

1940

DAYLIGHT SAVING

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<p>5 DAYLIGHT SAVING. Initiative Act. Provides Daylight Saving Time as standard time in California between last Sunday in April and last Sunday in September annually. Declares purpose of Act to provide maximum utilization of daylight hours. Fixes standard time for remainder of year as United States Standard Pacific Time; designates Daylight Saving Time as one hour in advance thereof. Declares that in all laws, orders, decrees, regulations, concerning performance of public or other specified acts, accrual or determination of rights, and in public institutions, contracts and choses in action, the time shall be as provided in Act. Repeals conflicting legislation.</p>	YES
	NO

(For full text of measure, see page 4, Part II)

Argument in Favor of Initiative Proposition No. 5

Daylight Saving for more than one-third the people of the United States has:

1. Provided the average citizen with sunlight for his leisure hours.
2. Increased general health.
3. Created time for amusements and recreation.
4. Increased business.
5. Helped the working man and woman.
6. Increased industrial efficiency.
7. Reduced industrial and traffic accidents.

The people of California can have these benefits if they will vote "YES" on Proposition No. 5.

California has a maximum of two hours of daylight between 5:30 and sundown in summer. DAYLIGHT SAVING will augment this to three hours, providing the working Californian with an extra hour of sunlight after he leaves his office, factory, or shop.

California needs DAYLIGHT SAVING even more than the Eastern and Northern states that have already adopted it. Summer evenings are an hour shorter here than in northern latitudes. Store, office, and factory workers, leaving their place of employment normally at 5:30, have only two hours of daylight for such favorite outdoor recreations as sports, motoring or gardening. The famed California sunshine is thus fully available only to the leisured few. Daylight Saving would give a fair share of it to the persons whose birthright it is; the working population of the State; the citizens; the taxpayers.

DAYLIGHT SAVING is not an experiment. It has been thoroughly tried out over nearly a quarter of a century. At present, nearly fifty million persons (more than one-third the population of the country) live under DAYLIGHT SAVING provisions every summer. Its success in actual practice has led to its steady expansion at the rate of 15 per cent annually the last few years. States that have adopted Daylight Saving or where it is observed practically by every city and village (New York, New Jersey, Connecticut, Massachusetts, New Hampshire, Rhode Island), and cities of Maine,

Pennsylvania, Vermont, Illinois, Indiana, Delaware, Georgia, and Idaho—are overwhelmingly in favor of its retention and continuation. Every large city in the East has it. New York, Boston, Philadelphia, Chicago, Pittsburgh, Cleveland, Detroit are among the many large metropolitan centers enjoying the extra hour of sunshine each summer. Ohio and Michigan have adopted Daylight Saving the year around.

Employers as well as workers favor daylight saving. Shift of the greater part of the working day to the cool hours has made for greater efficiency among workers, better health, less accidents, better returns, increased efficiency.

Conduct of business on daylight saving schedule will likewise be of benefit to tourists, and will stimulate tourist trade.

DAYLIGHT SAVING has everywhere brought about a business upswing. Where people spend more leisure by daylight they also spend more money. Cities under daylight saving uniformly report better summer business following its adoption.

Opposition to DAYLIGHT SAVING has disappeared under the test of experience. When it was first proposed, opposition appeared among motion picture theaters, power companies, farming interests, and labor. In places where DAYLIGHT SAVING has been adopted, these very groups have become its supporters, acknowledging that they are among its chief beneficiaries.

Vote "YES" on Proposition No. 5.

**CALIFORNIA DAYLIGHT SAVING
LEAGUE,
ALYN M. SUFFENS,
Secretary.**

Argument Against Initiative Proposition No. 5

**CALIFORNIA'S ALL RIGHT—VOTE "NO"
ON DAYLIGHT SAVING!**

A so-called "Daylight Saving" Act was submitted to the voters of our State in 1930, and was overwhelmingly defeated in every county. Also our Legislature five times has voted down. People do not want it; only a few

cial interests do. There is no such thing as "Daylight Saving." There are only 24 hours each day, and to say that you can add an hour is absurd. All it does is to compel you to get up one hour earlier. Daylight can not be saved like money. If California adopts "Daylight Saving" it will be out of step with over 97% of the area in our country.

There is no "Daylight Saving" law west of the Mississippi. Nevada, Washington and Colorado have defeated "Daylight Saving" recently.

