

GOP leaders waiting for Evers proposal after Supreme Court strikes down stay-at-home order

Posted on Thursday, May 14, 2020

Senate Majority Leader Scott Fitzgerald, R-Juneau, says GOP legislative leaders are waiting to hear what Gov. Tony Evers will propose following the state Supreme Court ruling striking down his administration's second stay-at-home order.

Fitzgerald told WisPolitics.com the Supreme Court's ruling has changed the conversation from what regulations should be in place before businesses can reopen to what guidance there should be as they open their doors.

The court's 4-3 ruling yesterday struck down the order immediately, leaving Wisconsin without many of the state-imposed regulations the gov's administration had proposed to mitigate the spread of COVID-19.

Still, Fitzgerald pointed to best practices that the Wisconsin Economic Development Corp. recommended as a good guide for businesses as they reopen.

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Meanwhile, Evers blamed Republicans for the "chaos" created by the court's ruling but said he will have the framework of an emergency rule by today.

The discussion about a state rule, Fitzgerald said, should be about what to do if there is a flareup of COVID-19 as well as issues that will come up this summer such as festivals and sporting events.

But as far as what people do in their own lives, Fitzgerald said it should be left up to them now.

“If they don’t feel comfortable in a restaurant, don’t go to a restaurant,” he said in an interview. “If you don’t feel comfortable going to church, don’t go to church.”

Fitzgerald added he had no problem if the Evers administration wanted to continue regulations on testing and tracing of those who test positive for the disease.

While Evers has pushed GOP lawmakers to come up with a proposal of their own, Fitzgerald said he was waiting to hear from the administration. He added the administration could’ve been working with GOP lawmakers on a rules package while the case was going on, but chose not to.

“Until they present us with something, it’s hard to say what they’re thinking,” Fitzgerald said.

Evers slammed the court ruling, telling reporters the state was making good progress in managing COVID-19 but the GOP lawsuit leading to the order undercut that work.

“Today, Republican legislators convinced four members of the Supreme Court to throw the state into chaos,” Evers said in a conference call last night.

He added, “Republicans own that chaos.”

Evers again said GOP legislative leaders haven’t provided a plan on how they would deal with COVID-19. While the administration today will issue the framework of an emergency rule to put new regulations in place, Evers cautioned that the process wouldn’t be quick.

During oral arguments before the court last week, a GOP attorney estimated it would take 12 days to draft an emergency rule and put it in place. Lawmakers then have oversight of the rule one it’s published.

“This isn’t going to be an overnight thing and in the meantime, we’re going to have 72 counties doing their own thing,” Evers said. “We were in a good place. We’re no longer in a good place.”

Dane County quickly issued its own stay-at-home order as did Brown County plus the cities of Milwaukee and Racine, according to media reports. In the meantime, the Wisconsin Tavern League told members they could open bars but urged them to do so under previous guidance from the Evers administration. Many bars opened.

See more on the court's ruling:

<https://www.wispolitics.com/2020/state-supreme-court-strikes-down-evers-stay-at-home-order/>

Read the decision:

<https://www.wispolitics.com/wp-content/uploads/2020/05/200513Ruling.pdf>