

SESSION OF 2011

**SUPPLEMENTAL NOTE ON SENATE
RESOLUTION NO. 1817**

As Recommended by Senate Committee on
Judiciary

Brief*

SR 1817 would disapprove Executive Reorganization Order No. 34, which would establish the Prisoner Review Board within the Department of Corrections, abolish the Kansas Parole Board, and transfer the powers, duties and functions of the Kansas Parole Board to the Prisoner Review Board. The Prisoner Review Board would consist of three members appointed by the Secretary of Corrections from among the existing employees of the Department of Corrections, and the Board would be administered under the supervision of the Secretary of Corrections.

The ERO would take effect on July 1, 2011, unless disapproved by either house of the Kansas Legislature.

Background

Article 1, Section 6, of the *Kansas Constitution* authorizes the Governor to reorganize state agencies within the executive branch of state government by issuing one or more executive reorganization orders and transmitting the same to the Legislature within the first 30 calendar days of any regular session. An executive reorganization order takes effect as general law on July 1 following its transmittal to the Legislature unless within 60 calendar days and before adjournment of the legislative session either the Senate or House of Representatives adopts a resolution by a majority vote of the members disapproving the executive reorganization order.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Executive Reorganization Order No. 34 was transmitted to the House of Representatives and Senate on Tuesday, January 24, 2011, and was subsequently referred in the Senate to the Committee on Judiciary. The Committee heard testimony supporting the ERO from Secretary of Corrections Ray Roberts. The Committee heard neutral testimony from Patricia Biggs, member of the Kansas Parole Board. The Committee also reviewed a 2009 Legislative Post Audit Report that examined the consolidation of Parole Board functions into the Department of Corrections.

The Senate has until the 60th calendar day following transmittal to the Senate, or until Friday, March 25, 2011, to take up the matter.