

A local law to amend the Erie county administrative code in relation to establishing a department of mental health, and prescribing the powers and duties thereof.

Became a law with the approval of the county executive, November 15, 1967. Passed by the local legislative body of the county of Erie. Filed in the office of the secretary of state December 11, 1967.

*Be it enacted by the board of supervisors of the county of Erie as follows:*

Section 1. Local law number one, nineteen hundred sixty, constituting the Erie county administrative code, is hereby amended by inserting therein a new article 11-B, to follow article 11-A, to read as follows:

ARTICLE 11-B

DEPARTMENT OF MENTAL HEALTH

Section 11-B-01. Organization; commissioner.

11-B-02. Powers and duties.

11-B-03. Advisory board.

§ 11-B.01. Organization; commissioner. The department of mental hygiene shall be headed by a commissioner who shall possess the qualifications required in section 11-B-01 of the Erie county charter.

§ 11-B.02. Powers and duties. The commissioner of mental health may, within the appropriations provided therefor, employ and remove such officers, employees and consultants as may be necessary for the work of the office and to fulfill the purpose of article eight-a of the Mental Hygiene Law. He shall designate a deputy commissioner to whom shall be delegated all the powers and duties of the commissioner when such commissioner is unable to act by reason of absence or disability. Such designation shall be in writing, filed and recorded in the office of the Erie county clerk and such other places as may be required by the Mental Hygiene Law or any other applicable law.

§ 11-B.03. Advisory board. The county executive shall appoint the members of the mental health advisory board in accordance with the provisions of section one hundred ninety-b of article eight-A of the Mental Hygiene Law. Such members shall be residents of the county of Erie.

The mental health advisory board shall elect annually a chairman, vice-chairman and a secretary from among its members. The mental health advisory board shall have and exercise the powers and duties conferred or imposed upon such board by the county charter or this code.

Meetings of the mental health advisory board shall be held at the call of the commissioner of mental health or the chairman of such board on three (3) days' written notice mailed to the last known address of such board members. The mental health advisory board shall at the request of the county executive and may of its own initiative, make recommendations and suggestions to the county executive relative to the qualifications and appointment of the commissioner of mental health and relative to the qualifications and duties of the deputy commissioner, officers or employees of the department of mental health.

Vacancies in the membership of the board occurring otherwise than by expiration of term shall be filled by appointment for the unexpired terms.

§ 2. Section one of local law number one, nineteen hundred sixty, constituting the Erie county administrative code, is hereby amended by inserting therein a new article known as eleven-B, department of mental health, after eleven-A, department of public safety.

§ 3. Section 16.04 of article sixteen of the Erie county administrative code is hereby repealed.

§ 4. This local law shall take effect immediately.