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TO: Framingham Charter Commission

FROM: Collins Center staff

DATE: July 5, 2016

RE: Term Limits

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The Framingham Charter Commission inquired as to the status of term limits in charters in Massachusetts as well as some insight as to the benefits and drawbacks of term limits.

Currently we believe Methuen, Southbridge, and Newton are the only municipalities in Massachusetts that has term limits. Methuen limits its terms for the Mayor, City Council, and School Committee to three two-year terms (a total of 6 years). Southbridge does not have a Mayor and limits its term limits for City Councilors to three three-year terms (a total of 9 years). Southbridge does not have term limits for school committee members. Newton only has term limits for school committee members of four two-year terms (a total of 8 years).

In all cases, elected officials are allowed to run for office again if they take time off once their term-limit has expired. In other words a Methuen City Councilor could serve six years, take two years off, and then run again and serve six additional years.

Term limits are often favored by voters, but are not often enacted. There are a number of potential reasons for this; people more intimately involved in governmental functions are typically deciding the issue (charter commissions, etc.), there is often a status quo bias and few examples to look toward in neighboring municipalities, and some of the perceived benefits of term limits (such as more diversity) have not come to fruition.

There can also be tensions between enacting term limits on one branch of the government and not another. For example if a municipality were to put term limits on councilors but not a Mayor, the Mayor's power relative to the councilors would likely increase due to the increased likelihood that the Mayor would be an incumbent and have institutional knowledge and power compared to councilors.

#### Benefits to Term Limits

- Allows for turn-over of elected officials potentially increasing new ideas, nurturing new community leaders, and community involvement.

- Likely encourages more people to run for election because open seats more often draw multiple candidates. Often incumbent seats are not contested.
- May encourage diversity by enabling more opportunities for women and minorities.
- Potentially focuses elected official to plan an agenda and accomplish initiatives within a certain timeline.
- For school committees, term limits may increase likelihood that members have children that are active in the school system.

#### Drawbacks to Term Limits

- Potentially forces popular leaders to give up their positions even if they are popular with the voters.
- Potentially forces those with institutional knowledge to leave office.
- May cause “lame duck” periods where officials do not have the same incentives as when they expect to run for office.
- Can result in a large number of vacancies in a body at the same time, then with a large number of elected officials being new at the same time (with steep learning curves).
- Without term limits voters already have an opportunity to limit office holding with elections.

Reproduced below are the charter provisions from the municipalities that currently utilize term limits:

#### **Methuen**

##### 2-1 (Under Legislative Article)

(c) Election and Term – The term of office of all members of the City Council shall be for two years, beginning on the first secular day in January after their election and until their successors are qualified. No person shall hold office of City Councillor for more than three consecutive terms.

##### 3-1 (Under Executive Article)

(b) Term of Office – The term of office of Mayor shall be two years, beginning on the first Monday of January following his election and until his successor is qualified. No person shall hold the office of Mayor for more than three consecutive terms.

##### 4-1 (Under School Committee Article)

(c) Election and Term – The terms of School Committeemen shall be two years, beginning the first secular day in January after election and until their successors are qualified. No person shall hold the office of school committee member for more than three consecutive terms.

#### **Southbridge**

*No Mayor and school committee does not have term limits.*

2-2-3 Terms of councilors shall be limited to three consecutive terms.

(3 year terms)

## **Newton**

*No term limits for city councilors or the Mayor (although these are currently being debated by Newton's charter commission).*

4-1 (School Committee Article)

(c) Election and Term—The terms of school committee members shall be 2 years beginning on the first secular day of January after their election and until their successors are qualified. No person shall be eligible for election to the school committee for a fifth consecutive full term.