

Subd. 3. (1) Unless the abortion is performed to save the life of the woman or child, or, (2) unless one or both of the parents of the unborn child agrees within 30 days of the birth to accept the parental rights and responsibilities for the child if it survives the abortion, whenever an abortion of a potentially viable fetus results in a live birth, the child shall be an abandoned ward of the state and the parents shall have no parental rights or obligations as if the parental rights had been terminated pursuant to Minnesota Statutes, Section 260.221. The child shall be provided for pursuant to Minnesota Statutes, Sections 256.12 (14) and 256.72 to 256.87.

Sec. 6. [145.416] **LICENSING AND REGULATION OF FACILITIES.** The state board of health shall license and promulgate regulations for facilities as defined in section 1, subdivision 4, which are organized for purposes of delivering abortion services.

Sec. 7. Minnesota Statutes, Sections 617.18 and 617.19 are repealed.

Sec. 8. This act is effective the day following its final enactment.

Approved March 21, 1974.

CHAPTER 178—H.F.No.892
[Coded]

An act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [268.115] LABOR; EMPLOYMENT ASSISTANCE TO VIETNAM-ERA VETERANS. Subdivision 1. **PURPOSE.** The purpose of this section is to facilitate the employment of returning Vietnam-era veterans, and to thereby further the state policy of aiding their transition to civilian life, by requiring employers doing business with the state to list their job openings with the department of manpower services, which department shall give veterans a preference in job referrals.

Subd. 2. **STATE CONTRACT PROVISIONS.** Every contract with a value of more than \$10,000 for or on behalf of the state of Minnesota for materials, supplies, or construction shall contain clauses providing that:

(a) If, at any time during the six months prior to award of the contract, the contractor has employed 25 or more employees within

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the state of Minnesota, the contractor agrees

(1) To advise the closest local office of the department of manpower services in each area where the contractor has hiring establishments that he is subject to the act;

(2) That for a period of one year or for the duration of the contract, whichever is longer, he will list all of his job openings in this state, other than those established by section 3, with the appropriate local office where hiring will occur.

Subd. 3. EXCEPTIONS. Contractors are not required to list with the department of manpower services employment openings which:

(a) The contractor as an employer proposes to fill from within his organization by either promotion or transfer;

(b) The contractor as an employer proposes to fill from regularly established recall or rehire lists;

(c) Are customarily and traditionally filled pursuant to an employment relationship, including hiring hall arrangements, which exists between the contractor and the collective bargaining representatives of his employees;

(d) Are executive, administrative, or professional positions compensated at a salary rate of more than \$18,000 a year; or

(e) Offer only casual or temporary employment of three days or less.

Subd. 4. CONSTRUCTION OF THIS SECTION. This section shall not be construed as requiring the contractor to employ individuals referred by the department of manpower services. The listing of employment openings with the department shall involve only those obligations which normally attach to such listings.

Subd. 5. COMMISSIONER OF ADMINISTRATION; ENFORCEMENT. When the commissioner of administration is in possession of information which indicates that a contractor has intentionally violated any provision of a contract clause as provided by subdivision 2, he may order a hearing to be held for the purpose of determining whether, in fact, such contract clause has been intentionally violated. The hearing should be conducted in accord with the requirements of Minnesota Statutes, Chapter 15. Upon a determination that the contractor has intentionally violated the clause, the commissioner may refuse to accept any bid from the contractor for a period of one year. Notwithstanding the provisions of Minnesota Statutes, Section 268.12, Subdivision 12, the commissioner of administration shall have access to the files of the department of manpower services for the purpose of insuring compliance with the provisions of this section.

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Sec. 2. **EXPIRATION DATE.** The provisions of this act shall expire on January 1, 1976.

Approved March 21, 1974.

CHAPTER 179—H.F.No.1795
[Coded in Part]

An act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivision 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1971, Section 488A.14, Subdivision 5, is amended to read:

Subd. 5. HENNEPIN COUNTY; CONCILIATION COURT; COUNTERCLAIM. (a) The defendant may interpose as counterclaim any claim within the jurisdiction of the court which he has against the plaintiff whether or not arising out of the transaction or occurrence which is the subject matter of the plaintiff's claim.

(b) The counterclaim shall be interposed by filing with the clerk a brief statement of the amount, date of accrual and nature of the counterclaim, verified by the defendant or his attorney, and paying a filing fee of \$2 to the clerk. If the defendant is not represented by an attorney the clerk shall draw up the counterclaim on request.

(c) The clerk shall note the filing of the counterclaim on the original claim, promptly notify the plaintiff or his attorney by mail of the filing and set the counterclaim for hearing on the same date as the original claim.

(d) The counterclaim shall be filed not less than five days before the date set for court hearing. The judge, in his discretion, may thereafter allow the filing of a written or oral counterclaim before or after hearing the merits of the claim and counterclaim. The judge, in his discretion, may require the payment of absolute or conditional costs up to \$25 by the defendant as a condition of allowing late filing in the event that a continuance is requested by the plaintiff and is granted because of such late filing.

(e) If the defendant has a counterclaim arising out of the same transaction or occurrence which exceeds the jurisdiction of the court and the defendant files an affidavit by himself or his attorney with the clerk not less than five days before the date set for court hearing showing that he has filed with the clerk of a specified other court of

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