

Congress Stays Action On Child-Obsecenity Bill

BY BILL HOLLAND

WASHINGTON Patience became a particularly important virtue for entertainment and music industry lobbyists as they watched Congress continue to fiddle with legislation at the 11th hour despite its itchiness to adjourn.

At press time, the House had not yet been able to meet with Senate leaders over the conflicts in the Title II obscenity section of the Child Protection and Obscenity Enforcement Act. A meeting had been planned for Oct. 19, but House leaders were informed that their Senate counterparts had gone home and were not due back until Monday (24). The bill is now an amendment to Congress' drug bill, which passed the Senate Oct. 14. It awaits House deliberation.

With adjournment possibly put off for at least part of this week, there are still hopes that Senate-House conferees can work out compromise language on the obscenity provisions. The delay, however, has also increased the irritability of members who want to finish up business and return home for the elections.

Meanwhile, the House subcommittee on crime canceled an Oct. 18 markup meeting on the Child Protection and Obscenity Enforcement provision, opting instead for a private discussion of the bill. This move encouraged entertainment industry officials who had worried that a markup would allow Moral Majority conservatives to call out grass-root lobbying troops.

Recording Industry Assn. of America lobbyist Hilary Rosen says the conservative proponents of the bill have approached the RIAA to work out a compromise. "It's turn-

ing into a 15-inning baseball game," she quips.

Other bills important to the industry are in peril or are suspended in legislative limbo.

The record-rental bill, which had seemed all but on its way to President Reagan—all that stands in its way is a nod from the Senate leadership (Billboard, Oct. 22)—has suddenly become a controversial item due to an end-of-session pork-barrel measure. Sen. Robert Dole, R-Kan., now plans to attach an amendment to give the Univ. of Kansas a large grant, although the House has already kicked that amendment out of another measure. RIAA officials are trying earnestly to convince Dole's staff to leave the record-rental bill "clean."

Further, the technical tax-corrections bill, which contains a noncontroversial provision to allow songwriters, visual artists, and others to deduct expenses as they occur, is also in danger. Congressional leaders are unhappy with other provisions dealing with the tax stratagems accorded to defense contractors. Music industry lobbyists are glum but hoping for the best.

"I've been monitoring this action for eight years," says Jim Bellis, ASCAP's Washington lobbyist, "and I've never seen it go on for so long [past the original adjournment date of Oct. 8]. We've gone all out for the songwriter exemption. But now it looks like it's going to go right down to the wire."

Says BMI lobbyist Jim Free: "We thought we had [the songwriter provision] locked up. Our item wouldn't even be brought up for discussion. But it's all out of our hands right now. I can't tell what's going to happen."

CMJ Hosts 8th Annual Music Marathon Confab Focus: New Talent

BY BILL COLEMAN

NEW YORK Discovering and breaking new talent are the key issues for the 1988 CMJ Music Marathon, to be held Thursday-Sunday (27-30) at the Vista Hotel here.

The eighth annual confab organized by CMJ, the popular alternative-circuit newsletter, will offer panel discussions, seminars, workshops, exhibits, and club showcases.

"The big difference this year is that the industry has finally grabbed hold of and rallied for the marketing and development of alternative artists," says CMJ president Robert Haber.

"We are hoping to merge the marketing, promotion, and development of new artists with [their] impact as a social force," he adds.

Haber says that 2,500 attendees are expected this year, an increase from the reported total of 2,000 that attended the 1987 confab.

The four keynote speakers planned for the event are radio syndicator Lee Abrams, PolyGram recording artist Michelle Shocked, Island hard rock band Anthrax, and Dave Mustaine and Dave Ellefson of Capitol heavy metal act Megadeth.

On Thursday (27), Geffen act Siouxsie & the Banshees will also hold an open press conference.

Among the highlights of the Music Marathon will be a college radio/alternative media special symposium and Metal Marathon, a two-day seminar focusing on hard rock and heavy metal.

