



THE LEAGUE OF WOMEN VOTERS
OF TOPEKA/SHAWNEE COUNTY

VOTER

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May 2005

3 Tuesday Topics - Lunch 11:30 am **“Moving Toward Concurrence on Annexation”**

Our panel will be **Dr. Allyn Lockner**, featured Presenter,
Jan Waide, **Ruth Wilkin** and **Nancy Kindling**, facilitator.

*Our meal is Chicken a la King on a Pastry Shell, fruit cup, chocolate cookie,
water and tea..*

6 & 7 Annual Fundraising Garage Sale

@ Mary Ann & Larry Bradford’s, 1809 SW Webster Avenue

Friday setup from 9 AM to 3 PM, Saturday sale from 7 AM to 4 PM

Review “good sellers” and volunteer to help. *Details on page 9.*

10 LWVT/SC Board Meeting - Members welcome

Noon, O’Dooley’s, 1930 Westport Dr. (north of Petsmart on Westport Dr.)

June 2005

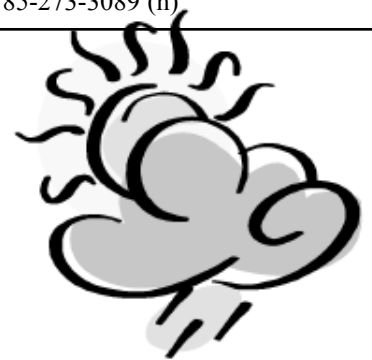
7 Tuesday Topics - Lunch 11:30 am

“2005 Legislative Wrap Up” by Don & Judy Moler

Our meal is Mexican Salad, brownie, water and tea.

14 LWVT/SC Board Meeting - noon, place to be announced,

Members welcome



May and June Tuesday Topics

May and June Tuesday Topics will be held in room **JCM 101B**,
across from the Millennium Cafe at the Topeka-Shawnee County Public Library.
Meals are available to the first twenty-five arriving, @ \$8.25/ea.
If you need a ride to any League event, contact Betsy Rohleder.

The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of public issues, and influences public policy through education and advocacy.



PreZ SeZ...

May 2005

The Changing of the Guard



Betsy welcomes Jan as LWVT-SC President 2005-06

Well, here I am, responsible for writing this column every month or so and a myriad of other things. It is all very challenging.

LWVT/SC, also, has a couple of challenges of which we must continue to keep abreast. I am speaking, of course, of the hiring of a professional city manager and the transition into that form of city government and, secondly, of the appointment of a commission to study the unification of our city and county. As you know, we have supported both changes and have played a major role in moving our community along to this point. As is our practice, these supporting positions were achieved through study, discussion and careful consideration. These are the two challenges which are imminent but, I am sure, there will be more in our future. With your help, support and cooperation, we will arrive at a researched and thoughtful consensus/concurrence upon which we can advocate as is our usual procedure.

On a completely different subject, we are in the process of changing our League communication system. I announced at the April Tuesday Topics meeting that we are going to try a new system this year. We are asking all members with e-mail capability to give us their e-mail addresses so that communications needed regarding regular meetings and special events can be achieved via the internet. For all members who do not have e-mail capability, the calling committee will continue to call. We are hopeful that this will relieve our calling committee and result in more efficient communication. **Alice Stoland** will continue to head up our telephone committee and **Pat Burton** has agreed to head-up the e-mail system. **Carol Yoho** is currently working very hard to update our membership database with e-mail addresses. So if you

have an e-mail address and have not previously provided it to League, please e-mail it to **Carol Yoho at cyoho@cox.net**. *Welcome to the 21st Century!!*

Stay tuned to this column next month when we will bring you news from the state level that we will garner at the State Convention in Salina on 4-23-05. **STAND UP AND SPEAK OUT FOR GOOD GOVERNMENT.**

—*Jan Waide*

League members would like to thank outgoing Board Members: **Mary Ann Bradford, Nancy Garfield, Nancy Kindling, Patty Pressman and Judy Seitz.**

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“Water Issues in Kansas: Quality and Quantity”

Susan Stover

Environmental Scientist for the Kansas Water Office

Susan, a recent transfer to LWVT-SC from the Emporia Chapter, explained that the Kansas Water Office uses the natural geographical lay of the land to help plan water conservation within the state. Her PowerPoint presentation divided her discussion into four sections.

