

## CHAPTER 6

### STATE AUDITOR

6.54 Examination of municipal records pursuant to petition.

6.62 Post-audit; tax levy.

6.65 Minimum procedures for auditors, prescribed.

#### 6.54 EXAMINATION OF MUNICIPAL RECORDS PURSUANT TO PETITION.

The 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 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 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 the 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 the auditor 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. 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. The eligible voters of any school district, as defined in section 123.32, subdivision 1a, may petition the state auditor, who 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 eligible voters 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 registered voters; and provided, that in the case of school districts, the petition shall be signed by at least ten eligible voters. 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 the petition is delivered to the state auditor it shall be presented to the appropriate city, town or school district clerk and the county auditor. The county auditor shall determine and certify whether the petition is signed by the required number of registered voters or eligible voters 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 the petition.

**History:** 1983 c 314 art 7 s 2

#### 6.62 POST-AUDIT; TAX LEVY.

**Subdivision 1. Levy of tax.** Counties, cities and towns are authorized, if necessary, to levy, over and above tax levy limitations for other governmental purposes, an amount sufficient to pay the expense of a post-audit by the state auditor.

A school district is authorized to levy an amount sufficient to pay for the expense of a post-audit by the state auditor if the audit is performed at the discretion of the state auditor pursuant to section 6.51 or if the audit has been requested through a petition by eligible voters pursuant to section 6.54. A school

district is not authorized to levy these amounts if the post-audit by the state auditor is requested by the school board pursuant to section 6.55.

*[For text of subds 2 and 3, see M.S.1982]*

**History:** 1983 c 314 art 7 s 3

#### **6.65 MINIMUM PROCEDURES FOR AUDITORS, PRESCRIBED.**

The state auditor shall prescribe minimum procedures and the audit scope for auditing the books, records, accounts, and affairs of local governments in Minnesota. The minimum scope for audits of all local governments shall include financial and legal compliance audits for fiscal years ending after January 15, 1984. The state auditor shall establish a task force to promulgate an audit guide for legal compliance audits. The task force shall include representatives of the state auditor, the attorney general, towns, cities, counties, school districts and private sector public accountants.

**History:** 1983 c 301 s 62