

~~(B)~~ (C) THE SECRETARY SHALL BY REGULATION PROVIDE FOR THE CONDUCT OF THE HEARINGS. THE WRITTEN RESULTS OF ANY INVESTIGATION MAY BE ADMITTED INTO EVIDENCE AT THE HEARING IF:

(1) A COPY OF THE WRITTEN INVESTIGATION WAS SENT TO THE APPLICANT AT LEAST 10 WORKING DAYS PRIOR TO THE HEARING;

(2) THE AUTHOR OF THE REPORT IS AVAILABLE AT THE HEARING FOR CROSS-EXAMINATION BY ANY PARTY; AND

(3) A COPY OF THE WRITTEN INVESTIGATIVE REPORTS WAS AVAILABLE IN THE FILE FOR PUBLIC INSPECTION AT LEAST 10 DAYS PRIOR TO THE DATE THE HEARING IS CONVENED.

~~63~~ 65.

AFTER THE HEARING AND INVESTIGATION, AND AFTER TAKING INTO CONSIDERATION ALL TESTIMONY AND EVIDENCE, THE SECRETARY SHALL ISSUE ~~AN INITIAL PERMIT AND~~ A LICENSE TO THE APPLICANT UPON FINDINGS OF FACT THAT:

(1) THE ~~FACILITY~~ HOME AS PROPOSED WOULD BE IN COMPLIANCE, AS FAR AS CAN BE DETERMINED AT THE TIME OF THE HEARING, WITH THE SECRETARY'S REGULATIONS;

(2) THERE IS A NEED FOR THE TYPE OF ~~FACILITY~~ HOME PROPOSED;

(3) A PUBLIC GROUP HOME OF A SIMILAR NATURE IS NOT PRESENTLY AVAILABLE TO MEET THE NEED;

(4) THE ~~FACILITY~~ HOME IS COMPATIBLE WITH THE NATURE AND CHARACTER OF THE AREA INVOLVED; ~~AND~~

(5) THE ~~FACILITY~~ HOME WOULD BE NO CLOSER THAN 1,000 FEET TO ANY OTHER SUCH ~~FACILITY~~ HOME OR TO ANY EXISTING JAIL, DETENTION CENTER, CORRECTIONAL CAMP, OR TO ANY OTHER GROUP HOME FOR SPECIAL POPULATION SUCH AS PAROLEES, THE MENTALLY RETARDED, JUVENILES, ALCOHOL OR DRUG ADDICTS-;

(6) THE HOME IS IN CLOSE PROXIMITY TO TRANSPORTATION FACILITIES; AND

(7) THERE HAS BEEN COMPLIANCE WITH THIS SUBTITLE.

~~64~~ 66.

(A) (1) EVERY PRIVATE GROUP HOME OR LARGE PRIVATE GROUP HOME ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF THIS SUBTITLE SHALL APPLY FOR A LICENSE WITHIN 1 YEAR OF THAT DATE. THE PROCEDURES ~~APPLICABLE TO AN APPLICATION FOR AN~~ PURSUANT TO SECTIONS 64 AND 65 OF THIS SUBTITLE ~~INITIAL~~