

CHAPTER 95
FISH AND GAME
S. F. 129

AN ACT to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), section one thousand seven hundred ninety-four and forty-four thousandths (1794.044), and section one thousand seven hundred ninety-four and forty thousandths (1794.040), code, 1939, relating to fish and game.

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

1 SECTION 1. Section one thousand seven hundred ninety-four and
2 ninety-eight thousandths (1794.098), Code, 1939, is amended by
3 adding thereto the following: "No license shall be required of any
4 person who is receiving old age assistance under Chapter one hun-
5 dred eighty-nine and one-tenth (189.1) as amended, Code, 1939."

1 SEC. 2. Section one thousand seven hundred ninety-four and forty-
2 four thousandths (1794.044), Code, 1939, is amended by striking the
3 word "young" from each of lines five (5) and seven (7).

1 SEC. 3. Section one thousand seven hundred ninety-four and forty
2 thousandths (1794.040), Code, 1939, is amended by adding thereto
3 the following after the word "fishing":

4 "except that the commission may, after investigation to determine
5 their suitability as to size, depth, living conditions for fish, and man-
6 agement, provide a breeding stock of fish for privately owned farm
7 ponds on request of the owner".

Approved April 6, 1945.

CHAPTER 96
REAL ESTATE BROKERS
S. F. 39

AN ACT to amend, revise, and codify chapter ninety-one and two tenths, code 1939, relating to the licensing and regulation of real estate brokers and salesmen and to matters properly pertaining to the orderly marketing of real estate.

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

1 From and after January 1, 1946, chapter ninety-one and two tenths,
2 Code 1939 is amended, revised, and codified to read as follows:

1 SECTION 1. No person, shall act as a real estate broker or real estate
2 salesman, without first obtaining a license as provided in this chapter.
3 The word "person" as provided in said chapter shall mean and in-
4 clude partnership, association or corporation.

1 SEC. 2. No copartnership, association, or corporation shall be
2 granted a license, unless every member or officer of such copartner-
3 ship, association or corporation, who actively participates in the brok-
4 erage business of such copartnership, association, or corporation, shall
5 hold a license as a real estate broker, and unless every employee who

6 acts as a salesman for such copartnership, association, or corporation
7 shall hold a license as a real estate salesman.

1 SEC. 3. The term "real estate broker" within the meaning of this
2 chapter shall include any person, other than a salesman and except
3 as herein provided, who engages for all or part of his time in the
4 following:

5 1. The business of selling, exchanging, purchasing or renting of
6 real estate for another for a fee, commission, or other consideration.

7 2. Listing real estate of others for sale, exchange, or rental for a
8 fee, commission, or other consideration or advertises or holds himself
9 out as a real estate broker.

1 SEC. 4. Real Estate as used in this chapter shall mean real property
2 wherever situated, and shall include any and all estate therein.

1 SEC. 5. "Real estate salesman" as used in this chapter is a person
2 employed by, or otherwise associated with a real estate broker, as a
3 selling, renting or listing agent or representative of said broker.

1 SEC. 6. Any person, partnership, association, or corporation, who,
2 for another, in consideration of compensation, by fee, commission,
3 salary, or otherwise, or with the intention or in the expectation or
4 upon the promise of receiving or collecting a fee, does, offers or at-
5 tempts or agrees to do, engages in or offers or attempts or agrees to
6 engage in, either directly or indirectly, any single act or transaction
7 contained in the definition of a real estate broker as set out in section
8 three (3) of this chapter, whether said act be an incidental part of
9 a transaction, or the entire transaction, shall constitute such person,
10 partnership, association, or corporation a real estate broker or real
11 estate salesman within the meaning of this chapter.

1 SEC. 7. The provisions of this chapter shall not apply to the sale,
2 exchange, purchase, rental, or advertising of any real estate in any
3 of the following cases:

4 1. Owners or lessors, or to the regular employees thereof, with
5 respect to the property owned and leased where such acts are per-
6 formed in the regular course of or incident to the management of
7 property owned and the investment therein.

8 2. By any person acting as attorney in fact under a duly executed
9 and acknowledged power of attorney from the owner, authorizing the
10 final consummation and execution of any contract for the sale, leasing
11 or exchange of real estate.

12 3. Nor shall the provisions of this chapter apply to an attorney
13 admitted to practice in Iowa.

