



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

ORDER PAPER

MORNING SITTING

WEDNESDAY, JULY 10, 2024 AT 9.30 AM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **MOTION - REPORT OF THE 66TH COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30TH SEPTEMBER – 6TH OCTOBER, 2023**
(Sen. (Prof.) Margaret Kamar, MP)

THAT, the Senate notes the Report of the 66th Commonwealth Parliamentary Conference held in Accra, Ghana from 30th September – 6th October, 2023 laid on the Table of the Senate on 15th February, 2024.

9. **MOTION - REPORT OF THE 147TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN LUANDA, ANGOLA ON 23RD TO 27TH OCTOBER, 2023**
(Sen. Catherine Mumma, MP)

THAT, the Senate notes the Report of 147th Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Luanda, Angola on 23rd to 27th October, 2023 laid on the Table of the Senate on Thursday 29th February, 2024.

...../Motion

10. **MOTION - REPORT OF THE 63RD SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND THE 43RD SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS HELD IN BRUSSELS, BELGIUM**

(Sen. Kathuri Murungi, MP)

THAT, the Senate notes the Report of the 63rd Session of the OACPS Parliamentary Assembly and 43rd Session of the ACP-EU Joint Parliamentary Assembly Meetings in Brussels, Belgium laid on the table of Senate on Wednesday, 6th December, 2023.

11. **MOTION - REPORT OF THE 9TH INTER-PARLIAMENTARY UNION (IPU) GLOBAL CONFERENCE OF YOUNG PARLIAMENTARIANS HELD IN HANOI, VIETNAM FROM 15TH TO 17TH SEPTEMBER, 2023**

(Sen. John Methu, MP)

THAT, the Senate notes Report of the 9th Inter-Parliamentary Union (IPU) Global Conference of Young Parliamentarians held in Hanoi, Vietnam from 15th to 17th September, 2023 laid on the table of Senate on Tuesday, 5th March, 2024.

12. **MOTION - REPORT OF THE KENYA DELEGATION TO THE EXTRAORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD AT THE GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA, FROM 20TH TO 27TH MARCH, 2024**

(Sen. Danson Mungatana, MP)

THAT, the Senate notes the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held at the Gallagher Convention Centre, Midrand, South Africa, from 20th to 27th March, 2024, laid on the Table of the Senate on Wednesday, 24th April, 2024.

13. **MOTION - REPORT OF THE KENYA DELEGATION TO THE 148TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN GENEVA, SWITZERLAND FROM 23RD TO 27TH MARCH, 2024**

(Sen. Catherine Mumma, MP)

THAT, the Senate Notes the Report of the Kenya Delegation to the 148th Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings Held in Geneva, Switzerland from 23rd to 27th March, 2024 laid on the Table of the Senate on Thursday, 30th May, 2024.

...../Motion

14. **MOTION – REPORT OF THE 14TH ORDINARY SESSION OF THE PLENARY ASSEMBLY AND RELATED MEETINGS OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE OF THE GREAT LAKES REGION, HELD IN LIVINGSTONE, ZAMBIA, FROM 15TH TO 19TH APRIL, 2024**

(Sen. Ali Ibrahim Roba, MP)

THAT, the Senate notes the report of the 14th Ordinary Session of the Plenary Assembly and Related Meetings of the Forum of Parliaments of the International Conference of the Great Lakes region, held in Livingstone, Zambia, from 15th to 19th April, 2024 laid on the Table of the Senate on Thursday, 30th May, 2024.

15. **MOTION - ESTABLISHMENT OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

THAT, AWARE THAT Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

NOTING THAT the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions, which

if uncontrolled, will result to negative impact of climate change with adverse effect to millions of Kenyans;

CONCERNED THAT the number of private vehicles has significantly grown, leading to increased road accidents, carbon emission and vehicle congestion, costs of which are in excess of Kshs. 100 billion in GDP per year;

NOW THEREFORE the Senate urges the Ministry of Roads and Transport, Ministry of Environment, Climate Change and Forestry, in collaboration with the Council of Governors and the National Climate Change Council to –

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas across the country;
- ii.) Identify and develop County car-free zones, also known as “pedestrians’ precincts”, in urbanized areas, where its infrastructure and activities are restricted to pedestrians alone;
- iii.) provide affordable, safe and universally designed public transport access to and around these car-free zones, including, but not limited to, development of Bus Rapid Transport (BRT) in the urban areas;

...../Motion

- iv.) Design inclusive mobility infrastructure that supports non – motorized transport facilities, such as pedestrian spaces, bicycle lanes and green spaces, within the Central Business District of every County; and
- v.) ensure inter-modal connectivity among the various transport modes.

NOTICE

The Senate resolved on 14th February, 2024 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.