Physical Conditions

Kansas becomes lower in annual perception with higher average temperatures as the land rises from east to west. Whereas annual rainfall totals are between 30 and 40 inches in the east, western average rainfall is around 16 inches per year. Fortunately, Western Kansas is blessed with ground water. The High Plains Aquifer is very important to irrigation in the west. “Points of diversion” is a term that refers to any well that taps the aquifer. Irrigation accounts for 83.8% of water use, where as municipal use accounts for only 10%. Another user group consists of industrially-owned wells. The number of these in Kansas is fairly low, as many industrial users pays municipalities for water they use.

Legal Framework

The Kansas Water Appropriation Act was passed in June 1945. Anyone using water prior to that date secured vested water rights. Subsequent water rights are granted on a “first in time is first in right” arrangement. This means that seniority is the determining factor in granting new water rights approval. If property is condemned a municipality may gain rights. Another option is for an interested party to buy rights from a senior user.

State Water Planning

The Kansas Water Authority is a cabinet appointed by the Kansas governor and staffed within the Kansas Water Office. Some Authority members represent different user groups. The state agency is also a member, but does not vote. The Authority is involved with Congress in addressing issues of water shortages. Kansas Natural Resources is a voice in a sub-cabinet and deals with all natural resources within the state. The Authority’s job is to improve communication and cooperation across the state concerning water issues.

Water Plan Projects Initiatives

Watershed Restoration and Protection (WRAPS) project looks to manage vital Kansas watersheds. What happens upstream will affect what happens downstream. WRAPS focuses on: 1) Development, 2) Assessment, 3) Planning, and 4) Implementation. They look at maximum daily loads and amounts of contamination allowed and still meet citizen needs. One target of concern is federal reservoirs—they have the tendency to silt in over time. The area between Topeka and Kansas City is increasing in demand for water, but Lake Perry and other waterways in Northeast Kansas are becoming limited in their storage capacity. Steps can be taken to slow this process, including stream bank stabilization and filter strips to trap sediment.

Also, the High Plains Aquifer is very important to the entire state. It is hydraulically connected to the Ogallala Aquifer and other, newer aquifers that replenish more quickly after drought seasons. The goal for aquifers is “sustained yield,” where replenishment equals usage over time. Some aquifers drain faster than others and have a slower replenishment rate, with an estimated future life span of only 50 years. That short life expectancy is a serious issue, and must be addressed within our generation.

The Kansas Water Authority works with Groundwater Management Units (local groups) to prioritize and develop programs to get water use reductions. One goal is to go “dry land” and dismiss water rights and implement conservation programs.

The quality of water in Kansas is not good, with runoff from farming chemical application and industry, but Kansas is good at monitoring compared with other states. Susan was quick to point out that drinking water across the state is, however, safe. She has no reluctance to drink tap water anywhere within the state as she travels.

There is a current focus on education at the community level within the state. There is no funding as yet. One goal is go get landowners to measure their own wells, add data to a dynamic website, and see how their own individual numbers fit into the big picture across the state. 🍷

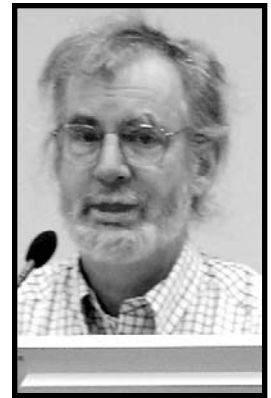
“The Death Penalty in Kansas”

Bill Lucero

representing **Murder Victims Families for Reconciliation**, an anti-death penalty group

Our thanks to Mr. Lucero. He spoke at our Annual Meeting, April 2, 2005.

Mr. Lucero had studied the death penalty in the 1960s, at the time of the Clutter murders and execution of their murderers, Perry and Hickock. He became involved personally in death penalty issues when his father was killed by his fourth wife. Later, he studied psychology and sociology in college. Eventually, he found his voice as spokesman on this issue.



The death penalty is more expensive than life sentencing because of the appeals processes. Executing a prisoner can cost up to 70% more than a life sentence. And, there is no reputable study that has found the threat of death a deterrent. Most executions occur in the Southeast Corridor, yet Louisiana leads the nation in murder rate. Also, racism is a questionable factor, in that the majority of those executed are black perpetrators with white victims.

