

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 748

Session of
1977

INTRODUCED BY MELLOW AND ORLANDO, APRIL 20, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
NOVEMBER 22, 1977

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," PROVIDING COVERAGE FOR VOLUNTEER RESCUE AND <—
8 LIFESAVING SQUADS AND further defining employe to include
9 volunteers in the State Parks and Forests Program, DEPUTY <—
10 GAME PROTECTORS, SPECIAL WATERWAY PATROLMEN AND TO VOLUNTEERS
11 IN CONNECTION WITH FOREST FIRE PROTECTION and providing
12 benefits.

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

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

19 Section 601. In addition to those persons included within
20 the definition of the word "employe" as defined in section 104
21 of this act, there shall be included all members of the
22 volunteers in the State Parks and Forests Program, volunteer

1 ambulance corps, VOLUNTEER RESCUE AND LIFESAVING SQUADS, <—
2 volunteer fire companies or volunteer fire departments of the
3 various cities, boroughs, incorporated towns, and townships, who
4 shall be and are hereby declared to be "employees" of such
5 cities, boroughs, incorporated towns, townships, and OF the <—
6 Commonwealth ~~(in~~ IN the case of volunteers in State Parks and <—
7 Forests Program, MEMBERS OF VOLUNTEER AMBULANCE CORPS AND <—
8 VOLUNTEER FIRE COMPANIES WHEN PERFORMING DUTIES IN STATE PARKS
9 AND STATE FORESTS for all the purposes of this act, and shall be
10 entitled to receive compensation in case of injuries received
11 while actually engaged as ambulance corpsmen, RESCUE AND <—
12 LIFESAVING SQUAD MEMBERS or firemen or while going to or
13 returning from any fire which the fire companies or ambulance
14 corps OR RESCUE AND LIFESAVING SQUAD or fire department of which <—
15 they are members shall have attended, or while participating in
16 instruction fire, RESCUE AND LIFESAVING or ambulance drills in <—
17 which the fire company, RESCUE AND LIFESAVING SQUAD or ambulance <—
18 corps of which they are members shall have participated, or
19 while repairing or doing other work about or on the fire, RESCUE <—
20 AND LIFESAVING or ambulance apparatus or buildings and grounds
21 of such fire company upon the authorization of the chief, SQUAD <—
22 LEADER or corps president or other person in charge, or while
23 answering any emergency call for any purpose, or while riding
24 upon the fire, RESCUE AND LIFESAVING or ambulance apparatus <—
25 owned or used by the fire companies, RESCUE AND LIFESAVING <—
26 SQUAD, or ambulance corps of which they are members, at any
27 time, or while performing any other duties of such ambulance
28 corps, RESCUE AND LIFESAVING SQUADS, companies or fire <—
29 department authorized by such cities, boroughs, incorporated
30 towns and townships, or while performing any duties in

1 connection with the volunteers in State Parks and Forests
2 Program, or while performing duties imposed by section 15 of the
3 act, approved April 27, 1927 (P.L.465, No.299), entitled, as
4 amended, "An act to provide for the safety of persons employed,
5 housed, or assembled in certain buildings and structures not in
6 cities of the first class, second class, and second class A, by
7 requiring certain construction and ways of egress, equipment,
8 and maintenance; providing for the licensing of projectionists,
9 except in cities of the first class and second class; requiring
10 the submission of plans for examination and approval; providing
11 for the promulgation of rules and regulations for the
12 enforcement of this act; providing for the enforcement of this
13 act by the Department of Labor and Industry and, in certain
14 cases, by the chiefs of fire departments in cities of the third
15 class; providing penalties for violations of the provisions of
16 this act; and repealing certain acts," as amended; and there
17 shall be included FOR THE PURPOSES OF THIS ACT TO RECEIVE <—
18 COMPENSATION IN CASE OF INJURIES RECEIVED WHILE ACTUALLY
19 PERFORMING OFFICIAL DUTIES, PENNSYLVANIA DEPUTY GAME PROTECTORS
20 WHETHER EMPLOYED BY THE GAME COMMISSION TO RECEIVE RECOMPENSE
21 FOR SUCH DUTIES OR OTHERWISE, all individuals [who extinguish <—
22 forest fires and are entitled to compensation therefor,] as <—
23 determined by authorized officers of the Department of
24 Environmental Resources, WHO ACT TO PROTECT OUR FORESTS FROM <—
25 FIRE, WHETHER OR NOT THEY ARE ENTITLED TO COMPENSATION THEREFOR;
26 and such individuals are hereby declared to be "forest fire
27 fighters" and ["employees"] "FOREST FIRE PROTECTION EMPLOYES" of <—
28 the department for all the purposes of this act, and shall be
29 entitled to receive compensation in case of injuries received
30 while actually engaged in extinguishing forest fires or while

1 going to or returning from forest fires or while performing any
2 other duties in connection with [extinguishing forest fires] <—
3 FOREST FIRE PROTECTION authorized or ratified by the <—
4 department's officers. ALL SPECIAL WATERWAYS PATROLMEN SHALL BE <—
5 INCLUDED FOR THE PURPOSES OF THIS ACT TO RECEIVE COMPENSATION IN
6 CASE OF INJURIES RECEIVED WHILE ACTUALLY PERFORMING OFFICIAL
7 DUTIES.

8 In all cases where an injury compensable under the provisions
9 of this act is received by a member of any person in the
10 volunteers in the State Parks and Forests Program, a volunteer
11 ambulance corps, VOLUNTEER RESCUE AND LIFESAVING SQUAD, <—
12 volunteer fire company, DEPUTY GAME PROTECTOR, SPECIAL WATERWAYS <—
13 PATROLMAN or volunteer fire department or by a forest fire
14 fighter of the department whether employed, self-employed, or
15 unemployed, there is an irrebuttable presumption that his wages
16 shall be at least equal to the Statewide average weekly wage for
17 the purposes of computing his compensation under sections 306
18 and 307 of this act.

19 Section 2. This act shall take effect in 60 days.