LABOR is opposed to "Daylight Saving" because it prolongs working hours and decreases the number employed. It forces laboring people to begin an hour earlier in the morning; and it reduces the pay roll of the State.

THE FARMER is opposed to "Daylight Saving." It is a blow to his well-being. He can only function under Nature's law, and should he be forced to obey a "Daylight Saving" law he will find everything is working against him. While the dew is on the grass he must wait until the sun dries his fields before he and his men can begin their daily work. His cows know nothing of "Daylight Saving" and give milk by Nature's laws. Delivery of milk and farm products would be demoralized. The farmers of California are so important that the voters should do nothing to injure them.

THE HOUSEWIFE is opposed to "Daylight Saving." The feeding schedule of her children would become disarranged; she would have to lead her children to school and church an hour earlier; she would be compelled to labor hardest in the hottest hours of the day; and to put her children to bed while the sun is still shining. Her whole schedule would be upset.

THE RAILROADS are opposed to "Daylight Saving." The confusion in schedules would work a hardship on every traveler and shipper. The railroads never change from Standard Time.

RESTAURANTS AND HOTEL MEN are opposed to "Daylight Saving." The confusion would demoralize any attempt to accommodate tourists arriving on Standard Time.

CATHOLIC, PROTESTANT AND JEWISH CHURCHES are opposed to "Daylight Saving" because earlier hours of attendance interferes with both morning and evening services.

THE MOTION PICTURE INDUSTRY is opposed to "Daylight Saving" because it col-

lects its revenue from theaters, and statistics show that "Daylight Saving" reduces the revenue of theaters from 20% to 35%. Such a disastrous blow should not be inflicted on this important industry which employs over 100,000 people.

Because of the great damage that will be done to all California people, with no gain except to a few special interests, this measure should be defeated as overwhelmingly as it was in 1930.

California has progressed faster than any other State in the Union WITHOUT "DAYLIGHT SAVING." Then why change?

VOTE "NO" ON "DAYLIGHT SAVING"!

KEEP CALIFORNIA NORMAL!

THOMAS A. MALONEY,
Member of the Assembly,
Twentieth District, San Francisco County,
San Francisco, California.

C. J. HAGGERTY,
President, California State Federation of
Labor,
Los Angeles, California.

GORDON H. GARLAND,
Speaker and Member of the Assembly,
Thirty-eighth District, Tulare and Kings
Counties,
Woodlake, California.

MRS. THOMAS H. RICHARDS,
President, California State Federation of
Women's Clubs,
Chico, California.

DR. JAMES WHITCOMB BROUGHER,
JR.,
Pastor, First Baptist Church,
Glendale, California.

R. H. TAYLOR,
Executive Secretary, Agricultural Council
of California,
Sacramento, California.

MRS. LEILAND ATHERTON IRISH,
Clubwoman and General Manager, South-
ern California Symphony Association,
Hollywood, California.

the Constitution of said State be amended as follows:

(This proposed amendment expressly repeals an existing section of and adds a new section to the Constitution; therefore, EXISTING PROVISIONS proposed to be REPEALED are printed in STRIKE-OUT TYPE; and NEW PROVISIONS proposed to be INSERTED are printed in BLACK-FACED TYPE.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

First. That section 4 of Article V be repealed.

~~Sec. 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both Houses~~

~~of the Legislature. The person having the highest number of votes shall be Governor; but, in case any two or more have an equal and the highest number of votes, the Legislature shall, by joint vote of both Houses, choose one of such persons so having an equal and the highest number of votes for Governor.~~

~~Second. That a new section, to be numbered 4.5, be added to Article V, to read as follows:~~

~~Sec. 4.5. The Legislature may regulate by law the manner of making returns of elections for Governor and Lieutenant Governor.~~

The legislation enacted at the Fifty-third Session of the Legislature regulating the manner of making returns of elections for Governor and Lieutenant Governor is hereby ratified and validated, and it shall have the same force and effect as if it had been passed after the adoption of this provision of the Constitution.

5 DAYLIGHT SAVING. Initiative Act. Provides Daylight Saving Time as standard time in California between last Sunday in April and last Sunday in September annually. Declares purpose of Act to provide maximum utilization of daylight hours. Fixes standard time for remainder of year as United States Standard Pacific Time; designates Daylight Saving Time as one hour in advance thereof. Declares that in all laws, orders, decrees, regulations, concerning performance of public or other specified acts, accrual or determination of rights, and in public institutions, contracts and choses in action, the time shall be as provided in Act. Repeals conflicting legislation.

