

## Meal, tickets not reported

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Schmidt among lawmakers who attended Bengals game

COLUMBUS - Three Cincinnati-area GOP lawmakers were treated last fall to dinner at Nicola's Ristorante in Over-the-Rhine and then luxury seats at the Bengals Monday Night Football game - but they failed to report the gifts.

The \$300 seats to the nationally televised game were provided by a California biotech company, Chiron Corp., which was lobbying legislators to create a cystic fibrosis task force.

One month after the outing, legislators passed a bill that did just that.

Chiron's Columbus lobbyist, Richard B. Colby, said the mistake is his. He said he forgot to renew his state registration and was distracted by his wife's and 6-year-old daughter's ongoing cancer treatments.

"I filed late, and I just didn't get back to people," Colby said Friday. "I goofed up."

The tickets went to then-Rep. Jean Schmidt, now a candidate for the 2nd Congressional District; Rep. Jim Raussen, Springdale; and Michelle G. Schneider, Madeira.

According to Schmidt's campaign aides, the congressional candidate from Loveland didn't know the luxury seats that she and her daughter sat in during the win over the Denver Broncos were worth more than \$75, the limit at which she must report them on financial-disclosure statements. So Schmidt didn't disclose the fact on her final statement filed in April.

"Jean specifically asked if this was a reportable gift," said Fritz Wenzel, a Schmidt campaign spokesman. "We immediately corrected it by paying the full price of the tickets." The campaign provided a check showing Schmidt repaid Colby \$644 for two tickets and a meal; she sent the check in the last few weeks after Colby told her he should have reported the outing.

Schmidt did not return calls for comment.

Her aides' excuses don't fly for Paul Hackett, her Democratic opponent in a race for the vacant congressional seat. Hackett, a Marine who served in Iraq last fall, said he was heading toward Fallujah the day after the Oct. 25 Monday Night Football game.

"What will she do in Washington when she's around real big money?" Hackett asked Friday. "It's unacceptable. It is representative of what is bad in politics."

Legislative Inspector General Tony W. Bledsoe said he can't legally investigate Schmidt because she has left state office.

"I have to look at the members who didn't report," Bledsoe said Friday, promising to investigate further. He is responsible for registering state lobbyists and making sure that they and any legislators report gifts.

Bledsoe said they should have reported any gift worth more than \$75 on their annual financial-disclosure statements in April. The first-degree misdemeanor is punishable by a fine of \$1,000 and up to six months in jail.

The Cincinnati lawmakers said they thought the tickets were gifts from former Bengals quarterback Boomer Esiason, not lobbyists.

"Here we have a (lobbyist) who was extremely sloppy," Raussen said. "We try to report as much as we are required to report. We get invited to everything under the sun over a calendar year, and we report as much as we can report on."

Another lawmaker, Sen. Jay Hottinger, R-Newark, disclosed the ticket and a football autographed by Esiason on his April report.

Chiron develops products to fight cancer and other diseases, including cystic fibrosis. Chiron bought a block of luxury box seats from Esiason, whose son has cystic fibrosis, Colby said.

Before the game, Esiason met at the Cincinnati Hotel with the lawmakers and Cincinnati Children's Hospital Medical Center representatives. They talked about the importance of the state Bureau for Children with Medical Handicaps and the need to pass Senate Bill 250.

Senate Bill 250 created the task force, one of whose jobs was to protect state funding for cystic fibrosis treatment and studies. The bill also designated May as Ohio Cystic Fibrosis Awareness Month.

The task force, among other things, will make recommendations on the care and treatment of individuals with cystic fibrosis.

It passed the House Nov. 30 with the Senate concurring Dec. 8, 2004. A sixth state lawmaker, Sen. Patricia Clancy, R-Colerain Township, attended the dinner but not the football game, so was not required to file a report.

Bledsoe said he expects the bipartisan Joint Legislative Ethics Committee to decide whether the lawmakers intentionally failed to report the event. The committee could issue censures, impose fines or forward the case to the Franklin County prosecutor.

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