

No. 482

## AN ACT

Amending the act of June twenty-one one thousand nine hundred thirty-nine (Pamphlet Laws 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," entitling certain unemployed persons to benefits, and fixing minimum compensation payments.

Workmen's  
compensation.

Section 1, act of  
June 21, 1939,  
P. L. 566,  
amended May  
29, 1951, P. L.  
439, May 29,  
1951, P. L. 497,  
and September  
29, 1951, P. L.  
1617, further  
amended.

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

Section 1. Section one, act of June twenty-one, one thousand nine hundred thirty-nine (Pamphlet Laws 566), entitled "A supplement to the act, approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amended May twenty-nine, one thousand nine hundred fifty-one (Pamphlet Laws 439), May twenty-nine, one thousand nine hundred fifty-one (Pamphlet Laws 497), and September twenty-nine, one thousand nine hundred fifty-one (Pamphlet Laws 1617), is amended to read:

Members of  
volunteer fire  
companies or  
departments and  
forest fire  
fighters included  
within definition  
of "employe."

Section 1. In addition to those persons included within the definition of the word "employe" as defined in section one hundred and four of the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine, there shall be

included all members of volunteer fire companies or volunteer fire departments of the various cities, boroughs, incorporated towns, and townships, who shall be and are hereby declared to be "employees" of such cities, boroughs, incorporated towns, townships, for all the purposes of said act, and shall be entitled to receive compensation in case of injuries received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended, or while participating in instruction fire drills in which the fire company of which they are members shall have participated, or while repairing or doing other work about or on the fire apparatus or buildings and grounds of such fire company upon the authorization of the chief or other person in charge, or while answering any emergency call for any purpose, or while riding upon the fire apparatus owned or used by the fire companies of which they are members, at any time, or while performing any other duties of such companies or fire department authorized by such cities, boroughs, incorporated towns and townships, or while performing duties imposed by section fifteen of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws 465), as amended; and there shall be included all individuals who extinguish forest fires and are entitled to compensation therefor, as determined by authorized officers of the Department of Forests and Waters, and such individuals are hereby declared to be "forest fire fighters" and "employees" of the department for all the purposes of said act, and shall be entitled to receive compensation in case of injuries received while actually engaged in extinguishing forest fires or while going to or returning from forest fires or while performing any other duties in connection with extinguishing forest fires authorized or ratified by the department's officers.

The city, borough, incorporated town or township, or the Department of Forests and Waters, as employer shall, in all cases, be deemed to have knowledge of all other employment of all members of its volunteer fire companies or volunteer fire departments, or of its forest fire fighters as the case may be, including self employment, and shall be liable for compensation on account of all wages and earnings resulting therefrom. In all cases where an injury compensable under the provisions of this act is received by a member of a volunteer fire company or volunteer fire department or by a forest fire fighter of the department who is in whole or in part a self employer, and loss of earnings results therefrom, such earnings shall, for the purposes of this act, be

Compensation payable for injuries received while engaged as firemen or while going to or returning from any fire.

Instruction fire drills.

Repair work.

Answering emergency call.

Riding upon fire apparatus.

Performing any other duties.

Compensation provided in cases of self employment.

Method of computing average weekly wage.

Minimum payments.

regarded as wages. The average weekly wage as so regarded shall be that most favorable to the employe, computed by dividing by thirteen the total earnings of the employe in the first, second, third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident. *In all cases where an injury compensable under the provisions of this act is received by a member of a volunteer fire company or volunteer fire department or by a forest fire fighter of the department who is self-employed or unemployed, payments shall be made of not less than twenty-two dollars and fifty cents (\$22.50) per week for total disability and not less than twelve dollars and fifty cents (\$12.50) for partial disability.*

APPROVED—The 12th day of April, A. D. 1956.

GEORGE M. LEADER

No. 483

AN ACT

Amending the act of June twenty, one thousand nine hundred forty-seven (Pamphlet Laws 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," as amended, by changing the penalties on taxes not paid when due.

School districts of the first class.

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

Clause (b), section 9, act of June 20, 1947, P. L. 745, amended May 12, 1949, P. L. 1238, further amended.

Section 1. Clause (b) of Section nine of the act of June twenty, one thousand nine hundred forty-seven (Pamphlet Laws 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties," as amended by the act of May 12, 1949 (P. L. 1238), is amended to read: