

Legislators come forth Case spurs stories

By David Shoemaker
and Brian Leaf

Wisconsin State Journal

State legislators have stepped forward with stories about accepting drinks, meals, trips, hotel rooms and football tickets — all subjects of a widening probe of potentially illegal behavior by state officials and lobbyists.

Acknowledging questions about their activities were Sen. Jerome Van Sistine, D-Green Bay; Sen. Richard Kreul, R-Fennimore; Sen. Marvin Rosshell, D-Chippewa Falls; Sen. John Plewa, D-Milwaukee, and former Rep. John Robinson, D-Wausau.

Van Sistine told reporters he and his wife received two nights lodging in a Los Angeles hotel as a wedding gift from the wife of top Capitol lobbyist Gary Goyke, the prime subject of the lobbying probe.

A Madison lobby watchdog also reported Goyke's wife, Nancy Rottier, made nearly \$4,400 in contributions to legislators during the past three years. Though legal, the contributions are typical of the indirect means lobbyists use to try to influence legislation, said William Hauda of Common Cause in Wisconsin.

Van Sistine also said he arranged for legislators to get free Green Bay Packer football tickets, some in luxury seats.

Kreul acknowledged he and his wife took a weekend in Green Bay and he doesn't know who paid for his hotel room or football tickets.

It is a violation of the state Ethics Code, punishable by a fine of up to \$5,000, for a legislator to accept anything of value if the item is given because of the person's position as a public official.

The law is written to allow routine wedding or other gifts by friends or others so long as the activity is unrelated to state business, said Jaclyn Seigel, assistant to the executive director of the state Ethics Board.

Meanwhile, as state and federal officials continued preliminary investigations, a Milwaukee County circuit judge said she would not stop publication of a Milwaukee Magazine article said to detail questionable lobbying practices in the state Capitol. Details on 1B.

In Madison, representatives from the FBI and the Wisconsin Justice Department met Thursday with a lawyer for Brenda Gail Shuman, the former Goyke assistant who is thought to be the source of information for the Milwaukee Magazine article. The article is written by free-lance reporter Paul A. Rix, a former Wisconsin State Journal reporter.

Goyke obtained a court order in Chicago to force Shuman to turn over records he said she took from his office. But Shuman was ordered by a subpoena from U.S. Attorney Patrick Fiedler to surrender the documents to a federal grand jury that met Wednesday in Madison.

Shuman's Madison lawyer, Daniel Mathews, said Thursday he has advised his client not to say anything about the investigation of Goyke unless she is ordered to speak by a court order.

Mathews said he could not comment on Thursday's meeting with state and federal investigators because it surrounds a federal grand jury investigation. Such investigations are secret.

Second thoughts about the investigations and the pending Milwaukee Magazine article prompted at least Robinson — elected mayor of Wausau in April — to admit taking a trip from a company registered to lobby in the state.

Robinson, former chairman of the Assembly Health Committee, said he accepted the trip for his family to the Chicago area from Pfizer Inc., a drug company.

At the time he accepted the trip to speak at a conference Pfizer was sponsoring, he did not know the company was registered as a lobbying organization in Wisconsin, Robinson said.

"My son is I didn't report the trip," Robinson said. "I thought I had, but somehow it never got there." Robinson said he reimbursed Pfizer the \$276 it spent to fly his family to Chicago.

"I made a mistake," he said. "Looking back, I clearly exercised poor judgment."

Several legislators said they had been interviewed by Rix about attending the game between

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the Packers and the Chicago Bears on Nov. 8, 1987.

All denied that they had received tickets, dinners, drinks or hotel rooms from Goyke, who also attended the game.

Van Sistine, who said he often gets requests for help in finding Packers tickets, said Goyke had a tailgate party near Lambeau Field adjacent to an annual party thrown by Van Sistine.

"Everything I've done with Gary Goyke has been on the up and up," Van Sistine said.

When asked by fellow legislators for help in finding tickets, Van Sistine said he calls around to Green Bay businesses who rent luxury boxes at the stadium to find out if they have open seats.

Van Sistine said he does not pay for those seats, although he often does have to pay — and expects reimbursement — when arranging other seats in the stadium.

"I don't see anything wrong with it," he said.

Something would be wrong, according to state law, if the free seats are provided because the people are legislators.