In Kansas racism is not as blatant an issue, but it still exists. Many Kansans have heard about the Reginald and Jonathan Carr murder case of Wichita. The Carr brothers (black) were found guilty of murdering white victims and currently await execution. Yet, one week before the Carr murders another group-murder occurred in Wichita with relatively little news coverage. It involved drugs. The murder victims and perpetrators were all black.

The Kansas Supreme Court is currently reviewing the constitutionality of the Kansas death penalty law. Victims families are drawn into these issues. Some feel their struggles are for nothing if the current law is thrown out. Why put families through this turmoil? But, Kansans should not expect a quick fix.

For thoughtful arguments against the death penalty Mr. Lucero suggested members read two sources. **Scott Turow** of Illinois was an apologetic proponent of the death penalty until he was appointed to a commission in 2000 to study the issue. He now speaks out against the death penalty in an essay on the “Theory and Reality of American Executions.” **Bill Kurtis**, Kansan and nationally known television personality has a recently published book on the subject, *The Death Penalty on Trial: Crisis in American Justice*.



Grace Wilson, Gwen Elliott, Judy Seitz (above), Betsy Rohleder (rt.) and Carol Yoho (not pictured) met to package LWV note cards: 5 cards + envelopes for \$5. See p. 9



Welcome New Members

- * Marilyn Bowser
- * Cathy Callen
- * Barbara Miles
- * Chelsey Smith
- * Susan Stover
- * Nancy & John Whiffen

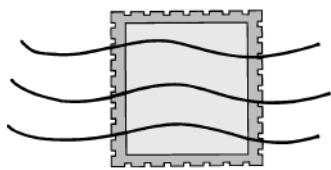


How you can help League by taking ACTION

The two main reasons League develops positions are to educate the public and take action supporting, and sometimes opposing, issues and legislation as they come before elected officials.

Action can be in many forms: visiting, writing, calling, faxing or emailing elected officials, testifying before them, and interviewing them on their ideas on specific issues. Letters to the editor are also an effective way of educating the public as well as lobbying the elected officials. It is important to remember that unless you have the approval of the board of League at any level (local, state or national) taking action must be a personal appeal rather than as a representative of League.

Local League has an action chair, State League has a lobby corp, and National has paid lobbyists. All three levels of League try to be diligent about recognizing issues of interest to League as they arise. In this way League can keep the membership informed and involved when there is a need to take action. Timing is tricky, because scheduling of when issues will come before elected bodies is hard to determine in advance.



Letters to the editor are a common way for the general League membership to express their views. Some things to remember about

newspaper policy at least of the Capital Journal:

- Preference is given to printing letters from members of the readership area.
- Letters containing factual error will not be printed.
- Form letters will not be printed if they are recognized.
- Letters should voice an opinion expressed in your own words.
- Letters should contain specific arguments to support your view.
- It is always good to begin your letter with a statement of what your position is and end with a question to provoke the reader to think about the issue. The newspaper may edit your letter for clarity.

Several weeks ago in the Hers magazine section of the paper, Joan Wagnon wrote an article on how

you can make a difference when legislation comes up. She was referring to the state level but it is applicable at every level. To summarize:

1. Know who your representative elected officials are, their addresses, office and home when available, phone numbers, fax numbers, etc. You can get the list from the election commissioner or from the Capital Journal on the editorial page.
2. Get information from elected officials about who might be the best person to contact, who is sponsoring the bill, (ordinance or resolution at the local level) and others involved in hearing the bill.
3. Get a copy of the legislative directory and the committee assignments at the beginning of the state legislative session from the document room at the Capital.
4. Call the legislators office to make an appointment, stating what you are calling about, write a personal letter, and be persistent.
5. Remember that form letters, postcards and petitions have little value. Personal contact is valuable. Know your legislator by name and make sure he/she knows yours. That is half the battle to getting an appointment.
6. Once you have established contact: Find out what can realistically be accomplished, be brief and concise, if you are representing a group let that be known, know the bill # if that is what your contact is about, leave a copy of the League position if that is who you represent, follow up on your visit with a thank you and send more information if it has been requested.
7. Stay in touch with them so they know of your continued interest.

The League used to publish a guide with all the names and information on the elected official but has discontinued that. However the Chamber of Commerce does provide similar and current information now. National League publishes a “Guide for Citizen Action” with all the names of the elected officials in the House and Senate and the committee members.

