

No. 365

AN ACT

SB 155

Amending the act of April 1, 1909 (P.L.95), entitled "An act providing for payment of pension to either the widow, minor children, or dependent parent of any soldier of the National Guard of Pennsylvania or Naval Force of Pennsylvania, who may die from injuries received, or who may be killed, or who two years prior to the passage of this act may have been killed, in line of duty, in active service, under orders of the Governor; authorizing the State Military Board to grant such pension, and certify same to Auditor General for payment; providing method of payment, fixing the term for which pension may be granted or renewed; authorizing the State Military Board to revoke a pension, and providing method of making appropriation to pay pension," further defining and increasing pensions and extending the act to widowers.

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

Section 1. Sections 1 and 2, act of April 1, 1909 (P.L.95), entitled "An act providing for payment of pension to either the widow, minor children, or dependent parent of any soldier of the National Guard of Pennsylvania or Naval Force of Pennsylvania, who may die from injuries received, or who may be killed, or who two years prior to the passage of this act may have been killed, in line of duty, in active service, under orders of the Governor; authorizing the State Military Board to grant such pension, and certify same to Auditor General for payment; providing method of payment; fixing the term for which pension may be granted or renewed; authorizing the State Military Board to revoke a pension, and providing method of making appropriation to pay pension," amended May 8, 1929 (P.L.1680), are amended to read:

Section 1. Be it enacted, &c., That a pension [, **not exceeding twenty-five dollars per month, payable quarterly,**] may be paid to either the widow *or widower* or minor children or dependent parent of any soldier of the National Guard of Pennsylvania or the Naval Force of Pennsylvania, who may die from injuries received, or who may be killed, or who within two years prior to the passage of this act may have been killed in line of duty, while in active service, under orders of the Governor, which active service shall include participation in armory drills, or participation in aerial flights incidental to training of National Guard Troops or the Naval Force of Pennsylvania. *Such pension shall be computed on the following basis and distributed to the following persons monthly:*

(1) *To each minor child, if there is no widow or widower entitled to compensation, fifty dollars, with twenty-five dollars for each child in excess of two, with a maximum of one hundred fifty dollars to be paid to their guardian;*

(2) *To the widow or widower, if there are no children, fifty dollars;*

(3) *To the widow or widower, if there is one child, seventy-five dollars;*

(4) *To the widow or widower, if there are two children, one hundred dollars;*

(5) *To the widow or widower, if there are three children, one hundred twenty-five dollars;*

(6) *To the widow or widower, if there are four or more children, one hundred fifty dollars;*

(7) *To the father and mother, if there is no widow, widower, or children, if dependent to any extent upon the member for support at the time of his death, fifty dollars.*

Such pension shall be in addition to any relief in the form of compensation determined under the Workmen's Compensation Law of Pennsylvania as authorized by section 844 of "The Military Code of 1949."

Section 2. All claims for pension under this act shall be made to the State Military Board, consisting of the Adjutant General, Auditor General, and State Treasurer, who shall establish rules governing the filing of such claims, thoroughly investigate all circumstances connected with the death of the soldier whose death is the basis of a claim for pension; and the said State Military Board may, after June first, nineteen hundred and nine, upon satisfactory evidence submitted or obtained, grant a pension [**not exceeding twenty-five dollars per month**] to either the widow *or widower* or minor children or dependent parent of the deceased soldier; and certify same to the Auditor General, who shall thereafter draw a warrant, quarterly, upon the State Treasurer to the order of the pensioner; for which payment a proper voucher will be filed, in form to be prescribed and furnished by the Auditor General.

APPROVED—The 29th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 365.



Secretary of the Commonwealth.