14 4. The acts of one while acting as a receiver, trustee in bankruptcy,
15 administrator, executor, guardian, or under court order or while
16 acting under authority of a deed of trust, trust agreement or will.

17 5. The acts of an auctioneer in conducting a public sale or auction.

18 6. An isolated real estate rental transaction by an owner's repre-
19 sentative on behalf of said owner; such transaction not being made in
20 the course of repeated and successive transactions of a like character.

1 SEC. 8. There is hereby created the Iowa Real Estate Commission
2 which shall consist of the Secretary of State as chairman and four
3 members appointed by the governor with approval of two-thirds of

4 the Senate in executive session. Prior to the effective date of this
5 chapter, the governor shall appoint four persons, each of whom prior
6 to the date of his appointment shall have been actively engaged as
7 a real estate broker within this state for a period of not less than five
8 years: one member shall be appointed for a term of one year; one
9 member shall be appointed for a term of two years; one member shall
10 be appointed for a term of three years; one member shall be appointed
11 for a term of four years; and until their successors have been ap-
12 pointed and qualified; thereafter, at the expiration of the term of
13 each appointed member, the governor shall appoint a successor for
14 a term of four years. There shall at no time be more than one ap-
15 pointed commissioner from any one county, nor may any person act
16 as an appointed commissioner while holding any other elective or
17 appointive state or federal office. In the event of a vacancy on the
18 commission, the governor shall fill such vacancy by appointing a
19 member to serve during the unexpired term of the member whose
20 office has become vacant. The action of the majority of the members
21 of the commission shall be termed the action of the commission.

1 SEC. 9. The commission is empowered to promulgate rules and
2 regulations to carry out and administer the provisions of this chapter
3 consistent therewith. Said commission may carry on a program of
4 education of real estate practices and matters relating thereto.

1 SEC. 10. The commission shall be provided by the executive coun-
2 cil with office space in the office of the secretary of state and with office
3 furniture, power, light, and other proper conveniences necessary for
4 the carrying out of this chapter. Necessary printing and supplies
5 shall be purchased by the commission subject to the general laws of
6 the state.

1 SEC. 11. The commission shall employ a director at a salary not
2 to exceed thirty-six hundred dollars (\$3600.00) per annum and such
3 clerks and assistants as shall be necessary to discharge the duties
4 imposed by the provisions of this chapter and to effect the purposes
5 of this act, and the commission shall determine the duties of such
6 director, clerks, and assistants.

1 SEC. 12. Each appointed member of the commission shall receive
2 as full compensation for each day actually spent on the work of the
3 commission the sum of ten dollars per diem and his actual and neces-
4 sary expenses in the performance of duties pertaining to his office.
5 The total per diem compensation of a single member of the commis-
6 sion shall not exceed five hundred dollars per annum.

1 SEC. 13. The commission shall adopt a seal with such design as
2 the commission may prescribe engraved thereon, by which it shall
3 authenticate its proceedings. Copies of all records and papers in the
4 office of the commission, duly certified and authenticated by the seal
5 of said commission shall be received in evidence in all courts equally
6 and with like effect as the original. All records kept in the office of
7 the commission under authority of this act shall be open to public
8 inspection under such reasonable rules and regulations as shall be
9 prescribed by the commission.

1 SEC. 14. All fees and charges collected by the commission under
2 the provisions of this chapter shall be paid into the general fund in
3 the state treasury. All expenses incurred by the commission under
4 the provisions of this chapter, including compensation to the director,
5 clerks and assistants shall be paid out of the general fund in the state
6 treasury. No expenditure shall be made in excess of the license fees
7 and receipts under the provisions of this chapter during any fiscal
8 year of its operation.

1 SEC. 15. Licenses shall be granted only to persons who are trust-
2 worthy and competent to transact the business of a real estate broker
3 or salesman in such manner as to safeguard the interests of the pub-
4 lic and only after satisfactory proof has been presented to the com-
5 mission. The applicant must be a person whose application has not
6 been rejected in this or any other state within six months prior to
7 the date of application, or whose real estate license has not been
8 revoked in this or any other state within two years prior to date of
9 application. Every applicant for a license as a real estate broker
10 shall be of the age of twenty-one years or over and a citizen of the
11 United States. Provided, however, that any person not a citizen of
12 the United States may be eligible for a license if due proof is made to
13 the commission that he has declared his intention to become a citizen
14 of the United States.