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

QUESTIONS AND STATEMENTS

QUESTIONS

Question No. 037 The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, CBS, MP) to ask the Prime Cabinet Secretary and the Cabinet Secretary for Foreign and Diaspora Affairs:

- a) Could the Cabinet Secretary disclose the number and identities of all Kenyans currently working in the Gulf States?
- b) How many Kenyans have lost their lives while working in the Gulf States from 2022 to date?
- c) What support does the Government provide to families of Kenyans who die while overseas, and could the Cabinet Secretary explain any actions being taken by the Government to facilitate the repatriation of the body of Ms. Mildred Busolo Lianza (deceased) from Saudi Arabia to Malinya village in Kakamega County?

Question No. 040 The Senator for Kisumu County (Sen. (Prof) Tom Ojienda, SC, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs:

- a) Could the Cabinet Secretary outline the obligations of the Government to Kenyans in the diaspora who face arrest, detention and deportation, and highlight any diplomatic agreements entered into with other countries on the applicable protocols?
- b) What protocols has the Government established for re-admitting deportees into the country, and could the Cabinet Secretary provide a list of Kenyans deported back to the country since 2010, stating reasons for each case where a deportee was refused admission?
- c) How does the Ministry of Foreign and Diaspora Affairs handle complaints and reports of human rights violations against Kenyans in the diaspora before, in the course of and after detention and deportation, and could the Cabinet Secretary disclose the number of Kenyans who have died in detention, and also provide details of all court cases initiated by Kenyans regarding such violations?

...../Appendix

- d) What measures has the Government put in place to safeguard dependants and property left behind by deportees, and could the Cabinet Secretary also explain the initiatives taken by the Government to facilitate the reintegration process for the deportees?

Question No. 057

The Senator for Kisumu County [Sen. (Prof.) Tom Ojienda, SC, MP] to ask the Cabinet Secretary for Environment, Climate Change and Forestry:

- a) Could the Cabinet Secretary elaborate on the climate change initiatives put in place both nationally and in each county, considering the diverse topography and unique environmental and climate change needs of each county?
- b) What expertise was engaged and what criteria was applied in developing the national climate change initiatives and tailoring them to the specific needs of each county?
- c) Could the Cabinet Secretary explain the measures put in place to enhance the capacity of each county government to implement the climate change initiatives in their respective counties, including the technical expertise of county governments to address environmental and climate change concerns, as well as the allocation of budgetary resources to each county within the designated timelines for these initiatives?
- d) Could the Cabinet Secretary provide progress reports on the implementation of the climate change initiatives in each county?

Question No. 072

The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Environment, Climate Change and Forestry:

- a) Could the Cabinet Secretary explain the measures the Ministry has put in place to mitigate the continued release of effluent and other pollutants from Embu County into River Rupingazi, River Thiba and other rivers in Kirinyaga County, leading to damage and loss of the marine biodiversity?

- b) What steps is the Ministry taking to assess the extent of damage caused by chemicals discharged into the rivers, considering the huge and negative impact on people's health?
- c) What steps has the Ministry taken to eradicate or control the causes of rising pollution levels in rivers within Kirinyaga County to guarantee the safety of water consumed by residents?

Question No. 045

The Senator for Siaya County (Sen. (Dr.) Oburu Oginga, MGH, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Could the Cabinet Secretary explain the delay in the completion of the Wang Arot – Kamito Road (C842) construction project in Siaya County, which was launched in 2016 and provide a timeline for completion of the project?
- b. What are the reasons for the delay in the resumption of construction of Awelo-Liunda Road (C843) in the County and, could the Cabinet Secretary provide a timeline for the resumption and completion of the works?
- c. Could the Cabinet Secretary also provide a status update on the upgrading to bitumen standard and performance-based maintenance on Got Nanga – Bar Ober Road (C948), and indicate the projected date of completion?

Question No. 050

The Senator for Nyamira County (Sen. Okong'o Mogeni, SC, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Why are there no essential road safety features, including proper markings, signage, rumble strips and speed bumps, on the Metamaywa-Mecheo-Chebingombe-Nyansiongo Road?
- b. Could the Cabinet Secretary also explain the inordinate delay in completing the construction of the Nyageita bridge along the Metamaywa-Mosobeti-Kebirigo Road, which was commissioned ten (10) years ago?
- c. What steps has the Ministry taken to ensure the timely resolution of the aforementioned concerns?

