...../Motions

12. **MOTION - EFFECTS OF UPSTREAM ACTIVITIES ON THE RIVER TANA TO THE RESIDENTS OF TANA DELTA**

(Sen. Danson Mungatana, MP)

THAT, AWARE THAT water is a fundamental resource to life, livelihood, food security and sustainable development and an economic good, which is critical for the sustainable development of the country;

FURTHER AWARE THAT the River Tana plays an important role in the lives of the communities living along its banks including Garissa and Tana River Counties whose main economic activities are livestock keeping, farming and fishing;

RECOGNIZING THAT Article 43 (1) (d) of the Constitution of Kenya, provides that every Kenyan has the right to clean and safe water in adequate quantities;

NOTING THAT the residents of Tana River County have perennially suffered from acute effects of flooding and inadequate supply of water to its residents and their livestock;

COGNIZANT THAT the challenge of flooding has predominantly been caused by KenGen’s release of huge amounts of water from the seven forks dams which combine with rain water from the highlands;

FURTHER COGNIZANT THAT the hoarding of water at the seven forks dams and other significant upstream activities such as irrigation and small scale dams limits the amount of water that flows downstream through River Tana significantly affecting agricultural activities in irrigation schemes such as Bura, Galole and other small scale irrigation schemes in the Tana Delta as a result of inadequate water supply to the canals that channel the water to the irrigation schemes;

CONCERNED THAT limited water supply to the hinterland and irrigation schemes cause severe hunger to the residents of Tana River, death of livestock and conflicts between farmers and herders, and that floods cause deaths, displacements and other challenges like waterborne diseases such as cholera downstream at Tana Delta;

NOW THEREFORE, the Senate urges the Ministry of Water, Sanitation and Irrigation in conjunction with the Water Resources Authority (WRA) to;

- i) conduct stakeholder participation before undertaking any major upstream activity including construction of dams, before the release of water during rainy season and limiting flow of water to River Tana during the dry season;

...../Motions

- ii) develop a policy in line with the Nile Treaty of 1959 to guarantee average annual flow of the River Tana; and
- iii) come up with mitigation measures to the perennial floods and water scarcity to the residents of Tana Delta.

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NOTICE

The Senate resolved on 5th October, 2022 as follows:-

THAT, pursuant to Standing Order 111 (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

1. ADMINISTRATION OF OATH

Nominated Senator Okenyuri Esther Anyieni.

2. MESSAGE

Message from the National Assembly on the approval of Members of Parliament for appointment to the Pan-African Parliament (PAP).

(The Speaker of the Senate)

3. PAPERS

- i.) Report of the Auditor General on the Financial Statement of Nandi County Executive Committee Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.
- ii.) Report of the Auditor General on the Financial Statement of Nandi County Assembly Car Loan (Members) Scheme Fund for the year ended 30th June, 2021.
- iii.) Report of the Auditor General on the Financial Statement of Nandi County Education Fund for the year ended 30th June, 2021.
- iv.) Report of the Auditor General on the Financial Statement of Kapsabet Nandi Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- v.) Report of the Auditor General on the Financial Statement of Homa Bay County Executive Car Loan & Mortgage (Members) Scheme Fund for the year ended 30th June, 2021.
- vi.) Report of the Auditor General on the Financial Statement of Homa Bay County Assembly Car & Mortgage Loan Fund for the year ended 30th June, 2021.
- vii.) Report of the Auditor General on the Financial Statement of Homa Bay County Education Bursary Fund for the year ended 30th June, 2021.
- viii.) Report of the Auditor General on the Financial Statement of Homa Bay County Water & Sanitation for the year ended 30th June, 2021
- ix.) Report of the Auditor General on the Financial Statement of Homa Bay Municipal Board for the year ended 30th June, 2021.

- x.) Report of the Auditor General on the Financial Statement of Kwale County Assembly Members & Staff Loan Scheme for the year ended 30th June, 2021.
- xi.) Report of the Auditor General on the Financial Statement of Kwale Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xii.) Report of the Auditor General on the Financial Statement of Kwale Municipal Board for the year ended 30th June, 2021.
- xiii.) Report of the Auditor General on the Financial Statement of Diani Municipal Board for the year ended 30th June, 2021.
- xiv.) Report of the Auditor General on the Financial Statement of Kakamega County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xv.) Report of the Auditor General on the Financial Statement of Kakamega County Dairy Development Corporation for the year ended 30th June, 2021.
- xvi.) Report of the Auditor General on the Financial Statement of Kakamega County Micro Finance Corporation for the year ended 30th June, 2021.
- xvii.) Report of the Auditor General on the Financial Statement of Mombasa County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xviii.) Report of the Auditor General on the Financial Statement of Mombasa County Consolidated Revolving Fund for the year ended 30th June, 2021.
- xix.) Report of the Auditor General on the Financial Statement of Mombasa Water Supply & Sanitation Company Ltd for the year ended 30th June, 2021.
- xx.) Report of the Auditor General on the Financial Statement of Taita Taveta County Assembly Mortgage (Members) Scheme Fund for the year ended 30th June, 2021.
- xxi.) Report of the Auditor General on the Financial Statement of Taita Taveta County Government Education Fund for the year ended 30th June, 2021.
- xxii.) Report of the Auditor General on the Financial Statement of Taita Taveta County Datu Sawazisha Fund for the year ended 30th June, 2021.

