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Passed House.....
Failed to Pass House.....
Passed Senate.....
Failed to Pass Senate.....

House File 146

January 26, 1943.
Commerce and Trade.

By POSTON (Hill).

A BILL FOR

An Act relating to watchmakers and watchmaking, defining the term "watchmaking", creating a board and other officers, providing for a seal and collection of fees and expenditures, providing for the issuance and revocation of certificates, prohibiting the practice of watchmaking as defined in the act without a certificate; providing penalties for the violation thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Certificate Required. It will be unlawful, after
2 July 4th, 1943, for any person, co-partnership, association
3 or corporation to engage in watchmaking as defined in this
4 chapter without first obtaining a certificate of registration
5 as herein provided. The certificate shall at all times be
6 conspicuously displayed in the place of business or employment
7 of the holder thereof.

1 Sec. 2. Definition. The term "watchmaking", for the purposes
2 of this chapter, includes and means the repairing, replacing, re-
3 building, reconditioning, cleaning, adjusting or regulating of
4 the mechanical parts of watches, clocks and/or time recording
5 instruments and estimating the cost of the repairs thereof, and
6 the manufacturing and fitting of parts designed for use or

7 used in watches. Such term shall not include or mean the manu-
8 facturing or repairing of watch cases, but shall include the
9 repairing of all winding mechanisms for time keeping instruments
10 whether they are parts of such cases or not. The term "board"
11 as used in this chapter shall mean the Iowa Board of Examiners
12 in watchmaking.

1 Sec. 3. Board of Watchmaking Examiners. (1) There is hereby
2 created a board to be known as the Board of Examiners in Watch-
3 making whose duties it shall be to carry out the provisions of
4 this chapter. Such board shall consist of three members to be
5 appointed by the Governor. All persons so appointed shall be
6 residents of this state and actually engaged in watchmaking as
7 defined in this chapter, for at least five years immediately
8 preceding the time of their appointment. Within thirty days
9 after the effective date of this chapter the Governor shall ap-
10 point the board as provided herein. Each member of said board
11 shall hold office for three years and until his successor shall
12 be appointed and qualified, except that in the first appointment,
13 one member shall be appointed for one year, one for two years,
14 one for three years and the term of office in such case shall
15 be designated by the Governor at the time of the appointment.
16 Members of the board before entering upon their duties, shall
17 respectively take and file an official oath. (2) The board
18 shall choose annually, one of its members as President and one
19 as Secretary who shall severally have power to administer oaths
20 and take affidavits, certifying thereto under the seal of the

21 board. The board shall meet at least once every six months or
22 whenever a majority of the board shall call a meeting at Des
23 Moines, Iowa, at the place to be designated by the President.
24 A majority of the board shall constitute a quorum. The Secretary
25 shall give bond in the sum of five thousand dollars (\$5,000.00).
26 The secretary shall keep a full record of the proceedings of
27 the board which shall be opened for inspection at all reason-
28 able times. The members of the board shall be compensated as
29 follows: Each member of the board shall be paid a per diem of
30 ten dollars (\$10.00) during sessions of the board, not to exceed,
31 however, two days time at any meeting; also, they shall be paid
32 their actual traveling expenses in attending the meeting; the
33 Secretary in addition to such per diem and expenses may be
34 paid annually a salary to be fixed by the board. The per diem
35 allowed each member of the board shall not exceed the sum
36 of three hundred dollars (\$300.00) in any year. (3) The board
37 shall have power to adopt rules and regulations to carry out
38 the intent of this chapter. The Secretary shall collect the
39 fees and shall pay the same quarterly to the Treasurer of the
40 State of Iowa. (4) The board may appoint such clerks and
41 assistants as it may deem necessary for the execution of its
42 functions and fix their salaries. (5) The board shall on the
43 first day of January of each year report its proceedings to
44 the State Comptroller including an account of moneys received
45 and disbursed.

1 Sec. 4. Seal. The board shall adopt a seal which shall be

2 used to authenticate all of its proceedings and records and
3 licenses to be issued which seal shall be under the control
4 of the Secretary.