1 SEC. 16. Every applicant for a real estate broker's license shall
2 apply therefor in writing upon blanks prepared or furnished by the
3 real estate commission. Such application shall be accompanied by
4 the recommendation of at least two citizens, real estate owners, not
5 related to the applicant, who have owned real estate for a period of
6 one year or more and have known the applicant for a period of six
7 months, in the county in which said applicant resides, or has his
8 place of business, which recommendation shall certify that the appli-
9 cant bears a good reputation for honesty, truthfulness, fair dealing
10 and competency, and recommending that a license be granted to the
11 applicant.

12 Every applicant for a license shall furnish a sworn statement set-
13 ting forth his present address, both of business and residence, a com-
14 plete list of all former places where he may have resided or been en-
15 gaged in business for a period of sixty days or more, during the last
16 five years, accounting for such entire period, and the length of such
17 residence, together with the name and address of at least one real
18 estate owner in each of said counties where he may have resided or
19 have been engaged in business and whether he has been convicted of a
20 criminal offense involving moral turpitude, and if so, what offense.

21 The commission shall prepare and furnish written application
22 blanks for salesman's license, to contain request for such information
23 as the commission may require. The application shall be accom-
24 panied by a written statement by the broker in whose service he is
25 about to enter, stating that in his opinion the applicant is honest,
26 truthful, and of good reputation, and recommending that the license
27 be granted to the applicant.

1 SEC. 17. The commission with due regard to the paramount in-
2 terests of the public may require such other proof as shall be deemed

3 desirable as to the honesty, truthfulness, integrity, reputation, and
4 competency of the applicant.

1 SEC. 18. The commission is expressly vested with the power and
2 authority to make and enforce any and all such reasonable rules and
3 regulations connected with the application for any license as shall be
4 deemed necessary to administer and enforce the provisions of this
5 chapter.

1 SEC. 19. If the commission, after an application in proper form
2 has been filed with it, accompanied by the proper fee and the appli-
3 cant's certification of trustworthiness and competence, and integrity,
4 shall deny a license to the applicant, upon his application in writing,
5 and within a period of thirty days of such denial, he shall be entitled
6 to a hearing as provided in section thirty-five (35).

1 SEC. 20. Each applicant for a license must pass a written exam-
2 ination conducted by said commission or its authorized representative
3 which examination shall be of scope and wording sufficient in the
4 judgment of the commission to establish the competency and trust-
5 worthiness of the applicant to act as a real estate broker or sales-
6 man in such manner as to protect the interests of the public. An
7 examination for a real estate broker shall be of a more exacting na-
8 ture than that for a real estate salesman and require higher stand-
9 ards of knowledge of real estate. Provided, however, that any per-
10 son licensed under chapter ninety-one and two tenths (91.2) of the
11 1939 Code of Iowa at the time this act becomes effective may secure
12 a similar license under this chapter upon making application to the
13 commission for such license within sixty days after the effective date
14 of this act.

1 SEC. 21. A nonresident of this state may be licensed as a real estate
2 broker, or a real estate salesman, upon complying with all require-
3 ments of law and with all the provisions and conditions of this chap-
4 ter relative to resident brokers and salesmen, and the filing by the
5 applicant with the commission of a certified copy of a real estate
6 license issued by the state of domicile. The commission may waive
7 the requirement of an examination in the case of a nonresident broker
8 who is licensed under the laws of a state having similar requirements
9 and where similar recognition and courtesies may be extended to
10 licensed real estate brokers and salesmen of this state.

1 SEC. 22. A nonresident to whom a license is issued upon com-
2 pliance with all the other requirements of law and provisions of this
3 chapter, shall not be required to maintain a definite place of business
4 within this state. Provided, that such nonresident, if a broker, shall
5 maintain an active place of business within the state of his domicile,
6 and provided further, that the privilege of so submitting the license
7 or a copy thereof certified by the state of his domicile, in lieu of the
8 recommendations and statements otherwise required, shall only apply
9 to licensed real estate brokers and real estate salesmen of those states
10 under the laws of which similar recognition and courtesies are ex-
11 tended to licensed real estate brokers and real estate salesmen of this
12 state.

