

MASHANTUCKET PEQUOT TRIBAL LAWS

TITLE 9. COMMERCIAL

CHAPTER 1. ADOPTION OF ARTICLE 9 OF UCC

9 M.P.T.L. ch. 1 § 1

§ 1. Adoption of Provisions of the Uniform Commercial Code

Notwithstanding any provision of the laws of the Tribe to the contrary, the provisions of Article 9 of the Uniform Commercial Code as enacted in Title 42a of the Connecticut General Statutes and as the same may be amended from time to time by the General Assembly of Connecticut, shall be deemed adopted and incorporated by reference as if set out in full herein as the laws of the Mashantucket Pequot Tribe applicable to all security interests granted by the Tribe, including any agency, enterprise or other instrumentality of the Tribe; provided, however, that the provisions of C.G.S. § 42a-9-104(e)¹ or any corresponding successor provision of the laws of the state of Connecticut which would exempt security interests granted by a government from the scope of Article 9 of the Uniform Commercial Code shall not be adopted by the Tribe; and further provided, that security interests granted by TCR021392-01, the Tribe shall be deemed perfected under the laws of the Tribe when perfected in the manner provided for perfection of security interests under the laws of the state of Connecticut, including the place of filing for any financing statement as provided in such laws of the State; and further provided, that the laws of the Tribe as herein enacted with respect to such security interests granted by the Tribe shall be applicable to such security interests to the extent, and only to the extent that the provisions of Title 42a of the Connecticut General Statutes are deemed inapplicable to such security interests by virtue of C.G.S. § 42a-9-104(e) or any corresponding successor provision of the laws of the state of Connecticut which would exempt security interests granted by a government from the scope of Article 9 of the Uniform Commercial Code.

9 M.P.T.L. ch. 1 § 2

§ 2. Enforcement of Gaming Debts

Any other provision of law notwithstanding, obligations for the repayment of debts incurred for the purpose of participating in lawful gaming activities within the Mashantucket Pequot Reservation are declared valid and enforceable in accordance with the public policy of the Mashantucket Pequot Tribe. All persons entering upon the Reservation for the purpose of participating in lawful gaming activities are deemed by such entry and participating to consent to the exercise of jurisdiction by the Tribe over such persons in any civil action to enforce obligations arising from any transaction which arises within the Mashantucket Pequot Reservation, including the jurisdiction of the tribal courts of the Mashantucket Pequot Tribe, and except where otherwise prohibited by the laws of the Tribe the tribal court of the Mashantucket Pequot Tribe

shall have jurisdiction over such actions and persons to enforce such obligations.

9 M.P.T.L. ch. 1 § 3

§ 3. Applicability of Other Laws

Except as modified by the provisions of this Law or other laws of the Tribe, the laws of the Tribe applicable to any commercial transaction arising within the Mashantucket Pequot Reservation shall be deemed to be those laws of the state of Connecticut which are generally applicable to similar commercial transactions occurring elsewhere within the State, and such laws are hereby adopted and incorporated by reference as the laws of the Tribe applicable to such transactions.

9 M.P.T.L. ch. 1 § 4

§ 4. Applicability of this Law to Prior Transactions

The provisions of this Law shall be applicable to all security interests granted by the Tribe prior to the enactment of this Law, unless such application would be inconsistent with rights vested in any party other than the Tribe by operation of the provisions of any existing contract between the Tribe and such party.

CHAPTER 2. HOTEL AND INNKEEPERS LIABILITY

9 M.P.T.L. ch. 2 § 1

§ 1. Loss of Valuables of Guests and Patrons

The proprietor of a hotel located on the Mashantucket Pequot Reservation shall not be liable for the loss of or damage to any securities, bank notes, money, jewelry, precious stones, watches or other valuables belonging or brought to such hotel by a guest of such hotel unless such guest has delivered such property to the person in charge of the office of such hotel for safekeeping and taken a written receipt therefore, provided such proprietor shall have posted in the room of such guest or in the registration area of such hotel a notice to the effect that such proprietor has provided a safe for the keeping of valuables, and such proprietor shall not be liable for more than \$500 damages for the loss of or damage to such property so delivered unless such guest has declared a greater value and such proprietor has given a written receipt stating such value.

9 M.P.T.L. ch. 2 § 2

§ 2. Loss of Other Property

The proprietor of a hotel located on the Mashantucket Pequot Reservation shall not be liable for the loss of or damage to any property belonging to or brought to such hotel by a guest of such hotel, other than the property described in Section 1 of this Chapter and not in the room assigned to such guest, unless such loss or damage is caused by the negligence of such proprietor or any of his employees, and such proprietor shall not be liable for more than \$1,000 damages in the aggregate for any loss or damage so caused; provided, if any such property is deposited in the checkroom or baggage room of any such hotel and a check or written receipt taken therefore, the proprietor of such hotel shall be liable for the loss of or damage to such property to the extent of \$350, and provided such proprietor shall not be liable for more than \$1,000 damages for the loss of property from the room assigned to such guest.

9 M.P.T.L. ch. 2 § 3

§ 3. Definitions

For purposes of this Chapter, the "proprietor" of a hotel located on the Mashantucket Pequot Reservation shall be the Mashantucket Pequot Gaming Enterprise.

CHAPTER 3. TRADE NAME CERTIFICATES

9 M.P.T.L. ch. 3 § 1

§ 1. Filing of Trade Name Certificates (a/k/a D/B/A certificates or Fictitious Name Certificates)

a. Any person conducting or transacting business in Mashantucket under any assumed name, or under any designation, name or style, corporate or otherwise, other than the real name or names of the person or persons conducting or transacting such business must file, with the Office of the Tribal Clerk, a certificate stating the name under which such business is being or is to be conducted or transacted and the full name and address of each person conducting or transacting such business.

b. A certificate as described in Section 1(a) of this law shall be executed by each person conducting or transacting such business.

c. The Tribal Clerk shall keep an alphabetical index of the names of all persons filing such certificates and of all names or styles assumed as provided in this Section.

d. A copy of any such certificate, certified by the Tribal Clerk shall be presumptive evidence of the facts contained in such certificate. The provisions of this Section shall not prevent the lawful use of a partnership name or designation if such partnership name or designation includes the true surname of at least one of the persons composing such partnership.