

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

December 2021

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## JOINT STANDING COMMITTEE ON JUDICIARY

### **LD 1066 An Act To Clarify the Definition of "Mortgage Servicer" in the Laws Governing Mortgage Foreclosures**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 203 amends the law governing a mortgage servicer's duty to act in good faith by repealing the current definition of "mortgage servicer" and replacing it with the current definition of "servicer." It also clarifies that a mortgage deed is included in the definition of "obligation." A mortgage deed is considered an obligation even if the debt secured by the mortgage deed has been discharged in bankruptcy. It clarifies that the definition of "servicing" can include engaging in one or more of the actions listed. It clarifies that the actions covered by the definition of "servicing" include any action that relates to the enforcement of the rights of the loan owner that arise under the obligation.

### **LD 1096 An Act To Clarify the Rule-making Authority of the Supreme Judicial Court Concerning Electronic Records and Filing**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 343 clarifies the rule-making authority of the Supreme Judicial Court regarding rules concerning processes and procedures related to the filing of electronic records. It adds a provision that nullifies laws that conflict with duly adopted rules.

### **LD 1102 Resolve, Directing the Family Law Advisory Commission To Review Preliminary Injunctions in Judicial Separation and Divorce Actions**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 78 directs the Family Law Advisory Commission to review the elements of preliminary injunctions in judicial separation and divorce actions both in this State's statutes and in the statutes of other states. The commission shall submit a report to the Joint Standing Committee on Judiciary no later than December 15, 2021, and the committee may report out legislation related to the report to the Second Regular Session of the 130th Legislature.

### **LD 1144 An Act To Amend the Law Regarding Advance Health Care Directives**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 452 establishes a special audiovisual protocol for signing advance health care directives in a hospital or residential health care setting. It may be used by staff, employees or agents of the hospital or residential health care facility to help a patient who is medically isolated in a room or ward to prevent the spread of infectious disease to complete the patient's advance

#### ENACTED LAW SUMMARIES