

Senate Republicans vote to overturn Evers mask mandate

Posted on Tuesday, Jan 26, 2021

GOP senators Tuesday took a step toward overturning Gov. Tony Evers' mask mandate over the objections of many health groups and Dems who argued the requirement should remain in place with a pandemic that is still raging.

GOP state Sen. Steve Nass, who co-authored the resolution, countered the public is capable of determining what steps to take in their lives to guard against COVID "without the heavy hand of government."

The Whitewater Republican also urged support for the resolution, saying Evers has overstepped his authority by issuing multiple public health emergencies to deal with the pandemic. Nass argued state law only allows guvs to issue one such declaration and requires legislative support to extend it beyond 60 days.

"This is not about whether face masks are good or bad. This is about repeatedly issuing emergency orders contrary to what the law allows. It's about the rule of law," said Nass, who questioned the effectiveness of masks in preventing the spread of COVID.

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State Sen. Jon Erpenbach, D-West Point, mocked Nass' suggestion the vote wasn't about undercutting the mask mandate. If it weren't, he said, there would be follow-up legislation granting the guv the explicit powers to require masks. He also called the move political, saying Republicans didn't bring up the resolution for a vote after the first mask mandate last summer because GOP members were afraid to take a position before facing voters in November.

Erpenbach and other Dems said wearing masks was a necessary step to cut down on the spread of COVID-19.

A handful of GOP senators in the chamber wore masks during the debate, while most didn't.

"If anybody in this body is stupid enough to listen to the talking heads out there purposely putting out misinformation about COVID-19, purposely lying about the effect of wearing a mask vs. not wearing a mask, you don't belong here," Erpenbach said.

Nearly two dozen groups registered their opposition to the resolution before the final vote of 18-13. Those groups included the Wisconsin Hospital Association, Wisconsin Medical Society and the Medical College of Wisconsin. No groups had registered in support.

GOP Sens. Rob Cowles, R-Green Bay, and Dale Kooyenga, R-Brookfield, joined Dems in opposing the resolution. Sen. Bob Wirch, D-Pleasant Prairie, was absent, and there's one vacancy in the chamber.

The resolution would have to pass the Assembly before it would overturn the public health emergency Evers issued last week. The declaration is the foundation for the mask mandate, the third Evers has issued since July. The current mask mandate expires in March.

Assembly Speaker Robin Vos' office indicated the resolution would likely be on the chamber's calendar when it convenes for another floor session on Thursday.

It comes as the state Supreme Court is expected to rule any day in a lawsuit that challenged Evers' power to issue multiple public health emergencies dealing with the COVID-19 pandemic. Those challenging the gov's declarations, including GOP lawmakers, have argued Evers is only allowed to issue one public health emergency to address the pandemic. Evers has argued unique developments stemming from the ongoing pandemic allow him to issue multiple orders.

Kooyenga, R-Brookfield, said on the floor he didn't disagree with a single word in the resolution. At the same time, he feared people would use the passage of the resolution to justify keeping schools closed to in-person instruction. He said students are suffering from virtual learning and the driving issue for him in the coming months is to get them back in the classroom, saying a generation of kids could be lost.

“I stand with opening our schools, and I stand with the health care providers in my district,” said Kooyenga, the only Republican member of the Senate whose seat was won by Joe Biden in November.

Cowles, meanwhile, said he believed the resolution sent the wrong message and would result in fewer people wearing masks. He said he was standing by the side of science that has shown masks are a useful tool in limiting the spread of COVID-19 and with health care workers.

“The health care community has suffered through this entire ordeal, and I wasn’t about to make it worse,” he said.