

**By Tim Richard**  
staff writer

"We're going to be in the candy store with our hands on the gummy bears," quipped Oakland Prosecutor L. Brooks Patterson, a backer of Vice President Bush but a spectator in Tuesday's federal court action.

U.S. District Judge George Woods dismissed a suit by three Kemp backers who sought to have Michigan laws governing tonight's political conventions declared unconstitutional. The Kemp camp wanted its rules, rewritten in 1987 after its coalition won control of the Republican State Committee, to prevail over state law.

Woods let stand two Kent County Circuit Court decisions favoring Bush. One declared the RSC was

**THE 18TH** Congressional District convention will be called to order at 7:30 p.m. in Bloomfield Hills Lahser High School.

The 6th, 7th and 17th Congressional Districts, parts of which are in

Patterson predicted "dozens of rump conventions" by Kemp-Robertson supporters.

One is likely to occur in the western Wayne County portion of the 2nd Congressional District. The local committee (Bush-dominated) called its convention for the Plymouth

But Michael Legg, a Kemp backer who chairs the full 2nd District, declared after the court hearing that Judge Woods' ruling had "nothing to do with" his call for a Wayne-2nd convention in the Livonia Holiday Inn. "Nothing in either case addresses the alleged 2nd district," he said.

Local conventions will select some 1,800 delegates to the Jan. 29-30 Republican State Convention, which will pick the nation's first 77 delegates to the presidential nominating convention in August. An early win could give a candidate momentum.

**JUDGE WOODS** called the federal case "a waste of judicial resources" and "duplicative action" of the two Kent County decisions.

"The state court action was filed two months earlier (than the federal suit), has reached final judgment and is getting immediate attention from the state Court of Appeals."

"Plaintiffs (Kemp supporters) could get all the relief they seek in this (state) court," he said, noting that legal principles prevent a party

James Schoener, a former Grand Traverse County circuit judge and now a Washington lawyer, argued for the Kemp people that "the state of Michigan shouldn't get its heavy hand into a free association, and that's what a political party is."

Schoener, who in the 1950s was a law partner of Michigan Supreme Court Justice Robert Griffin, said the state law favored by the Bush people gave "a pro-incumbent tilt" to the party structure. "The party should be available to the challenger. These nominees have never been elected (as convention delegates), and they're asking for a free ride."

**JOINING SCHOENER** and the Kemp backers were the Republican State Committee and Livonia attorney Sean Cox.

Ehlers' attorney, David McKeague of Lansing, urged Woods "to abstain from ruling on the constitutionality of state laws." He also argued that national Republican rules recognize that state law prevails over state

Woods didn't rule on the latter point, confining his 40-minute oral opinion to the "waste of judicial resources" argument.

Legg and Schoener both said the 6th Circuit Court of Appeals in Cincinnati could be asked to overturn Woods' decision on the grounds there were actually different parties to the federal and state cases.

State Sen. Jack Faxon, D-Farmington Hills, has introduced a bill to ban free distribution of tobacco in Michigan.

In a Lansing news conference Wednesday, the anti-smoking senator said his intent is to "prevent tobacco products from being given to people, especially young people, who are too often the recipients of samples in spite of an existing law forbidding distribution to anyone under

Nathaniel Rowe, professor of oral pathology and pathology at the University of Michigan's Schools of Dentistry and Medicine, deplored the effects of tobacco use.

"Although the tobacco companies claim it is not their intent to give samples to minors, distribution takes place at such locations as rock concerts where one expects the majority of the crowd to be minors," Faxon said.

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