

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 1848 Session of  
1981

INTRODUCED BY McCALL, LUCYK, TRELLO, PETRARCA, J. L. WRIGHT,  
CLYMER, STUBAN, HASAY, SHUPNIK, WAMBACH, PISTELLA, HALUSKA,  
RYBAK, BELFANTI, TELEK, GRAY, DeWEESE, WOZNIAK, LETTERMAN,  
GEORGE, KUKOVICH, STEWART, WACHOB, GALLAGHER, PRATT, BLAUM,  
COLAFELLA AND WARGO, SEPTEMBER 23, 1981

REFERRED TO COMMITTEE ON LABOR RELATIONS, SEPTEMBER 23, 1981

AN ACT

1 Amending the act of June 21, 1939 (P.L.566, No.284), entitled  
2 "An act defining the liability of an employer to pay damages  
3 for occupational disease contracted by an employe arising out  
4 of and in the course of employment; establishing an elective  
5 schedule of compensation; providing procedure for the  
6 determination of liability and compensation thereunder;  
7 imposing duties on the Department of Labor and Industry, the  
8 Workmen's Compensation Board, Workmen's Compensation  
9 Referees, and deans of medical schools; creating a medical  
10 board to determine controverted medical issues; establishing  
11 an Occupational Disease Fund in custody of the State  
12 Workmen's Insurance Board; imposing upon the Commonwealth a  
13 part of the compensation payable for certain occupational  
14 diseases; making an appropriation; and prescribing  
15 penalties," further providing for burial compensation.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. The act of June 21, 1939 (P.L.566, No.284), known  
19 as "The Pennsylvania Occupational Disease Act," is amended by  
20 adding a section to read:

21 Section 307.1. In case of death not resulting from  
22 occupational disease, where the decedent had at any time been  
23 awarded compensation under this act for disability due to

1 silicosis, anthraco-silicosis or coal worker's pneumoconiosis,  
2 the Commonwealth shall pay the sum of seven hundred and fifty  
3 dollars as burial expenses, in accordance with clause 8 of  
4 section 307. This sum shall be paid regardless of the period of  
5 time between the decedent's death and his last exposure to the  
6 hazard, and shall be paid within 60 days of the receipt of the  
7 claim by the department.

8       Section 2. This act shall take effect immediately and shall  
9 apply to deaths occurring on and after the date of final  
10 enactment.