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What is the difference between a “paper ballot” and an “Australian ballot”?

Australian ballots are uniformly pre-printed ballots for secret vote elections and include any voting machine approved for elections conducted in this state. Articles to be voted on must have been pre-warned and the polls must be open for an extended period during or after a municipal meeting, or both. 17 V.S.A. § 2103(4). In contrast, a paper ballot is just a piece of paper on which the voter may write “yes” or “no” or the name of a candidate who is running for office.

The Australian ballot process for voting applies only if specifically required by statute or charter, or if the law enables the voters to use it for certain items of town business. A municipality may vote to use Australian ballot voting for budget votes, officer elections, and public questions. 17 V.S.A. § 2680. A municipality may also vote to adopt or amend a municipal plan by Australian ballot. 24 V.S.A. § 4385(c). In a “rural town,” the legislative body or the voters may require that zoning bylaws be adopted by Australian ballot. 24 V.S.A. § 4442(c)(2). A rural town is a town having a population of fewer than 2,500 persons or a town having between 2,500 and 5,000 that has chosen to be considered a rural town. 24 V.S.A. § 4303(25).

In contrast, municipalities are required by law to use Australian ballot in the following instances:

- governance charter amendments. 17 V.S.A. § 2645(a)(7);
- municipal mergers. 24 V.S.A. § 1485(c);
- entrance into a union municipal district such as a solid waste district. 24 V.S.A. § 4863.
- bond votes. 24 V.S.A. § 1758;
- borrowing for public improvements or the acquisition of capital assets when the term is more than five years. 24 V.S.A. § 1786a(c);
- the decision to appoint rather than elect a constable. 17 V.S.A. § 2651a(a); and
- the question of whether or not to have a town manager if the town elects its officers by Australian ballot. 24 V.S.A. § 1243.

There are other statutes that refer to paper ballots rather than Australian ballots. For instance, 17 V.S.A. § 2646 states that selectboard members, listers, and auditors are elected “by ballot.” This means that unless the town has voted to elect by Australian ballot, the town must use paper ballots to elect those officers. Paper ballots are also required for the vote to eliminate the office of elected auditor under 17 V.S.A. § 2651b and the vote to eliminate the office of elected lister under 17 V.S.A. § 2651c. Lastly, *Robert’s Rules of Order* allows for the voters at town and school district meetings to request the use of a paper ballot in certain instances. *Robert’s* requires a majority of the voters to request a paper ballot, but, under authority of 17 V.S.A. § 2658 and 16 V.S.A. § 551, the paper ballot may be demanded by just seven voters.

Sarah Jarvis, Staff Attorney II
VLCT Municipal Assistance Center