
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2027 Session of
1981

INTRODUCED BY E. H. SMITH, WARGO, DeMEDIO, MRKONIC, CAWLEY,
BELARDI AND SERAFINI, OCTOBER 27, 1981

REFERRED TO COMMITTEE ON MILITARY AND VETERANS AFFAIRS,
OCTOBER 27, 1981

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, further providing for pensions to
3 deceased soldier's dependents.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 3502 of Title 51, act of November 25,
7 1970 (P.L.707, No.230), is amended to read:

8 § 3502. Deceased soldier's dependents' pension.

9 (a) Amount and persons entitled.--A pension may be paid to
10 either the widow or widower or minor children or dependent
11 parent of any member of the Pennsylvania National Guard, who may
12 die from injuries received, or who may be killed while in active
13 service, under orders of the Governor, which active service
14 shall include participation in armory assemblies or
15 participation in aerial flights incidental to training. Such
16 pension shall be computed on the following basis and distributed
17 to the following persons monthly:

1 (1) To each minor child, if there is no widow or widower
2 entitled to compensation, \$75, with \$50 for each child in
3 excess of two, with a maximum of \$200 to be paid to their
4 guardian.

5 (2) To the widow or widower, if there are no children,
6 \$100.

7 (3) To the widow or widower, if there is one child,
8 \$150.

9 (4) To the widow or widower, if there are two children,
10 \$200.

11 (5) To the widow or widower, if there are three
12 children, \$250.

13 (6) To the widow or widower, if there are four or more
14 children, \$300.

15 (7) To the father and mother, if there is no widow,
16 widower, or children, if dependent to any extent upon the
17 member for support at the time of his death, \$100.

18 (b) Workmen's compensation.--Such pension shall be in
19 addition to any relief in the form of compensation determined
20 under the Workmen's Compensation Law of Pennsylvania as
21 authorized by section 3501 (relating to relief for disability
22 incurred in active State service).

23 (c) Claims.--All claims for pension under this section shall
24 be made to the department, which shall establish rules governing
25 the filing of such claims. The department shall investigate all
26 circumstances connected with the death of the person and make a
27 recommendation to the Adjutant General as to the granting of a
28 pension. If a pension is granted, it shall be paid monthly in
29 the manner provided by law.

30 (d) Term and removal.--No pension granted under this section

1 shall be granted for a longer period than [ten] fifteen years;
2 but in the case of minor children of a deceased member, the
3 pension shall be paid until the minor child reaches 18 years of
4 age.

5 (e) Revocation.--The department shall have power to revoke
6 any pension granted under this section when it shall be shown to
7 the satisfaction of the department that the pensioner is no
8 longer in a state of dependency.

9 (f) Exemption.--The provisions of this section shall not
10 apply to any member of the Pennsylvania National Guard while in
11 the service of the United States, in case of war, or under the
12 orders of the President of the United States.

13 (g) Appropriation.--The necessary appropriation to pay any
14 pensions granted under this section shall, at each regular
15 session of the General Assembly, be included in the items
16 pertaining to the department, in the act of Assembly providing
17 for the ordinary expenses of the Executive, Judicial, and
18 Legislative Departments of the Commonwealth.

19 Section 2. This act shall take effect immediately and shall
20 apply to the fiscal year commencing July 1, 1977 and to each
21 fiscal year thereafter.