

(1975).

3. Appellant Sielaff has standing to pursue this appeal.

OPINION

This appeal was filed on the effective date of Chapter 196 and was not transferred to the Commission and is not decided under prior law. §129(5), Chapter 196, Laws of 1977. Section 16.05(1)(e), Stats. (1975) provided for appeals of actions and decisions of the director by "interested parties." Section 227.01(6), Stats., provides for standing for any person whose "substantial interests may be adversely affected" by adverse agency action. The supreme court in Wisconsin's Environmental Decade Inc. v. PSC, 69 Wis. 2d 1, 13 230 N.W. 2d 243 (1975), has held that the law of standing should be liberally and not narrowly or restrictively construed.

Section 230.44(1)(a) Stats. (1977), which now provides for appealable actions, does not set forth who can appeal actions of the administrator. Chapter 227 provides rules of standing, and we must look to the aforesaid subsection.

Mr. Sielaff clearly pursues this appeal in his official capacity as head of the Division of Corrections. In the Commission's opinion his "substantial interests" are affected by the classifications of positions in his agency. These classifications have a bearing on the morale and efficiency of the incumbents and the ability to recruit high quality replacements in the case of vacancies, to mention just a few factors.

ORDER

The respondent's motion to dismiss is denied.

Dated: Nov 22, 1978.

Edward D. Durkin
Edward D. Durkin
Commissioner

Dated: Nov. 22, 1978.

Charlotte M. Higbee
Charlotte M. Higbee
Commissioner

Dated: Nov 22, 1978.

Joseph W. Wiley
Joseph W. Wiley
Chairperson