



REPUBLIC OF KENYA  
TWELFTH PARLIAMENT – (FIRST SESSION)  
THE SENATE  
**SUPPLEMENTARY ORDER PAPER**  
WEDNESDAY, DECEMBER 13, 2017 AT 2.30 PM

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion (As Listed in the Appendix)
7. Statements (As Listed in the Appendix)
8. **MOTION- APPROVAL OF SENATORS TO SERVE IN THE SENATE BUSINESS COMMITTEE** (The Senate Majority Leader)

**THAT**, pursuant to Standing Orders 178 and 183 (3), the Senate approves the following Senators to be Members of the Senate Business Committee:-

1. Sen. Moses Wetang'ula - Senate Minority Leader;
2. Sen. James Orengo - Deputy Senate Minority Leader;
3. Sen. Mutula Kilonzo Jnr. - Minority Whip;
4. Sen. Petronilla Were; and
5. Sen. Ledama Olekina.

9. **MOTION - APPROVAL OF SENATORS TO THE SPEAKER'S PANEL**  
(The Senate Majority Leader)

**THAT**, pursuant to Standing Order 17, the Senate approves the following Senators to be Members of the Speaker's Panel:-

1. Sen. (Prof.) Margaret Kamar;
2. Sen. Steve Lelegwe Ltumbesi;
3. Sen. Rose Nyamunga; and
4. Sen. Cleophas Malalah Wakhungu.

...../ *Motion*

10. **MOTION- CONSIDERATION OF THE ANNUAL REPORT BY THE CONTROLLER OF BUDGET ON COUNTY GOVERNMENTS BUDGET IMPLEMENTATION REVIEW FOR FINANCIAL YEAR 2016/2017-**(The Senate Majority Leader)  
(The National Treasury)

**THAT**, the Senate notes the Annual Report by the Controller of Budget on County Governments Budget Implementation Review for Financial Year 2016/2017, laid on the Table of the House on Wednesday, November 8<sup>th</sup>, 2017.

***(Resumption of Debate interrupted on Tuesday, December 5<sup>th</sup>, 2017)***  
***(Division)***

11. **MOTION- ADOPTION OF THE SESSIONAL PAPER NO. 6 OF 2016 ON THE NATIONAL URBAN DEVELOPMENT POLICY-** (The Senate Majority Leader)  
(Ministry of Land, Housing and Urban Development)

**THAT**, this House adopts the Sessional Paper No.6 of 2016 on the National Urban Development Policy, laid on the Table of the House on Tuesday, October 10<sup>th</sup>, 2017.

***(Resumption of Debate interrupted on Wednesday, December 6<sup>th</sup>, 2017)***  
***(Division)***

12. **MOTION- ADOPTION OF THE NATIONAL IRRIGATION POLICY, 2017-** (The Senate Majority Leader)  
(Ministry of Water and Irrigation)

**THAT**, this House adopts the National Irrigation Policy, laid on the Table of the House on Tuesday, October 10<sup>th</sup>, 2017.

***(Resumption of Debate interrupted on Thursday, December 7<sup>th</sup>, 2017)***  
***(Division)***

13. **MOTION-ADOPTION OF THE SESSIONAL PAPER NO. 2 OF 2016 ON THE NATIONAL SLUM UPGRADING AND PREVENTION POLICY** - (The Senate Majority Leader)  
(Ministry of Land, Housing and Urban Development)

**THAT**, this House adopts the Sessional Paper No.2 of 2016 on the National Slum Upgrading and Prevention Policy, laid on the Table of the House on Tuesday, October 10<sup>th</sup>, 2017.

14. **MOTION-AUDIT ON DISTRIBUTION OF TEACHERS IN ALL PUBLIC SCHOOLS ACROSS THE COUNTRY-**(Sen. George Khaniri)  
(Ministry of Education, Science and Technology)

**THAT WHEREAS** Article 43 (1)(f) of the Constitution of Kenya explicitly provides for the right to education for all;

**AND WHEREAS** it is the responsibility of the State to ensure that the right to education is enjoyed by all.

**OBSERVING THAT** that the Teachers Service Commission (TSC) is the constitutionally mandated body to handle matters of employment, deployment, remuneration and discipline of teachers in all public schools;

**APPRECIATING** efforts made by the national government through the Teachers Service Commission (TSC) to improve the teacher pupil ratio to international standards in all public schools through yearly employment of teachers;

**CONCERNED THAT** currently there exists great disparities in the distribution of teachers in schools across the country, with major teacher shortage being experienced in rural and marginalized areas;

**FURTHER CONCERNED** that there is major inequality in the distribution and allocation of teachers among schools across the country leading to either oversupply or undersupply of teachers in some public schools;

**NOW THEREFORE**, the Senate calls upon the Ministry of Education, Science and Technology in conjunction with TSC to conduct a countrywide audit on the distribution of teachers in all public schools across the Country and report to the Senate within three months.

