

*for the calendar year next following the effective date of such amendment and for each calendar year thereafter shall establish a contribution rate of one per cent for such employers, or such reduced rate above one per cent as will conform to said Section 1602 of the Federal Internal Revenue Code. If the director determines that any employer has reorganized his business for the purpose of obtaining such rate he shall nevertheless be assigned the rate based upon his predecessor's employment experience.*

Approved April 22, 1949.

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CHAPTER 606—H. F. No. 394

*An act relating to aid to dependent children, amending Minnesota Statutes 1945, Section 256.74, Subdivision 1, as amended by Laws of 1947, Chapter 192.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1945, Section 256.74, Subdivision 1, as amended by Laws of 1947, Chapter 192, is amended so as to read as follows:

**256.74. Assistance. Subdivision 1. Amount.** The amount of assistance which shall be granted for any dependent child shall be determined by the county agency with due regard to the resources and necessary expenditures of the family and the conditions existing in each case and in accordance with the rules and regulations made by the state agency and shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health.

**Sec. 2. Effective date.** This act shall take effect and be force from and after July 1, 1949.

Approved April 22, 1949.

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CHAPTER 607—H. F. No. 430

[Coded as Section 502.79]

*An act relating to release of powers of appointment.*

Be it enacted by the Legislature of the State of Minnesota:.

[502.79] Section 1. **Release of powers of property held in trust.** Subdivision 1. A power of appointment over property held in trust, whether or not coupled with an interest, and whether or not existing on the effective date of this act, and whether the power is held by the donee in an individual or in a fiduciary capacity, may be released, wholly or partially, by the donee thereof, unless otherwise expressly provided in the instrument creating the power; Provided, however, that a power of appointment held by a person by reason of being a trustee of an express trust shall not be releasable hereunder unless (1) the release is approved by a court of competent jurisdiction on the ground that it is for the best interests of the trust estate and of the beneficiaries thereof as a whole, or (2) the trustee or trustees having the power could exercise it only in their own favor at the time the power was released. As used in this act, the term "power of appointment" shall include all powers in respect of any kind of property, real or personal, held in trust which are in substance and effect powers of appointment, all powers to alter, amend, revoke or terminate an express trust, and all powers by the exercise of which the possession or enjoyment of property held in trust may be changed, regardless of the language used in creating them.

Sec. 2. Subd. 2. A power releasable according to Section 1 may hereafter be released, wholly or partially, only by the delivery to the trustee of a written release executed by the donee of the power.

Sec. 3. Subd. 3. A release executed by the donee of a power releasable according to Section 1 and delivered in accordance with Section 2, whether heretofore or hereafter executed, shall be, and if heretofore executed and delivered shall be deemed to have been effective to release the power to the extent provided in such release.

Sec. 4. Subd. 4. If a power of appointment releasable according to Section 1 is or may be exercisable by two or more persons in conjunction with one another or successively, a release or disclaimer of the power, in whole or in part, executed and delivered in accordance with Section 2 by any one of the donees of the power shall, subject to the provisions of Section 2, be effective to release or disclaim, to the extent therein provided, all right of such persons to exercise, or to participate in the exercise of, the power, but, unless the instrument creating

the power otherwise provides, shall not prevent or limit the exercise or participation in the exercise thereof by the other donee or donees thereof.

Sec. 5. Subd. 5. The word "release" as used in Sections 2 to 5 shall include (a) an instrument wherein the person who executes it in substance states that he wholly releases, or agrees in no respect to exercise or participate in the exercise of, a power of appointment; and (b) an instrument wherein the person who executes it in substance states that he releases all right to exercise, or participate in the exercise of, a power of appointment otherwise than within the limits therein defined, or agrees not to exercise, or participate in the exercise of, a power of appointment otherwise than within the limits there defined.

Sec. 6. Subd. 6. This act shall not impair the validity of any releases heretofore made, and shall not create any implication that powers other than those specified herein are not releasable.

Approved April 22, 1949.

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CHAPTER 608—H. F. No. 610

[Coded as Section 360.38]

*An act relating to the Minnesota aeronautics fund, providing for the issuance of certificates of indebtedness for the raising of necessary additional funds to construct, improve, maintain, and operate, and assist counties, cities, towns, villages, boroughs, and public corporations in constructing, improving, maintaining, and operating, airports and other air navigation facilities and to assist this state and its municipalities in matching federal funds for such purposes, for the levying of taxes, authorizing the state board of investment to purchase such certificates of indebtedness, and appropriating moneys for the purposes of this act.*

Be it enacted by the Legislature of the State of Minnesota :

[360.38] Section 1. **Additional tax levies for Minnesota aeronautics fund.** Subdivision 1. **Supplementing Laws 1945, Chapter 467, and Laws 1947, Chapter 585.** To provide additional moneys for the Minnesota Aeronautics Fund created by