

PUBLIC ADVOCATE

Who's in First Is Clear, but as for Second, It's Still a Mystery

By DIANE CARDWELL

With the results of Tuesday's primary for public advocate still up in the air yesterday, officials at the Campaign Finance Board said they would consider authorizing payments for more than two candidates to campaign for the runoff if it remained unclear who had come in second.

According to early unofficial results from 95 percent of the voting districts, Betsy Gotbaum, a former parks commissioner, was comfortably in first place, with just under a quarter of the vote. In second place, in a dead heat based on percentage, were the salsa performer Willie Colon, City Councilman Stephen DiBrienza, the civil liberties lawyer Norman Siegel and Assemblyman Scott M. Stringer.

The tallied votes, which do not include any paper ballots, put Mr. Siegel at the head of that pack and Mr. Stringer at the back, separated by about 5,000 votes.

"I don't know that the board has ever been presented with a situation like this before," said Nicole A. Gordon, executive director of the finance board. Ms. Gordon said that the board, scheduled to consider pay-

A photo finish for the runner-up spot, with the film not developed yet.

ments for runoff elections tomorrow, could exercise a number of options in deciding whom to pay, depending on how soon the Board of Elections could have official results.

"If our board thought we would get a clear answer on Monday, it could authorize a payment on Monday," she said. But if it appeared that the official result would take longer, the board would consider making payments to candidates who have reason to anticipate being in the runoff to avoid delaying payments to the point of irrelevance.

Ms. Gordon said that the board had invited the candidates who are eligible for public money to make presentations at tomorrow's meeting about receiving runoff payments, which are one-time grants equivalent to a quarter of what they received for the

primary.

Joseph Gentili, the deputy director of the elections board, said that he anticipated that the official count, which will begin at 9 a.m. tomorrow, would not be completed before late Sunday.

For Ms. Gotbaum, the course is clear: raise more money, print more literature, make new alliances and rejigger the media plan. But for the men who would be her competition, the path is a bit more muddled.

"It looks like a photo finish for second," said Mr. DiBrienza, who has been keeping busy with constituents in his Council district in Brooklyn, which, with its heavy concentration of police officers and firefighters, was hard hit by the terrorist attack.

"I'll keep one eye on the Board of Elections and wait until every vote is counted," he added. "We know from Florida how important it is for every vote to be counted."

Mr. Siegel said he would focus many eyes on the elections board. "The first thing the lawyer in me says is, I've got to get the facts," Mr. Siegel said yesterday as he and his staff worked to round up 50 volunteers to monitor the count.

He said he would resume his campaign, after Yom Kippur. "It used to be a strategy from week to week," he said. "After Sept. 11, it was a strategy from day to day. Now it's probably a strategy from hour to hour, maybe even minute to minute."

Part of that strategy, for Mr. Siegel as for the other contenders, is to cast about for support among those tied to candidates who might drop out. Mr. Colon said that he was frustrated that the results had not been more definitive so that he could begin those conversations with labor unions and political action committees pledged to other candidates.

"It's really rough to have to campaign this way," he said. "It's not fair."

Mr. Stringer was taking more of a wait-and-see position yesterday. "It's close enough that you have to wait for the real count," he said, sounding giddy from exhaustion. "It's the election that's never going to end."

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