

**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:

Karen Thunshelle, Chairman  
111 50<sup>th</sup> St. SW  
Minot, ND 58701

Melissa Lovelace  
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Sawyer, ND 58781

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Tiffany Long  
600 18 St. NW  
Minot, ND 58703

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216 25<sup>th</sup> St. NW  
Minot, ND 58703

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Bismarck, ND 58501

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Grand Forks, ND 58203

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Minot, ND 58701

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New Salem, ND 58563

Peggy Jo Moore  
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Dickinson, ND 58601

Ron Thunshelle, DVM  
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Steve Smith  
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Tricia Bearman  
6001 Highway 83 South  
Minot, ND 58701

Alison Larson-Smith  
P.O. Box 4125  
Bismarck, ND 58502

## PETITION TITLE

This initiated measure would create new section 36-21.1-02.1 to the North Dakota Century Code making it a class C felony for an individual to maliciously and intentionally harm a living dog, cat or horse and providing a court with certain sentencing options. The measure would not apply to production agriculture, or to lawful activities of hunters and trappers, licensed veterinarians, scientific researchers, or to individuals engaged in lawful defense of life or property.

## 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.** Section 36-21.1-02.1 of the North Dakota Century Code is created and enacted as follows:

36-21.1-02.1 Aggravated animal cruelty—Prevention of Extreme Cruelty to Dogs, Cats, and Horses Act

1. Any individual who maliciously and intentionally burns, poisons, crushes, suffocates, impales, drowns, blinds, skins, beats to death, drags to death, exsanguinates, disembowels, or dismembers any living dog, cat, or horse is guilty of a class C felony.
2. The prohibition in subsection 1 of this section does not apply to:
  - a. Hunting, trapping, fishing, or any other activity that requires a license or permit under chapter 20.1-03;
  - b. The marking of an animal for identification, and any other activity that is a usual and customary practice in production agriculture;
  - c. Examination, testing, individual treatment, operation, or euthanasia performed by or under the supervision of a licensed veterinarian;
  - d. Lawful medical or scientific research conducted at a public or private facility or laboratory by or under the direction of a qualified researcher;
  - e. Any lawful activity undertaken to protect a person's life or property from a serious threat caused by a dog, cat, or horse; and
  - f. Any other lawful activity exempt from the definition of "cruelty" or "torture" contained in section 36-21.1-01.
3. In addition to any imprisonment or fine, or both, ordered pursuant to chapter 12.1-32, any individual who violates subsection 1 of this section also may, at the discretion of the court, be:
  - a. Ordered to undergo mandatory psychological or psychiatric evaluation and obtain psychological counseling, including counseling in responsible pet ownership or animal cruelty prevention, for which the person shall bear any costs incurred; and
  - b. Ordered not to own or possess a dog, cat, or horse for up to five years after the date of the sentencing.

## 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
1.			
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3.			
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20.			
21.			
22.			

Month, Day, Year	Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
23.			
24.			
25.			
26.			
27.			
28.			
29.			
30.			

STATE OF NORTH DAKOTA )  
)ss.  
COUNTY OF \_\_\_\_\_ )  
(county where signed)

I, \_\_\_\_\_, being sworn, say that I am a qualified elector; that I reside  
(circulator)  
at \_\_\_\_\_; that each signature contained on the attached  
(address)  
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 \_\_\_\_\_, 2012, at \_\_\_\_\_, North Dakota.  
(city)

**(NOTARY SEAL / STAMP)**

\_\_\_\_\_  
(signature of notary)  
Notary Public  
My commission expires: \_\_\_\_\_