- xxiii.) Report of the Auditor General on the Financial Statement of Taita Taveta Car Loan Scheme Fund for the year ended 30th June, 2021.
- xxiv.) Report of the Auditor General on the Financial Statement of Bungoma County Assembly Employee Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxv.) Report of the Auditor General on the Financial Statement of Bungoma County Education Support Scheme for the year ended 30th June, 2021.
- xxvi.) Report of the Auditor General on the Financial Statement of Bungoma County Trade Development Loans Fund for the year ended 30th June, 2021.
- xxvii.) Report of the Auditor General on the Financial Statement of Bungoma County Youth & Women Empowerment Fund for the year ended 30th June, 2021.
- xxviii.) Report of the Auditor General on the Financial Statement of Bungoma County Trade Development Loans Fund for the year ended 30th June, 2021.
- xxix.) Report of the Auditor General on the Financial Statement of Kisii County Assembly Car Loan & Mortgage Fund for the year ended 30th June, 2021.
- xxx.) Report of the Auditor General on the Financial Statement of Kisii County Health Facilities Improvement Fund for the year ended 30th June, 2021.
- xxxi.) Report of the Auditor General on the financial statement of Kisii County Emergency Fund for the year ended 30th June, 2021.
- xxxii.) Report of the Auditor General on the Financial Statement of Kisii County Loans and Mortgages Fund for the year ended 30th June, 2021.
- xxxiii.) Report of the Auditor General on the Financial Statement of Kisii County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xxxiv.) Report of the Auditor General on the Financial Statement of Kisii County Covid-19 Emergency Fund for the year ended 30th June, 2021.
- xxxv.) Report of the Auditor General on the Financial Statement of Gusii Water & Sanitation Company Ltd for the year ended 30th June, 2021.

- xxxvi.) Report of the Auditor General on the Financial Statement of Demonstration Farm Fund Kisii for the year ended 30th June, 2021.
- xxxvii.) Report of the Auditor General on the Financial Statement of Kisumu County Assembly Car & Loan Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxxviii.) Report of the Auditor General on the Financial Statement of Kisumu County Education Fund for the year ended 30th June, 2021.
- xxxix.) Report of the Auditor General on the Financial Statement of Kisumu County Covid-19 Emergency Response Fund for the year ended 30th June, 2021.
- xl.) Report of the Auditor General on the financial statement of Kisumu Water & Sanitation Company for the year ended 30th June, 2021.

(The Senate Majority Leader)

4. NOTICE OF MOTION - APPOINTMENT OF MEMBERS OF PARLIAMENT TO THE PAN-AFRICAN PARLIAMENT

(The Senate Majority Leader)

THAT, pursuant to Article 5 of the Protocol to the Treaty establishing the African Economic Community and relating to the Pan-African Parliament, the Senate approves the appointment of the following Members of Parliament to the Pan-African Parliament –

- 1) Sen. (Prof.) Margaret Kamar, EGH, MP;
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- 4) The Hon. Joseph Kalasinga Majimbo,OGW MP; and
- 5) The Hon. Esther Muthoni Passaris, MP.

5. STATEMENTS

a) Pursuant to Standing Order 52(1)

- i.) Nominated Senator (Sen. Beth Syengo, MP) to make a statement concerning the actualization of two-thirds gender rule for elective and appointive positions.
- ii.) The Senator for Mombasa County (Sen. Mohamed Faki, MP) to make a statement regarding the illegal diversion of Kshs.47,349,600/- from the Staff Training Fund of the Kenya Maritime Authority (KMA) to the Kenyan High Commission in London.

b) Pursuant to Standing Order 53(1)

- i.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Labour and Social Welfare concerning the onboarding process of employees in Marsabit County Government.
- ii.) The Senator for Machakos County (Sen. Agnes Kavindu, MP) to seek a statement from the Standing Committee on Tourism, Trade and Industrialization concerning the liquidation of Drumvale Farmers Cooperative Society Limited.
- iii.) Nominated Senator (Sen. Gloria Orwoba, MP) to seek a Statement from the Standing Committee on Information, Communication and Technology regarding alleged mismanagement of funds by the Chief Executive Officer (CEO) and the Board of the Media Council of Kenya.
- iv.) The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, MP) to seek a statement from the Standing Committee on Finance and Budget on the status of Pending Bills in Kakamega County as at August 2022.
