



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (SECOND SESSION)**

**THE SENATE**

**ORDER PAPER**

**TUESDAY, APRIL 25, 2023 AT 2.30 PM**

**PRAYER**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **\*\*THE EQUALIZATION FUND APPROPRIATION BILL (SENATE BILLS NO. 3 OF 2023)**  
(The Chairperson, Standing Committee on Finance and Budget)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 20<sup>th</sup> April, 2023)***

9. **\*THE PROMPT PAYMENT BILL (SENATE BILLS NO. 8 OF 2022)**  
(Sen. Mariam Sheikh Omar, MP)

*(Second Reading)*

***(Resumption of debate interrupted on Wednesday, 12<sup>th</sup> April, 2023-  
Afternoon Sitting)***

10. **\*THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2022)**  
(Sen. Samson Cherarkey, MP)

*(Second Reading)*

...../Bills

11. **\*THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)**

(Sen. Maureen Tabitha Mutinda, MP)

*(Second Reading)*

12. **\*THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)**

(Sen. Enoch Wambua, MP)

*(Second Reading)*

13. **\*THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)**

(Sen. Crystal Asige, MP)

*(Second Reading)*

14. **\*THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)**

(Sen. Wakili Hillary Sigei, MP)

*(Second Reading)*

15. **\*THE KONZA TECHNOPOLIS BILL (SENATE BILLS NO. 2 OF 2023)**

(Sen. Gloria Orwoba, MP)

*(Second Reading)*

16. **MOTION – PROVISION OF FREE SANITARY TOWELS TO END PERIOD POVERTY**

(Sen. Gloria Orwoba, MP)

**THAT, AWARE THAT** period poverty refers to the common challenge plaguing women globally wherein they are unable to attend schools or work as a cause of a lack of funds for sanitary products that is both a health risk and a signal of gender inequity;

**FURTHER AWARE THAT** in rural Kenya, 2 out of 3 pad users receive pads from sexual partners and 65 percent of women and girls can't afford sanitary pads, forcing them to use alternative materials like grass, cotton wool and cloth which lack adequate absorbent qualities resulting in frequent leakage and hygiene issues;

**CONCERNED THAT** period poverty also referred to as the “shadow pandemic” contributes to global and regional gender inequity, as women are forced to solicit help from men in order to satisfy a basic health need with 10% of 15-year-old girls having sex to pay for sanitary products;

**FURTHER CONCERNED THAT,** data from the Ministry of Education indicates that a girl that is absent from school for four days a month loses

...../Motion

13 learning days, equivalent to two weeks of learning in every school term, translating to 39 learning days or six weeks of learning time in a term and up to 18 of 108 weeks in primary and 24 weeks of 144 weeks of learning in secondary school;

**NOTING THAT**, while the Government, through the State Department for Gender Affairs was charged with the responsibility of procuring and distributing sanitary towels for 3.7 million girls in public primary schools, special primary and secondary schools in the country at a cost of Kshs. 470 million during the 2017/2018 Financial year, which amount needs to be increased in order to fully address and mitigate the problem;

**NOW THEREFORE**, the Senate resolves that the Ministry of Public Service, Gender and Affirmative Action in partnership with the Ministry of Education and the Council of Governors to: -

1. facilitate provision of feminine hygiene products in all public schools;
2. ensure that all schools that don't have bathrooms that facilitate privacy, cleanliness or proper disposal of hygiene products are properly equipped;
3. create awareness and take advocacy measures on reproductive health issues related to period poverty;
4. include in the curriculum a dedicated lesson per week to teach girls on menstrual hygiene; and
5. ensure that sanitary products will be obtainable timely, consistently, and in a way that respects the dignity of concerned persons.

***(Resumption of debate interrupted on Tuesday 28<sup>th</sup> February, 2023  
- Balance of time - 2hrs 41mins)***

17. **MOTION – THE DOPING MENACE THREATENING KENYA’S IMPECCABLE GLOBAL REPUTATION IN ATHLETICS**

(Sen. Samson Cherarkey, MP)

**THAT, AWARE THAT** in 2018 Kenya was placed under Category A by the world Anti-Doping Agency and since then forty Kenyan athletes have been banned by either the Athletics Integrity Unit (AIU) or the Anti – Doping Agency of Kenya (ADAK) and has led to a situation whereby the Kenyan athletes have to undergo intense testing before participating in major events and has immensely affected the reputation of the Kenyan athletes and the standing of Kenya in the international Sports arena where it currently ranks at number five;

