

Artists & Music

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MCA's Strait Box Flies From Stores In Record Numbers

BY DON JEFFREY

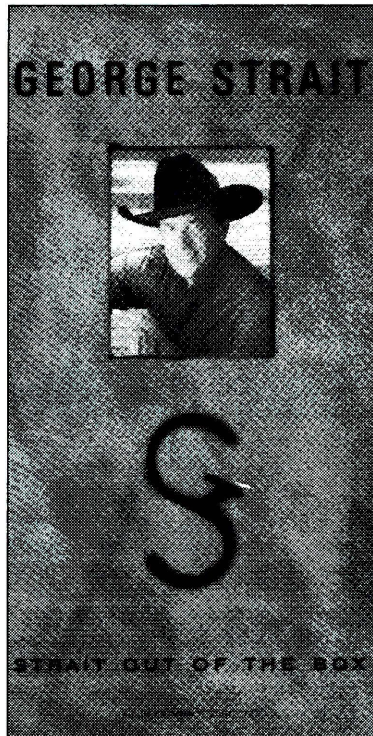
NEW YORK—Defying early retailer skepticism, George Strait's four-record retrospective, "Strait Out Of The Box," is shaping up as the fastest-selling country boxed set in history.

MCA/Nashville says it has shipped nearly 350,000 units of the set, which was released Sept. 12, and expects it will receive platinum certification by the Recording Industry Assn. of America this month.

The RIAA certifies a four-CD set as platinum after net shipments reach 250,000 units. A trade group spokeswoman says no other country boxed set has gone platinum. MCA/Nashville has shipped more than 510,000 units of the four-CD Jimmy Buffett boxed set, "Boats, Beaches, Bars & Ballads," but that was released in May 1992 and many do not consider it a country title. Another MCA box, "The Patsy Cline Collection," released in 1991, has been certified gold.

SoundScan, which records sales at retail, says the Strait set has sold 125,000 units as of Nov. 5.

The recording is No. 72 on The Bill-
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Mitchell Does Rare Live Show At New York Club

BY JIM BESSMAN

NEW YORK—Joni Mitchell's surprise Nov. 6 performance at Greenwich Village club the Fez—her first gig before a paying audience here in well over a decade—proved as memorable as it was historic. Particularly because she'd been privately contemplating bowing out of live music altogether.

The show, which was only firmed up that morning and promoted via a single announcement on triple-A station WFUV, overflowed the intimate 200-person capacity room. Rapt fans included Carly Simon, Eric Andersen, Victoria Williams, Natalie Merchant, and Marc Cohn, not to mention a loudly enthusiastic Chrissie Hynde ("Thank you for staying with us, Joni!" she shouted out at one point), whose Nov. 4 acoustic show with the Pretenders



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BILLBOARD EXCLUSIVE

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The New Orleans event was the most recent concert appearance by Mitchell, whose performances have become few and far between.

One likely reason for her absence, as she pointed out during the Fez set, is that she employs 30-50 guitar tunings for her complex repertoire, necessitating "endless retunings plus an army of extra guitars I had to bring on the road in what had become a truly exhausting process."

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New, Aggressive Ska Returns To Modern Rock

BY CRAIG ROSEN

LOS ANGELES—Now that modern rock radio has taken grunge and neo-punk to the masses, is the format ready for ska again?

The fast-paced predecessor to reggae enjoyed moderate success in the early '80s, as U.K. acts such as the Specials, Madness, and the English Beat scored radio hits with "Ghost Town," "Madness," and "Save It For Later," respectively.

Now, 15 years after that uprising, which was linked to the U.K. 2-Tone label, a more aggressive version of ska is back on modern rock radio.

Rancid's Clash-like, punky reggae "Time Bomb," from the Epitaph album "... And Out Come The Wolves,"
(Continued on page 24)



RANCID



DANCE HALL CRASHERS

Florence Greenberg, 82, Dies Scepter Head Mentored R&B Artists

BY IRV LICHMAN

NEW YORK—In its '60s heyday, Florence Greenberg's independent label Scepter Records, with hit after hit, reflected the mainstreaming of black artists and their musical heritage on the pop charts.

