

**ARKANSAS SENATE**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

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**Subtitle of House Bill No. 1034**

"AN ACT TO CONTINUE THE REQUIREMENT FOR FORTY (40) MINUTES OF VISUAL  
ART OR MUSIC FOR STUDENTS IN GRADES ONE THROUGH SIX (1-6)."

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**Amendment No. 1 to House Bill No. 1034.**

Amend House Bill No. 1034 as engrossed, H1/19/05 (version: 01-19-2005 08:50)::

Delete the title of the bill and substitute the following:

"AN ACT TO REQUIRE FORTY (40) MINUTES OF VISUAL ART AND FORTY (40) MINUTES OF  
MUSIC FOR STUDENTS IN GRADES ONE THROUGH SIX (1-6); AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO REQUIRE FORTY (40)  
MINUTES OF VISUAL ART AND FORTY (40)  
MINUTES OF MUSIC FOR STUDENTS IN GRADES  
ONE THROUGH SIX (1-6)."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-16-130 is amended to read as follows:  
6-16-130. Visual art or music.

(a)(1) By no later than June 1, 2002, every public elementary school  
in the state shall provide instruction in visual art or music based on the  
state visual art and music frameworks for a period of not less than forty  
(40) minutes each calendar week of the school year.

(2)(A) Every student in grades one through six (1-6) shall be  
allowed to participate in the visual art or music class required in this  
subsection.

(B) Children with disabilities or other special needs  
shall be included in the visual art and music programs.

(3) Prior to June 1, 2005, the instruction required by this  
subsection may be provided by a volunteer or by a certified teacher.

(4) The Department of Education shall provide a stipend not less  
than one hundred dollars (\$100) per class to each school for the purchase of  
necessary supplies or equipment for the classes required by this subsection.



(b)(1) By no later than June 1, 2005, every public elementary school in the state shall provide instruction for no less than forty (40) minutes in visual art and no less than forty (40) minutes in music based on the state visual art and music frameworks for a period of not less than one (1) hour each calendar week of the school year or an equivalent amount of time in each school year.

(2)(A) Every student in grades one through six (1-6) shall participate in the visual art and music class required in this subsection.

(B) Children with disabilities or other special needs shall be included in the visual art and music programs.

(3)(A) ~~The~~ By the 2005-2006 school year, the music instruction required by subdivision (b)(1) of this subsection shall be provided by a licensed teacher certified to teach art or music, as applicable.

(B) By the 2007-2008 school year, the art instruction required by subdivision (b)(1) of this subsection shall be provided by a licensed teacher certified to teach art.

(4)(A) The department shall provide a stipend of not less than one hundred dollars (\$100) per class to each school for the purchase of necessary supplies or equipment for the classes required by this subsection (b) of this section.

(B)(i) For the purpose of subdivision (b)(4)(A) of this section, a class shall be defined as twenty-five (25) students in grades one through three (1-3) or twenty-eight (28) students in grades four through six (4-6).

(ii) Funding distributions shall be calculated based on the number of students as reported on October 1 of each school year.

(C) Subdivision (b)(4)(A) of this section shall be contingent on the appropriation and availability of funding for that purpose.

SECTION 2. This act shall be effective on June 1, 2005, for the 2005-2006 school year.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that beginning on June 1, 2005, school districts will be required to offer one (1) full hour of art and music to students in grades one through six (1-6); that one (1) hour class periods are not compatible with usual schedules used by school districts; and that school districts need sufficient time to hire staff, arrange schedules, allocate space, and purchase supplies based upon the changes made by this act. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

AND

If appropriate, renumber the remaining sections of the bill

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Wilkinson

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Secretary