—submitted by **Nancy Kindling**

Moving Towards Concurrence: Annexation THE LAST CHANCE FOR PREPARATION

The League of Women Voters of Topeka and Shawnee County is approaching the final stage of its annexation study. We have two goals for our "Tuesday Topics Meeting" on May 3:

- To discuss Part 3 of "Annexation in Topeka and Shawnee County" which appeared in the November 2004 issue of the *Voter*.
- To identify what ideas we want to include in an annexation position statement on which we aim to reach concurrence at our "Tuesday Topics Meeting" on September 6.

Since the May meeting is the last chance to prepare for concurrence, League members who want to refresh their thoughts about the study are asked to review Parts 1, 2 and 3 which appeared in the September, October and November 2004 issues of the *Voter*, respectively.

If you have misplaced your *Voter*, please ask for a copy from Betsy Rohleder. Her e-mail address is

brohleder@cjnetworks.com. You will need the Adobe Reader to download the parts.

The study covers three city annexation procedures:

- Unilateral annexation of contiguous land, with area limitations, may occur with or without landowner consent.
- Island annexation may occur when property is not contiguous to the city but whose owners wish to be a part of the city.
- County-approved annexation may occur when annexation is not permitted under unilateral annexation due to area limitations or the city deems it advisable not to annex under this procedure.

A summary of these procedures is found on page 7 of this *Voter*.

Armed with the above information, we will be prepared to achieve our goals. See you at the "Tuesday Topics Meeting" on May 3.

Board Briefs, April 2005

by Edith Bronson, LWVT-SC Secretary

Twelve new, continuing and retiring members of the LWVT-SC Board met at 5:35 PM, Tuesday, April 12, at O'Dooleys, 1930 Westport Dr. Net worth of the League is \$8,720.93 as of 3/31/05.

The board voted:

- To place Board Briefs in the VOTER;
- To contact the appropriate person to offer names of at least two League members to be appointed to the Consolidation Committee;
- To appoint Betsy Rohleder as a director;
- To sell remaining VOTE pins at State Convention for \$5.00; and
- To meet from 12:00 to 1:30 PM on the second Tuesday--May 10 at O'Dooley's.

Reports were heard, files were exchanged, fund-raising postcards were sold.

The meeting was dismissed at 7:00 PM.



NEWS FROM NATIONAL: League Wins 2005 Freedom Award

The LWVUS was just notified that it has been chosen as the recipient of the 2005 Freedom Award, given yearly by the National Association of Secretaries of State (NASS). The NASS Freedom Award recognizes and honors those who contribute significantly to the cause of free elections in the United States. The League was honored for its 85-year commitment to the election process.

Summary: Annexation Procedures in Topeka & Shawnee Co.

Unilateral Annexation

1. City staff investigate possible areas for annexation.
2. City prepares a plan for extension of municipal services—boundaries, streets, mains, sewers, city utility lines, cost impact, financing, timetable, how current services of districts will be maintained, and if immediate or later—by benefit districts.
3. City adopts resolution to formally mark beginning of annexation process by giving notice of public hearing and availability of plan in city clerk's office.
4. City sends by certified mail within 10 days of the adoption a copy of the resolution and a sketch of the area to be annexed to each landowner in the area. It gives the time and place of the hearing within 60 to 70 days following adoption of the resolution. City also sends copies to the county, planning commissions, special districts and other required units.
5. City presents plan and extension of services at the hearing.
6. Any person may speak to proposed annexation.
7. City determines the advisability of annexing the area, if it has a fire district, to include: response time, financial impact on district, and city's ability to provide fire services to the area.
8. Planning commissions review proposed annexation plan to determine compatibility with land uses or any applicable comprehensive plan for the area or the city. Their findings are filed with the city clerk's office. Lack of planning report is not fatal to annexation.
9. City adopts and publishes an annexation ordinance.
10. Aggrieved landowner has 30 days to file an action in district court to challenge the annexation.

Island Annexation

1. City staff investigate possible areas for annexation.
2. City adopts a resolution requesting the county commission to make a statutory finding whether the proposed annexation would hinder or prevent the proper growth of the area or of any other city within the county. Certified copy of the resolution is filed with county which has 30 days to notify city of its findings.

