

[West's Annotated California Codes](#)

[Public Resources Code \(Refs & Annos\)](#)

[Division 30. Waste Management \(Refs & Annos\)](#)

[Part 4. Solid Waste Facilities \(Refs & Annos\)](#)

[Chapter 4. Denial, Suspension, or Revocation of Permits \(Refs & Annos\)](#)

[Article 2. Suspension or Revocation \(Refs & Annos\)](#)

West's Ann.Cal.Pub.Res.Code § 44308

§ 44308. Enforcement agency hearings; hearing panel appointments; member qualifications; payment of expenses; hearing officer appointments

Effective: January 1, 2005

[Currentness](#)

(a) All hearings conducted pursuant to this chapter by the enforcement agency shall be conducted by a hearing officer appointed pursuant to subdivision (d) or a hearing panel appointed pursuant to either of the following procedures:

(1) The governing body may appoint three of its members as the hearing panel.

(2) The chairperson of the governing body may appoint an independent hearing panel consisting of three members.

(b)(1) If an independent hearing panel is appointed pursuant to paragraph (2) of subdivision (a), not more than one member of the governing body shall serve on the hearing panel.

(2) Members of the independent hearing panel shall be selected for their legal, administrative, or technical abilities in areas relating to solid waste management.

(3) At least one member of the independent hearing panel shall be a technical expert with knowledge of solid waste management methods and technology.

(4) At least one member of the independent hearing panel shall be a representative of the public at large.

(5) A member of an independent hearing panel shall serve for a term of four years, and may not serve more than two

consecutive terms.

(6) If a member of an independent hearing panel does not complete the member's term, the chairperson of the governing body shall appoint a replacement to serve out the remainder of the unexpired term.

(c) Members of the hearing panel may receive per diem and necessary expenses while conducting the hearing.

(d) The governing body of an enforcement agency may appoint a hearing officer only if the governing body has adopted procedures for making that appointment and has adopted qualifications that the hearing officer is required to meet.

Credits

(Added by [Stats.1995, c. 952 \(A.B.59\)](#), § 32, eff. Oct. 16, 1995. Amended by [Stats.2004, c. 448 \(A.B.2159\)](#), § 6.)

[Notes of Decisions \(1\)](#)

West's Ann. Cal. Pub. Res. Code § 44308, CA PUB RES § 44308

Current with urgency legislation through Ch. 135 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

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