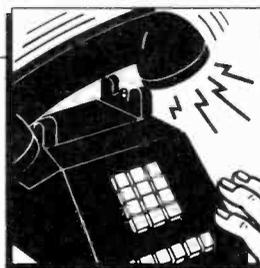
Moderators and panelists for the Music Marathon include representatives from major labels and independent record companies, artists, talent managers, agents, retailers, and music journalists.

Panel topics include international artist development, getting started in the music industry, artist management, independent labels and distribution, retail, press and publicity, publishing, and underground video.

"Throughout the past year, the 'adventurous artist' has been embraced by the mainstream media, so we're hoping that this year's gathering will show how these acts need to retain their integrity, which will in turn help their careers' longevity," says Haber.

During the 1988 Music Marathon, there will be a number of live showcases at different clubs by acts such as Fishbone, Dreams So Real, Judson Spence, and Jane's Addiction.

INSIDE TRACK



Edited by Irv Lichtman

A LONGSTANDING SUIT by the Record Club of America against United Artists Records, which originated back in 1972, reached a new stage Oct. 5 when U.S. District Judge William C. Conner in New York assessed damages against UA for an amount totaling \$1.3 million plus prejudgment interest. Although the club sued in 1972, the action, charging onetime hot indie UA with breach of its club agreement, was put on suspension when the club filed for bankruptcy protection, from which it emerged in 1982. With the suit restored, a four-day nonjury trial in 1985 led to a court order in September 1986 holding that UA unjustifiably repudiated its binder. The club, still owned by its founder, Sigmund Friedman, is not currently active. With interest, the judgment, if upheld on a likely appeal, could actually amount to \$3 million, although UA's claims of certain deductions from the damages are yet to be settled. UA's assets are now owned by Capitol-EMI Music Inc.

ON THE MOVE: Marty Greenfield, VP of planning and administration for CBS Records, will be moving from his divisional job to a label post at E/P/A to work with VP/GM Dave Glew... Meanwhile, staffers at Columbia and E/P/A are buzzing about possible promotions of key executives at both labels... Lou Mann, VP of marketing at MCA Records, could be headed for a new home at the Capitol tower after Jan. 1.

SELLING-BLOCK TALK: Yes, the 29-store Waxie Maxie's chain has been approached with a buyout offer by an undisclosed suitor, says VP/GM David Blaine. But he adds that "it will be five or six weeks" before the involved parties can see whether the offer merits serious consideration. Previously, when earlier rumors were making industry rounds, president Mark Silverman told Billboard that a buyout scenario would not necessarily dislodge the Washington, D.C., chain's existing management structure.

SOUND-ING WAREHOUSE: Wall Street was buzzing at press time because the NASDAQ stock of Dallas-based Sound Warehouse took a 4³/₈ jump on Oct. 19, closing at 19³/₈. A statement by the 114-store chain acknowledged it "has received unsolicited interest from several different parties." Analysts are not completely surprised by the moves because the stock's value has been rising lately. Trade specialists think Trans World Music Corp. and Lieberman Enterprises are two likely suitors—the former has previously expressed interest in Sound Warehouse, while rack Lieberman has voiced its intentions to get into retail. Analysts also see Music Plus and Wherehouse Entertainment as possibilities; both California-based chains have said they might move East since being taken over by investment firms. Other candidates on the rumor circuit: Handleman Co. and British retailer W.H. Smith.

GEMA'S CD-3 PACKAGE: CEMA is jumping headfirst into the CD-3 market with 3-by-12-inch packages, despite the fact that some retailers are continuing to press for a 7-by-7-inch package (Billboard, Oct. 8). According to CEMA president Dennis White, the differences among various types of CD-3 programs will be clearly marked on the outside of each box. Thus, for example, the legend on a CD-3-single box will read "contains two songs," while that on a minialbum package will say "contains four songs." If CEMA releases any CD-3 maxisingles, their packaging will tell consumers that they contain "dance" or "extended" mixes. The first CEMA releases to be so marked are singles by Robert Palmer, Najee, Duran Duran, and Poison.