1 SEC. 23. Every nonresident applicant, before the issuance of a
2 license, shall file an irrevocable consent that suits and actions may be

3 commenced against such applicant in the proper court of any county
4 of this state in which a cause of action may arise, by the service of
5 any process or pleadings authorized by the laws of this state on the
6 chairman of the commission, said consent stipulating and agreeing
7 that such service of such process or pleadings on the commission
8 shall be taken and held in all courts to be as valid and binding as if
9 due service had been made upon said applicant within the State of
10 Iowa. Said instrument containing such consent shall be authenti-
11 cated by the seal thereof, if a corporation, or by the acknowledged
12 signature of a member or officer thereof, if otherwise. All such ap-
13 plications, except from individuals, shall be accompanied by a duly
14 certified copy of the resolutions of the proper officers, or managing
15 board, authorizing the proper officer to execute the same. In case
16 any process or pleadings mentioned in the case are served upon the
17 commission it shall be by duplicate copies, one of which shall be filed
18 in the office of the commission, and the other immediately forwarded
19 by registered mail to the main office of the applicant against whom
20 or which said process or pleadings are directed.

1 SEC. 24. The license of such real estate salesman shall be delivered
2 or mailed to the real estate broker by whom such real estate sales-
3 man is employed and shall be kept in the custody and control of such
4 broker.

1 SEC. 25. It shall be the duty of every real estate broker to con-
2 spicuously display in his place of business the current license issued
3 to him and the licenses issued to his employees.

1 SEC. 26. The commission shall prepare and deliver to each licensee
2 a pocket card, which card among other things shall contain an im-
3 print of the seal of the commission and shall certify that the person
4 whose name appears thereon is a licensed real estate broker or real
5 estate salesman, as the case may be, and if it is a real estate salesman's
6 card it shall also contain the name and address of his employer. The
7 matter to be printed on such pocket card, except as above set forth,
8 shall be prescribed by the commission.

1 SEC. 27. The annual fee for each real estate broker's license shall
2 be ten dollars. The annual fee for each real estate salesman's license
3 shall be five dollars.

1 SEC. 28. Every license shall expire as of December 31st of the year
2 of issuance. The commission shall upon the written request of the
3 applicant on forms prescribed by the commission, and payment of
4 the annual fee therefor as herein required, issue a new license for
5 each ensuing year in the absence of any reason or condition which
6 might warrant the revocation of a license after a hearing as provided
7 in sections thirty-four (34) and thirty-five (35).

1 SEC. 29. The revocation of a broker's license shall automatically
2 suspend every real estate salesman's license granted to any person
3 by virtue of his employment by the broker whose license has been
4 revoked, pending a change of employer and the issuance of a new
5 license. Such new license shall be issued upon payment of a fee of
6 one dollar, if granted during the same year in which the original
7 license was granted.

1 SEC. 30. No person, copartnership, association or corporation en-
2 gaged in the business or acting in the capacity of a real estate broker
3 or a real estate salesman within this state shall bring or maintain
4 any action in the courts of this state for the collection of compensa-
5 tion for any services performed as a real estate broker or salesman
6 without alleging and proving that such person, copartnership, asso-
7 ciation, or corporation was a duly licensed real estate broker or real
8 estate salesman at the time the alleged cause of action arose.

1 SEC. 31. Every real estate broker, except as provided in section
2 twenty-one (21), shall maintain a place of business in this state.
3 If the real estate broker maintains more than one place of business
4 within the state, a duplicate license shall be issued to such broker
5 for each branch office maintained. Provided, that if such broker be
6 a copartnership, association or corporation, a duplicate shall be issued
7 to the members or officers thereof, and a single fee of one dollar in
8 each case shall be paid for each duplicate license.

1 SEC. 32. Notice in writing shall be given to the commission by each
2 licensee of any change of principal business location, whereupon the
3 commission shall issue a new license for the unexpired period upon
4 the payment of a fee of one dollar.

1 SEC. 33. When any real estate salesman shall be discharged or
2 shall terminate his employment with the real estate broker by whom
3 he is employed, it shall be the duty of such real estate broker to im-
4 mediately deliver or mail by registered mail to the commission such
5 real estate salesman's license on the reverse side of which the em-
6 ploying broker shall set out the date and cause of termination of
7 employment. The real estate broker shall at the time of mailing such
8 real estate salesman's license to the commission address a communi-
9 cation to the last known residence address of such real estate salesman
10 stating that his license has been delivered or mailed to the commission.
11 A copy of such communication to the real estate salesman shall accom-
12 pany the license when mailed or delivered to the commission. It shall
13 be unlawful for any real estate salesman to perform any of the acts
14 contemplated by this chapter either directly or indirectly under
15 authority of said license from and after the date of receipt of said
16 license by the commission; provided, that another license shall not be
17 issued to such real estate salesman until he shall return his former
18 pocket card to the commission or shall satisfactorily account to them
19 for the same. The commission shall upon presentation of evidence
20 by the salesman that he has been employed by another broker issue
21 another license and pocket card for the balance of the current year
22 showing each change of employment. A fee of one dollar will be
23 charged for the issuance of such a license. Not more than one license
24 shall be issued to any real estate salesman for the same period of time.

