

Evers considering statewide mask requirement, but says Supreme Court would likely overturn it

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Gov. Tony Evers urged the public to embrace wearing masks as the Madison and Dane County health department announced one will be required when people are around others in any enclosed building other than their own homes.

The order — the first one in the state — from Public Health Madison & Dane County goes into effect at 8 a.m. Monday.

“Public health research now shows that face coverings are critical to slowing the spread of COVID-19,” Janel Heinrich, director of Public Health Madison & Dane County, said Tuesday. “Given the current number of COVID-19 infections in our county, we need to all be wearing face coverings every time we leave the house.”

Per the order, people must wear a face covering that covers their nose and mouth when in public, which includes in businesses, health care settings, waiting in line and on public transportation.

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The order also requires people to wear face coverings when in someone else’s home.

Exceptions are made for certain activities such as eating at a restaurant, but during those activities, 6 feet distancing of individuals not from the same household or living unit is required at all times. Some people are also exempted if they have a physical, mental or developmental condition that prevents them from wearing a mask.

According to the health department’s website, there is a team to field complaints

reporting those who aren't heeding to the directive. The goal is to "provide education first before looking towards enforcement" with enforcement focused on those who repeatedly violate the order.

A spokeswoman said citations issued within Madison will be \$376; those outside the city will be \$263.50.

The department website instructs it's not "your job to intervene if someone isn't wearing a mask" but to wear a face covering and stay 6 feet away from others.

The city of Milwaukee will be discussing a mask mandate later this week like the one issued in Dane County.

Evers said he was looking at the possibility of issuing a state mandate on wearing masks, but raised doubts he could after the state Supreme Court in May overturned his stay-at-home order.

"Frankly, the Supreme Court made it very much more complex than what it should have been," he said, adding that the GOP won't come into session to pass a mask mandate either.

"The Republicans' interest in everything I do around this topic — taking me to the Supreme Court where they know they'll get a win — makes it unlikely," he said. "But it's something that we are considering."

Evers recounted a recent call from a business leader who pleaded for a mask mandate despite the likelihood the Supreme Court would strike it down. "Do it anyway," he quoted the business leader as saying.

Evers commented placing a state order under a separate emergency "would be perfect" but instead noted that his administration is looking at "all options that are available to us."