1 Sec. 5. Fees and Expenses. All examination, license and
2 renewal fees received from such persons licensed to practice
3 watchmaking shall be paid to and collected by the Secretary
4 of the board, who shall remit to the Treasurer of the State
5 quarterly all fees collected, and at the same time render to
6 the State Comptroller an itemized and verified report showing
7 the source from which said fees were obtained. All such fees
8 collected and remitted shall be placed in a special fund by
9 the Treasurer of State and the State Comptroller to be known
10 as the "Watchmaker's fund", to be used by the board to
11 administer and enforce the laws relating to the practice of
12 watchmaking, to elevate the standards of schools of watch-
13 making, and to promote the educational and professional standards
14 of watchmakers and watchmaking in this state, and no part of
15 such expense shall be paid out of the state treasury. Any
16 remainder in said fund at the end of each fiscal year, after all
17 expense in carrying out the provisions of this chapter, have
18 been paid, or a sum sufficient for payment thereof set apart,
19 shall be paid into the general fund of the state. Said fund
20 shall be subject at all times to the warrant of the State
21 Comptroller, drawn upon written requisition of the chairman
22 of the board and attested by the secretary, for the payment
23 of all salaries and other expenses necessary to carry out

24 the provisions of this chapter, but in no event shall the
25 total expenses therefor exceed the total fees collected and
26 deposited to the credit of said fund.

1 Sec. 6 Application. Applicants for certificates shall be
2 examined at a time and place fixed by the board. Applications
3 for examination shall be filed with the board at least ten
4 days before the time set for the examination and shall be
5 accompanied by an examination fee of ten dollars (\$10.00).
6 The applicant shall be of good moral character and shall
7 furnish an affidavit in support of the same from at least
8 two reputable citizens in the community in which he lives;
9 shall be at least nineteen years of age and shall have at
10 least three years previous experience at the bench under the
11 supervision of a watchmaker, holding a certificate under the
12 provisions of this chapter, or said applicant shall have had at
13 least one year's schooling in a recognized watchmaker's school,
14 together with one year's experience at the bench under the
15 provisions of this chapter or at least two years schooling
16 in a recognized watchmaker's school.

1 Sec. 7. Examination. An applicant to be entitled to a
2 certificate otherwise provided in this chapter shall pass an
3 examination before the board, which examination shall be con-
4 fined to such knowledge, practical ability, and skill as is
5 essential in the proper repairing of watches, clocks, and time-
6 recording instruments, and shall include an examination of
7 theoretical knowledge of watch construction and repair, and

8 also a practical demonstration of the applicant's skill in
9 the manipulation of watchmaker's tools. The board shall make
10 rules and regulations for conducting examinations, and shall
11 define the standards of workmanship and skill. In case of
12 failure at any examination, the applicant shall have the
13 privilege of taking another examination at any other exam-
14 ination period upon the payment of a fee of five (\$5.00)
15 dollars and the board shall conduct such examinations at
16 least twice in each year.

1 Sec. 8. Certificates of Registration. (1) If the applicant
2 successfully passes the examination, the Secretary of the
3 board shall register such fact and shall issue to him a
4 certificate of registration. (2) A watchmaker who is not a
5 resident of the State of Iowa, may, in the discretion of the
6 board, be issued a certificate without the examination upon
7 the payment of a fee of ten (\$10.00) dollars and upon filing
8 a written application with the board, together with evidence
9 of five years practice as a watchmaker in some other state
10 immediately previous to the time of the application by furnish-
11 ing such evidence in connection with his skill as a watchmaker
12 as the board may require. (3) Persons actually engaged in
13 watchmaking within this state prior to the effective date
14 of this chapter shall be exempt from taking the examination
15 herein provided, upon making application for a certificate
16 of registration within six months after said date, accompanied
17 by an application fee of five (\$5.00) dollars and the affidavit

