

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 240

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H.P. 195

House of Representatives, January 23, 2003

**An Act to Ensure that Maine's Unemployment System is Responsive  
to the Needs of Today's Workforce**

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Reference to the Committee on Labor suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative NORTON of Bangor.  
Cosponsored by Senator EDMONDS of Cumberland and  
Representatives: BLANCHETTE of Bangor, GROSE of Woolwich, HATCH of Skowhegan,  
HUTTON of Bowdoinham, O'BRIEN of Lewiston, PATRICK of Rumford, PINEAU of Jay,  
SMITH of Van Buren.

**Be it enacted by the People of the State of Maine as follows:**

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3  
4 **Sec. 1. 26 MRSA §1192, sub-§3**, as repealed and replaced by PL 1983, c. 816, Pt. A, §22, is amended to read:

6 **3. Is able and available for work.** ~~He~~ The individual is  
7 able to work and is available for full-time work at ~~his~~ the  
8 individual's usual or customary trade, occupation, profession or  
9 business or in such other trade, occupation, profession or  
10 business for which ~~his~~ the individual's prior training or  
11 experience shows ~~him~~ the individual to be fitted or qualified;  
12 and in addition to having complied with subsection 2 is ~~himself~~  
13 actively seeking work in accordance with the regulations of the  
14 commission; provided that no ineligibility may be found solely  
15 because the claimant is unable to accept employment on a shift,  
16 the greater part of which falls between the hours of midnight to  
17 5 a.m., and is unavailable for that employment because of  
18 parental obligation, the need to care for an immediate family  
19 member, or the unavailability of a personal care attendant  
20 required to assist the unemployed individual who is a handicapped  
21 person; and provided that an unemployed individual who is neither  
22 able nor available for work due to good cause as determined by  
23 the deputy ~~shall be~~ is eligible to receive prorated benefits for  
24 that portion of the week during which ~~he~~ the individual was able  
25 and available; except that, beginning January 1, 2004 an  
26 individual who is not available for full-time work as required in  
27 this subsection is not disqualified from receiving benefits if  
28 the person is available for part-time work, in accordance with  
29 rules adopted by the Department of Labor. Rules adopted to  
30 implement this subsection are routine technical rules as defined  
31 in Title 5, chapter 375, subchapter 2-A;

32  
33  
34 **SUMMARY**

35  
36 Under current law, an unemployed individual is eligible to  
37 receive unemployment benefits only if the individual is available  
38 for full-time work. This bill provides that, beginning January  
39 1, 2004, an individual who is not available for full-time work is  
40 not disqualified from receiving benefits if the person is  
available for part-time work.