3. County commission makes findings giving consideration to the proposed use of the area.
4. Any landowner or city aggrieved by the county commission's findings has 30 days to appeal findings in district court.

County-Approved Annexation

1. City staff investigates possible annexation of land.
2. City authorizes a petition to be filed with the Board of County Commissioners,
3. County sets hearing date between 60-70 days from the date the petition is filed.
4. County within 10 days of receipt of petition sends by certified mail a notice of the time and date of the hearing to each affected landowner and a sketch of the area to be annexed.
5. County publishes the notice in the newspaper at least one week but no more than two weeks sends a list of the affected landowners and a sketch of the area to be annexed.
6. City governing body submits petition to any planning commissions with jurisdiction over the area within 20 days after presentation of petition to the county commission.
7. Planning commission provides findings for a county-approved annexation to the county commissioners no later than 20 days before the public hearing.
8. Planning commission sends a copy of the findings directly to the city. Findings are available to the public in the city clerk's office.
9. City presents its proposal for annexation, including the extension of services, at the public hearing before the county commission which sits as a quasi-judicial body. Other testimony is also heard.
10. County commission, using "broad discretion" evaluates the evidence presented in the hearing.
11. County commission makes specific written findings "Manifest injury" is considered.
12. Commission grants or denies annexation, in whole or in part, within 7 days after close of the hearing.
13. If commission grants annexation, city adopts and publishes an annexation ordinance which takes effect on publication.
14. Aggrieved landowners have 30 days to appeal the county's decision to district court.

Shawnee County Commission

March 17, 2005, by Jan Waide

Meeting cancelled due to the funeral for Marice Kane's brother.

March 24, 2005, by Jan Waide

Discussion and testimony regarding a resolution exempting entities holding a Class C USDA Exhibitor's license from regulations regarding the ownership of certain animals. An animal sanctuary which contains exotic animals is currently located in Osage County. They are seeking a law change so that they can relocate in Shawnee County, ostensibly because their client base is located in this county, i.e. Girl Scouts, Day Care Centers, etc.

Current neighbors testified to the cleanliness and safety of the current facility. They see a need for an animal refuge to care for strange homeless animals. Those opposed live close to the property the sanctuary owners are looking at and worry about safety. They feel any change to the current law prohibiting ownership of exotic animals in Shawnee County breaks a covenant with the homeowners as they bought property thinking there were no dangers to their pets and/or children. They were also concerned that their property values would go down. The sanctuary owners have not even made an option on the property because of the need for a change in zoning and the current law.

Comm. Miller refocused the group on the issue at hand. This proposal would exempt all persons holding a federal license to care for exotic animals, now and in the future, not just for one entity but for all such licensees. Exemption as proposed would also require a zoning change. Current zoning would not allow a private sanctuary. City zoning allows a public sanctuary, i.e. the zoo. Comm. Miller reminded the room full of people that a zoning change would require notification of all home owners in the affected area. A zoning change would be needed before anything else can happen.

The resolution did not pass due to the proposed usage being incompatible with the density of the population in the proposed area. The Shawnee County Commissioners all agreed that there is a need for such exotic animal sanctuaries but they believe it is inappropriate for Shawnee County.

Later it was learned that Osage County did not renew their usage permit.

April 7, 2005, by Jan Waide

The Commissioners approved letting bids for landscape stones for an attractive area around the new north aquatic center. The mock up was very attractive although strangely reminiscent of Stone Henge.

The Information Technology department won approval for an upgrade of the county's mainframe system which reputedly will save \$45,000 per year. They requested another county car to be assigned to IT even though they already have 8 cars assigned to them. They will receive a 1997 Crown Victoria, now county surplus. They are buying Excel software to replace a Legacy system for \$250,000 and asked permission to send an employee to a conference regarding the Excel software they seek. They stated that attendance at the conference is part of their "research."

Marice Kane presented a picture of Charles Curtis to the County Counselor, Rich Eckert for his office. The picture had belonged to her grandfather, Henry Kane. Vice-President Curtis was a friend of Mr. Kane's. There was a newspaper clipping on the back noting that Mr. Curtis had been the County Attorney of Shawnee County back in the days when the County Attorney also served as the County Counselor.