It would be acceptable for a legislator to attend as a guest of a friend. Sen. Joseph Andrea, D-Kenosha, said he attended the Packers-Bears games with friends from Milwaukee. "I know he (Goyke) was up there that day but he sure as hell didn't cover my seats," Andrea said. He added he paid for his own room the night before at a Holiday Inn.

Kreul, the Fennimore Republican, said he and his wife stayed at the Embassy Suites on Saturday night and attended the game.

At the time, he said he understood he was Van Sistine's guest.

Van Sistine said he arranged the free tickets for Kreul, but that he did not pay for any hotel rooms.

Kreul said he had "no idea who paid for the room" if Van Sistine did not. While saying he had not been contacted by state investigators regarding the incident, Kreul acknowledged it was "a definite possibility" he had violated state law in accepting the room.

Kreul said he had few dealings with Goyke, but he "always felt he was a pretty clean guy." He acknowledged that Republicans may be feeding rumors of the lobbying activities in attempts to embarrass Democrats during an election year. Goyke, a former Democratic state senator, has said he deals primarily with Democrats in his lobbying efforts.

Also attending the game were Sen. Majority Leader Joseph Strohl, D-Racine; Sen. Gary George, D-Milwaukee, co-chairman of the Joint Finance Committee; and Rosshell, the Chippewa Falls Democrat. Strohl and Rosshell said they did not stay the night in Green Bay. They said their tickets were provided by Van Sistine. An aide to George said his ticket was also provided by Van Sistine. George could not be reached for comment.

Rosshell said he has also been questioned about drinks paid for by people working with Goyke.

While in Madison, Rosshell said he frequents the private Madison Club.

"I buy a round (of drinks), then somebody else buys a round. I'm not going to play detective and find out where it came from," Rosshell said, adding, "A drunk isn't going to buy my vote."

Van Sistine also acknowledged he and his wife accepted two nights of free lodging in a Los Angeles hotel as a 1986 wedding gift from Rottier, Goyke's wife.

Rottier, a former legislative aide, works for the Wisconsin Academy of Trial Lawyers.

The Capital Times reported the

Van Sistentes received a gift card and lodging certificates after Van Sistine told Goyke, a longtime friend, that he could not accept a gift because Goyke was a lobbyist.

Van Sistine told the Milwaukee Sentinel he viewed the lodging as a wedding gift from Rottier, whom he had known for more than 10 years.

"I don't think anyone would think that this was improper," Van Sistine said.

Wisconsin law prohibits lobbyists from providing anything of value to public officials and it prohibits public officials from accepting them.

Rottier could not be reached for comment.

Common Cause of Wisconsin said Thursday that Rottier has contributed \$4,390 to the campaigns of 33 current legislators during the past three years.

"This is one of the ways lobbyists routinely circumvent the state law prohibiting them from making campaign contributions during (the legislative) session," said Hauda, director of the citizen watchdog group. "They get their spouses to write out checks, then carry them to fundraisers."

According to Hauda, legislators who received the most money from Rottier are Rep. Dale Schultz, R-Hillpoint, \$430; Plewa, D-Milwaukee, \$390; Rep. David Travis, D-Madison, \$350; and Rep. Thomas Hauke, D-West Allis, \$250.

Four other legislators — Rep. Timothy Carpenter, D-Milwaukee; Rep. Richard Shoemaker, D-Menomonie; Rosshell, and Robinson — each received \$300. Common Cause said.

Lobbyists are allowed to contribute money to campaigns only during election years and only between June 1 and the election. Hauda said his group has been studying campaign contributions made by the spouses of Wisconsin lobbyists.

In a story in Thursday's Milwaukee Journal, Plewa, the Milwaukee Democrat, acknowledged having lunch with Goyke and others on April 21, 1986. The \$85.90 meal for four was billed to Pfizer Inc., the same drug company that paid for Robinson's trip.

Plewa said that at the time he thought it was proper for Pfizer's Thomas Norton to pay the bill because he did not know Norton was a registered lobbyist.

The Associated Press contributed to this report

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Drug firm checks into expenses

Records of lobbying being reviewed

By JAMES ROWEN
of The Journal staff

After hearing rumors this week of improper activities by lobbyists and legislators in Madison, a New York pharmaceutical firm began an internal investigation of its own activities in the Wisconsin capital.

Officials of the company, Pfizer Inc., said Wednesday they were trying to determine whether Pfizer had paid for lobbying expenses prohibited by Wisconsin law.

