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City Club of Portland (Portland, Or.)

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REPORT ON
DAYLIGHT SAVING TIME
(State Ballot Measure No. 6)

PURPOSE: To establish daylight saving time in all parts of Oregon within the Pacific time zone from last Sunday in April until last Saturday in September.

To the Board of Governors,
The City Club of Portland:

ASSIGNMENT

Your committee was asked to determine whether it should recommend to the membership of the City Club in favor of or against State Ballot Measure No. 6 (H.B. No. 1753, Oregon Laws 1961, Chapter 711, referred to the Voters of Oregon by the 1961 Legislature). The act in question provides:

"187.110. The standard of time for any given area of the State of Oregon to which Pacific Standard Time is applicable shall be the United States standard of time as established by the Congress of the United States for that particular area except that from 1:00 a.m. on the last Sunday in April until 2 a.m. on the last Saturday in September the standard of time for any such area of this state shall be one hour in advance of the standard established for that particular area by the Congress of the United States. No department of the state government and no county, city or other political subdivision shall employ any other time or adopt any statute, ordinance or order providing for the use of any other standard of time."

BACKGROUND

A similar ballot measure was studied and reported on by a former City Club committee appointed in 1960. The committee report appears in Portland City Club Bulletin, Vol. 41, No. 19, October 7, 1960. The earlier committee recommended passage of the measure; however, the voters defeated the bill. Subsequently, the 1961 Oregon State Legislature enacted a statute which authorized Multnomah County, Washington County, Clackamas County, Hood River County, and Columbia County to adopt daylight saving from the last Sunday of April until the last Saturday of September of each year. All five counties did adopt Daylight Saving Time. Since the adoption of this statute, some confusion has resulted due to the time differences within the state. Some communities not authorized by the Legislature have informally adopted fast time. Some businessmen in standard time areas have set their clocks ahead and generally speaking, the people of the state are somewhat disgruntled over the uncertainties which have arisen.

The issue of statewide Daylight Saving Time will again be presented to the voters of Oregon in the November election.

A BRIEF HISTORY OF THE DEVELOPMENT OF "STANDARD OF TIME"

Although historically time was measured by considering the position of the sun in its relationship to the earth at any given place, without a standard previously agreed upon, confusion and chaos would prevail in modern-day civilization.

". . . actual solar time, that is, the time based on the apparent actual movement of the sun over any particular meridian varied from day to day,

and was impractical to use as a standard, after the abandonment of sun dials, since watches and clocks had constantly to be reset. The mean solar time was based upon the apparent movement of an imaginary constant sun over the meridian. This gave a satisfactory time standard for a particular community, but was increasingly unsatisfactory as means of transportation and communication improved, because of the wide variety of time standards in communities thrown into close relation by these improvements." State vs. Badolati, Wisconsin (1942), 6 NW2d 220, 143 ALR 1234.

Inasmuch as solar time was particularly impractical for use by the American railroads, the principal railroad companies in 1883 agreed to adopt an arbitrary standard of time for the purpose of establishing time stability in the operation of their trains. They divided the country into four sections: Eastern, Central, Mountain, and Pacific. The width of each section was approximately 15 degrees of longitude from East to West. The solar time of the Central meridian of each section was arbitrarily adopted as the uniform railroad time for the entire section. This time became known as railroad or standard time and was recognized by the Federal government and ultimately by most state governments as the accepted standard of measuring time.

Later in 1883, the Congress of the United States enacted a statute which established time zones and fixed a standard of time for each zone. The statute provided:

"For the purpose of establishing the standard time of the United States, the territory of continental United States shall be divided into five zones in the manner provided in this section. The standard time of the first zone shall be based on the mean astronomical time of the seventy-fifth degree of longitude west from Greenwich; that of the second zone on the ninetieth degree; that of the third zone on the one hundred and fifth degree; that of the fourth zone on the one hundred and twentieth degree; and that of the fifth zone, which shall include only Alaska, on the one hundred and fiftieth degree. The limits of each zone shall be defined by an order of the Interstate Commerce Commission, having regard for the convenience of commerce and the existing junction points and division points of common carriers engaged in commerce between the several States and with foreign nations, and such order may be modified from time to time." 15 USCA 261

This law controlled only the movement of common carriers and the conduct and actions of all branches of the Federal government. It was not intended to nor did it affect state government or private industry other than railroads. However, as a practical matter, all of the states in the Union followed suit and either legislated to conform to the standard of time established by the Congress or informally adopted the measure.

The names of the time zones were also established by the Congress which added to the preceding four the Alaska time zone. (15 USCA 263).

Mr. Justice Oliver Wendell Holmes, speaking for the United States Supreme Court in the case of *Massachusetts State Grange vs. Benton*¹ said that the trial court was correct in ruling that the Massachusetts State law which provided for a daylight saving time did not conflict with the federal statute of 1883 creating a standard of time. This decision by Justice Holmes established the precedent for all subsequent daylight saving time legislation to be enacted by the several states, and left to the states the right to establish their own standard of time.