WITH A GOOD DEAL OF sensitivity (not to mention sense of PR), Chrysalis Records has debuted a new Canada-based act, the Pursuit Of Happiness, on a promotional DAT containing the full album "Love Junk." The DAT is glued to a card that contains an excerpt from a review of the album that appeared in the Toronto Star, plus the following disclaimer: "This DAT cassette is for promotion only. Chrysalis Records Inc. remains firmly committed to not releasing DAT cassettes commercially until a solution can be reached protecting our

artists and our copyrights." In an accompanying press release, label president Mike Bone reiterates the point, adding that the DAT approach reflects the label's view of the act as "a band for the '90s" and its desire to gain "the most faithful reproduction of their music as possible." By the way, the label's distributor is CBS Records, which opposes the introduction of DAT for the same reasons cited by Chrysalis.

WATCH THIS SPACE: Look carefully next time you see an ad for Arista product. Beginning with an ad for Kenny G's "Silhouette," all of the label's tip-sheet and trade advertising carries the legend "Support back-announcing. When you play it, say it." The slogan isn't that much of a surprise, since Arista executive VP/GM Don Jenner, who wrote a Commentary on the subject in Billboard, has been an early leader in the fight for back-selling.

NEW LETTERS IN THE MAIL: When Bertelsmann purchased RCA Records and its affiliated direct marketing service from GE, it was allowed to use the RCA name for two years, and that term expires at the end of 1988. Starting Jan. 1, the RCA record, video, and CD clubs will be called the BMG Music Service, BMG Video Club, and BMG Compact Disk Club, respectively, according to Raju Puthukarai, president of BMG Direct Marketing. The name of the BMG classical club, the International Preview Society, will remain the same.

NEW SENTENCE DATE: Roulette Records president Morris Levy's sentencing on federal conspiracy-to-extort charges, set for Oct. 14, has again been postponed. The new sentencing date is Oct. 28 at U.S. District Court in Camden, N.J. In a new twist, Levy attorney John J. Barry presented a letter from the Rev. Louis Gigante for Judge Stanley Brotman's consideration in sentencing. Gigante, a controversial figure in his own right and brother of reputed Genovese family head Vincent "The Chin" Gigante, denies an allegation in a government presentencing report that he was the conduit for funds transferred by Levy to the Genovese family, calling such allegations "a bold lie. It is an insult to mischaracterize [Levy's] kindness to me and to others as the funneling of money to organized crime," Gigante's letter says.

GETTING HOTTER is a deal to bring Chris Blackwell's Island Music into the SBK Music fold. Previous on-and-off talks involving Mike Stewart's Evergreen Entertainment appear to be off for good.

DOWN TO THE WIRE: CBS/Fox Video will release "The Official 1988 World Series Video" 15 days after the last game is played. The 60-minute tape will track the fortunes of the Los Angeles Dodgers and Oakland (Calif.) Athletics leading to the Fall Classic and contain series game highlights as well as original footage and interviews. In order to qualify for the \$19.98 list, the preorder cutoff date will be seven days after the final game.

SUCCESSOR: Harold Shedd, producer of such top country acts as Alabama and K.T. Oslin, will reportedly succeed Steve Popovich as chief of Mercury/PolyGram's Nashville outpost. Producer Paul Worley has taken over the post of director of creative services at Tree International, following the departure of Bob Montgomery to CBS Records Nashville.

NAME VALUE: The entertainment industry will have its own who's who when the first "Who's Who In Entertainment" hits bookstores at the end of December. The new directory of accomplishments is being published by Marquis Who's Who of Wilmette, Ill., the publisher of the original Who's Who In America. Included in the book will be such notables as ASCAP president Morton Gould, AFTRA president Frank Maxwell, and president/CEO of CBS Records Walter R. Yentikoff. Billboard VP and executive editorial director Lee Zhito has been asked to edit the first edition.

NEW MAN: Swirling rumors about a possible sale of Chrysalis Records may dissipate in the wake of very strong scuttlebutt that the company is hiring Joe Kiener, former head of Adidas and an ex-Ariola Records staffer, to be its new executive VP.