1 SEC. 34. The commission may upon its own motion and shall upon
2 the verified complaint in writing of any person, provided such com-
3 plaint together with evidence, documentary or otherwise presented
4 in connection therewith, makes out a prima facie case, investigate
5 the actions of any real estate broker or real estate salesman, or any
6 person who shall assume to act in either such capacity within this
7 state and shall have the power to suspend or to revoke any license

8 issued under the provisions of this chapter, at any time where the
9 licensee has by false or fraudulent representation obtained a license,
10 or where the licensee in performing or attempting to perform any
11 of the acts mentioned herein is found to be guilty of:

- 12 1. Making any substantial misrepresentation.
- 13 2. Making any false promise of a character likely to influence, per-
14 suade or induce.
- 15 3. Pursuing a continued and flagrant course of misrepresentation,
16 or making of false promises through agents or salesmen or advertis-
17 ing or otherwise.
- 18 4. Acting for more than one party in a transaction without the
19 knowledge of all parties for whom he acts.
- 20 5. Accepting a commission or valuable consideration as a real estate
21 salesman for the performance of any of the acts specified in this chap-
22 ter, from any person, except his employer; who must be a licensed
23 real estate broker.
- 24 6. Representing or attempting to represent a real estate broker
25 other than his employer, without the express knowledge and consent
26 of the employer.
- 27 7. Failing, within a reasonable time, to account for or to remit
28 any moneys coming into his possession which belong to others.
- 29 8. Being unworthy or incompetent to act as a real estate broker or
30 salesman in such manner as to safeguard the interests of the public.
- 31 9. Paying a commission or any part thereof for performing any
32 of the acts specified in this chapter to any person who is not a licensed
33 broker or salesman under the provisions of this chapter or who is
34 not engaged in the real estate business in another state.
- 35 10. Failing, within a reasonable time, to provide information re-
36 quested by the commission as the result of a formal or informal com-
37 plaint to the commission which would indicate a violation of this act.
- 38 11. Any other conduct, whether of the same or different character
39 from that hereinbefore specified, which constitutes improper, fraud-
40 ulent, or dishonest dealing or determined by the commission as being
41 detrimental to the public interest.

42 Any unlawful act or violation of any of the provisions of this chap-
43 ter by any real estate salesman, employee, or partnership or associate
44 of a licensed real estate broker, shall not be cause for the revocation
45 of the license of any real estate broker, partial or otherwise, unless
46 the commission finds that said employer, partner or associate had
47 guilty knowledge thereof.

1 SEC. 35. The commission shall upon request of the applicant as
2 provided in section nineteen (19), or before revoking any license set
3 the matter down for a hearing and at least twenty days prior to the
4 date set for the hearing it shall notify the applicant or licensee in
5 writing, which said notice shall contain an exact statement of the
6 charges made and the date and place of the hearing. The applicant
7 or licensee at all such hearings shall have the opportunity to be heard
8 in person and by counsel in reference thereto. Such written notice
9 of hearing may be served by delivery personally to the applicant or
10 licensee or by mailing the same by registered mail to the last known
11 business address of such applicant or licensee. If such applicant or
12 licensee be a salesman, the commission shall also notify the broker em-
13 ploying him or into whose employ he is about to enter by mailing such

14 notice by registered mail to the broker's last known business address.
 15 The hearing on such charges shall be at such time and place as the
 16 commission shall prescribe.

1 SEC. 36. In the preparation and conducting of such hearings, the
 2 director shall have power to execute and sign subpoenas to require
 3 the attendance and testimony of any witnesses and the producing of
 4 any papers or books. He may administer oaths, examine witnesses
 5 and take any evidence he deems pertinent to the determination of the
 6 charges. Any such hearing may be held before two or more members
 7 of the commission as may be directed by the commission.