Greenberg, who died Nov. 2 at 82, was a rarity then as a woman who pondered a career outside her role as a housewife in New Jersey. In addition to her skills as an entrepreneur, Greenberg was blessed with creative musical instincts, including those of a song-

writer.

Greenberg discovered or nurtured such talents as the Shirelles (brought to her attention by her daughter, a classmate of the singing quartet), B.J. Thomas, the Kingsmen, Maxine Brown, Chuck Jackson, Ronnie Milsap, the Isley Brothers, James Cleveland, and Shirley
(Continued on page 113)



GREENBERG



Seeking Heat. Arista's new R&B diva, Deborah Cox, celebrates her self-titled debut album hitting the top of the Heatseekers chart for the week ending Nov. 4 and again this week with her Heatseekers No. 1 T-shirt. (Photo: Chuck Pulin)

Chapman's Mainstream 'Heart' Sparrow Flies To AC, Country Radio

BY DEBORAH EVANS PRICE

NASHVILLE—In an effort to broaden Steven Curtis Chapman's base beyond the Christian market, Sparrow Records released the single "Christmas Is In The Heart" to mainstream AC and mainstream country radio Nov. 6.

In recent years, Chapman has dominated the contemporary Christian market in terms of retail sales and Christian radio airplay. A three-time Grammy winner and the Gospel Music Assn.'s reigning artist and male vocalist of the year, Chapman has won the GMA's top

songwriter award for seven consecutive years.



CHAPMAN

"I obviously am excited any time I get the opportunity to build the platform a little bit wider, a little bit deeper, to go into some new areas," says Chapman. "My songs come from real-life experiences, trying to bring together my life
(Continued on page 110)

NIXON

the soundtrack to the epic movie event of the year is coming...

Illusion Records/Hollywood Records

RETAIL CHAIN TAKES ON RECORD CLUBS

(Continued from page 1)

offers drive down the perceived value of CDs.

Retailers have also griped about the discrepancy between their costs and those of record clubs. Retail accounts can pay up to \$10 per unit wholesale, while record-club unit costs are believed to be \$4-\$5.

Some major labels have recently begun to react to the retail outcry: Last month, MCA Records and Geffen Records announced that they were pulling out of the clubs (Billboard, Nov. 4). This past spring, Virgin Records said it would not renew its record-club contracts (Billboard, April 23).

The new policy established by Penny Lane Records, Tapes And Compact Discs, which operates four stores in the Los Angeles area and one in Sacramento, Calif., represents the first explicit swipe at the clubs by a retailer.

Penny Lane unveiled its cash offer on the back cover of the November issue of its free in-house magazine, Monthly Music Guide. The chain distributes 30,000 copies of the magazine each month; in December, the press run will be increased to 40,000, with 20,000 earmarked for insertion in the local free alternative paper The L.A. Weekly.

Penny Lane's offer cites a typical record-club introductory deal of 10 CDs for the price of one.

"You've seen the ads," the Monthly Music Guide offer reads. "They're hard to miss. Though the selection is very limited, the prices are more than 85% less than the wholesale cost that music retailers pay, even though we buy much larger quantities. That got us thinking—we need a new wholesaler—YOU! And at these prices, you'll reap an extraordinarily large return for your investment!"

Penny Lane suggests that its customers join a record club, selecting titles that can be found in the top 50 of its in-house chart. The chain says it will pay \$6 for each factory-sealed CD.

The ad continues, "That's it! Your investment at most is \$16.98 (before shipping and handling) for 10 CDs that Penny Lane will give you \$60.00 for. Of course, you should probably quit the

club at this point, or you'll be paying a lot more."

Penny Lane owner Steve Bicksler calls his chain's offer a "symbolic act" and says it will run for the next several months.

Bicksler says, "We're not doing this so much to make money on it. We're really trying to make a statement.

"It's an effort on our part to increase the perceived value of CDs, which we feel has been severely decreased by these record clubs."

Bicksler says that while the policy on the resale of record club product has not been finalized, Penny Lane will probably sell the albums for \$10.99. The chain usually sells \$15.98 list titles for \$12.97.