Question No. 058 The Senator for Kisumu County [Sen. (Prof.) Tom Ojienda, SC, MP] to ask the Cabinet Secretary for Roads and Transport:

- a. What is the extent of Government's involvement in the operational matters of Kenya Airways (KQ), specifically regarding the protection and welfare of staff?
- b. Could the Cabinet Secretary provide details of KQ staff that have lost their employment as a result of redundancies and retrenchments since 2010 and explain what necessitated the workforce reductions?
- c. Was procedure followed during the exercise lawful, and could the Cabinet Secretary indicate whether all benefits due to the affected staff were paid?
- d. How many retrenchment cases by the organization have been found to be against the law, and could the Cabinet Secretary state the number of retrenched staff re-employed by KQ, if any, and what informed the decision?
- e. What impact has court pronouncements through judgements had on the job redundancy and retrenchment policy, practices and the attendant send-off package at KQ?

Question No. 059 The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Could the Cabinet Secretary provide the criteria used by Kenya Rural Roads Authority (KeRRA) in the allocation of funds to Counties for the period April to June 2024, and explain why only four counties including Vihiga County were left out in the allocation?
- b. What measures have been put in place by the Ministry to ensure that KeRRA funds are not misappropriated through skewed procurement and political interference in the awarding of road construction contracts?
- c. What steps is the Ministry taking to eliminate duplicity in awarding contracts, for the construction and maintenance of rural roads, and to avert the misappropriation of the funds?

Question No. 061 The Senator for Kisumu County [Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP] to ask the Cabinet Secretary for Roads and Transport: -

- a. Is the Ministry currently undertaking real-time mapping of all roads, bridges and other transport infrastructure affected by the April/ May 2024 unprecedented rains and floods and, if so, could the Cabinet Secretary provide a list of all affected transport infrastructure across the country?
- b. What flood mitigation measures are required to bring each affected infrastructure to a state where it can withstand the rains and floods currently being witnessed in the country, and what are the budgetary implications for such improvements?
- c. Could the Cabinet Secretary outline the obligations of the National Government *vis-à-vis* those of the County Governments regarding the reconstruction of each transport infrastructure affected by the floods?
- d. What long-term measures are being implemented to address the poor drainage systems throughout major cities and towns, ensuring that such occurrences do not repeat in the future, and what are the budgetary implications of these actions?
- e. What steps are being taken to compensate victims of past transport infrastructure engineering that resulted in the changes to the path and courses of various rivers, hence the flooding of some homes and human settlements that naturally were not in the paths of those rivers?

Question No. 062 The Senator for Tharaka-Nithi County (Sen. Mwenda Gataya Mo Fire, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Could the Cabinet Secretary provide a status update on the payment of compensation to owners of the parcels of land acquired for the construction of the St. Mary-Kinooro-Gianchuku-Mbogori Road in Tharaka Nithi County?
- b. Why has there been a delay in compensating some of the landowners, and could the Cabinet Secretary state when the affected landowners will be paid?

- c. What measures has the Ministry put in place to guarantee timely compensation of individuals affected by road construction projects in future?

Question No. 065 The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, CBS, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Could the Cabinet Secretary provide a list of landowners who granted wayleave for the upgrading to bitumen standard of the Sigalagala-Butere road and indicate the respective amounts due as compensation to each?
- b. Why has the Government not yet paid out compensation to the said individuals years after the project was completed, and could the Cabinet Secretary indicate the timelines for the same?

Question No. 066 The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Could the Cabinet Secretary provide a status update on all ongoing projects by the National Government for the upgrade of roads in Kirinyaga County to bitumen standard?
- b. Why has there been a delay in the upgrade of Kimbimbi-Kanjinji-Togonye-Piai Road, Kagumo-Kiamaina-Gathuthuma Road and Piai-Njukiini-Kiamutugu-Karumandi-Kiamiciri Road, popularly known as *Mucibi wa Gichugu*, to bitumen standard, despite their importance in enhancing the economic potential of the region?

Question No. 067 The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Are there plans by the Government to upgrade Wang'uru Airstrip in Mwea Constituency, Kirinyaga County for use by, among others, horticulture and *miraa* farmers to transport their produce and, if so, could the Cabinet Secretary state whether an allocation for that purpose has been made in the 2024/ 2025 financial year budget?

- b. Could the Cabinet Secretary outline the policy measures implemented by the Government to develop air transport in the country, and particularly in Kirinyaga County?
- c. What steps has the Ministry taken to construct airstrips in all counties where there are none?

Question No. 074 Nominated Senator (Sen. Peris Tobiko, MP) to ask the Cabinet Secretary for Roads and Transport

- a. Could the Cabinet Secretary provide a status update on the construction of the road off Mombasa Road from the Daystar University junction to Stoni Athi, stating the scope of works and indicating when the project will be completed?
- b. Could the Cabinet Secretary also provide a status update on the proposed tarmacking of the Ilasit-Rombo-Taveta Road, Maasai Lodge-Tuala-Kitengela Road and Gataka-Ongata Rongai Road, all in Kajiado County, and outline any steps taken by the Ministry to fast-track the projects?

