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**SUBSTITUTE SENATE BILL 6539**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** Senate Committee on Ecology & Parks (originally sponsored by Senators Skratek, Wojahn, Prentice, Franklin and McAuliffe)

Read first time 02/04/94.

1 AN ACT Relating to the mandatory use of recycled paper; adding new  
2 sections to chapter 2.28 RCW; adding a new section to chapter 34.05  
3 RCW; adding a new section to chapter 44.04 RCW; creating a new section;  
4 and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that there is a need  
7 to expand upon existing laws which foster the effective and efficient  
8 management of solid waste by requiring that certain documents submitted  
9 by attorneys at law to state courts of record be submitted on recycled  
10 paper, and that legislative materials be prepared on recycled paper.  
11 The legislature further finds that increased recycling will protect and  
12 enhance the environment and economy of Washington state.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.28 RCW  
14 to read as follows:

15 Unless the context clearly requires otherwise, the definitions in  
16 this section apply throughout sections 2 through 4 of this act.

17 (1) "Attorney" means an attorney at law admitted to practice law  
18 before any court of record in this state.

1 (2) "Document" means a pleading or other paper submitted as an  
2 appendix to the pleading by an attorney, which document is required or  
3 permitted to be filed with a clerk of court concerning an action to be  
4 commenced or that is pending before a court of record.

5 (3) "Recycled paper" means paper with not less than fifty percent  
6 of its total weight consisting of secondary and postconsumer waste and  
7 with not less than ten percent of such total weight consisting of  
8 postconsumer waste.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.28 RCW  
10 to read as follows:

11 (1) Except as provided in subsection (3) of this section, an  
12 attorney may not submit a document to a court of record after January  
13 1, 1995, unless the document is submitted on recycled paper. This  
14 section applies to all papers appended to the document.

15 (2) Procedures adopted to implement this section may not impede  
16 the conduct of court business nor create grounds for an additional  
17 cause of action or sanction.

18 (3) A court of record may not refuse a document solely because the  
19 document was not submitted on recycled paper.

20 (4) This section does not apply to:

21 (a) A photograph;

22 (b) An original document that was prepared or printed before  
23 January 1, 1995;

24 (c) A document that was not created at the direction or under the  
25 control of the submitting attorney;

26 (d) A facsimile copy otherwise permitted to be filed with a court  
27 of record in lieu of the original document. However, if the original  
28 is also required to be filed, the original must be submitted in  
29 compliance with this section; and

30 (e) Existing stock of nonrecycled paper and preprinted forms  
31 acquired or printed before January 1, 1995.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 34.05 RCW  
33 to read as follows:

34 (1) Except as provided in subsection (3) of this section, an  
35 attorney may not submit a document concerning an adjudicatory  
36 proceeding after January 1, 1995, unless the document is submitted on

1 recycled paper. This section applies to all papers appended to the  
2 document.

3 (2)(a) A state agency that adopts policies, procedures, rules, or  
4 regulations for the purpose of implementing this section shall ensure  
5 that the conduct of state business is not impeded and that a person is  
6 not denied access to the services or programs of a state agency as a  
7 result of the implementation.

8 (b) A state agency may not refuse a document solely because it was  
9 not submitted on recycled paper.

10 (3) This section does not apply to:

11 (a) A photograph:

12 (b) An original document that was prepared or printed before  
13 January 1, 1995;

14 (c) A document that was not created by the direction or under the  
15 control of the submitting attorney;

16 (d) A facsimile copy concerning an adjudicatory proceeding  
17 otherwise permitted to be filed in lieu of the original document.  
18 However, if the original is also required to be filed, the original  
19 must be submitted in compliance with this section; and

20 (e) Existing stock of nonrecycled paper and preprinted forms  
21 acquired before January 1, 1995.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 44.04 RCW  
23 to read as follows:

24 (1) After January 1, 1995, all printed materials produced by the  
25 senate and the house of representatives shall be printed on recycled  
26 paper.

27 (2) This section does not apply to:

28 (a) A photograph;

29 (b) Printed materials that were prepared or printed before January  
30 1, 1995;

31 (c) Existing stock of nonrecycled paper and preprinted forms  
32 acquired or printed before January 1, 1995.

33 NEW SECTION. **Sec. 6.** This act shall take effect July 1, 1994.

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