
SENATE BILL 6539

State of Washington 53rd Legislature 1994 Regular Session

By Senators Skratek, Wojahn, Prentice, Franklin and McAuliffe

Read first time 01/26/94. Referred to Committee on Ecology & Parks.

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; creating a new section; and providing an effective date.

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

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

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

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

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

17 (2) "Document" means a pleading or other paper submitted as an
18 appendix to the pleading by an attorney, which document is required or

1 permitted to be filed with a clerk of court concerning an action to be
2 commenced or that is pending before a court of record.

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

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

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

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

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

18 (a) This section does not apply to:

19 (i) A photograph;

20 (ii) An original document that was prepared or printed before
21 January 1, 1995;

22 (iii) A document that was not created at the direction or under the
23 control of the submitting attorney;

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

28 (v) Existing stock of nonrecycled paper and preprinted forms
29 acquired or printed before January 1, 1994.

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

32 (1) Except as provided in subsection (3) of this section, an
33 attorney may not submit a document concerning an adjudicatory
34 proceeding after January 1, 1995, unless the document is submitted on
35 recycled paper. This section applies to all papers appended to the
36 document.

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

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

8 (3) This section does not apply to:

9 (a) A photograph:

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

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

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

18 (e) Existing stock of nonrecycled paper and preprinted forms
19 acquired before January 1, 1994.

20 NEW SECTION. **Sec. 5.** This act shall take effect July 1, 1994.

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