Among expenses Pfizer said it would look into is an \$85.90 meal the company paid for at a Milwaukee restaurant in 1986.

State records show that the meal was attended by State Sen. John Plewa (D-Milwaukee), State Rep. Joe Wimmer (R-Waukesha) and two lobbyists for Pfizer, including Gary Goyke, the former state senator who is at the center of the developing controversy.

Plewa confirms having attended; Wimmer flatly denies that he was there.

State statutes prohibit lobbyists or their clients from furnishing items of value, such as meals and entertainment, to state officials. The law's intent is to prevent influence-peddling or the buying of legislation by lobbyists or their clients.

"We're scrambling to find documents and react in a responsible way," said John Kilbourne, a corporate counsel at Pfizer's offices in New York City. "Clearly, Pfizer has never had the intention to violate states' lobbying laws. That would be a foolish thing to do."

The meal payment sheds some light on prohibited lobbying practices now under investigation by state and federal officials in Madison. The investigations were unveiled after legal steps taken Tuesday in Milwaukee and Chicago by Goyke, a leading Wisconsin lobbyist, to retrieve records he said had been stolen from his Madison office.

Clients who hire lobbyists are required to register with the secretary of state's office and are required to file semi-annual statements that show lobbying expenses.

Pfizer reported total lobbying expenses of \$52,519 in Wisconsin during 1986 and \$7,864 in 1987, according to the statements. These statements may not reflect all money spent by Pfizer on lobbying during those years.

Pfizer filed a statement on June 30, 1986, that showed Thomas C. Norton, a Pfizer official in Hoffman Estates, near Chicago, paid \$85.90 for a dinner on April 21, 1986. Those at the dinner were, according to the statement, J. Wimmer, Plewa, Goyke and Norton.

Goyke and Norton were registered at the time as lobbyists for Pfizer, records showed.

A spokesman at Norton's office in Hoffman Estates said Wednesday that Norton was on vacation and could not be reached.

Plewa, 43, said Wednesday that he remembered the meal with Norton but could not recall some of the details.

But the meal was a lunch, not a dinner, Plewa said. It took place at an East Side restaurant whose name he could not recall, he said. The subject of the lunch was "a drug-related issue."

Plewa remembered that he did not pay for his lunch.

"I know I didn't," he said, saying that he left before the bill arrived and assumed that Norton, on Pfizer's behalf, was paying for the meal.

"I thought that was OK because he was the principal (the lobbyist's client), not a lobbyist," Plewa said.

When told by a reporter that Norton was in fact a registered lobbyist and that clients, like lobbyists, were prohibited from buying meals for legislators, Plewa replied, "That's news to me."

Plewa has served in the Legislature since his election to the State Assembly in 1973. He won election to the State Senate in 1984.

Plewa said he did not remember Wimmer attending the lunch.

Wimmer said Wednesday he had never attended any meetings with Pfizer officials, had never met Norton and did not know why his name appeared on Norton's expense statement.

"I can assure you that it's a false statement," Wimmer said.

Wimmer said that Norton might have confused him with Jim Wimmer, a Madison lobbyist. Jim Wimmer's office said Wednesday that he had been in Washington, D.C., on a lobbying assignment the day of the meal and could not have attended a meeting in Milwaukee. Jim Wimmer has not represented Pfizer, his office said.

Goyke said he thought that it was Jim Wimmer, the lobbyist, not Joe Wimmer, the state legislator, who rounded out the foursome at the Pfizer lunch. As best as he could remember it, Goyke said the topic of discussion was "some general health-care issues."

Goyke said he did not know if Norton had paid for the lunch. "I obviously didn't pay for it," Goyke said. Thomas Hecht, a spokesman for the secretary of state's office, said Wednesday that the office could not comment on the Pfizer expense statement because all lobbying records filed by clients of Gary Goyke's were "part of the ongoing investigation."

Goyke's wife helped La Follette's campaign

Journal Madison bureau

Madison, Wis. — Secretary of State Douglas La Follette acknowledged Wednesday that he had received campaign help and small contributions from the wife of Madison lobbyist Gary Goyke.

Goyke's wife, Nancy Rotlier, gave \$200 to La Follette's 1986 re-election campaign. Goyke also helped in "one or two fund-raising events," La Follette said Wednesday.

La Follette said he would vigorously pursue his investigation into whether Goyke broke any lobby laws, despite their friendship.

"This investigation will be handled professionally and without bias," La Follette said in a prepared statement.