It will be recalled that on January 20, 1942, Congress placed the entire country on "fast" time in order to "save daylight and . . . provide a standard time for the

¹272 US 525, 47 SC 189, 71 L.Ed 887.

United States.²² The war standard of time legislated by Congress lasted approximately four years and was intended to save time and to promote national security and defense.

Presently 29 states, in whole or in part, observe daylight saving time during the period from May to October each year. Very few states prohibit it by law. If, during these months, Oregon were on Pacific Standard Time, it would be the only state in the Union on that particular time.

SCOPE OF STUDY

Your Committee reviewed data collected by earlier City Club Committees. The results of previous interviews were reviewed¹ and in addition the following who had previously given us views on the subject reaffirmed their opinions when contacted by your present committee: Al Foreman, Oregon Theater Owners Association, and Elmer McClure, Master, Oregon State Grange.

The following were also contacted for their views: Thomas Scanlon, Educational Director for Oregon AFL-CIO, and Ralph Hage, Pacific Maritime Association.

POSITION OF PROPONENTS

Few new arguments for or against daylight saving time have been brought to the attention of your Committee. To re-state and summarize the arguments for, we find they are:

1) Uniformity of time standard throughout a geographically and economically integrated area is essential for the economic stability and development of its people. California, Oregon, Washington and British Columbia comprise such an area. As the economic and financial heart of America ordinarily adopts daylight saving time, Oregon must—if it is to keep in step and compete—set ahead its clocks.

2) Investment houses, manufacturers, radio and television stations, trucking and transportation companies, airlines, and all other businesses engaged in commerce gain benefit from the adoption of daylight saving time because of uniformity, elimination of confusion, consistent point of time reference, and a multitude of psychological reasons, the foremost of which is the concept of "belongingness" or "marching along together."

3) Much of the strong support of daylight saving time comes from those who argue for additional daylight leisure hours. Doctors claim the span of life can be increased with proper leisure and relaxation.

4) All of the government units which were authorized by the 1961 Legislature to adopt Daylight Saving Time have done so. As a result, the majority of the people of Oregon are now living under DST. In addition, several other Oregon communities have arbitrarily gone on DST.

²²45 stat 9 C 7, 15 USCA 261.

¹Sources interviewed by previous committees included representatives of business organizations, radio and television, transportation, (including railroads and airlines representatives), investments firms, firms engaging in interstate commerce, insurance and lumber brokers, laboring and retail business groups (including AFL-CIO, and Retail Trade Associations), Oregon Marine Trades Association, municipal and private golf courses, public recreational facilities, all in favor, and Oregon State Grange, Oregon Farm Bureau Federation, Oregon Theater Owners Association, and representatives of indoor recreation operations and railway brotherhoods, all or some of whom oppose Daylight Saving Time.

POSITION OF OPPONENTS

1) Some of the strong opposition to daylight saving time is voiced by farmers speaking through the Oregon State Grange, the Oregon Farm Bureau Federation, and the Farmers Union. They say that farms are not run by the clock and that the farmer gauges his activities according to natural time or sun time. They contend that particularly in the Willamette Valley, because of dew and foggy mornings, the farmer must wait until 10:00 a.m. before commencing work in the field, and therefore the adoption of daylight saving time would have the farmer in the field at 11:00 a.m. This means that by the time their farm work is completed, very little, if any daytime is left for delivery of produce, purchase of necessary supplies, equipment, or parts for repair, or for fitting in social or business obligations.

2) Dairymen and poultrymen would be inconvenienced because of their pickup and delivery schedules (the cows must be milked when ready and the delivery schedules on daylight saving time might conflict or be inconvenient). The chickens lay eggs when ready and fast time would inconvenience the poultrymen in the same way as the dairymen. Other arguments advanced by these groups center on the same theme and ultimately conclude that daylight saving time is an unnatural man-made time, and that standard time should be adhered to because it is a natural or God-made time.

3) Another strong voice opposing daylight saving time is heard from the Oregon Theater Owners Association which not only speaks for itself but for others engaged in activities which require nightfall to stimulate interest, such as outdoor theaters, bowling alleys, billiard rooms, dance halls, cocktail lounges, bars and restaurants.

4) Parents of small children complain that the difficulties encountered in trying to put their children to bed at their regular bedtime, when, under Daylight Saving Time it is still broad daylight, disturbs the whole family schedule.

DISCUSSION

An intelligent appraisal of the issue should start with a genuine understanding of standard time. Standard time, which is presently in use throughout the nation, is not sun time or solar time, and therefore is in and of itself a man-made standard. It is a time measure made for the convenience of the geographical area and which utilizes the mean position of the sun as it strikes the central meridian of the time zone. Therefore, those who argue that we should adhere to standard time "because daylight saving time is not God's time" are advancing arguments which are unrealistic and illogical.

