



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT – (FIRST SESSION)
THE SENATE
SUPPLEMENTARY ORDER PAPER
TUESDAY, OCTOBER 18, 2022 AT 2.30 PM

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. **MOTION - APPOINTMENT OF A JOINT SELECT COMMITTEE ON ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**
(The Senate Majority Leader)

THAT, ACKNOWLEDGING that the East African Legislative Assembly (EALA) is established under Article 9 of the Treaty for the Establishment of the East African Community as one of the key organs and institutions of the Community responsible for the Community's legislative matters;

RECOGNIZING that Article 50 of the Treaty provides for the election of Members of EALA by respective Partner States' Legislatures in accordance with their parliamentary procedures for a term of five years;

FURTHER aware that the East African Legislative Assembly Elections Act, 2011 contemplates conclusion of the election of Members of a new Assembly to be within ninety (90) days before the expiry of the term of the subsisting Assembly;

NOTING THAT the term of the current East African Legislative Assembly will come to an end on 17th December, 2022;

...../Motions

COGNIZANT of the need to urgently conclude the election process for the East African Legislative Assembly to commence transacting business of the East African Community;

NOW THEREFORE, in accordance with the provisions of Rule 9 of the Houses of Parliament (Joint Sittings) Rules, the Senate resolves –

- i) to establish a *Joint Select Committee* consisting of seven (7) Members from each House of Parliament to undertake the functions contemplated under the *East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017*;
- ii) that the following Members represent the Senate in the Joint Select Committee:
 - 1. Sen. Daniel Kitonga Maanzo, MP - Co-Chairperson
 - 2. Sen. Raphael Chimera Mwinzangu, MP;
 - 3. Sen. Joyce Chepkoech Korir, MP;
 - 4. Sen. Miraj Abdullahi Abdulrahman, MP;
 - 5. Sen. Chute Muhamed Said, MP;
 - 6. Sen. Joseph Githuku Kamau, MP; and
 - 7. Sen. Beatrice Akinyi Oyomo, MP.
- iii) that the Offices of the Clerks of Houses of Parliament provides secretariat services to the Joint Committee in accordance with the Standing Orders; and
- iv) that the Joint Committee reports to the Houses of Parliament within the timelines stipulated in the *East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017*.

9. **MOTION - APPROVAL OF SENATORS TO SERVE IN THE COUNTY PUBLIC ACCOUNTS COMMITTEE; COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS COMMITTEE; AND THE COMMITTEE ON DELEGATED LEGISLATION**

(The Senate Majority Leader)

THAT, pursuant to Standing Order Nos.193, 194, 195, and 199 the Senate approves the following Senators nominated by the Senate Business Committee to serve in Select Committees of the Senate as follows –

A. County Public Accounts Committee

- 1. Sen. Samson Kiprotich Cherarkey, MP
- 2. Sen. John Muhia Methu, MP
- 3. Sen. Mariam Sheikh Omar, MP
- 4. Sen. Mwenda Gataya Mo Fire, MP
- 5. Sen. Moses Otieno Kajwang, MP
- 6. Sen. Fatuma Adan Dullo, CBS, MP
- 7. Sen. Richard Momoima Onyonka, MP
- 8. Sen. Edwine Watanya Sifuna, MP
- 9. Sen. Andrew Omtatah Okoiti, MP

...../Motions

B. County Public Investments and Special Funds Committee

1. Sen. Onesimus Kipchumba Murkomen, EGH, MP
2. Sen. Paul Karungo Thangwa, MP
3. Sen. Maureen Tabitha Mutinda, MP
4. Sen. Miraj Abdullahi Abdulrahman, MP
5. Sen. Eddy Gicheru Oketch, MP
6. Sen. Ledama Olekina, MP
7. Sen. Hamida, Kibwana MP
8. Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP
9. Sen. Godfrey Atieno Osotsi, MP

C. Committee on Delegated Legislation

1. Sen. Mwenda Gataya Mo Fire, MP
2. Sen. Danson Buya Mungatana, MP
3. Sen. Gloria Magoma Orwoba, MP
4. Sen. Joyce Chepkoech Korir, MP
5. Sen. Julius Murgor Recha, MP
6. Sen. Daniel Kitonga Maanzo, MP
7. Sen. Mohamed Faki Mwinyihaji, MP
8. Sen. Betty Batuli Montet, MP
9. Sen. Agnes Kavindu Muthama, MP

10. **MOTION - PARKING CHARGES IN INSTITUTIONS OFFERING ESSENTIAL SERVICES TO THE PUBLIC**

(Sen. Edwine Sifuna, MP)

THAT, AWARE THAT, many urban areas and towns in Kenya lack designated car parking areas as a result of imbalance between parking supply and demand mainly due to ineffective land use planning and miscalculations of space requirements, thereby leading to exorbitant parking fees;

NOTING THAT, most essential services offered in hospitals, educational institutions, airports, shopping malls and other public utilities are offered in urban centers, and other designated areas that charge parking fees to access;

