



RADIO'S ROYALTY REDUX

The industry is (once more) prodding Congress to force terrestrial radio to pay performance royalties to artists

BY ED CHRISTMAN

For approximately the 20th time since the advent of radio and records, labels and performers are hoping that proposed legislation — called, this time, the Fair Play Fair, Pay Act — will result in royalty payments from terrestrial radio. The act, sponsored by **Jerrald Nadler** (D-N.Y.) and co-sponsored by Reps. **Marsha Blackburn** (R-Tenn.), **John Conyers** (D-Mich.) and **Ted Deutch** (D-Fla.), already has produced loud opposition from the National Association of Broadcasters (NAB), which has beaten back every previous attempt to legislate a performance royalty for terrestrial broadcasts of master recordings, most recently in 2009. Key elements in the new legislation include:

- ▶ Imposing a royalty on commercial radio stations comparable to a figure negotiated in an open marketplace under the auspices of the Copyright Royalty Board. Labels and performers already have obtained such a royalty from digital outlets.
- ▶ Imposing a low annual fee of \$1,000 for independent radio stations with \$1 million or less in annual revenue, and \$500 per year for college stations. The fees are meant to undercut the NAB's key argument against master recording performance royalties: that smaller stations can't afford them.
- ▶ Wording that prevents radio from offsetting payments to songwriters in order to pay performers.
- ▶ Providing a process for producers, engineers and mixers to receive their applicable share of 2 percent of revenue for recordings made before Nov. 1, 1995 (when labels began paying royalties directly to producers).

"We're pleased that 147 House members and [13] senators already agree that the fees proposed by Rep. Nadler would kill jobs, hurt artist promotion and devastate local economies," the NAB said in a statement. (Many legislators already have signed a nonbinding resolution to support local radio, one of the tools that the NAB used to oppose performance-royalty legislation in 2009.) The next steps? Waiting to see if the bill reaches the House floor for a vote — and if corresponding legislation is introduced in the Senate.

'I Will Always Remember Iggy Throwing Up On Me'

From WFMU to WNEW to SiriusXM, veteran New York DJ Vin Scelsa, who retires May 2, looks back at his nearly 50-year-long career in his own words

AS TOLD TO MICHELE AMABILE ANGERMILLER

ON MAY 2, VIN Scelsa — a pioneer of free-form radio, a warm and wise voice on New York's airwaves and a hero to a generation of DJs through his stints on WFMU, WNEW, WXRK and most recently WFUV and SiriusXM — will air the last installment of his decades-long show, *Idiot's Delight*, on WFUV. Scelsa, 67, shares some parting thoughts on his nearly 50-year-long career.

After all these years, there were only a couple of ways that it could end. One was that I'd drop dead or get so sick that I couldn't work anymore. Another was that I'd get fired. But another is the way I chose: that I'd decide when and how it ends, which is very rare. Usually, the DJ never has a chance to say goodbye, and listeners are left scratching their heads. So I have opted to voluntarily end a long career where I have always been in control.

I started in 1967 at a college that doesn't exist anymore — Upsala in East Orange, N.J. At the time, its nondescript little station — the now-independent WFMU — was run like a club: If the guys who were on that day didn't feel like doing it, the station never signed on. But there was enormous potential, and a couple of guys and I took over and ran it as a total free-form station. I became program director, and I always considered my job to be this: Hire the right people and leave them alone. It was a direct reflection of the culture of the time. The shows were a personal expression of what the individuals were feeling.



Scelsa in his natural habitat. "It is better to go when you are still wanted than hanging on to reach some arbitrary goal like 50 years."

I was able to bring that same spirit into my commercial radio career, first at WABC in the early '70s, and then at WNEW. And for those golden few years, we — the DJs — were able to call the shots.

During 47 years of radio you see all kinds of genres of music come and go. It's like watching a river flow — and I have been lucky enough to watch a certain aspect of pop culture flow by, tap into it and reflect it to the audience. In a very dramatic way, a highlight for me personally was the night **John Lennon** died in 1980. I was allowed to turn WNEW into a sort of communal wake — we dispensed with the usual programming and opened the phones. A radio station helped people get through their anger and sorrow in a very immediate, direct way.

A very different kind of highlight came at 'FMU, when **Iggy & The Stooges** came by. I was interviewing **Iggy Pop** in this little announcer booth when all of a sudden he got very pale, leaned over — and threw up on me. On the air! So I just played a few records while I cleaned up. I will always remember Iggy throwing up on me.

I guess the thing I will miss most is the excitement of hearing something new and being able to go on the air and turn people on to it. And I will miss the one-way relationship: People will miss me more than I will miss them. I don't mean that in a snide way — I just mean that listeners know me, but I know very few of them. Yet there are thousands who feel like I am their friend, and that is a wonderful thing. ●