"We will sell it as new record-club product," Bicksler says. "We will not try to deceive anybody, as far as customers. We will give them the option: When they bring a CD up to the counter, we'll say, 'Would you like a couple of dollars off? We can give you a sealed record-club copy.' It's their choice."

SONY MUSIC ENTERS DEAL WITH MICHAEL JACKSON, ATV CATALOG

(Continued from page 10)

CBS's publishing lost a significant catalog in the late '70s, when McCartney made a deal to perform as a solo artist on then CBS-owned Columbia Records. One of the terms of his deal was that CBS turn over the Frank Music catalog—once owned by legendary songwriter Frank Loesser—to McCartney's publishing organization.

In 1986, new Sony Music chief Tommy Mottola, a professional manager at Chappell Music early in his career, decided to rebuild the company's fortunes in music publishing. A key acquisition in 1989 was Tree Music, the country music publisher that Sony Music bought for \$20 million.

Michael Jackson acquired ATV Music in 1984 from the late Australian businessman Robert Holmes A'Court for about \$70 million.

"Michael understands the impor-

tance of copyrights and the role they play in the introduction of new technologies," Sony Corp. of America president/CEO Michael Schulhof said in a prepared statement released Nov. 7. "Today, Sony Music takes its rightful place once again as a major force in music publishing."

Sony Music Publishing president Richard Rowe says that the transaction will "serve as the best possible foundation for growing our music publishing companies worldwide."

Rowe notes that ATV Music also holds works by Little Richard and Lloyd Price, among others.

Sony's publishing relationships include ties with such artist/writers as Bob Dylan, Nile Rodgers, Mariah Carey, Alice In Chains, Leonard Cohen, Neil Diamond, Barry Mann & Cynthia Weil, and Conway Twitty.

sonal use of our club members . . . The BMG family of labels and our distribution company believe that we have rights which are being infringed upon, and we will aggressively pursue all legal remedies available to us.

"Furthermore, there would appear to be issues relating to California state tax laws and other codes that the California authorities will undoubtedly be interested in pursuing."

Bicksler responds, "I would challenge BMG to quote the California state tax law that we are in violation of. If there's any evidence of illegal activity, turn it in."

"Furthermore, extortion is still against the law in the state of California, and we don't want to be threatened for them to gain an advantage. There's really nothing specific in this very, very stern notice that I can see."

Barry Reiss, senior VP of business and consumer affairs at Columbia House, the record club jointly operated by Sony Music and Warner Music Group, takes a more benign view of Pen-

ny Lane's offer and says there has been no discussion of the policy with the record club's legal counsel.

"Obviously, we're not pleased by it," Reiss says. "But basically, the offer that they've cited is not our offer. Our club membership generally requires our members, in return for their introductory records, to commit to buy a minimum number of additional recordings at full price in order to fulfill their obligation."

"We'd only urge, as a result of the ad, that consumers look carefully at the ad and at their obligations and not expose themselves by trying to terminate an obligation prematurely."

Regarding Penny Lane's implied shot at record-club policies in general, Reiss says, "This is something that's been debated for the 40 years we've been in business. Obviously, it's really two different businesses . . . The whole industry is in a bit of a downturn right now, or a flat turn, if you will. Clubs are sometimes a scapegoat for these kinds of things."



Michael Jackson and Sony executives sign the agreement forming Sony/ATV Music Publishing. Pictured, from left, are Jody Graham Dunitz, executive VP, Sony/ATV Music Publishing; Michelle Anthony, executive VP, Sony Music Entertainment; Michael P. Schulhof, president/CEO, Sony Corp. of America; Jackson; Thomas D. Mottola, president/COO, Sony Music Entertainment; and Richard Rowe, president, Sony/ATV Music Publishing.

COMPUSERVE, PUBLISHERS REACH DEAL

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Fox Agency permitting the upload and download of recordings of member publishers' songs.

The license rate will be based on the new mechanical rate that goes into effect Jan. 1, Murphy says, which is 6.95 cents per transaction (or "download," in online parlance). The Harry Fox Agency will issue licenses electronically, collect royalties under the license, and distribute them to publishers.