15. **MOTION-REGISTRATION OF PERSONS WITH DISABILITIES** -(Sen. George Khaniri)  
(Ministry of East African Community, Labour and Social Protection)

**AWARE THAT** the National Council for Persons with Disabilities was established through the Persons with Disabilities Act, 2003;

**FURTHER AWARE THAT** registration of persons living with disabilities is a function of the National Council for Persons with Disabilities;

**ALSO AWARE THAT** persons living with disabilities are estimated to be about 10% of any given population;

**COGNISANT THAT** for purposes of registration of persons living with disability, it is a mandatory requirement for one to undergo medical examination by a registered medical officer in a registered and certified health facility;

**AWARE THAT** medical services are now a devolved function;

**CONCERNED THAT** of the nearly 4 million Kenyans living with disabilities who reside in Kenya, there is a very small fraction of the number which is duly registered;

**FURTHER CONCERNED THAT** without proper registration, many persons living with disabilities are denied services because they lack the necessary proof of disability;

**ALSO CONCERNED THAT** owing to lack of accurate data on persons living with disabilities, the government at both levels cannot plan properly for his category of

**NOW THEREFORE**, the Senate calls upon the National Council for Persons with Disabilities in collaboration with Ministry of East African Community, Labour and Social Protection and county governments, to carry out a nationwide registration of all persons living with disabilities in order to determine their exact population to facilitate effective service for this marginalized group of our society.

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**NOTICE**

The Senate resolved on 13<sup>th</sup>September, 2017 as follows:-

**THAT**, pursuant to Standing Order 100 (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.

**APPENDIX****1. NOTICES OF MOTION****a) Notice of Motion - Approval of Senators to serve in the Senate Business Committee (The Senate Majority Leader)**

**THAT**, pursuant to Standing Orders 178 and 183 (3), the Senate approves the following Senators to be Members of the Senate Business Committee:-

1. Sen. Moses Wetang'ula - Senate Minority Leader;
2. Sen. James Orengo - Deputy Senate Minority Leader;
3. Sen. Mutula Kilonzo Jnr. - Minority Whip;
4. Sen. Petronilla Were; and
5. Sen. Ledama Olekina.

**b) Notice of Motion - Approval of Senators to the Speaker's Panel (The Senate Majority Leader)**

**THAT**, pursuant to Standing Order 17, the Senate approves the following Senators to be Members of the Speaker's Panel:-

1. Sen. (Prof.) Margaret Kamar;
2. Sen. Steve Lelegwe Ltumbesi;
3. Sen. Rose Nyamunga; and
4. Sen. Cleophas Malalah Wakhungu.

**2. STATEMENTS****(i) To be requested Under Standing Order 46 (2) (b)**

The Senator for Makueni County (Sen. Mutula Kilonzo Jnr.) to seek a statement from the Senate Majority Leader on the delayed compensation for persons displaced during the construction of Manooni dam-Makueni County.

**(ii) To be made Under Standing Order 46 (2) (a)**

The Nominated Senator (Sen. Abshiro Halake) to make a statement pursuant to Standing Order 46 (2) (a), on the International Day for the elimination of violence against women.

**(iii) To be issued**

- a) The Senate Majority Leader to issue a statement on the *InuaJamii* Cash Transfer Programme (Sen. Mutula Kilonzo Jnr.);
- b) The Senate Majority Leader to issue a statement on the Status of Karebe Gold Mine Company in Nandi County (Sen. Samson Cherarkey);
- c) The Senate Majority Leader to issue a statement on the Thwake Multi-Purpose Dam Project (Sen. Mutula Kilonzo Jnr.);

- d) The Senate Majority Leader to issue a statement on alleged dumping of asbestos in Kikumbulyu Ward, Kibwezi West in Makueni County (Sen. Mutula Kilonzo Jnr.);
- e) The Senate Majority Leader to issue a statement on spillage of substance in Thange area, Kibwezi East Constituency, in Makueni County in the year 2015 (Sen. Mutula Kilonzo Jnr.);
- f) The Senate Majority Leader to issue a statement on the delayed compensation for displaced persons during the construction of Mulima Dam-Mbooni Constituency, Makueni County (Sen. Mutula Kilonzo Jnr.);
- g) The Senate Majority Leader to issue a statement on compensation to persons affected by the Sultan Hamud-Mwingi KETRACO High Voltage Power Line Project (Sen. Mutula Kilonzo Jnr.);
- h) The Senate Majority Leader to issue a statement on non-compliance with Article 54 (2) of the Constitution on the promotion of representation of marginalized groups as well as the status of inclusion of Persons with Disability (PWD) in the Public Service (Sen. (Dr.) Getrude Musuruve);
- i) The Senate Majority Leader to issue a statement on alleged abuse of the Human Rights of Persons With Disabilities (PWDs) (Sen. (Dr.) Getrude Musuruve);
- j) The Senate Majority Leader to issue a statement on mainstreaming of learners with disability in the school curriculum (Sen. (Dr.) Getrude Musuruve);
- k) The Senate Majority Leader to issue a statement on alleged shooting and killing of livestock during a security operation in Laikipia County (Sen. Steve Lelegwe);
- l) The Senate Majority Leader to issue a statement on alleged displacement of Samburu pastoralists in Ratia, Laikipia County (Sen. Ledama Olekina);
- m) The Senate Majority Leader to issue a statement on the status of over 63,000 acres of land, owned by the Agricultural Development Corporation (ADC) in Laikipia County (Sen. Ledama Olekina);
- n) The Senate Majority Leader to issue a statement on alleged invasion by bandits and insecurity in Ngomeni Ward, Mwingi North Constituency, in Kitui County (Sen. Enoch Wambua);
- o) The Senate Majority Leader to issue a statement on the position of Kenya on The Hague Convention on the Civil Aspects of International Child Abduction (Sen. Abshiro Halake);
- p) The Senate Majority Leader to issue a statement on the status of female prisoners and children held in prisons and remand facilities in Kenya (Sen. Beatrice Kwamboka);
- q) The Senate Majority Leader to issue a statement on alleged delay by the National Treasury to release funds to the County Assemblies (Sen. Boniface Kabaka).