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APR 22 2010
SEC. OF STATE

Final submission

INITIATIVE PETITION
TO THE SECRETARY OF STATE,
STATE OF NORTH DAKOTA

We, the undersigned, being qualified electors request the following initiated law be placed on the ballot as provided by law.

SPONSORING COMMITTEE

The following are the names and addresses of the qualified electors of the state of North Dakota who, as the sponsoring committee for the petitioners, represent and act for the petitioners in accordance with law:

Daniel Woodard, Chairman
6 Glacial Court
Minot, ND 58703

Lori Ruby
4620 46th Ave NW
Minot, ND 58703

Dan Ruby
4620 46th Ave NW
Minot, ND 58703

Patricia Larson
1714 7th Street South
Fargo, ND 58103

Darold Larson
1714 7th Street S
Fargo, ND 58103

Virginia Dolajak
1516 Portland Dr
Bismarck, ND 58504

James P Bartlett
1854 107th St NE
Bottineau, ND 58318

Kirk Carmody
1700 7th St NW
Minot, ND 58703

Ronald Huettl
1712 19th Ave NW
Minot ND 58703

Jolene Pietsch
2216 N Broadway
Minot, ND 58703

Tim Beaudoin
743 E. 13th St.
Dickinson, ND 58602

Howard Wahl
512-7 Ave SE
Minot, ND 58701

Anna Belle Bourgois
18650 227th Ave NE
Baldwin, ND 58521

Karen Degenstein
1425 8th St NW #6
Minot, ND 58703

W M Schuh
5912 Horseshoe Bend
Mandan, ND 58554

Robert J. McDonald
612 25th Ave NW
Minot, ND 58703

Ron Shaw
413 Raymond Street
Bismarck, ND 58501

S Michael Bain
306 Ryan Drive #8
Bismarck, ND 58501

Rosella M. Laning
4121 78th Ave NE
Bismarck, ND 58503

Steve Cates
3521 Hwy 1804 SE
Bismarck, ND 58504

Daniel Christen
3 Glacial Point
Minot, ND 58703

Roger Sand
1120 8th St NW
Minot, ND 58703

Mylan Sand
2611 11th Ave NW
Minot, ND 58703

James Vandrovec
100-18 Ave NE
Jamestown, ND 58401

Andrew Kadlec
1 Second Street South #1-102
Fargo, ND 58103

PETITION TITLE

This initiated measure would create a new chapter to the North Dakota Century Code making it a crime for a physician to knowingly decapitate or crush the skull of a living unborn child or to incidentally cause serious bodily injury to the mother due to a resulting skull fragment; medical treatment could be used to save the life of the mother if the death of the child is incidental to the treatment.

FULL TEXT OF THE MEASURE

IF MATERIAL IS UNDERSCORED, IT IS NEW MATERIAL WHICH IS BEING ADDED. IF MATERIAL IS OVERSTRUCK BY DASHES, THE MATERIAL IS BEING DELETED. IF MATERIAL IS NOT UNDERSCORED OR OVERSTRUCK, THE MATERIAL IS EXISTING LAW THAT IS NOT BEING CHANGED.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. Chapter 12.1-17.2 of the North Dakota Century Code is created and enacted as follows:

12.1-17.2-01. Short title.

This chapter shall be known and may be cited as The Baby Decapitation and Skull Crushing Ban.

12.1-17.2-02. Definitions. As used in this chapter:

1. "Decapitation" means serious bodily injury in which a person uses any instrument or procedure to grasp or cut the skull or neck of a living unborn child for the purpose of separating the skull from the neck.

2. "Skull crushing" means serious bodily injury in which a person uses any instrument or procedure to grasp or cut the skull of a living unborn child for the purpose of compressing or collapsing the skull in a life-endangering manner.

12.1-17.2-03. Decapitation and skull crushing of living unborn children.

1. No physician shall knowingly decapitate or crush the skull of a living unborn child. A violation of this section is a class A felony.

2. If a violation of this section results in a skull fragment, which causes serious bodily injury to the mother while inside the mother or while being removed, then the penalty for the physician is a class AA felony of life imprisonment without parole.

3. Medical treatment may be provided in cases where the lives of the mother or her unborn child are at risk and the death of the child is incidental to the lifesaving intervention.

INSTRUCTIONS TO PETITION SIGNERS

You are being asked to sign a petition. You must be a qualified elector. This means you are eighteen years old, you have lived in North Dakota thirty days, and you are a United States citizen. All signers must add their complete residential address or rural route or general delivery address and the date of signing. Every qualified elector signing a petition must do so in the presence of the individual circulating the petition.

QUALIFIED ELECTORS

Month, Day, Year	Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
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3			
4			

Month, Day, Year	Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
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STATE OF NORTH DAKOTA)
)ss.
COUNTY OF _____)
(county where signed)

I,_____, being sworn, say that I am a qualified elector;
(circulator)

that I reside at _____;
(address)

that each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief each individual whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the individual whose name it purports to be.

_____
(signature of circulator)

Subscribed and sworn to before me on _____ _____,20__,at _____, North Dakota.
(city)

(NOTARY SEAL / STAMP)

_____
(signature of notary)
Notary Public
My commission expires _____