

SHALL COOPERATE WITH AND ASSIST THE COUNTY OR COUNTIES IN THE SELECTION OF A SITE OR SITES WHICH WILL BE CONSISTENT WITH RULES AND REGULATIONS ADOPTED PURSUANT TO SECTION 1003 OF THIS SUBTITLE. BEFORE SELECTING A SITE, THE COUNTY GOVERNING BODY SHALL HOLD AT LEAST ONE PUBLIC HEARING IN THE COUNTY IN WHICH ONE OR MORE SITES ARE PROPOSED IN ORDER TO ASSURE THAT THE GROUP HOME WILL BE ACCEPTED IN THE COMMUNITY FOR WHICH IT IS PROPOSED.

(B) THE STATE MAY ACQUIRE BY LEASE, PURCHASE, OR OTHERWISE, INCLUDING CONDEMNATION, FACILITIES AND SITES FOR GROUP HOMES FOR NONRETARDED DEVELOPMENTALLY DISABLED PERSONS LOCATED IN THE COUNTY. THE STATE MAY ALSO CONSTRUCT AND RENOVATE FACILITIES OR SITES ACQUIRED BY THE STATE. HOWEVER, THE STATE MAY NOT EXERCISE THE AUTHORITY GRANTED IN THIS SECTION UNLESS THE DIRECTOR SECRETARY HAS DETERMINED THAT:

(1) THERE IS A NEED IN THE COUNTY FOR THE GROUP HOME;

(2) THE PROPOSED SITE AND GROUP HOME ARE APPROPRIATE;

(3) THE GROUP HOME IS, OR UPON COMPLETION WILL BE, IN COMPLIANCE WITH RULES AND REGULATIONS ADOPTED PURSUANT TO SECTION 1003 OF THIS SUBTITLE;

(4) THE GROUP HOME AND SITE ARE APPROVED BY THE BOARD OF PUBLIC WORKS; AND

(5) THE LOCAL GOVERNMENT HAVING JURISDICTION OVER THE SITE AND THE COMMUNITY SURROUNDING THE SITE HAVE BEEN NOTIFIED BY THE DIRECTOR SECRETARY OF THE INTENTION OF THE STATE TO EXERCISE THE AUTHORITY GRANTED IN THIS SECTION.

(C) IF, WITHIN NINE MONTHS AFTER THE DIRECTOR SECRETARY CERTIFIES A NEED FOR A GROUP HOME FOR NONRETARDED DEVELOPMENTALLY DISABLED PERSONS, THE COUNTY OR COUNTIES IN A REGION FAIL TO SUBMIT TO THE DIRECTOR A PROPOSED SITE AND PLANS FOR SUCH A GROUP HOME ON IT CONSISTENT WITH THE RULES AND REGULATIONS ADOPTED PURSUANT TO SECTION 1003 OF THIS SUBTITLE, THE COUNTY OR COUNTIES SHALL BE DECLARED TO BE IN DEFAULT. THE DIRECTOR SECRETARY, FOR GOOD CAUSE SHOWN, MAY EXTEND THE NINE-MONTH PERIOD FOR NOT MORE THAN AN ADDITIONAL SIX MONTHS.

(D) UPON A DETERMINATION OF A COUNTY'S DEFAULT, THE DIRECTOR SECRETARY, WITHIN SIX MONTHS AND AFTER HOLDING A PUBLIC HEARING IN THE COUNTY, SHALL RECOMMEND A SITE FOR THE GROUP HOME FOR APPROVAL BY THE BOARD OF PUBLIC WORKS. UPON APPROVAL OF A SITE BY THE BOARD, THE STATE MAY EXERCISE THE AUTHORITY GRANTED IN SUBSECTION (B) OF THIS SECTION.

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THE DIRECTOR SECRETARY SHALL MAY CONTRACT WITH A NONPUBLIC PERSON, GROUP, OR AGENCY ON TERMS AND CONDITIONS