WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

HOUSE BILL No. 415

(By Mr. Wilson)

PASSED Mar. 1, 1963

In Effect 90 day

Filed in Office of the Secretary of State of West Virginia 3-9-63

JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact sections four and five, article two-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to textbook adoption.

Be it enacted by the Legislature of West Virginia:

That sections four and five, article two-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 4. Execution of Contracts; Bond.—When the selection and approval of the multiple list have been properly made, it shall be the duty of the state board to execute contracts for the selected books with the pub-
lishers within twenty days of the approval and adoption
of the multiple list, prepare a list of the adopted books on
the multiple list and publish same, and send a copy to
each county superintendent not later than September first
of the year preceding the adoption. Such contracts for
adoption, except for the introductory period in making
the transition to a staggered adoption plan, shall run for
four years.

Each publisher awarded a textbook contract by the
state board shall enter into a bond payable to the state
of West Virginia in the penal sum of not less than two
thousand dollars and not more than five thousand dollars
to be approved by the state board of public works, such
bond to be executed as surety by some responsible surety
company authorized to carry on its business in West Vir-
ginia. Such contract shall be prepared by the attorney
general in accordance with the terms and provisions of
this article. Such contract shall be executed in duplicate,
one copy to be held by the publisher and one by the state
board of education.
Bonds required of successful publishers shall provide that:

(a) The publisher will furnish any of the books on the multiple list which he publishes for the period of the adoption, from the date of the bond, to any county school unit, or to a dealer appointed by the county, at the lowest wholesale price contained in the bid, f.o.b. publisher's nearest shipping point.

(b) The publisher will automatically reduce such prices in West Virginia when prices are reduced anywhere in the United States, so that no such book shall at any time be sold in West Virginia at a higher wholesale price than received for that book elsewhere in the United States, like conditions prevailing.

(c) All books sold in West Virginia will be identical with the official samples filed with the state board of education as regards size, paper, binding, print, illustrations, subject matter, and other particulars which may affect the value of the books. The state board of education may, however, during the period of the contract approve revised editions of an adopted book or series, which will
authorize a publisher to furnish such revisions.

Sec. 5. Selection by County Boards.—Textbook publishers, upon requests of county superintendents, shall furnish to county boards of education the requested sample copies of books that were selected and placed on the state multiple list of textbooks by the state board of education. The textbook publishers shall ship and bill to the county boards of education at the lowest wholesale prices with shipping charges prepaid. After the counties have made their textbook adoptions and certified them to the state board of education, all sample copies of books may be returned to the publishers from whom obtained by May first, shipping charges to be paid by the publisher. County boards may, if they elect to do so, retain the sample books, but shall pay the publishers the lowest wholesale prices for them.

The county board of education shall, upon recommendation of the county superintendent with the aid of a committee of teachers not to exceed five members and not later than January first of any adoption year, select from the state multiple list one book or series of books
for each subject and grade to be used as exclusive basal
in the county for a period of four years, except however
for the one thousand nine hundred fifty-seven adoptions
which shall be made as provided in this article.

After the county board of education has adopted the
the basal textbooks for use in the county, and not later
than January fifteenth, the county superintendent shall
send to the state board of education a complete list of
books adopted, properly certified by the president of the
county board of education, in such form as the state
board of education shall prescribe.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect 90 days after passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 9th day of March, 1963.

Governor