● **Action Report 4/10/05, by Nancy Kindling**

This past month has been mostly a passing on of ACTION ALERTS, Legislative Newsletters, and trying to work on a NO VOTE advertisement and letter to the editor about the Constitutional amendment that was overwhelming passed by over 70% of voting Kansans. Whatever is happening in Kansas? What a disappointing legislative session. I cannot speak negatively enough about the direction Kansas and the conservative legislature is headed in education, abortion issues, constitutionally, and in many other areas such as their involvement in local government issues.

The health committee has been meeting regarding Health Agency concerns. A letter written to the Agency and Anne Freeze by the Shawnee County Medical Society's President almost mimicked our concerns. Perhaps their views will instigate Ms. Freeze to look more closely at what is going on at the Agency.

A REMINDER

Set-up
Friday, May 6, 2005
9:00 AM to 3:00 PM



Sales Day
Saturday, May 7, 2005
7:00 AM to 4:00 PM

Garage Sale for the League of Women Voters

Mary Ann & Larry Bradford's at 1809 SW Webster Av

Mark Prices on Each of Your Items

Please bring clothing on hangers

Good sellers:

Small-to-medium-sized furniture:
bookcase, end table, desk, chair,
chest of drawers
Children's books, board games,
videos, computer games
Cosmetics (unused), nail polish, bath
oil, lipstick, rouge, eyeshadow
clean jewelry: necklaces, earrings,
bracelets, rings, pins, watches
Clean floral arrangements, baskets

Clean clothing, spring & summer
weight, men sizes of 38-44 miss-
es/women's sizes of 10-22, infants
and children
Glass and ceramic casseroles and
serving dishes
Greeting cards: plain or with verses
Paperback or hardcover books for
adults
Posters, framed pictures, empty pic-
ture frames

Almost new purses, wallets, portfo-
lios, briefcases
2-to-8 person set of dishes, mugs (not
checked or chipped)
Sets of glasses (no etched by dish-
washer)
Usable bedding and linens (bag
matching sets)
Unchipped vases, knick knacks
Working phones, TVs, computers,
CD or DVD players

Any items not sold are donated to a charitable organization. Please offer clothing racks and picnic tables to display wares. Bring clean bags or boxes for customer's merchandise. Bring your

items to Bradfords on Friday, May 6th. If necessary, they will take them earlier. **Sign up with Mary Ann to work on Fri., May 6, and/or Saturday, May 7: ciao1@cox.net, 354-1646.**



**\$5.00 for 5 packed
and ready to give cards.**

Carol Yoho has graciously shared her grandmother's picture and we printed notecards to sell as a fundraiser to keep our League's treasury healthy. **Betsy Rohleder** is keeping the inventory in her office so that anyone can stop in during regular hours to buy them. Call Betsy at 233.9262 or stop by her office at 618 S Kansas Ave. Betsy or Sara will be happy to get the cards for you. They can also be persuaded to deliver orders. So, get together with friends and call in your orders!

Our League will also be taking them to Salina for State Convention where we predict selling LOTS of them to other League members. **BUY YOURS NOW!** Don't forget Mother's Day, graduation, and just plain thank you gifts to your friends and family. We will also have them at the next Tuesday Topics in May...if we have any left!

VOTER, May/June 2005:

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ADDRESS CORRECTION REQUESTED



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Annexation Issue:
Panel Discussion at May Tuesday Topics

New Fundraiser!
 See p. 9



LWVUS Council

Sat.-Mon., June 11-13, 2005
 Marriott Metro Center Hotel,
 Washington D.C.



Volunteer:

Fri., May 6 (setup), Sat., May 7 (sale)
Annual LWV Garage Sale
 7am to 4pm @ Bradford's --see listing, p. 1

YES!

I want to add my voice to yours by joining the League of Women Voters. I enclose:
 \$48 for 1-year Individual Membership \$72 for a 1-year Household Membership
 \$85 for a 1-year Sustaining Membership Please send more information.
 I am unable to join the League at this time, but enclose a contribution of \$ _____

Name _____
 Address _____
 City, State, Zip _____
 Phone (hm) _____ (wk) _____
 E-Mail (for Action Alerts) _____

Please send to:
 Sybil Wiegman, Treasurer
 2805 SW Tall Grass Dr.
 TOPEKA, KS 66614-6026
 785-478-1679

Make checks payable to League of Women Voters of Topeka-Shawnee County