Obviously, conformity of time is essential to the economic health and welfare of the nation. The fact that Congress saw fit to establish a time standard is in and of itself persuasive on this point. In time of national emergency, the entire country was placed on daylight saving time for the purpose of increasing the efficiency of the people in time of emergency and for national defense.

Additional daylight hours to the busy business man will enable him to find greater enjoyment in participating in activities with his family and greater opportunity to prepare himself for the following day's trials.

That time variance among economically-integrated geographical units causes confusion, inefficiency and general inconvenience is beyond question. Today's means of communication and travel have rendered distances by statute miles no longer of consequence. We are as close to New York as the dial on the telephone; travel to San Francisco and return to Portland between breakfast and lunch is not an imaginary concept. Our neighbors to the North and to the South observe daylight saving time. The economic capitals of the country observe daylight saving time, and the capital

of the United States—Washington, D. C. itself—is on daylight saving time. Of 180 million people in the United States, over 65% are on daylight saving time between May and October of each year. (Over 95% of the people in the Pacific Time Zone are on daylight saving time, including the five counties in Oregon.)

It is acknowledged that some will suffer an economic loss as the result of the passage of the measure under discussion. Both sides argue that their business interests must be considered since they contribute to the state with tax dollars. However, some economic loss occurs whenever legislation is enacted. For example, legislation restricting the use of billboards on highways causes economic loss to the sign companies; laws limiting the size of trucks on highways cause economic loss to trucking companies; restrictions on the charges made by franchise transportation companies cause economic loss (or limitation of income) to such interests. Examples such as these can be recited *ad infinitum*.

Your Committee felt that many of the arguments on both sides stemmed from personal preference, and the Committee found it impossible to evaluate them.

CONCLUSION

Your Committee has analyzed the pros and cons of the Daylight Saving Time issue. The issue must be resolved by weighing the benefits and the detriments and considering the general public welfare. The Committee feels that the public welfare will best be served by conformity with the time standards of Washington and California and with the financial and industrial centers of the country.

The Committee further feels that the arguments advanced against daylight saving time stem, for the most part, from tradition rather than logic. While some interests may suffer economic harm and personal inconvenience, the vast majority of the people of the state will enjoy economic and social benefits under daylight saving time.

RECOMMENDATION

Your Committee unanimously recommends that the City Club favor State Ballot Measure No. 6, and urges a vote of "yes" thereon.

Respectfully submitted,

RAYMOND M. ALEXANDER

HILBERT JOHNSON

DAVID C. KENT

CARLTON R. REITER

CARLETON G. MOREHOUSE, *Chairman*

Approved August 14, 1962 by the Research Board for transmittal to the Board of Governors.

Received by the Board of Governors August 20, 1962, and ordered printed and submitted to the membership for discussion and action.

APPENDIX

HOUSE BILL NO. 1753

Chapter 711, Oregon Laws 1961

Referred to voters of Oregon by 1961 Legislature

MEASURE NO. 6

Ballot Title: DAYLIGHT SAVING TIME

Purpose: To establish daylight saving time in all parts of Oregon within the Pacific time zone from last Sunday in April until last Saturday in September.

AN ACT

Relating to the standard of time; amending ORS 187.110; and providing that this

Act shall be referred to the people for their approval or rejection.

Be It Enacted by the People of the State of Oregon:

Section 1. ORS 187.110 as amended by chapter 415, Oregon Laws 1961 (Enrolled House Bill 1502) is amended to read:

187.110. ~~[(1)]~~ The standard of time for any given area of the State of Oregon to which Pacific Standard Time is applicable shall be the United States Standard of time as established by the Congress of the United States for that particular area ~~[. However, the County court or the board of county commissioners of a county having a population of more than 800,000, according to the latest federal census, may adopt a statute, ordinance or order providing]~~ except that from 1:00 a.m. on the last Sunday in April until 2 a.m. on the last Saturday in September the standard time for ~~[that county]~~ any such area of this state shall be one hour in advance of the standard established for that particular ~~[county]~~ area by the Congress of the United States. No department of the state government and no county, city or other political subdivision shall employ any other time or adopt any statute, ordinance or order providing for the use of any other standard of time.

~~[(2) When any county court or board of county commissioners in any county having a population of more than 800,000, according to the latest federal census, has adopted a statute, ordinance or order providing for advanced time in such county, the county court or board of county commissioners in any county contiguous to each county may adopt advanced time by the same means and for the same period. Counties separated from another county by a river shall be considered contiguous for purposes of this subsection.]~~

Section 2. If House Bill 1502 does not become law, section 1 of this Act is repealed and ORS 187.110 is amended . . . (NOTE: House Bill 1502 did become law, therefore section 2 of this Act is not applicable.)

Section 3. This Act shall be submitted to the people for their approval or rejection at the next regular general election held throughout the state.