1 SEC. 37. Any witnesses so subpoenaed shall be entitled to the same
 2 fees and mileage as is prescribed by law in judicial proceedings in the
 3 courts of this state in civil cases.

1 SEC. 38. Any party to any hearing before the commission shall have
 2 the right to the attendance of witnesses in his behalf at such a hear-
 3 ing upon making a request thereof to the commission and designating
 4 the person or persons sought to be subpoenaed.

1 SEC. 39. In case of a disobedience to a subpoena the commission
 2 may invoke the aid of any court of competent jurisdiction or judge
 3 thereof in requiring the attendance and testimony of witnesses and
 4 the production of papers; and such court may issue an order requir-
 5 ing the persons to appear before the commission and give evidence
 6 or to produce papers as the case may be; and any failure to obey such
 7 order may be punished as a contempt.

1 SEC. 40. The testimony may be taken by deposition as in civil cases,
 2 and any person may be compelled to appear and depose in the same
 3 manner as witnesses may be compelled to appear and testify as here-
 4 inbefore provided.

1 SEC. 41. If the majority of the commission shall determine that
 2 any applicant is not qualified to receive a license, a license shall not
 3 be granted to such applicant, and if the commission shall determine
 4 that any licensee is guilty of a violation of any of the provisions of
 5 this chapter, the license may be suspended or revoked. The commis-
 6 sion, upon request of the applicant or licensee shall furnish said appli-
 7 cant or licensee with a definite statement of its findings of facts and
 8 its reason or reasons for refusing to grant the license or for sus-
 9 pension of the rights of the licensee or for the revocation of the license,
 10 as the case may be. The findings of fact made by the commission
 11 acting within its powers shall, in the absence of fraud, be conclusive,
 12 but the district court of the county of the licensee's residence or the
 13 judge thereof shall have the power to review questions of law involved
 14 in any final decision or determination of the commission; provided
 15 that an application is made by the aggrieved party within ten days
 16 after such determination by certiorari, mandamus, or by any other
 17 method permissible under the rules and practices of said court, or
 18 the laws of this state, and said court may make such further orders
 19 in respect thereto as justice may require.

1 SEC. 42. The commission shall at least annually prepare a list of
 2 the names and addresses of all licensees licensed by it under the pro-

3 visions of this chapter, and of all persons whose licenses have been sus-
 4 pended or revoked within one year; together with such other infor-
 5 mation relative to the enforcement of the provisions of this chapter
 6 as it may deem of interest to the public. One of such lists shall be
 7 mailed to the clerk of the district court in each county of the state
 8 and shall be held by said clerk of the district court as a public record.
 9 Such lists shall also be mailed by the commission to any person in this
 10 state upon request.

1 SEC. 43. Any person found guilty of violating a provision of this
 2 chapter in a first offense shall be punished by a fine of not to exceed
 3 one hundred dollars or by imprisonment for a term of not to exceed
 4 thirty days in jail.

1 SEC. 44. The commission may refer a complaint for violation of
 2 section one (1) before any court of competent jurisdiction, and it
 3 may take the necessary legal steps through the proper legal officers
 4 of this state to enforce the provisions hereof and collect the penalties
 5 herein provided.

1 SEC. 45. This act shall be effective from and after January 1, 1946.
 Approved April 4, 1945.

CHAPTER 97

WATCHMAKERS AND REPAIRMEN

S. F. 52

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 shall be unlawful, after July
 2 4th, 1945, for any person, co-partnership, association or corporation
 3 to engage in watchmaking as defined in this chapter without first
 4 obtaining a certificate of registration as herein provided. The cer-
 5 tificate shall at all times be conspicuously displayed in the place of
 6 business or employment of the holder thereof.

1 SEC. 2. **Definition.** The term "watchmaking" for the purposes of
 2 this chapter, includes and means the repairing, replacing, rebuilding,
 3 reconditioning, cleaning, adjusting or regulating of the mechanical
 4 parts of watches, clocks and/or time recording instruments and esti-
 5 mating the cost of the repairs thereof, and the manufacturing and
 6 fitting of parts designed for use or used in watches. Such term shall
 7 not include or mean the manufacturing or repairing of watch cases,
 8 nor shall it include or mean the repairing of electric clocks where the
 9 repair is necessary or incidental to the electric mechanism contained
 10 in such clocks, but shall include the repairing of all winding mech-
 11 anisms for time keeping instruments whether they are parts of such