The Times, June 30, 1983, p. 13 col. 1-6

Bill to stiffen DWI penalties OK'd by Senate

Baton Rouge (AP) — A bill to make it harder for anyone in a DWI case to get a hardship driver's license was approved 34-11 Wednesday by the Senate.

The Senate also gave final legislative approval to a bill aimed at upgrading public universities through endowment programs.

Senators on a 36-0 vote, rejected House changes to a second bill that would set up a special endowment at Louisiana State University-Baton Rouge.

The DWI measure by Rep. Richard Baker, Baton Rouge, went back to the House for concurrence on Senate committee amendments.

Some senators criticized the bill as "overkill" and a form of double jeopardy.

But Sen. William Jefferson, D-New Orleans, argued that the bill eliminates "what some people say is a loophole" in the present law and sets guidelines for the Department of Public Safety in granting and suspending licenses and granting hardship licenses.

He said that under the bill, a person couldn't get a hardship license for six months if he was involved in a DWI accident that resulted in a fatality or serious injury, and refused to take a blood alcohol content test.

The measure would take away the right to refuse a blood alcohol test after an accident that caused a fatality or serious injury.

The driver could ask for a hearing to get a hardship license, but unless a hearing is requested, the driver could lose his license for 90 days if he submitted to the blood alcohol test and was convicted of DWI.

If a driver refuses the test, his license would be suspended for six months.

A second refusal in a DWI case would carry a 545-day license revocation.

The bill calls for the Department of Public Safety to develop a plan by Jan. 1 to provide for prompt hearings if the driver wants to appeal the license suspension or revocation.

Sen. John Saunders, D-Pine Prairie, argued against the bill, saying the tough DWI laws that took effect last year have reduced drunken driving and that the need for more penalties "is being overblown." He added, "I think this bill is terribly, terribly close to overkill." He said: "Under this bill, the state gets two shots at you. One should be enough."

The two university endowment measures by Sen. Tony Guarisco, D-Morgan City, were approved Tuesday by the House.

Guarisco asked the Senate to reject the second bill because of House committee amendments. The amendments were rejected, sending the bill to a House Senate conference committee.

The key change, made by the House Education Committee, would expand the special endowment for excellence to include all state schools.

As proposed by Guarisco and approved by the Senate, the special program would apply only to LSU-Baton Rouge, and would set aside $2 million each year.

As amended by the House, the state would dedicate $4 million annually from mineral lease and bonus money to a trust fund with the investment earnings going to the Louisiana Higher Education Endowment for Excellence.

The endowment would support activities such as special professorships, scholarly research and bring gifted graduate students to Louisiana universities.

The Board of Regents would decide where to spend the money.

Guarisco's reasoning for selecting only LSU was that it should be "punished" for financial mismanagement.

He said it was the only one capable of handling such a special program.

Another endowment bill approved 34-0 by the Senate and sent to the governor would set up a Louisiana endowment trust fund for scholars, with the state's comprehensive university for money raised by schools.

A school would have to raise $600,000 before the state would provide its match share.