CompuServe itself is not being licensed. This was a key point of contention among commercial online services, which have asserted that they are the online equivalent of electronic bookstores or newsstands and not responsible for their content-providers' content. But the settlement agreement includes a guarantee by CompuServe for the obligations of its forum managers to pay royalties under the mechanical licenses issued, according to NMPA counsel Alan Shulman.

CompuServe spokesman Russ Robinson characterizes the agreement as "good for everybody."

"We are the first service that has entered into this kind of licensing agreement, so that's pretty significant for us," Robinson says.

The major commercial online services, which include America Online and Prodigy, are also being aggressively courted by perfor-

mance right groups seeking to license the services.

"In our view, the commercial online services are responsible for performances of copyrighted musical works which are presented by means of transmissions on their services and should be licensed," says Bennett Lincoff, director of legal affairs for ASCAP.

"Every day that there is no agreement with major commercial online services is another day that ASCAP's members are not receiving their royalties, which they are due for the use of their music by these services," Lincoff says.

ASCAP has already issued several dozen online licenses to a variety of individual Web sites, Lincoff says, but has not yet entered into an agreement with any of the large commercial services.

The online licensing activity can be expected to quicken as the stakes involved rise along with the number of consumers going online and the number of sites they can find offering music to sample.

"There is the potential for this to develop into a very significant revenue source," says NMPA's Murphy, "and we intend to continue to ensure that copyright holders get their just dues from the use of music in this new arena."

MITCHELL DOES RARE LIVE SHOW AT NEW YORK CLUB

(Continued from page 15)

At the Fez, though, she brought out one forest-green solid-body electric guitar that plugs into an electronic tuning device, allowing instant retuning and negating the need for additional instruments.

Her pairing with Blade proved uniquely effective. The two instrumentalists, despite their newness together, interplayed with a knowing sense of intuition.

"The truth is it had been my intention to quit music right about the time I appeared last April at the New Orleans Jazz & Heritage Festival," Mitchell told Billboard in an exclusive interview two days after the show. "That appearance was to be my swan song, until two things conspired to keep me in the business. First, I heard about Brian, this great drummer from Shreveport, La., who wanted to play with me, and then Fred Walecki at Westwood Music in Los Angeles built me a prototype of this modified Stratocaster that hooks up to a digital Roland VG8 unit. The VG8 is basically a computerized brain with foot pedals into which are programmed a whole palette of sounds plus more than 30 songs' worth of intricate tunings for the night at the Fez.

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all my tunings of all my songs, and what the audience basically heard at the Fez show was an impromptu first live rehearsal jam between Brian and me. Happily, it turned out to be one of the highlights of my entire career, not including," she added with a laugh, "some of the wild experiences I may have slept through or blotted out from the '60s."

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In return, she was serenaded with "Happy Birthday" by a crowd cognizant of her birthday Nov. 7.

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"It's a whole new ballgame now for me," Mitchell told Billboard, "but it had to be, because I couldn't have gone on, considering the difficulties I was facing in getting the right quality of sound and presentation—I needed

that level of delight again. Working in this duo form with a drummer as talented and melodic as Brian is a brand-new musical romance for me, and one like a very few I've had in my career, so we're aiming to do more club appearances fairly soon in places like the Fez and the Viper Room in L.A."

"I almost canceled the Fez show just hours before I went on, maybe fearing it wouldn't work out. But happily there were no boos when I plugged in my electric guitar instead of playing an acoustic. Actually, the Roland brain provides a sound beautifully suited to each song—like, for instance, the nylon-string tonality people are used to on certain things. You also hear a freshness and distinctiveness that's almost orchestral it's so rich. I wanted to blow chords up in size the way Georgia O'Keefe blew up the flowers in her paintings, and now that's possible."

Mitchell added that she's writing new songs and has a host of surprises planned between now and the end of 1996. But she noted that her next Manhattan appearance will not be until Dec. 6, when she attends the Billboard Music Awards telecast at the New York Coliseum to accept the Century Award, Billboard's highest honor for distinguished creative achievement.

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