
Town of Seabrook

Memorandum

To: Board of Selectmen

From: Town Manager

CC: Kelly O'Connor

Cannabis Warrant Article

November 2, 2023

The Board seeks a warrant article opposing the the potential siting of any retail cannabis store in Seabrook. I have asked for guidance from legal on this and shall report back in short order.

The primary issue in the introduction of a warrant article of this nature is the issue of state primacy. Seabrook wished to, several years ago, prohibit the sale of synthetic opioids within the borders of Seabrook. The Town was essentially prevented from doing so by virtue of the fact that New Hampshire is not a "home-rule" state and localities cannot pre-empt the state by local law.

The most prominent legislation on this issue is sponsored by Governor Sununu. While it would legalize the retail sale of cannabis it would require Town Meeting to "opt-in" in order for the law to apply within a community.

I will further advise after the receipt of a legal opinion and prospective language.