Question No. 080 The Senator for Murang'a County (Sen. Joe Nyutu, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Why are there no proper markings and signage on the Kenol-Sagana-Marwa Road near social amenities such as schools, and could the Cabinet Secretary state when such markings will be drawn and signage put up?
- b. Could the Cabinet Secretary state when the footbridge at Kenol town will be completed and clarify whether there are plans to construct a footbridge near Komorori Primary School, to serve the 1700 pupils and teachers of the school, who currently have to walk for approximately a kilometre to cross the road?
- c. When will the construction of the said road be completed?

Question No. 081 The Senator for Tharaka-Nithi County (Sen. Mwenda Gataya Mo Fire, MP) to ask the Cabinet Secretary for Roads and Transport:

- a. Could the Cabinet Secretary explain the inordinate delay in completing the tarmacking of the Gatunga-Chakariga Road, which was commissioned in 2014 and is critical in connecting Tharaka South and Tharaka North sub-counties, and also links Tharaka University to the rest of Kenya?

- b. Could the Cabinet Secretary provide a detailed assessment of the quality of works done so far and explain why there is visible damage in sections of the road that were already tarmacked, and also state when the sections will be repaired?

- c. When will the contractor, who has already left the construction site, resume works on the road, and could the Cabinet Secretary indicate when the project will be completed?

NOTICE PAPER

Tentative Business for Wednesday, July 10, 2024

(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, July 10, 2024 (Afternoon Sitting).

A. BILLS AT THE SECOND READING STAGE

- i) ***THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)
(The Senate Majority Leader)
- ii) *THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 40 OF 2023)
(Sen. Hamida Ali Kibwana, MP)
- iii) *THE CONSTITUTION OF KENYA (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 52 OF 2023)
(Sen. Raphael Chimera, MP)
- iv) **THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)
(The Chairperson, Standing Committee on Labour and Social Welfare)
- v) *THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)
(Sen. James Murango, MP)
- vi) *THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)
(Sen. Miraj Abdillahi Abdulrahman, MP)
- vii) *THE RICE BILL (SENATE BILLS NO. 19 OF 2023)
(Sen. James Murango, MP)
- viii) *THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 20 OF 2023)
(Sen. Veronica Maina, MP)
- ix) *THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE BILLS NO. 31 OF 2023)
(Sen. Karungo Thang'wa, MP)
- x) *THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)
(Sen. Mohamed Chute, MP)

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- xi) *THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)
(Sen. Kathuri Murungi, MP)
- xii) *THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)
(Sen. Esther Anyieni Okenyuri, MP)
- xiii) *THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)
(Sen. Edwin Sifuna, MP)

B. MOTIONS

- i) THE CURRENT STATE OF THE NATION
(The Senate Majority Leader and the Senate Minority Leader)
- ii) REPORT OF THE SELECT COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE SOCIAL HEALTH INSURANCE (GENERAL) REGULATIONS, 2024 AND THE SOCIAL HEALTH INSURANCE (TRIBUNAL PROCEDURE) RULES, 2024
(The Chairperson, Select Committee on Delegated Legislation)
- iii) APPROVAL OF SITTINGS OF THE SENATE TO BE HELD IN BUSIA COUNTY
(The Senate Majority Leader)
- iv) REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE STATUS OF IMPLEMENTATION OF PROJECTS FUNDED BY THE CONDITIONAL GRANT FOR THE CONSTRUCTION OF COUNTY HEADQUARTERS
(The Chairperson, Standing Committee on Finance and Budget)
- v) REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF WEST POKOT COUNTY ASSEMBLY FOR THE FINANCIAL YEAR 2018/2019 AND REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF ISIOLO, KIAMBU, KITUI, MARSABIT, NAROK, NYAMIRA, TRANS NZOIA, WEST POKOT AND MURANG'A COUNTY ASSEMBLIES FOR THE FINANCIAL YEAR 2019/2020
(The Chairperson, County Public Accounts Committee)
- vi) REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS ON ITS CONSIDERATION OF THE AUDIT REPORTS OF THE WATER SERVICE PROVIDERS FOR THE YEAR ENDED 30TH JUNE, 2019, 30TH JUNE, 2020 AND 30TH JUNE, 2021
(The Chairperson, Committee on County Public Investments and Special Funds)

- vii) REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE INQUIRY INTO THE ALLEGED IRREGULARITIES IN THE PROCUREMENT OF LONG-LASTING INSECTICIDE TREATED NETS AT THE KENYA MEDICAL SUPPLIES AUTHORITY
(Chairperson, Standing Committee on Health)
