

CHAPTER 59

STOCKBRIDGE-MUNSEE TRIBAL LAW COMMERCIAL-SECURITY INTERESTS

Section 59.1 Adoption of Article 9 of the Uniform Commercial Code

Notwithstanding any provision of Tribal law, the provisions of Article 9 of the Uniform Commercial Code as enacted by N.Y. Uniform Commercial Code §9-101-§11-08 (McKinney 2005), and as the same may be amended from time to time by the State of New York, shall be deemed adopted and incorporated by reference as if set on full herein as Stockbridge-Munsee Tribal law and shall be applicable to all security interests granted by the Stockbridge-Munsee Community, including any arm of the Tribal government including Tribally owned businesses or enterprises that are located within the State of New York.

Section 59.2 Applicability to Prior Transactions

The provisions of the Ordinance shall be applicable to all security interests granted by the Tribe prior to enactment of this Ordinance, 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.

Section 59.3 Severability.

If any section, or any part thereof, of this Ordinance shall be held invalid for any reason whatsoever by a court of competent jurisdiction, the remainder of the section, or part of this Ordinance shall not be affected thereby and shall remain in full force and effect as though no section, or part thereof, has been declared to be invalid.

Section 27.4 No Waiver of Sovereign Immunity.

Nothing in this Ordinance shall provide or be interpreted to provide a waiver of the Stockbridge-Munsee Community or any of its governmental officers' and/or agents' sovereign immunity from suit.

Section 27.5 Future Amendments

This Ordinance, and any section, part, and word thereof, may be amended by Tribal Council in accordance with the provisions of the Stockbridge-Munsee Tribal Constitution, and without Bureau of Indian Affairs approval.

Legislative History

Adopted by Tribal Council March 16, 2005, Resolution No. 013-05. Approved by Bureau April 1, 2005.