

**28G.3 Creation of public service monopoly.**

If two or more local governments find that the only effective means of allowing the construction and utilization of a resource recovery facility for the recycling of solid waste for use as an energy source or to implement solid waste management projects as defined in [section 28G.2](#) is to create a public service monopoly, a legal entity shall be created pursuant to [chapter 28E](#) by agreement of two or more local governments to displace competition with regulation and monopoly of a public service for the collection, transportation, storage, and disposal, or diversion of solid waste to the extent reasonably necessary to carry out these functions. The agreement is subject to approval of the environmental protection commission before it becomes effective.

[84 Acts, ch 1039, §3](#); [89 Acts, ch 83, §14](#); [92 Acts, ch 1215, §3](#)