YES	
NO	

Sufficient qualified electors of the State of California have presented to the Secretary of State a petition and request that the proposed law hereinafter set forth be submitted to the people of the State of California for their approval or rejection, at the next ensuing general election. The proposed law is as follows:

(This proposed law does not expressly amend any existing law; therefore, the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

PROPOSED LAW.

An act providing that standard time in California between last Sunday in April and last Sunday in September annually shall be Daylight Saving Time, and for the remainder of the year, United States Standard Pacific Time; declaring purpose of act to provide maximum utilization of daylight hours; designating Daylight Saving Time as one hour in advance of Standard Pacific Time; declaring that in all laws, orders, decrees, regulations, relative to performance of public or other designated acts, accrual or determination of rights, and in public institutions, contracts, choses in action, the time shall be as in act; repealing conflicting legislation.

[Four]

The People of the State of California do enact as follows:

Section 1. The purpose of this act is to provide for maximum utilization of the daylight hours during which sunshine adds to the pleasure of sports and out-of-doors activity, inviting the young and old alike to engage in health-building recreations and to enjoy to the utmost the innumerable beaches, parks, playgrounds and other recreational and amusement facilities within the state.

It is hereby declared to be the public policy of this state to so arrange the hours during which the sun shines as to promote the fullest enjoyment by the people of the gifts which nature has so generously bestowed upon this state. Pursuant to said policy this Act provides for a more advantageous time arrangement during certain months of the year by deviation from the schedule of the United States Standard Pacific Time.

Sec. 2. This Act shall be known and may be cited as the "Daylight Saving Time Act."

Sec. 3. The standard time within the state, except as hereinafter provided, shall be based on the mean astronomical time of the degree of longitude governing the zone wherein this state is situated, the standard official time of which is known, described and designated by the federal statutes as "United States Standard Pacific Time."

Sec. 4. At two o'clock ante-meridian of the last Sunday in April of each year, the standard time in state shall be advanced one hour, and at two o'clock ante-meridian of the last Sunday in September of each year the standard time in this state shall, by the retarding of one hour, be made to coincide with the astronomical time hereinbefore described as United States Standard Pacific Time, so that between the last Sunday in April at two o'clock ante-meridian and the last Sunday in September at two o'clock ante-meridian in each year the standard time in this state shall be one hour in advance of the United States Standard Pacific Time.

Sec. 5. In all laws, statutes, orders, decrees, rules and regulations relating to the time of performance

of any act by any officer or department of this state, or of any county, city and county, city, town or district thereof, or relating to the time in which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of this state, and in all the public schools and in all other institutions of this state, or of any county, city and county, city, town or district thereof, and in all contracts or choses in action made or to be performed in this state, the time shall be as set forth in this Act and it shall be so understood and intended.

Sec. 6. All acts and parts of acts inconsistent or conflicting with this Act are hereby repealed.

<p>COURT REVIEW OF ACTS OF ADMINISTRATIVE OFFICERS, BOARDS AND COMMISSIONS. Senate Constitutional Amendment 9. Adds section 5a to Article VI of Constitution. Empowers Legislature to provide methods for superior court review of rulings of administrative officers, boards and commissions. Declares superior court determination subject to appeal. Declares amendment shall not limit the jurisdiction of courts or the power to provide for review of rulings of Railroad Commission.</p>	YES	
	NO	

YES	
NO	

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 5a to Article VI thereof, relating to the judicial review of orders, decisions and determinations of administrative officers, boards or commissions.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its Fifty-third Session commencing on the second day of January, 1939, two-thirds of all members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 5a be added to Article VI of the Constitution, to read as follows:

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 5a. The superior court shall also have jurisdiction to review by writ, trial de novo, or other means, to the extent and in the manner as may be provided by the Legislature, generally or specially, any order, decision, or determination of any administrative officer, board or commission. Any determination by the superior court on such review shall be subject to appeal in such manner as is now or may hereafter be provided in civil cases. Nothing contained in this section shall in any way limit the jurisdiction conferred upon the Supreme Court, district courts of appeal, or superior court by this Constitution or authorized by this Constitution to be conferred upon such courts by the Legislature, nor shall this section be a limitation on the power to provide for a review of orders, decisions or determinations of the Railroad Commission.