He could not be reached for comment Thursday morning. An assistant, Thomas Hecht, declined to elaborate on the extent of

Goyke's help in La Follette's 1986 campaign.

Elections Board records show Rotlier gave a total of \$200 to La Follette in two separate installments of \$100 each in 1986. The records show no contributions to La Follette in his current bid for the US Senate from either Goyke or his wife.

"To turn around and treat Mr. Goyke's case with kid's gloves would make folly of my painstaking efforts to toughen Wisconsin's lobby laws," La Follette said.

Meanwhile, two Republican lawmakers said an independent counsel should be appointed to investigate the Goyke case because of the relationship between Goyke and La Follette.

State Sen. Donald Stitt (R-Port Washington) and Assembly Minority Leader Betty Jo Nelson (R-Shorewood) made the request in a letter to La Follette.

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Goyke loses bid to block magazine

By MIKE MILLER
Capital Times Staff Writer

MILWAUKEE — Lobbyist Gary Goyke today lost his bid to block publication of an article in Milwaukee Magazine concerning his activities and dealings with legislators.

Goyke had filed suit in Milwaukee County Circuit Court, contending the article, scheduled for publication in the magazine's August issue, was based on documents stolen from his office by a disgruntled former employee.

Circuit Judge Patricia S. Curley rejected claims that those documents amounted to trade secrets and, in dismissing the case on that issue, headed off what appeared to be a blooming First Amendment fight.

"This is a trade secrets case," Curley said, after lawyers for Goyke and the magazine had spent the better part of an hour arguing First Amendment issues.

"Those particular items," Curley said in reference to the allegedly stolen documents, "do not qualify for trade secrets protection."

Curley said she was dismissing the case "because those items sought, assuming they were taken and taken unlawfully, are not the type contemplated by the Legislature" when the Uniform Trade Secrets Act was passed in 1985. The documents in question "just (do) not fall in the purview of that statute."

Although that ends Goyke's effort for the moment, his attorney, David Lowe, said he would refile the action, perhaps as soon as late today.

Lowe had argued that the documents, which Goyke claims were taken by Brenda Gail Shiman after she was fired by Goyke last November, met the test of being trade secrets. Those documents included credit card receipts, correspondence and other items dealing with Goyke's lobbying activities on behalf of his clients.

Lowe asked the judge this morning to grant a motion for quick depositions in the case and then said he would ask for a further hearing next week. "We don't anticipate asking the entire article be restrained," he said, but added, "we may attempt to affect the article."

"I anticipate that we may next week ask for an injunction," Lowe said. He indicated the form of that injunction would depend on the outcome of depositions of free-lance writer Paul Rix, who wrote the article, and others.

Lowe said if Curley accepted his motion for quick depositions, he would likely ask for an injunction that would prevent the magazine from publication of information based on the documents stolen from Goyke, a return of those documents and a halt to questioning of people based on those records.

According to an affidavit from Rix, he and the magazine's attorneys have provided copies of the documents in question to Goyke.

Rix said he has not shown his

copies of the documents to anyone except Mr. Goyke's counsel, some individuals named in the copied documents and the editor of the magazine.

"From the face of the documents and from his extensive interviews, it is clear to him (Rix) that a significant number of individuals, including a number of public officials, already have access to some of the copied materials or the information they reflect," the affidavit stated.

In the affidavit, Rix also said he repeatedly asked to interview Goyke, going so far as to submit a list of written questions, but his requests were denied, apparently on the advice of Goyke's attorneys.

In another affidavit, Milwaukee Magazine Editor Judith Woodburn said that "only a small number of these photocopied documents are referred to in the news article, which provides a comprehensive treatment of lobbying practices and relationships."

Lawyer Brady Williamson, who represents the magazine, asked for dismissal of the lawsuit, saying the items in question cannot be called trade secrets.

And, Williamson said, there is "no question but what he seeks is prior restraint."

"An American Express credit card receipt is not a trade secret,"

Williamson said. Nor are the other forms of documents that wound up in Rix's possession, he said.

Neither Rix nor the magazine has said the documents came from Shiman, but Shiman, in a related court action in Chicago, said she was the one who provided the documents to Rix.

Shiman has said she kept copies of documents that she contends show Goyke engaged in illegal lobbying activities because she wanted proof that she was not responsible for those alleged illegalities.

Neither Goyke nor his wife was present at today's hearing, nor was Rix.

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