



**OFFICE OF THE MUNICIPAL CLERK/
ELECTION OFFICIAL**

City and Borough of Juneau (CBJ)
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Juneau, Alaska 99801-1397
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April 4, 2024

Jenny Thomas (*via mail & email*)
4460 Windfall Ave.
Juneau, AK 99801

Re: Response to Recall Petitioner Committee re: Recall Petitions for Board of Education members Deedie Sorensen and Emil Mackey

Dear Ms. Thomas,

In consultation with the CBJ Law Department, we have approved, in part, the Recall Petitioners Committee application to begin the recall petition process for Board of Education Member Deedie Sorensen and Board of Education Member Emil Mackey based on the following grounds as stated in the petitioner's affidavit:

Recall of Juneau School Board Member Deedie Sorensen, President

7. Failure to understand the FY24 budget and accounting errors resulting in \$7.9M deficit and taxpayer loan from CBJ, violating BP3460.

Recall of Juneau School Board Member Emil Mackey, Vice President

7. Failure to understand the FY24 budget and accounting errors resulting in \$7.9M deficit and taxpayer loan from CBJ, violating BP3460.

For reference purposes in this memo, I will be referring to the petitions collectively and the process in general, however, each petition is separate and is its "own instrument" as referenced in AS 29.26.290. If your petitions are successful, I request that you submit both petitions at the same time to provide one special election.

Please see the enclosed memo from the CBJ Law Department for a complete analysis of each of the grounds cited in the petitioner committee's affidavits and the reasons those grounds do or do not qualify for the recall process. I would strongly encourage you and the co-sponsors to fully read and understand the applicable State Statutes and CBJ Charter/Code provisions. Please note that while Article VIII of the CBJ Charter would govern our recall process, the provisions of AS 29.26.240-AS 29.26.360 govern in the event of a conflict with the Article VIII Charter provisions.

We will be issuing you sixty (60) bound petition booklets to circulate for each of your recall petitions. Each booklet contains five pages with room for 10 signatures per page, for a possible total of 50 signatures per booklet. This provides signature space for 3000 signatures total.

The petition shall be signed by the number of qualified municipal voters equal to at least twenty-five percent of the votes cast in the municipality at the preceding regular municipal election. The number of votes cast at the 2023 Regular Municipal Election was 9,435 so **you will need a minimum of 2,359 valid signatures** of qualified Juneau voters for **each** petition. We strongly recommend you collect additional signatures.

You must assign each booklet to one of your sponsors (aka: circulator) whose name must be printed on the front cover of the assigned booklet. Once that name is printed on a booklet, that booklet may not be swapped between sponsors. The sponsor is required to sign and attest each page with signatures in the booklet – they are verifying the number of signatures collected on that page, which they will also record in the certification section. After all signatures for that booklet have been secured, the last page of the booklet contains a certification affidavit which must be completed by the sponsor and notarized before the booklet can be turned in. Each signature page of the booklet does not have to be completed in full but once the certification affidavit is signed by the sponsor and notarized, no new signatures may be collected in that booklet.

Petition booklets may not be left unattended and must remain in the sponsor’s custody at all times; signatures must be gathered by sponsors only.

As specified in AS 29.26.290, petition booklets must be assembled and filed as a single instrument. The Clerk’s Office cannot accept any early or late booklets.

Sec. 29.26.290. Sufficiency of petition.

(a) The copies of a recall petition shall be assembled and filed as a single instrument. A petition may not be filed within 180 days before the end of the term of office of the official sought to be recalled. Within 10 days after the date a petition is filed, the municipal clerk shall

(1) certify on the petition whether it is sufficient; and

(2) if the petition is insufficient, identify the insufficiency and notify the contact person by certified mail.

(b) A petition that is insufficient may be supplemented with additional signatures obtained and filed before the 11th day after the date on which the petition is rejected if

(1) the petition contains an adequate number of signatures, counting both valid and invalid signatures; and

(2) the supplementary petition is filed more than 180 days before the end of the term of office of the official sought to be recalled.

(c) A petition that is insufficient shall be rejected and filed as a public record unless it is supplemented under (b) of this section. Within 10 days after the supplementary filing the clerk shall recertify the petition. If it is still insufficient, the petition is rejected and filed as a public record.

History.

(§ 9 ch 74 SLA 1985; am § 17 ch 80 SLA 1989)

Per AS 29.26.310, “if a recall petition is sufficient, the clerk shall submit it to the governing body

at the next regular meeting or at a special meeting held before the next regular meeting". The Assembly would be tasked with calling for a special election in accordance with AS 29.26.320, and CBJ Code 29.07.010(c).

Taking into consideration the printing schedule, we need to know the date you are picking up the petitions in order to include that on the petition booklets. We anticipate petition booklets being ready for you next week no earlier than Wednesday, April 10. We would like to have as many sponsors present at the time we issue you the booklets so we can go over the process in person with you and your sponsors and answer any questions you may have. **Please call us ASAP to schedule a date/time for pickup so we can proceed with booklet printing.**

If you have any questions regarding this matter, please contact our office at 907-586-5278.

Sincerely,



Elizabeth "Beth" McEwen, MMC
CBJ Municipal Clerk/Election Official

Attachments:

Affidavit of Petitioners Committee Applications to Recall School Board Members Deedie Sorensen and Emil Mackey
School Board Recall Petition Memo from CBJ Law Department
AS29.26.240-360

cc:

Board of Education President Deedie Sorensen
Board of Education Vice President Emil Mackey
City Attorney Robert Palmer
JSD Superintendent Frank Hauser