

SENATE No. 2506

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act Text of Senate amendment (Jehlen) to the House Bill relative to floor finishing products (House, No. 4565).

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1
2
3
4
5
6
7
8
9
10
11

SECTION 1. Chapter 94 of the General Laws is hereby amended by adding the following section:-

Section 329. (a) As used in this section, the following words shall, unless the context otherwise requires, have the following meanings:-

“Commercial wood floor finishing operation”, the sanding of wood floors and the application of a floor finishing product, thereby altering the wood surface for purposes that are directly or indirectly connected with any business or other undertaking intended for profit.

12 “Floor finishing product”, any substance formulated, marketed or otherwise intended for
13 use to seal or coat wood with a protective finish by a floor finishing operation.

14 “Lacquer sealer” a clear or pigmented wood finish, formulated with nitrocellulose or
15 synthetic resins to dry by evaporation and without chemical reaction, having a flashpoint below
16 100 degrees Fahrenheit, including clear lacquer sanding sealers.

17 (b) No manufacturer, wholesale dealer, agent or person shall sell, keep, offer for sale, or
18 have in his possession or under his control a lacquer sealer for any commercial wood floor
19 finishing operation. Whoever violates this subsection shall be punished by a fine of not less than
20 \$2,500 and, for a second or subsequent violation, by a fine of not less than \$5,000 or by
21 imprisonment in the house of correction for not more than 1 year or by both such fine and
22 imprisonment.

23 (c) No person, co-partnership, corporation or association that engages in the business of
24 applying a penetrating sealant or liquid coating to the surface of a wood floor shall use a lacquer
25 sealer while engaged in a commercial wood floor finishing operation. Whoever violates this
26 subsection shall be punished by a fine of not less than \$2,500 and, for a second or subsequent
27 violation, by a fine of not less than \$5,000 or by imprisonment in the house of correction for not
28 more than 1 year or by both such fine and imprisonment.

29 SECTION 2. This act shall take effect 180 days from its passage.