

Many critics of the initiative are saying, rightly, that the initiative's language is too broad and goes too far. But how can ethics legislation go too far? Here is just one of many examples:

The plain language of the initiative would preclude any person of influence in the LDS Church (e.g., Bishop, Relief Society President, Quorum President, etc.) from serving in the legislature. People of other faiths might face a similar problem.

The initiative:

- Precludes any lobbyist from serving in the legislature.
- Defines a lobbyist as any person of influence in any corporation that employs a lobbyist.
- The LDS Church is legally structured as a corporation.
- The LDS Church employs 2 lobbyists.
- The initiative specifically calls for its provisions to be interpreted broadly.

Most people will probably agree that this would be an absurd outcome as it would disqualify a significant portion of the population, but the plain language of the initiative requires it. We cannot expect the "ethics" commission to exercise restraint, particularly when they are subject to no review and when the initiative requires its provisions to be interpreted and applied broadly. We should assume that the commission will do what the language of the initiative requires.

If every provision of the initiative is implemented as written, many fine (and ethical) people will be disqualified from service in the legislature. If, on the other hand, the people in power pick and choose which provisions to apply, the rule of law will be undermined in our state.

Our government was founded on the idea that the law is above everyone and that it applies to everyone. No one has the power to grant exemption to the application of the law. This is a safeguard against arbitrary governance.

The flaws in this initiative are not a secondary consideration. If the law cannot be reasonably applied as written, judgments will be made at the sole discretion of those in power. We have a responsibility not to expose ourselves to undue risk.