

Christians Can't Use Beliefs to Deny Services to Gays, Ariz. Gov. Vetoes Bill

Arizona Governor Jan Brewer vetoed a bill on Wednesday derided by critics as a license to discriminate against gays in the name of religion, citing opposition from big business and warning that the measure could "create more problems than it purports to solve."

The bill, passed by the Republican-controlled state legislature last week, would have allowed business owners to claim their religious beliefs as legal justification for refusing to serve same-sex couples or any other prospective customer.

The measure was widely seen as a backlash against a recent string of federal court decisions in several states, from Utah to Virginia, recognizing marriage rights for same-sex couples.

But Brewer came under mounting pressure to veto the measure as a number of major business organizations and some fellow Republicans, including the state's two U.S. senators, John McCain and Jeff Flake, came out against the legislation, dubbed Senate Bill 1062.

"Senate Bill 1062 does not address a specific or present concern related to religious liberty in Arizona," Brewer said in a statement. Gay-rights activists rallying outside the capitol erupted in cheers at news of the veto.

"I have not heard one example in Arizona where a business owner's religious liberty has been violated," she said, going on to critique the bill as a broadly worded proposal that "could result in unintended and negative consequences."

Brewer's veto coincided with another high-profile victory on Wednesday for gay rights activists, who won a federal court decision in Texas striking down that state's ban on same-sex marriage as unconstitutional, although it was immediately stayed pending appeal.

In a nod to conservative supporters of the Arizona bill who have expressed concerns over how such court rulings could encroach on the religious convictions of those opposed to gay marriage, Brewer said, "I understand that long-held norms about marriage and family are being challenged as never before."

However, she added, "I sincerely believe that Senate Bill 1062 has the potential to create more problems than it purports to solve. It could divide Arizona in ways we cannot even imagine and no one would ever want."

WIDELY OPPOSED BY BIG BUSINESS

Brewer also pointed to broad opposition the bill faced from the very business community that supporters said the measure was designed to protect.

And she noted that three state senators who voted for the bill, which passed 17-14, had since reconsidered and were urging a veto.

Her veto announcement came hours after Major League Baseball and the National Football League joined a growing chorus of business organizations denouncing or expressing strong reservations about the legislation.

Echoing calls for Arizona boycotts previously stirred by Brewer's support for tough measures to clamp down on illegal immigration, the Hispanic National Bar Association said on Wednesday its board had voted unanimously to pull its annual convention from Phoenix in light of last week's passage of 1062.

The measure gained final approval from the Republican-controlled state legislature last Thursday, putting Brewer at the center of a contentious political debate at a time when she has sought to ease partisan discord while focusing on efforts to revive Arizona's economy.

In her veto remarks, she chided lawmakers for failing so far to address the top priority she set for the current legislative session.

"Our immediate challenge is fixing a broken child protection system," Brewer said. "Instead, this is the first policy bill to cross my desk."

PROTECTING FAITH OR DISCRIMINATION?

Once a lightning rod for political rancor over her position on immigration, Brewer struck a tone of conciliation in her rejection of 1062 and suggested she was moved in part by concerns about the appearance of bigotry.

"Religious liberty is a core American and Arizona value. So is non-discrimination," she said, urging all sides "to turn the ugliness of the debate over Senate bill 1062 into a renewed search for great respect and understanding among all Arizonans and Americans."

Cathi Herrod, president of the Center for Arizona Policy, which helped draft the bill, insisted it was wrongly depicted by opponents and "only sought to provide all individuals with the ability to act according to their faith."

"The religious beliefs of all Arizonans must be respected, and this bill did nothing more than affirm that," she said.

Critics of the measure argued that it amounted to state-sanctioned discrimination and would tarnish Arizona's image.

Under the bill, a business would have been immune to a discrimination lawsuit if a decision to deny service was

motivated by “sincerely held” religious beliefs and if providing service would burden exercising of those beliefs.

Debate over the measure played out against a backdrop of growing momentum for legalization of gay marriage across the country, with federal judges striking down restrictions on same-sex matrimony in several states, including New Mexico, Utah, Kentucky, Virginia and, now, Texas.

Seventeen U.S. states and the District of Columbia recognize gay marriage in a trend that has gained momentum since the U.S. Supreme Court ruled in June that legally married same-sex couples nationwide are eligible for federal benefits.

Arizona is among more than 30 states that still ban gay or lesbian couples from marrying.

Writing by Steve Gorman; Additional reporting by Alex Dobuzinskis in Los Angeles; Editing by Cynthia Johnston, Gunna Dickson, Jan Paschal, Eric Walsh and Lisa Shumaker

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