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SUNDAY, NOV 5, 2000 10:54 AM PST

Bush avoided rehab after DUI

A former state official calls it "unusual" that the Texas governor received a waiver from the program.

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A former speaker of the Maine House of Representatives raised questions today over whether a law requiring those arrested for driving under the influence of alcohol to attend a rehabilitation program should have been waived in 1978 for George W. Bush.

(/directory/topics/george_w_bush/)

The law, which passed the Maine Legislature in the summer of 1975 and took effect on Oct. 1 of that year, specifically required first-time offenders arrested for DUI to attend rehab. The one exception to this requirement would be granted if, after two months, the offender petitioned

the secretary of state for a hearing, after which the secretary of state "determined that the

public safety [would] not be endangered by issuing a new license or restoration of right to operate," according to the law.

Bush, however, waited more than a year and a half after his DUI arrest — until 1978 — to petition for the waiver. Bush said he couldn't take the required rehabilitation class because he lived in Midland, Texas. The secretary of state's hearing examiner, David Schulz, granted Bush his driving privileges after Bush told him, according to the Boston Globe, (http://www.boston.com/dailyglobe2/309/nation/Bush_downplayed_drinkingP.shtml) that he had had only the "occasional beer."

But state Rep. John Martin, a Democrat, who has served in the House since 1964 and was House speaker from 1975 until 1994, said the law was passed because "we felt that if someone was convicted of DUI it was appropriate that he go through a training program or a rehabilitation program. Its unusual that they would waive it. They normally would require people to go through the program."

That Bush lived in Texas should not have affected the waiver, Martin said. "Normally, they would find [a program] in their home state or a counselor to sign off," he said. "That's the way the law works."

What makes this waiver notable is that Bush has admitted to developing an eventual drinking problem that, by 1986, "was beginning to compete for my affections for my wife and my family."

Schulz told Salon that while rehabilitation classes were the norm, a "loophole did exist at the time" that would allow Bush to petition to get his driving privileges back without attending any classes. "He said that he drank approximately once a month," Schulz said. "The purpose of [a July 1978] proceeding was to determine whether there was a threat to highway safety in putting this individual on course. Based on his relatively low blood-alcohol level and what he told me, I concluded there was no danger."

Asked if he regretted his decision, Schulz said, "I could only go by the evidence in front of me." Rebecca Wyke, Maine's chief deputy secretary of state, said, "Mr. Schulz's actions as a hearing officer were within what the law allowed." She "couldn't speak to whether it was unusual at the time" to waive the rehabilitation requirement.

Bush has acknowledged that he was a heavy partygoer while in the DKE fraternity at Yale, (</directory/topics/yale/>) from which he graduated in 1968; some of his friends have even likened him to the John Belushi character from the movie "Animal House." And a story about his driving drunk in 1973, slamming his Chevy through a neighbor's garbage cans and famously challenging his angry father to go "mano a mano" when confronted has been often repeated.

This was, of course, a period of Bush's life when he was veering toward the straight and narrow. He was running for Congress and getting married to his lovely young wife Laura

He was running for congress, and getting married to his lovely young wife, Laura.

However, toward the end of his losing the 1978 congressional race, Bush's campaign held a free-beer "Bush bash" that immediately aroused his opponent's attention. As Bill Minutaglio writes in "First Son: George W. Bush and the Bush Family Dynasty," "it was no secret in Midland that Bush enjoyed drinking, that he had once gotten up on stage with Willie Nelson."

Bush spokesman Dan Bartlett insisted that there was nothing contradictory about Bush's claims to his hearing examiner and his subsequent acknowledgments of a hard-drinking past.

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Jake Tapper is the senior White House correspondent for ABC News.

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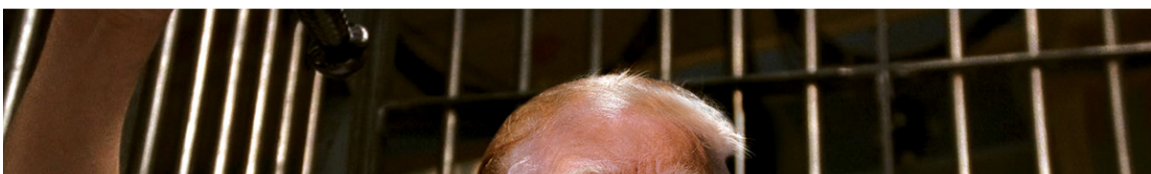
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