



Testimony of Brian Langley

Before the Joint Standing Committee on Judiciary

May 5, 2025

**In Support of LD 1224, “An Act to Comprehensively Protect Consumer Privacy”
In Opposition to 1822, “An Act to Enact the Maine Online Data Privacy Act”**

Senator Carney, Representative Kuhn, and distinguished members of the Joint Standing Committee on Judiciary, my name is Brian Langley, and I am a resident of my hometown of Ellsworth. I’ve owned and operated the Union River Lobster Pot restaurant right here in Ellsworth for nearly thirty years. I’m here today to support Representative Roberts’ bipartisan bill, LD 1224, and I’d like to tell you why this matters to me as a small business owner and someone who cares deeply about Maine’s future.

After four decades in the restaurant industry, I can tell you it has never been harder to run a business than it is today. Costs are up, staffing remains a challenge, and we’re heading into a season filled with more questions than answers. I talk to my colleagues across the hospitality and tourism industry, and what I hear over and over again is uncertainty—about travel patterns, about spending habits, and yes, about what new policies might be coming out of Augusta.

Maine is a small business state, and for many of us, that means being the HR department, the maintenance crew, the marketers, and the bookkeeper, usually all before lunch. But too often, legislation is crafted in silos, without recognizing the cumulative toll it takes on small operators like us. One new rule or law might seem manageable in isolation, but pile enough of them on, and it becomes a barrier to even staying open. Many of us are one or two payrolls away from closing for good.

In the middle of all that, we can’t afford to be experimenting with sweeping new policies that haven’t been tested. LD 1224 gives us something that’s thoughtful and workable. It

protects consumer privacy, which we all care about, but it also gives businesses like mine the ability to keep up with how the world works now, especially online.

There was a time when the Yellow Pages was the only game in town. You paid for a listing and hoped someone saw it. Now, it's a completely different world. Digital tools help us reach people in real time. They're cost-effective, and they let us turn on a dime. Here's a classic Maine example. I look outside and see it's raining? I snap a photo of a steaming bowl of lobster stew and post it online. The sun comes out in the afternoon two hours later? We pivot from lobster stew to microbrews and sunset dining. That kind of agility keeps us connected with customers, not just selling a meal but sharing a moment.

That's "marketing by the minute". And these tools aren't a luxury. They're a necessity for small businesses, especially in tourism. Someone in Bangor picks up their phone and searches "restaurants with outdoor seating near me." If we're not showing up because new laws make it harder or riskier to use those tools, we have lost that customer. She's not flipping through a phone book. She's relying on search results.

Now, I've heard people say, "Don't worry—we'll carve small businesses out." But if I can't use the same digital marketing tools as a restaurant in New Hampshire or Rhode Island, that's not a carve-out—that's a carve-off. That puts me at a real disadvantage. We support strong consumer protections, but we also need clear, consistent policies that won't box us in or leave us behind. Take those tools away, or make them too confusing or risky to use, and you're pulling the rug out from under us. "What's even worse is a large corporate company, like the Yellow Pages will come in for an exorbitant price, stating that they "comply with all the regs" will take care of advertising for us. It's Déjà vu.

LD 1224 strikes a balance. It's modeled after 17 other states, including several New England neighbors. It gives businesses time to comply and avoids conflicting regulation across state lines. That's not just smart policy, it's also practical and fair.

Restaurants, inns, and other small businesses like mine are more than just places to eat or stay. We are ambassadors for the state of Maine. We're in the business of creating memories—of the sea coast, the food, the people, and the feeling of being here. But we can't do that if we're buried in red tape or boxed out of the very tools we need to survive and compete with the corporates.

LD 1224 gives us a path forward that works for both consumers and small businesses. I urge you to support it. Thank you for your time, and I'd be happy to answer any questions.