ACKNOWLEDGING, that whether they are delivered by public or private providers, essential services such as health, banking, education, shopping and other utilities are considered to be public services because they are public goods that sustain the well-being of every citizen and help in the development of the society as a whole;

CONCERNED, that access to hospitals, educational institutions, airports, shopping malls and other places offering essential services might be hindered due to exorbitant parking fees levied on motorists accessing these services;

FURTHER CONCERNED, that charging entry fees amount to double taxation as the motorists who would have paid the parking fees will still pay for the services they seek;

...../Motions

NOW THEREFORE, the Senate urges the Cabinet Secretary for Lands, Housing and Physical Planning together with the Council of Governors to come up with a policy framework to create an enabling environment for protection of motorists accessing essential services from paying exorbitant parking fees.

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,

...../Motions

- (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.

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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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APPENDIX

1. PETITION

Petition to the Senate by Mr. Daniel Rakoro and other residents of Mfangano Island in Lake Victoria, Homabay County regarding public transport in Lake Victoria between Mfangano Island in Suba Central Sub-County and Mbita.

(Sen. Moses Kajwang', MP)

2. PAPERS

- i.) Report of the Auditor General on the Financial Statements of Narok County Executive for the year ended 30th June, 2021.
- ii.) Report of the Auditor General on the Financial Statements of Narok County Assembly for the year ended 30th June, 2021.
- iii.) Report of the Auditor General on the Financial Statements of Narok County Assembly Loan & Mortgage Fund for the year ended 30th June, 2021.
- iv.) Report of the Auditor General on the Financial Statements of Narok County Bursary Fund for the year ended 30th June, 2021.
- v.) Report of the Auditor General on the Financial Statements of Narok Water & Sewerage Services Company Ltd for the year ended 30th June, 2021.
- vi.) Report of the Auditor General on the Financial Statements of Baringo County Executive Mortgage Scheme Fund for the year ended 30th June, 2021.
- vii.) Report of the Auditor General on the Financial Statements of Baringo County Assembly (Members) Car Loan & Mortgage Fund for the year ended 30th June, 2021.
- viii.) Report of the Auditor General on the Financial Statements of Baringo County Assembly (Staff) Car Loan & Mortgage Fund for the year ended 30th June, 2021.
- ix.) Report of the Auditor General on the Financial Statements of Baringo County Assembly Catering & Health Services Scheme Fund for the year ended 30th June, 2021.
- x.) Report of the Auditor General on the Financial Statements of Baringo County Older Persons and Persons with Disability Fund for the year ended 30th June, 2021.

...../Appendix

- xi.) Report of the Auditor General on the Financial Statements of Baringo County Lake Bogoria Community Grant for the year ended 30th June, 2021.
- xii.) Report of the Auditor General on the Financial Statements of Baringo County Community Wildlife Conservation Fund for the year ended 30th June, 2021.
- xiii.) Report of the Auditor General on the Financial Statements of Baringo County Bursary & Scholarship Fund for the year ended 30th June, 2021.
- xiv.) Report of the Auditor General on the Financial Statements of Baringo County Emergency Fund for the year ended 30th June, 2021.
- xv.) Report of the Auditor General on the Financial Statements of Kirandich Water Company Ltd for the year ended 30th June, 2021.
- xvi.) Report of the Auditor General on the Financial Statements of Kirinyaga County Assembly Mortgage (Members) Scheme Fund for the year ended 30th June, 2021.
- xvii.) Report of the Auditor General on the Financial Statements of Kirinyaga County Assembly Car Loan (Members) Fund for the year ended 30th June, 2021.
- xviii.) Report of the Auditor General on the Financial Statements of Kirinyaga County Facility Improvement Fund for the year ended 30th June, 2021.
- xix.) Report of the Auditor General on the Financial Statements of Kirinyaga County Alcoholics Drinks & Substance Abuse Control Fund for the year ended 30th June, 2021.
- xx.) Report of the Auditor General on the Financial Statements of Kirinyaga County Health Sector Service Fund (H.S.S.F) for the year ended 30th June, 2021.
- xxi.) Report of the Auditor General on the Financial Statement of Kirinyaga County Education Bursary Fund for the year ended 30th June, 2021.
- xxii.) Report of the Auditor General on the Financial Statements of Kirinyaga Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxiii.) Report of the Auditor General on the Financial Statements of Rukanga Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxiv.) Report of the Auditor General on the Financial Statements of Kisii County Veterinary Services Development Fund for the year ended 30th June, 2021.

