

No. 459, A.]

[Published July 11, 1945.]

**CHAPTER 423.**

AN ACT to create 301.245 of the statutes, relating to the jurisdiction of justices in counties having a population of more than 125,000 and less than 500,000.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

301.245 REMOVAL TO SMALL CLAIMS COURT. In counties having a population of more than 125,000 and less than 500,000, and in which a small claims court has been established, the defendant in any action brought in justice court, may, on the return day of the process and before any other proceedings are had on his part, make oral or written request to transfer the cause to the small claims court of said county. Upon receipt of such a request, accompanied by a fee of 75 cents, the justice shall forthwith transmit all the papers in such cause to the clerk of the small claims court of said county.

Approved July 6, 1945.

No. 489, A.]

[Published July 11, 1945.]

**CHAPTER 424.**

AN ACT to amend 111.02 (6), 111.02 (9), and 111.06 (1) (c) of the statutes, relating to employment relations and collective bargaining.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 111.02 (6) of the statutes is amended to read:

111.02 (6) The term "collective bargaining unit" shall mean all of the employes of one employer (employed within the state), except that where a majority of such employes engaged in a single craft, division, department or plant shall have voted by secret ballot as provided in section 111.05 (2) to constitute such group a separate bargaining unit they shall be so considered, *provided, that in appropriate cases, and to aid in the more efficient administration of the employment peace act, the board may find where agreeable to all parties affected in any way thereby an industry, trade or business comprising more than*

one employer in an association in any geographical area to be a "collective bargaining unit". A collective bargaining unit thus established by the board shall be subject to all rights by termination or modification given by this chapter 111 in reference to collective bargaining units otherwise established under said chapter. Two or more collective bargaining units may bargain collectively through the same representative where a majority of the employes in each separate unit shall have voted by secret ballot as provided in section 111.05 (2) so to do.

SECTION 2. 111.02 (9) of the statutes is amended to read:

111.02 (9) The term "all-union agreement" shall mean an agreement between an employer and the representative of his employes in a collective bargaining unit whereby all or any of the employes in such unit are required to be members of a single labor organization.

SECTION 3. 111.06 (1) (c) of the statutes is amended to read:

111.06 (1) (c) To encourage or discourage membership in any labor organization, employe agency, committee, association or representation plan by discrimination in regard to hiring, tenure or other terms or conditions of employment; provided, that an employer shall not be prohibited from entering into an all-union agreement with the representatives of his employes in a collective bargaining unit, where at least \* \* \* two-thirds of such employes voting (provided such \* \* \* two-thirds of the employes also constitute at least a majority of the employes in such collective bargaining unit) shall have voted affirmatively by secret ballot in favor of such all-union agreement in a referendum conducted by the board. Such authorization of an all-union agreement shall be deemed to continue thereafter, subject to the right of either party to the all-union agreement to request the board in writing to conduct a new referendum on the subject. Upon receipt of such request by either party to the agreement, the board shall determine whether there is reasonable ground to believe that there exists a change in the attitude of the employes concerned toward the all-union agreement since the prior referendum and upon so finding the board shall conduct a new referendum. If the continuance of the all-union agreement is supported on any such referendum by a vote at least equal to that hereinabove provided for its initial authorization, it may be continued in force and

effect thereafter, subject to the right to request a further vote by the procedure hereinabove set forth. If the continuance of the all-union agreement is not thus supported on any such referendum, it shall be deemed terminated at the termination of the contract of which it is then a part or at the end of one year from the date of the announcement by the board of the result of the referendum, whichever proves to be the earlier date. The board shall declare any such all-union agreement terminated whenever it finds that the labor organization involved has unreasonably refused to receive as a member any employe of such employer, and each such all-union agreement shall be made subject to this duty of the board. Any person interested may come before the board as provided in section 111.07 and ask the performance of this duty. *Any all-union agreement in existence on May 5, 1939, and renewed or amended continuously since that time shall be deemed valid and enforceable in all respects.*

Approved July 6, 1945.

No. 495, A.]

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### CHAPTER 425.

AN ACT to create 348.091 of the statutes, relating to the suppression of gambling and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

348.091 of the statutes is created to read:

348.091 EVIDENCE OF GAMBLING; FREQUENTERS OF GAMBLING PLACES, PENALTIES. (1) In all prosecutions under this chapter for the suppression of gambling in any form, the presence in any gambling house of any of the articles, devices or schemes mentioned in section 348.09 shall be prima facie evidence that the said articles, devices or schemes were used for gambling purposes in said gambling house.

(2) In all prosecutions under this chapter for the suppression of gambling or for being an inmate or frequenter of a gambling house, it shall be competent and lawful for the prosecution to establish the character of any such house by showing that the same has a common or general reputation as a gambling house while in the possession of the inmates occupying it at or about the time alleged in the indictment, information or complaint.