



STATE OF NEW MEXICO

MARY HERRERA
SECRETARY OF STATE

DON FRANCISCO TRUJILLO II
DEPUTY SECRETARY OF STATE

November 18, 2008

Jerome D. Block, Jr.
1308 Lejano Lane
Santa Fe, NM 87504

Re: Potential Violations of the Voter Action Act

Dear Mr. Block:

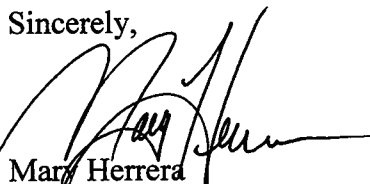
As you are aware, this office is investigating certain expenditures made by your campaign for Public Regulation Commissioner in District 3. Thank you for agreeing to meet with us to discuss these issues. This letter is to inform you that the Secretary of State does not intend to levy any fines against you in connection with the four campaign expenditures discussed below.

The first two potential violations of the Election Code investigated by this office are a July 18, 2008 payment of \$350.00 to Cordy Medina for "mail-out assistance" and an August 9, 2008 payment of \$507.90 to MATI Networks for "website design & hosting." According to our investigation, neither of these payments constitutes a violation of the Voter Action Act. It appears that you properly paid both vendors for the work they performed for your campaign.

The two remaining expenditures we investigated were \$1,500.00 payments made on August 6, 2008 and August 12, 2008 to, respectively, the Taos County Democratic Party and the San Miguel County Democratic Party. Both payments are identified in your October 14, 2008 Report of Expenditures and Contributions as "collaborative campaign" expenditures. As you know, a candidate who has taken public campaign funds under the Voter Action Act can only spend those funds on "that candidate's campaign-related purposes." See NMSA 1978, § 1-19A-7(A). Our investigation indicates that both of these payments were for campaign-related purposes.

As a result of this office's investigation, we have determined that the campaign activity described above is not in violation of the Voter Action Act. Accordingly, we are not assessing any fines for that conduct under Section 1-19A-17 of the Voter Action Act.

Sincerely,



Mary Herrera
Secretary of State

C: Hon. Gary King, Attorney General
Zack Shandler, Assistant Attorney General, SOS Legal Counsel
Scott Fuqua, Assistant Attorney General, SOS Legal Counsel