

JOURNAL OF THE ASSEMBLY [January 12, 1968]

STATE OF WISCONSIN

# Assembly Journal

Seventy-Eighth Regular Session

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FRIDAY, January 12, 1968.

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The chief clerk makes the following entries under the above date.

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## PETITION

**Assembly Petition 336**

By Assemblyman Devitt.

To committee on Public Welfare.

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## COMMUNICATION

Department of State  
Madison 2, Wisconsin

January 11, 1968.

To Whom It May Concern:

Dear Sir: Acts, Joint Resolutions and Resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Chapter No.	Publication Date
Assembly Bill 1007	262	January 5, 1968
Assembly Bill 1087	263	January 5, 1968
Senate Bill 3	264	January 5, 1968
Senate Bill 109	265	January 5, 1968
Senate Bill 258	266	January 5, 1968
Senate Bill 295	267	January 6, 1968

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Senate	Bill	391	268	January	6, 1968
Senate	Bill	421	269	January	6, 1968
Senate	Bill	458	270	January	6, 1968
Senate	Bill	400	271	January	9, 1968
Assembly	Bill	816	272	January	9, 1968
Assembly	Bill	998	273	January	9, 1968
Assembly	Bill	151	274	January	11, 1968
Assembly	Bill	1103	292	January	10, 1968
Senate	Joint Resolution	96		Enrolled No.	56
				January	11, 1968

Very truly yours,

**ROBERT C. ZIMMERMAN,**  
Secretary of State.

**EXECUTIVE COMMUNICATIONS**

The State of Wisconsin  
Executive Office  
Madison 53702

To the Honorable, the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State.

Assembly Bill	Chapter No.	Date Approved
620	309	January 8, 1968
711	310	January 8, 1968
1068	311	January 8, 1968
364	314	January 9, 1968
1074	315	January 9, 1968

Respectfully submitted,

**WARREN P. KNOWLES,**

January 9, 1968,

Governor.

The State of Wisconsin  
Executive Office  
Madison 53702

To the Honorable, the Assembly:

The following bills, originating in the Assembly, have

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been approved, signed and deposited in the office of the Secretary of State.

Assembly Bill	Chapter No.	Date Approved
293 -----	320 -----	January 11, 1968
1002 -----	321 -----	January 11, 1968
1086 -----	322 -----	January 11, 1968
1090 -----	323 -----	January 11, 1968

Respectfully submitted,

WARREN P. KNOWLES,

January 12, 1968.

Governor.

To the Honorable, the Assembly:

I am returning **Assembly Bill 923** without my approval and I have signed into law **Senate Bill 537**. These deal with retirement eligibility under the Wisconsin Retirement Fund.

**Assembly Bill 923** proposes to extend to certain employees of the Legislature the right to purchase service credits for past years of employment since December 31, 1960. These service credits could be purchased regardless of whether the employee performed the 600 hours of work in each of the years as required of other governmental employees.

**Assembly Bill 923** is undesirable in that it would create an inequity in favor of a certain group of governmental employees. Literally thousands of other governmental employees could similarly qualify if provided the same opportunity. There appears to be insufficient justification to waive the 600-hour requirement for certain legislative employees while not extending the same privilege to other governmental employees.

This bill is also objectionable in that it permits certain employees to elect to participate in the Fund for a period for which the investment risk has already passed, thus in effect passing the entire risk to the Fund. It is obvious such a policy cannot be extended to all employees and thus should be permitted only on an extremely limited basis where sufficient justification exists.

I have signed **Senate Bill 537** into law in order to correct an inequitable situation. Non-teaching employees of the school board and employees of the municipal hospital of the City of Reedsburg were mistakenly excluded from participation in the Wisconsin Retirement Fund during the

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year of 1967, although they presumably came under the Fund as of January 1, 1967.

However, two amendments to this bill provide special privileges to legislators and former legislators. These amendments are totally unrelated to the original bill and were incorporated without public hearing or consideration by the Joint Survey Committee on Retirement Systems as required by Section 13.40 (7) of the Wisconsin Statutes.

I can find no justification for Senate Amendment 1 permitting former legislators who continued their employment with the state without a break in service to participate in the Fund at the level of a legislator where it is higher and the employee makes the additional contribution. This amendment appears to be technically defective and will require interpretation by the Attorney General. It appears doubtful it will accomplish the desired result.

Assembly Amendment 1 was enacted to permit legislators who had previously elected not to participate in the Retirement Fund to elect to obtain credit for such prior years by contributions equal to what would have been paid as participants. The appropriateness of such a privilege appears questionable, although such a provision has been enacted every session since 1959.

The Wisconsin Retirement Fund has been established for the benefit of governmental employees. Public policy dictates that all participants be treated equally, for the more special privileges are extended to certain members, the greater the discrepancy between all members sharing their legitimate benefits from the Fund.

Respectfully submitted,

WARREN P. KNOWLES,

January 9, 1968.

Governor.

To the Honorable, the Assembly:

I am returning **Assembly Bill 63** to you without my approval.

Air pollution has developed into one of the most serious problems confronting the urbanized and industrialized areas of this state.

I have vetoed this proposal because it would prohibit Milwaukee County from implementing a coordinated county-

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wide incineration program. Such a program is essential to the future control of air pollution in the Milwaukee metropolitan area.

Earlier this session, Chapter 83, Laws of 1967, was enacted to establish a comprehensive regulatory air pollution control program. This legislation declared that:

“Inefficient and improper methods of waste disposal have caused an ever increasing pollution of our vital air, land and water resources threatening the utility of our resources and the quality of the environment in which we live. The problems of waste disposal endanger the public health, safety and welfare, create public nuisances, result in scenic blight and adversely affect land values.”

This legislation further placed upon *county* government the responsibility of establishing an air pollution control program after consultation with incorporated units of local government. The authority to enforce such a program was placed in the county unit of government and provision was made for the state to administer the air pollution control program should the county fail to take such necessary corrective action within the time required.

The air pollution control law placed an important responsibility on Milwaukee County. However, the county was granted more extensive air pollution regulation powers and had the authority under existing laws to provide a solid waste disposal program to be established by a tax levy and operated by reasonable user fees.

**Assembly Bill 63** is totally incompatible with the air pollution law since it would require the county to develop a waste disposal program with municipal participation on a voluntary basis and would deny the county the authority to levy taxes to pay for the acquisition of incineration equipment. Such a policy would prohibit comprehensive planning for the disposal of wastes and is incompatible with the development of adequate protection against air pollution.

There is some concern that communities which have already established incinerators would be unfairly taxed again for a county solid waste disposal system. However, any comprehensive county program will undoubtedly take into account existing facilities and recognize the investment of these municipalities in a manner by which they will be reasonably compensated.

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After a thorough study of this matter, I have concluded that the public interest will be best served by a coordinated effort to develop programs in support of the air pollution control program adopted by the 1967 Legislature.

Respectfully submitted,

**WARREN P. KNOWLES,**  
Governor.

January 12, 1968.