
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1763

Session of
1975

INTRODUCED BY MEBUS, A. K. HUTCHINSON, BEREN, ARTHURS,
VALICENTI, PETRARCA AND M. E. MILLER, SEPTEMBER 30, 1975

REFERRED TO COMMITTEE ON LABOR RELATIONS, SEPTEMBER 30, 1975

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as
2 amended, "An act defining the liability of an employer to pay
3 damages for injuries received by an employe in the course of
4 employment; establishing an elective schedule of
5 compensation; providing procedure for the determination of
6 liability and compensation thereunder; and prescribing
7 penalties," further providing for the rate of compensation
8 for certain additional coverages.

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

11 Section 1. Section 601, act of June 2, 1915 (P.L.736,
12 No.338), known as "The Pennsylvania Workmen's Compensation Act,"
13 reenacted and amended June 21, 1939 (P.L.520, No.281) and added
14 December 5, 1974 (P.L.782, No.263), is amended to read:

15 Section 601. In addition to those persons included within
16 the definition of the word "employe" as defined in section 104
17 of this act, there shall be included all members of volunteer
18 ambulance corps, volunteer fire companies or volunteer fire
19 departments of the various cities, boroughs, incorporated towns,
20 and townships, who shall be and are hereby declared to be
21 "employees" of such cities, boroughs, incorporated towns,

1 townships, for all the purposes of this act, and shall be
2 entitled to receive compensation in case of injuries received
3 while actually engaged as ambulance corpsmen or firemen or while
4 going to or returning from any fire which the fire companies or
5 ambulance corps or fire department of which they are members
6 shall have attended, or while participating in instruction fire
7 or ambulance drills in which the fire company or ambulance corps
8 of which they are members shall have participated, or while
9 repairing or doing other work about or on the fire or ambulance
10 apparatus or buildings and grounds of such fire company upon the
11 authorization of the chief or corps president or other person in
12 charge, or while answering any emergency call for any purpose,
13 or while riding upon the fire or ambulance apparatus owned or
14 used by the fire companies or ambulance corps of which they are
15 members, at any time, or while performing any other duties of
16 such ambulance corps, companies or fire department authorized by
17 such cities, boroughs, incorporated towns and townships, or
18 while performing duties imposed by section 15 of the act,
19 approved April 27, 1927 (P.L.465, No.299), entitled, as amended,
20 "An act to provide for the safety of persons employed, housed,
21 or assembled in certain buildings and structures not in cities
22 of the first class, second class, and second class A, by
23 requiring certain construction and ways of egress, equipment,
24 and maintenance; providing for the licensing of projectionists,
25 except in cities of the first class and second class; requiring
26 the submission of plans for examination and approval; providing
27 for the promulgation of rules and regulations for the
28 enforcement of this act; providing for the enforcement of this
29 act by the Department of Labor and Industry and, in certain
30 cases, by the chiefs of fire departments in cities of the third

1 class; providing penalties for violations of the provisions of
2 this act; and repealing certain acts," as amended; and there
3 shall be included all individuals who extinguish forest fires
4 and are entitled to compensation therefor, as determined by
5 authorized officers of the Department of Environmental
6 Resources, and such individuals are hereby declared to be
7 "forest fire fighters" and "employees" of the department for all
8 the purposes of this act, and shall be entitled to receive
9 compensation in case of injuries received while actually engaged
10 in extinguishing forest fires or while going to or returning
11 from forest fires or while performing any other duties in
12 connection with extinguishing forest fires authorized or
13 ratified by the department's officers.

14 In all cases where an injury compensable under the provisions
15 of this act is received by a member of a volunteer ambulance
16 corps, volunteer fire company, or volunteer fire department or
17 by a forest fire fighter of the department whether employed,
18 self-employed, or unemployed, there is an irrebuttable
19 presumption that his wages shall be at least equal to the
20 Statewide average weekly wage for the purposes of computing his
21 compensation under sections 306 and 307 of this act. Provided,
22 that any fixed percentum of wages stated in the schedules of
23 compensation contained in sections 306 and 307 shall not be
24 applicable for the purposes of computing compensation under this
25 section; and, instead, each employe, as defined in this section,
26 shall receive compensation at the rate of the maximum
27 compensation payable for such time period as contained in
28 sections 306 and 307.

29 Section 2. This act shall take effect immediately.