

6.54 EXAMINATION OF MUNICIPAL RECORDS PURSUANT TO PETITION. The ~~freeholders of any registered voters in a home rule charter or statutory~~ city or town may petition the state auditor to examine the books, records, accounts, and affairs of ~~any such the home rule charter or statutory~~ city, town, or of any organizational unit, activity, project, enterprise, or fund thereof; and the scope of the examination may be limited by the petition, but ~~such the~~ examination shall cover, at least, all cash received and disbursed and the transactions relating thereto, provided that the state auditor shall not examine more than the six latest years preceding the circulation of the petition, unless it appears to the state auditor during his examination that the audit period should be extended to permit a full recovery under bonds furnished by public officers or employees, and may if it appears to him in the public interest confine the period or the scope of audit or both period and scope of audit, to less than that requested by the petition. ~~When the population of any such city or town is not more than 2,000, the petition shall be signed by at least six freeholders for each 100 inhabitants; when the population thereof is over 2,000 the petition shall be signed by at least four freeholders for each 100 inhabitants. In the case of a home rule charter or statutory city or town, the petition shall be signed by a number of registered voters at least equal to 20 percent of those voting in the last presidential election. Likewise. The freeholders of any school district may petition the state auditor in the same manner and he shall be subject to the same restrictions regarding the scope and period of audit, provided that the petition shall be signed by at least ten freeholders for each 50 resident pupils in average daily membership during the preceding school year as shown on the records in the office of the commissioner of education. In no case shall the petition for an examination of a town bear the names of less than 25 freeholders registered voters; and in the case of a city having a population over 2,000 said petition shall be signed by not less than 120 freeholders; and provided, that in the case of school districts and all other cities, said , the petition shall be signed by at least ten freeholders. At the time it is circulated, every petition shall contain a statement that the cost of the audit will be borne by the city, town, or school district as provided by law. Thirty days before such the petition is delivered to the state auditor it shall be presented to the appropriate city, town or school district clerk and to the county auditor, of the county in which such city, town, or school district is situated, who The county auditor shall determine and certify whether such the petition is signed by the required number of freeholders and shall certify such fact thereon; and such registered voters or freeholders as the case may be. The certificate shall be conclusive evidence thereof in any action or proceeding for the recovery of the costs, charges and expenses of any examination made pursuant to such the petition.~~

Approved May 14, 1979.

CHAPTER 83—S.F.No.478

An act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Changes or additions indicated by underline deletions by ~~strikeout~~

Section 1. Minnesota Statutes 1978, Section 164.08, Subdivision 2, is amended to read:

Subd. 2. **SHALL BE ESTABLISHED IN CERTAIN INSTANCES.** Upon petition presented to the town board by the owner of a tract of land containing at least five acres, who has no access thereto except over the lands of others, the town board by resolution shall establish a cartway at least two rods wide connecting the petitioner's land with a public road. In an unorganized territory, the board of county commissioners of the county in which the tract is located shall act as the town board. The proceedings of the town board shall be in accordance with section 164.07. The amount of damages, if any, shall be paid by the petitioner to the town before such cartway is opened. Town road and bridge funds shall not be expended on the cartway unless the town board, or the county board acting as the town board in the case of a cartway established in an unorganized territory, by resolution determines that an expenditure is in the public interest. If no resolution is adopted to that effect, the grading or other construction work and the maintenance of the cartway is the responsibility of the petitioner, subject to the provisions of section 164.10. After the cartway has been constructed the town board, or the county board in the case of unorganized territory, may by resolution designate the cartway as a private driveway with the written consent of the affected landowner in which case from the effective date of the resolution no town road and bridge funds shall be expended for maintenance of the driveway; provided that the cartway shall not be vacated without following the vacation proceedings established under Minnesota Statutes, Section 164.07.

Sec. 2. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved May 14, 1979.

CHAPTER 84—S.F.No.807

An act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Notwithstanding any law to the contrary, the county board of Washington County may issue an off-sale license to an establishment located within Denmark township, with the approval of the commissioner of public safety. The license fee for such a license shall be fixed by the county board in an amount not to exceed \$500. A license issued pursuant to this act shall be governed by the appropriate provisions of Minnesota Statutes, Chapter 340 except as otherwise provided herein.

Sec. 2. This act is effective upon approval of the Washington County board and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 14, 1979.

Changes or additions indicated by underline deletions by ~~strikeout~~