- xxv.) Report of the Auditor General on the Financial Statements of Nyandarua County Executive Committee Members' Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxvi.) Report of the Auditor General on the Financial Statements of Nyandarua County Assembly (Members) Car Loan Mortgage Scheme for the year ended 30th June, 2021.
- xxvii.) Report of the Auditor General on the Financial Statements of Nyandarua County Assembly (Staff) Car Loan & Mortgage Fund for the year ended 30th June, 2021.
- xxviii.) Report of the Auditor General on the Financial Statements of Nyandarua County Assembly for the year ended 30th June, 2021.
- xxix.) Report of the Auditor General on the Financial Statements of Nyandarua County Civil Servants' Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxx.) Report of the Auditor General on the Financial Statements of Nyandarua Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxxi.) Report of the Auditor General on the Financial Statements of Nyandarua County Bursary Fund for the year ended 30th June, 2021.
- xxxii.) Report of the Auditor General on the Financial Statements of Nyandarua County Emergency Fund for the year ended 30th June, 2021.
- xxxiii.) Report of the Auditor General on the Financial Statements of Olkalou Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxxiv.) Report of the Auditor General on the Financial Statements of Kajiado County Executive for the year ended 30th June, 2021.
- xxxv.) Report of the Auditor General on the Financial Statements of Kajiado County Executive Staff Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.
- xxxvi.) Report of the Auditor General on the Financial Statements of Kajiado County Assembly for the year ended 30th June, 2021.
- xxxvii.) Report of the Auditor General on the Financial Statements of Kajiado County Education Bursary, Grants and Scholarship Fund for the year ended 30th June, 2021.

- xxxviii.) Report of the Auditor General on the Financial Statements of Kajiado County Emergency Fund for the year ended 30th June, 2021.
- xxxix.) Report of the Auditor General on the Financial Statements of Kajiado County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xl.) Report of the Auditor General on the Financial Statements of Kajiado County Youth & Women Enterprise Fund for the year ended 30th June, 2021.
- xli.) Report of the Auditor General on the Financial Statements of Kajiado County Disability Mainstreaming Fund for the year ended 30th June, 2021.

(The Senate Majority Leader)

3. NOTICE OF MOTION - APPOINTMENT OF A JOINT SELECT COMMITTEE ON ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

(The Senate Majority Leader)

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- i) to establish a *Joint Select Committee* consisting of seven (7) Members from each House of Parliament to undertake the functions contemplated under the *East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017*:

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- ii) that the following Members represent the Senate in the Joint Select Committee:
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 - 2. Sen. Raphael Chimera Mwinzangu, MP;
 - 3. Sen. Joyce Chepkoech Korir, MP;
 - 4. Sen. Miraj Abdullahi Abdulrahman, MP;
 - 5. Sen. Chute Muhamed Said, MP;
 - 6. Sen. Joseph Githuku Kamau, MP; and
 - 7. Sen. Beatrice Akinyi Oyomo, MP.
- iii) that the Offices of the Clerks of Houses of Parliament provides secretariat services to the Joint Committee in accordance with the Standing Orders; and
- iv) that the Joint Committee reports to the Houses of Parliament within the timelines stipulated in the *East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017*.

4. STATEMENTS

a) Pursuant to Standing Order 52 (1)

- i.) The Senator for Garissa County (Sen. Abdul M. Haji, MP) to make a Statement concerning the plan by Safaricom PLC to block unregistered Sim Cards by 15th October, 2022.
- ii.) Nominated Senator (Sen. Crystal Asige, MP) to make a Statement on the commemoration of the ‘*World Sight Day*’.

b) Pursuant to Standing Order 53 (1)

- i.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a Statement from the Standing Committee on Health regarding the recall and suspension of sales of several edible oil products from various manufacturers in Kenya by the Kenya Bureau of Standards (KEBS).
- ii.) The Senator for Embu County (Sen. Alexander Mundigi, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding an arsonist attack on seven (7) members of a family in Ngimari village in Runyenjes East location, Embu County.
- iii.) The Senator for Embu County (Sen. Alexander Mundigi, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the incessant conflict between the Mbeere and Ameru communities in Siakago constituency, Embu County.

- iv.) The Senator for Embu County (Sen. Alexander Mundigi, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the sale and consumption of illicit brews in Siakago Constituency, Embu County.
- v.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources concerning the incessant human-wildlife conflict in Taita Taveta County.
- vi.) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) to seek a Statement from the Standing Committee on Health regarding the state of healthcare service provision at the Vihiga County hospital.
- vii.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a Statement from the Standing Committee on Energy regarding the status of viability of the Lake Turkana Wind Power project.
- viii.) The Senator for Samburu County (Sen. (Dr.) Lelegwe Ltumbesi, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the drought and famine crisis in the Arid and Semi-Arid (ASAL) areas.
- ix.) Nominated Senator (Sen. Hamida Kibwana, MP) to seek a Statement from the Standing Committee on Health concerning the circumstances that led to the death of Master Travis Maina at the Kenyatta National Hospital.
- x.) The Senator for Narok County (Sen. Ledama Olekina, MP) to seek a Statement from the Standing Committee on Finance and Budget regarding own source revenue collected on behalf of the Narok County Government by the Kenya Airports Parking Services (KAPS), Regional Business Connection Limited (RBC) and any other designated revenue collector.
