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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 340

Session of  
1979

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INTRODUCED BY SCHEAFFER, DeMEDIO, MANMILLER, FEE, D. R. WRIGHT,  
COCHRAN, DeWEESE, ZELLER, GRIECO AND ZITTERMAN,  
FEBRUARY 20, 1979

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REFERRED TO COMMITTEE ON MILITARY AND VETERANS AFFAIRS,  
FEBRUARY 21, 1979

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AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania  
2 Consolidated Statutes, further providing for the pension for  
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), known as the Pennsylvania Consolidated  
8 Statutes, is amended and a section is added to read:

9 § 3502. Deceased soldier's dependents' pension.

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

1 to the following persons monthly:

2 (1) To each minor child, if there is no widow or widower  
3 entitled to compensation, [\$50] \$75, with [\$25] \$50 for each  
4 child in excess of two, with a maximum of [\$150] \$200 to be  
5 paid to their guardian.

6 (2) To the widow or widower, if there are no children,  
7 [\$50] \$100

8 (3) To the widow or widower, if there is one child,  
9 [\$75] \$150.

10 (4) To the widow or widower, if there are two children,  
11 [\$100] \$200 .

12 (5) To the widow or widower, if there are three  
13 children, [\$125] \$250.

14 (6) To the widow or widower, if there are four or more  
15 children, [\$150] \$300.

16 (7) To the father and mother, if there is no widow,  
17 widower, or children, if dependent to any extent upon the  
18 member for support at the time of his death, [\$50] \$100.

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

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

1 (d) Term and removal.--No pension granted under this section  
2 shall be granted for a longer period than [five] ten years; but  
3 [may be renewed, for a further period of five years, upon  
4 satisfactory evidence of the dependency of the pensioner being  
5 submitted or obtained by the department] in the case of minor  
6 children of a deceased member, the pension shall be paid until  
7 the minor child reaches 18 years of age.

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

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

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

22 § 3503. Tuition credit.

23 (a) Children entitled to tuition credit.--The children of  
24 members of the Pennsylvania National Guard who were killed or  
25 die as a result of injuries received while in State active duty  
26 shall be entitled to a 50% tuition credit at all State-owned  
27 colleges or universities or approved trade schools for a period  
28 not exceeding eight semesters or four years.

29 (b) Department to control program.--The department shall  
30 adopt rules and regulations to carry out the provisions of this

1 section and shall administer the tuition credit program  
2 established herein.

3       Section 3. This act shall take effect immediately and apply  
4 to the fiscal year July 1, 1977 and each fiscal year thereafter.