...../Motion

**CONCERNED THAT**, despite the high number of alleged doping cases Kenya has only one World Anti- Doping Agency (WADA) approved blood testing laboratory forcing it to send urine tests to Qatar and South Africa for analysis and that the Anti- Doping Agency of Kenya (ADAK) is taking too long to address the doping menace which is likely to affect the state of preparedness for the athletes in the upcoming 2024 Olympic games in Paris;

**NOW THEREFORE** the Senate resolves that the Ministry of Youth, Sports and Arts:-

- a. Come up with modalities that can help achieve increased testing, intelligence gathering on athletes and doping awareness programmes;
- b. In collaboration with Athletics Kenya (AK) and National Olympic Committee of Kenya (NOCK) to vet all training camps, coaches, trainers and other athlete handlers;
- c. Initiate investigations at Anti – Doping Agency Kenya (ADAK) to identify and sanction all responsible officers liable for the menace of doping;
- d. In collaboration with the Directorate of Criminal Investigations and the Ethics and Anti – Corruption Commission finalize pending investigations and recommend prosecution of individuals involved in giving this banned substance to athletes; and
- e. In collaboration with the Ministry of Health to identify and revoke licenses for medics, pharmacies and hospitals responsible for the prescription of the commonly abused drugs by the athletes.

***(Resumption of debate interrupted on Tuesday 14<sup>th</sup> March, 2023 – Balance of time – 2hrs 42mins)***

18. **MOTION - COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES EMBASSY IN NAIROBI**

(Sen. Agnes Kavindu Muthama, MP)

**THAT, AWARE THAT**, disaster is defined as an overwhelming event and circumstance that tests the adaptation of responses of a community or individuals beyond their capability and leads momentarily to massive disruption of function for a community or individual that often exceeds their capacity to cope using existing resources;

**FURTHER AWARE THAT**, such was the case with the 1998 US Embassy Bomb disaster in Nairobi in which many of the Kenyan casualties resulted from the collapse of adjacent buildings located within a two to three block radius, and with reverberations being felt in most parts of Nairobi that resulted in 213 Kenyans and 12 Americans killed and over 5000 citizens of both countries being seriously injured;

...../Motion

**NOTING THAT**, US Allies, including Kenya, have endured the great burden of death, and long-term and in many instances permanent, physical and psychological injury;

**FURTHER NOTING THAT**, the United States Government has since compensated some of the victims and families of US citizens, leaving the families of Kenyan citizens and certain other victims uncompensated;

**NOW, THEREFORE**, the Senate resolves that the Ministry of Foreign Affairs:

- (i) Advances friendship and co-operation between the United States and Kenya by supporting the eligibility of Kenyan and American victims and their personal representatives, surviving spouses and next of kin in the Victim Compensation Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act; and
- (ii) Partners with the Ministry of Health to explore subsidized medical treatment for the surviving victims of the bomb blast.

***(Resumption of debate interrupted on Thursday, 16<sup>th</sup> March, 2023 –  
Balance of time – 2hrs 53mins)***

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**NOTICE**

The Senate resolved on 15<sup>th</sup> February, 2023 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 further 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**

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**APPENDIX**

**1. PAPERS**

- i.) Report of the Auditor General on the financial statement of the County Executive of Nakuru for the year ended 30<sup>th</sup> June, 2022.
- ii.) Report of the Auditor General on the financial statement of the County Assembly of Nakuru for the year ended 30<sup>th</sup> June, 2022.
- iii.) Report of the Auditor General on the financial statement of the Kitui Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2022.
- iv.) Report of the Auditor General on the financial statement of the County Revenue Fund for the County Government of Makueni for the year ended 30<sup>th</sup> June, 2022.
- v.) Report of the Auditor General on the financial statement of the Baringo County Emergency Fund for the year ended 30<sup>th</sup> June, 2022.

*(The Senate Majority Leader)*

**2. QUESTIONS AND STATEMENTS**

**STATEMENTS PURSUANT TO STANDING ORDER 53(1)**

- i.) The Senator for Kisii County (Sen. Richard Onyonka, MP) to seek a statement from the Standing Committee on Finance and Budget regarding the status of pending bills of Kisii County Government.
- ii.) The Senator for Kirinyaga County (Sen. James Murango, MP) to seek a statement from the Standing Committee on Education concerning the establishment of a public teacher training college in Kirinyaga County.
- iii.) The Senator for Kirinyaga County (Sen. James Murango, MP) to seek a statement from the Standing Committee on Health regarding the circumstances surrounding the amputation of baby Ridhwan Yasir Noor’s fingers in Kerugoya County Referral Hospital.
- iv.) The Senator for Kirinyaga County (Sen. James Murango, MP) to seek a statement from the Standing Committee on Health regarding the delayed construction of Kenya Medical Research Institute (KEMRI), Wamumu station, in Mwea West sub-county.
- v.) The Senator for Migori County (Sen. Eddy Oketch, MP) to seek a statement from the Standing Committee on National Security, Defense and Foreign Relations regarding threats to the security of *bodaboda* operators in Migori County.

