

HOUSE No. 1122

By Mr. Chapman of Boston, petition of Philip A. Chapman that the amounts of death benefits be increased to certain dependents under the workmen's compensation law. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Seven.

AN ACT INCREASING THE AMOUNTS OF DEATH BENEFITS
TO CERTAIN DEPENDENTS UNDER THE WORKMEN'S
COMPENSATION LAW.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 Section 31 of chapter 152 of the General Laws, as
2 most recently amended by chapter 572 of the acts of
3 1945, is hereby further amended by striking out the
4 last paragraph and inserting in place thereof the
5 following: —

6 In all other cases of total dependency, the insurer
7 shall pay the dependents of the employee wholly de-
8 pendent upon his earnings for support at the time of
9 the injury a weekly payment equal to two thirds of
10 his average weekly wages, but not more than fifteen
11 dollars nor less than eight dollars a week, for a period
12 of five hundred weeks; but in no case shall the amount
13 be more than six thousand dollars. If the employee
14 leaves dependents only partially dependent upon his

15 earnings for support at the time of his injury the
16 insurer shall pay such dependents a weekly compensa-
17 tion equal to the same proportion of the weekly pay-
18 ments for the benefit of persons wholly dependent as
19 the amount contributed by the employee to such
20 partial dependents bears to the annual earnings of the
21 deceased at the time of his injury. In the event of the
22 parties agreeing or the department finding that a
23 partial dependent is the next of kin of the deceased
24 employee and has, during the year preceding the
25 injury, received from such deceased employee con-
26 tributions for his support independent of gifts and
27 gratuities, such partial dependent shall be paid by
28 the insurer a minimum weekly compensation of
29 five dollars. When weekly payments have been made
30 to an injured employee before his death, compensa-
31 tion under this paragraph to dependents shall begin
32 from the date of the death of the employee, but shall
33 not continue for more than five hundred weeks; but
34 in no case of partial dependency shall the amount be
35 more than four thousand dollars.