18 of the applicant setting forth the fact of his having actually
19 engaged in watchmaking, together with the affidavits of two
20 freeholders in this state setting forth that they know that the
21 applicant has been so engaged in watchmaking and if the board
22 shall be satisfied that such applicant is entitled thereto, it
23 shall cause its secretary to so register such applicant and
24 issue to such person a certificate of registration on a form
25 to be designed by the board. (4) Certificates of registration
26 shall expire on the 31st day of December of each year. Upon
27 the payment of a fee of five (\$5.00) dollars an application for
28 a renewal of the certificate of registration may be made after
29 the 15th day of December in each year; provided however that
30 for the period from July 4th of 1943 until December 31st of
31 1943, the fee for a certificate of registration shall be in
32 the sum of Two Dollars and Fifty Cents (\$2.50). If any
33 applicant upon the effective date of this act is in any branch
34 of the military or naval service of the United States and
35 actively engaged therein or if the applicant at such time is
36 actively employed in national defense work in connection
37 with the war effort then he shall have the right to make
38 application for a certificate under the provisions of this
39 chapter at any time within a period of six months after he is
40 discharged from such military or naval service or discontinues
41 his employment in national defense work.

1 Sec. 9. Apprentice Watchmakers. Any person sixteen years
2 of age or over, of good moral character, apprenticed to a

3 registered watchmaker, may pursue the trade of watchmaking
4 upon obtaining from the board a certificate of registration
5 as an apprenticed watchmaker, which certificate shall be
6 conspicuously displayed at all times in the place of employment
7 of such apprentice. No apprentice certificate shall be renewed
8 unless the application therefor shall be accompanied by a sworn
9 statement of the employer or employers as to the length of
10 time the applicant has been actually employed under his
11 certificate in the pursuit of the watchmaking trade.
12 Apprentice watchmakers shall pay a fee of One Dollar (\$1.00)
13 for the certificate which shall expire on December 31st of
14 each year and shall pay a renewal fee of One Dollar (\$1.00)
15 annually. Any applicant for a certificate of registration
16 as a watchmaker who fails to pass the examination provided
17 for herein may in the discretion of the board be issued a
18 certificate as an apprentice watchmaker.

1 Sec. 10. Revocation. (1) The board may revoke a certificate
2 of registration obtained through error of the board or fraud
3 of the applicant, or if the holder is grossly incompetent,
4 guilty of immoral or unethical conduct, or obtained, or sought
5 anything of value by fraudulent representation in the practice
6 of watchmaking. The holder of such certificate shall be given
7 thirty days' notice in writing enumerating the charges and
8 fixing a date for the hearing thereon. Such notice shall be
9 given to the certificate holder by registered mail addressed
10 to him at his last known address as shown by the Secretary.

11 At the hearing he shall have the opportunity to defend himself
12 against the charges and to introduce evidence tending to
13 disapprove the charges. (2) One whose certificate has been
14 revoked may, upon the expiration of one year after such
15 satisfactory proof that the cause of revocation no longer
16 exists the board may, in its discretion, issue to said person
17 a certificate of registration upon payment of the fee herein
18 provided. The action of the board upon such charges shall be
19 final.

1 Sec. 11. Duplicates. A duplicate of any certificate provided
2 by this chapter shall be issued upon filing with the Secretary
3 a sworn statement that the original certificate has been lost
4 or destroyed, and upon payment of One Dollar (\$1.00) for the
5 issuance of the same.

1 Sec. 12. Conflicting Statutes. No provisions of law in
2 conflict with the provisions of this chapter shall have any
3 effect thereon or upon the rights of any person licensed
4 hereunder.

1 Sec. 13. Penalty. Anyone not having a certificate of
2 registration shall hold himself out as a watchmaker or as one
3 qualified to do watchmaking or anyone who shall violate any
4 of the provisions of this chapter shall be guilty of a mis-
5 demeanor and shall be punished by a fine of not more than
6 One Hundred (\$100.00) Dollars or by imprisonment in the
7 County Jail for not more than thirty days or by both such
8 fine and imprisonment.