



STATE OF MINNESOTA

OFFICE OF THE GOVERNOR

RUDY
GOVERNOR

PERPICH

ST.

PAUL

55155

February 1, 1977

The Honorable J. Smith Henley
United States Circuit Judge
Court of Appeals For The Eighth Circuit
United States Court and Custom House
1114 Market Street
St. Louis, Missouri 63101

The Honorable Myron H. Bright
United States Circuit Judge
Court of Appeals For The Eighth Circuit
United States Court and Custom House
1114 Market Street
St. Louis, Missouri 63101

The Honorable Roy L. Harper
United States District Judge
Court of Appeals For The Eighth Circuit
United States Court and Custom House
1114 Market Street
St. Louis, Missouri 63101

BE: Welsch vs. Likins, Appeal Nos. 76-1473 and 76-1797

Your Honors:

As the new governor of the State of Minnesota I want to express to you my plans and aspirations regarding care for our retarded citizens. It is my fond hope that, given sufficient time to fulfill these plans and aspirations, we can render unnecessary the further involvement of federal courts in the funding and management of our state hospitals. Should this come to pass, the laudable goal of improved institutional care could be achieved without the trauma of a constitutional confrontation between this State and the federal courts.

As you may be aware, I became the governor of Minnesota on December 29, 1976. I previously served as lieutenant governor and before that as a state senator. In both of those offices I was an outspoken advocate for our mentally disabled citizens, and I intend to continue in that tradition.

On Tuesday, January 25, 1977, I presented my initial budget proposal to the Minnesota Legislature. Due to my brief tenure

Honorable J. Smith Henley
Honorable Myron H. Bright
Honorable Roy L. Harper

Page 2

as governor, the spending recommendations in that budget are largely reflective of the goals established by the preceding administration. However, the budget message delivered on January 25th did contain one recommendation of great significance to our state retardation facilities. I recommended and will seek to achieve the closure of two of our ten state hospitals, those located in the cities of Hastings and Anoka. The patients and residents at those hospitals can be cared for far more efficiently at the remaining institutions. The savings achieved by these closings, which can be used for improved care elsewhere, will be approximately \$3.2 million annually in operating expenses and \$2.6 million in appropriated capital improvement funds.

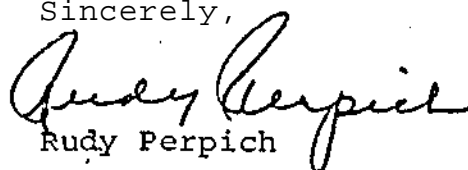
I also recommended several cost-saving measures in my budget message. If these proposals are accepted by the legislature, the State of Minnesota will have additional resources to add to improving care at the remaining state hospitals.

The goals which I have for our state retardation facilities are not different from those espoused by Judge Larson in his several court orders. I believe in the concept of habilitation for all mentally disabled persons. I believe in the necessity of staffing which is adequate in both numbers and training. And I believe that our institutions should be physically safe, comfortable and attractive. These goals shall have high priority in my administration, and I will not be satisfied until they become realities.

My request to this Court is that you allow us time to achieve these goals through democratic processes. It is a governor's responsibility to provide leadership on issues of this nature, and I can assure you of my utmost efforts in this regard. If we fail to achieve our goals, then perhaps it would be time for this Court to reconsider the ponderous constitutional issues at stake in these appeals. But it would be tragic if our resolve to achieve reform is thwarted by a constitutional crisis in which the issue of humane care is obscured by a contest of governmental powers. Thus, it is for the sake of progress as well as for the continued vitality of our democratic processes that I enlist your support.

I stand willing to provide any further information which may be helpful to your consideration of these appeals. Thank you for your thoughtful consideration.

Sincerely,


Rudy Perpich

RP:lmh

cc: Luther A. Granquist, Esq.