STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

February 26, 2014

The Honorable Andy Biggs
President of the Senate
Arizona State Senate
1700 West Washington
Phoenix, Arizona 85007

Re: Senate Bill 1062 (exercise of religion; state action)

Dear President Biggs:

The free exercise of religion is a founding principle of the United States of America. It is a key ideal that distinguishes our country as a land of liberty. This concept is so vital to freedom that Arizona's founders expressed the following in the preamble to the Arizona Constitution: "We the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution."

Senate Bill 1062 would statutorily extend to all businesses the right to assert a free exercise of religion defense in a judicial proceeding. The bill also would allow the assertion of the defense regardless of whether the government is a party to the proceeding.

The concerns raised by the proponents of this bill are not unfounded. As a result of actions taken by the Obama Administration, as well as some federal and out-of-state courts, I am increasingly concerned about government's encroachment upon our religious freedoms.

As Governor, I have worked to ensure that the State of Arizona maintain religious freedoms when there is a specific and present concern that exists in our state. I have signed into law numerous pieces of legislation designed to protect the religious freedoms of individuals and businesses, including legislation that protects the rights of religious affiliated businesses to choose not to provide contraceptive coverage or abortion-inducing drugs in their insurance plans. I have safeguarded against the use of zoning that might otherwise infringe on religious liberties and protected licensed professionals from having their licenses threatened because of the exercise of their religious beliefs. I also have made certain that insurers on the federal insurance exchange in our state could not require plans that include coverage for elective abortions.

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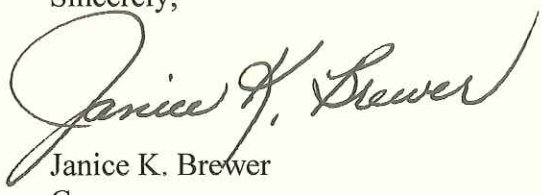
Senate Bill 1062, however, does not seek to address a specific and present concern related to Arizona businesses. The out-of-state examples cited by proponents of the bill, while concerning, are issues not currently existing in Arizona. Furthermore, the bill is broadly worded and could result in unintended and negative consequences. The legislation seeks to protect businesses, yet the business community overwhelmingly opposes the proposed law. Moreover, some legislators that voted for the bill have reconsidered their votes and now do not want this legislation to become law.

These concerns are among the primary reasons I have vetoed Senate Bill 1062.

As we approach the month of March, I urge the Legislature to focus on the priorities I presented in my State of the State address. It is essential that we come together for a principled, fiscally prudent budget to continue Arizona's economic recovery and foster Arizona's business friendly environment. It also is imperative that we remain steadfast in our shared pursuit to effectively reform Arizona's child safety agency, including its culture and mission.

Sincerely,



Janice K. Brewer
Governor

cc: The Honorable Andy Tobin
The Honorable Steve Yarborough