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**NOTICE PAPER I****Tentative Business for****Wednesday, April 26, 2023 (Morning Sitting)***(Published pursuant to Standing Order 43 (1))*

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Wednesday, April 26, 2023 *(Morning Sitting)*

**A. QUESTIONS**

The following Parliamentary Questions have been scheduled by the Senate Business Committee for reply by the relevant Cabinet Secretaries on Wednesday, 26<sup>th</sup> April, 2023, at 9:30 am: -

<b>QUESTION NO.</b>	<b>SENATOR</b>	<b>SUBJECT</b>	<b>MINISTRY</b>
001	Sen. (Dr.) Lelegwe Ltumbesi, MP	State of security and resettlement of displaced persons in Samburu County	Interior and National Administration
003	Sen. Fatuma Dullo, MP	Disparity in compensation to residents of Nuno Modogashe and Isiolo affected by the Africa Gateway Project	Lands, Public Works, Housing and Urban Development
004	Sen. Fatuma Dullo, MP	Lifting of the moratorium on the issuance of mineral mining rights	Mining, Blue Economy and Maritime Affairs
005	Sen. Veronica Maina, MP	Exploration of offshore gas and oil	Mining, Blue Economy and Maritime Affairs
006	Sen. Veronica Maina, MP	Exploration of marine produce and participation of local fishermen in the Marine Exclusive Economic Zone	Mining, Blue Economy and Maritime Affairs  <b>...../Notice Paper</b>



**B. MOTIONS**

- i.) INSTITUTION OF MEASURES TO CURB INCESSANT HIGH ELECTRICITY COSTS IN KENYA  
(Sen. Mohamed Chute, MP)
- ii.) MOTION - ENHANCING HIGHWAY SAFETY AND CONVENIENCE  
(Sen. Wahome Wamatinga, MP and Sen. Mohamed Faki, MP)
- iii.) MOTION - DROUGHT MITIGATION PROGRAMME IN PUBLIC SCHOOLS  
(Sen. Enoch Wambua, MP)
- iv.) MOTION – BAN ON THE CULTIVATION OF EUCALYPTUS TREES ON RIPARIAN LANDS  
(Sen. James Kamau Murango, MP)

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# **NOTICE PAPER II**

## **Tentative Business for**

### **Wednesday, April 26, 2023 (Afternoon Sitting)**

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*(Published pursuant to Standing Order 43 (1))*

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Wednesday, April 26, 2023 *(Afternoon Sitting)*

#### **A. BILLS AT COMMITTEE OF THE WHOLE STAGE**

- i.) \*THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 5 OF 2022)  
(Sen. Danson Mungatana, MP)
- ii.) \*THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 6 OF 2022)  
(Sen. Danson Mungatana, MP)
- iii.) \*THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 3 OF 2022)  
(Sen. Moses Kajwang', MP)
- iv.) \*THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 7 OF 2022)  
(Sen. Danson Mungatana, MP)

#### **B. BILLS AT THE SECOND READING STAGE**

- i.) \*THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)  
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- ii.) \*THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 5 OF 2023)  
(Sen. Beth Syengo, MP)
- iii.) \*THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)  
(Sen. Moses Kajwang' MP)
- iv.) \*THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)  
(Sen. Crystal Asige, MP)
- v.) \*THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)  
(The Chairperson, Standing Committee on Labour and Social Welfare)

**C. MOTIONS**

- i.) ADOPTION OF THE REPORT OF THE SELECT COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE STATUTORY INSTRUMENTS (EXEMPTION FROM EXPIRY) REGULATIONS, 2022  
(The Chairperson, Select Committee on Delegated Legislation)
  
  - ii.) REVIEW OF THE MINIMUM WAGE NECESSITATED BY HIGH COST OF LIVING  
(Sen. Karen Nyamu, MP)
  
  - iii.) REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS  
(Sen. Wahome Wamatinga, MP)
  
  - iv.) ACCELERATING THE IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT GOALS (SDGs)  
(Sen. Catherine Mumma, MP)
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