

Date of Hearing: April 6, 2016

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

AJR 28 (Oberholte) – As Amended March 28, 2016

SUBJECT: Daylight saving time

SUMMARY: This measure would urge the Congress of the United States and the President of the United States to enact legislation that would allow a state to adopt daylight saving time (DST) year round. Specifically, this resolution makes the following legislative findings:

- 1) Daylight saving time was a widely used 20th century energy reduction tool that can be expanded to meet 21st century energy shortages.
- 2) Although neither standard time nor daylight saving time produces much energy reduction for the coldest states during the more frigid months of the year, California enjoys a temperate climate that would afford greater reductions in energy use by utilizing a year-round daylight saving time plan.
- 3) The federal Uniform Time Act of 1966 allows states to decline application of daylight saving time and provides states with the option of practicing standard time year round, but does not allow states to practice daylight saving time year round.
- 4) By applying daylight saving time uniformly, the state could avoid any inconsistencies in time application that would otherwise impact and confuse the broadcasting, rail, airline, and motor coach industries.
- 5) In House of Representatives Report No. 99-185 from the Committee on Energy and Commerce, numerous benefits are listed in support of the extension of daylight saving time, including significant energy conservation, improved traffic safety, reduction in crime, economic growth, and overwhelming public support.
- 6) The state would greatly benefit from having the option of extending daylight saving time year round.

EXISTING LAW:

- 1) Federal law establishes the standard time of the United States for each of 9 zones and advances the standard time of each zone by one hour during the period commencing at 2 a.m. on the 2nd Sunday of March of each year and ending at 2 a.m. on the first Sunday of November of each year.
- 2) The Daylight Saving Time Act, which was adopted as an initiative measure by the voters at the November 8, 1949, special election, provides that the standard time within the state is that which is known, described, and designated by federal law as United States Standard Pacific Time.

- 3) Requires, from 1 a.m. on the last Sunday of April, until 2 a.m. on the last Sunday of October, the standard time within the state to be one hour in advance of United States Standard Pacific Time.

FISCAL EFFECT: Unknown

COMMENTS:

Purpose of Bill: According to the author, switching our clocks to observe daylight saving time twice a year is an outdated practice that is hazardous to our health and well-being and it is time to end it. While opting to stay on standard time year round is one solution to this problem, there are number of advantages to staying on permanent daylight saving time that make it a more attractive option. Permanent daylight saving time would result in a reduction in traffic accidents and robberies, offer net energy savings and could potentially provide a great boon to the tourism industry and local businesses. Ultimately, it should be up to the voters to decide whether or not to observe permanent daylight saving time. However, under federal law, states only have the option of opting for standard time. AJR 28 would urge Congress to enact legislation to allow states to observe daylight saving time permanently and give the voters the power to decide.

Background: DST has been used in the U.S. and in many European countries since World War I. At that time, in an effort to conserve fuel needed to produce electric power, Germany and Austria took time by the forelock, and began saving daylight at 11:00 p.m. on April 30, 1916, by advancing the hands of the clock one hour until the following October. Other countries immediately adopted this 1916 action: Belgium, Denmark, France, Italy, Luxembourg, Netherlands, Norway, Portugal, Sweden, Turkey, and Tasmania. Nova Scotia and Manitoba adopted it as well, with Britain following suit three weeks later, on May 21, 1916. In 1917, Australia and Newfoundland began saving daylight.

The plan was not formally adopted in the U.S. until 1918. An Act to preserve daylight and provide standard time for the United States was enacted on March 19, 1918. It both established standard time zones and set summer DST to begin on March 31, 1918. DST was observed for seven months in 1918 and 1919. After the War ended, the law proved so unpopular (mostly because people rose earlier and went to bed earlier than people do today) that it was repealed in 1919 with a Congressional override of President Wilson's veto. DST became a local option, and was continued in a few states, such as Massachusetts and Rhode Island, and in some cities, such as New York, Philadelphia, and Chicago.

During World War II, President Franklin Roosevelt instituted year-round DST, called "War Time," from February 9, 1942 to September 30, 1945. From 1945 to 1966, there was no federal law regarding DST, so states and localities were free to choose whether or not to observe DST and could choose when it began and ended. This understandably caused confusion, especially for the broadcasting industry, as well as for railways, airlines, and bus companies. Because of the different local customs and laws, radio and TV stations and the transportation companies had to publish new schedules every time a state or town began or ended DST.

In the early 1960s, observance of DST was quite inconsistent, with a hodgepodge of time observances, and no agreement about when to change clocks. The Interstate Commerce Commission, the nation's timekeeper, was immobilized, and the matter remained deadlocked. Many business interests were supportive of standardization, although it became a bitter fight

between the indoor and outdoor theater industries. The farmers, however, were opposed to such uniformity. State and local governments were a mixed bag, depending on local conditions.

The Uniform Act (Federal Law): By 1966, some 100 million Americans were observing DST based on their local laws and customs. Congress decided to step in and end the confusion, and to establish one pattern across the country. The Uniform Time Act of 1966 (15 U.S. Code Section 260a), signed into law on April 12, 1966, by President Lyndon Johnson, created DST to begin on the last Sunday of April and to end on the last Sunday of October. Any State that wanted to be exempt from DST could do so by passing a state law – only Arizona and Hawaii have done so. The Federal Law does not, however, give states the option to remain on DST year round.

The Uniform Time Act of 1966 established a system of uniform (within each time zone) DST throughout the U.S. and its possessions, exempting only those states in which the legislatures voted to keep the entire state on standard time.

In 1972, Congress revised the law to provide that, if a state was in two or more time zones, the state could exempt the part of the state that was in one time zone while providing that the part of the state in a different time zone would observe DST. The Federal law was amended in 1986 to begin DST on the first Sunday in April.

Under legislation enacted in 1986, DST in the U.S. began at 2:00 a.m. on the first Sunday of April and ended at 2:00 a.m. on the last Sunday of October.

The Energy Policy Act of 2005 extended DST in the U.S. beginning in 2007, though Congress retained the right to revert to the 1986 law should the change prove unpopular or if energy savings are not significant. Going from 2007 forward, DST in the U.S. begins at 2:00 a.m. on the second Sunday of March and ends at 2:00 a.m. on the first Sunday of November.

The Daylight Saving Time Act: California voters passed Proposition 12 in 1949, approving DST in the state, and that the standard time within the state is that which is known, described, and designated by federal law as United States Standard Pacific Time. The act also requires, from 1 a.m. on the last Sunday of April, until 2 a.m. on the last Sunday of October, the standard time within the state to be one hour in advance of United States Standard Pacific Time, which is consistent with the federal law enacted in 1966 and 1986. However, as stated above, the Energy Policy Act of 2005 extended DST in the U.S. beginning in 2007. Since then, California has begun DST at 2:00 a.m. on the second Sunday of March and ended at 2:00 a.m. on the first Sunday of November. Should congress act and enact legislation that would allow a state to adopt DST year round, the change would have to be approved by California voters.

Double referral: Should AB 2202 pass the Assembly Committee on Governmental Organization on Wednesday, April 6, 2016, this bill will be referred to the Assembly Committee on Public Safety for further consideration.

Prior/Related legislation: AB 2496 (Chu) of 2015 /2016 Session. Would declare the intent of the Legislature to enact legislation to establish United States Standard Pacific Time as the standard time within the state during the entire year. (Introduced 2/19/16)

AJR 56 (Longville), Statutes of 2000, Res. Chapter 127. Memorializes the President and the Congress to enact legislation to allow states the opportunity to choose year-round daylight saving time, in addition to standard time or the current system of “traditional” daylight saving time.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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