

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104-66, set out as a note under section 1113 of Title 31, Money and Finance, and page 204 of House Document No. 103-7.

CHAPTER 1523—NATIONAL MUSIC COUNCIL

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§ 152301. Organization

(a) **FEDERAL CHARTER.**—National Music Council (in this chapter, the “corporation”) is a federally chartered corporation.

(b) **PERPETUAL EXISTENCE.**—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1412.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
152301	36:661. 36:662. 36:679.	Aug. 1, 1956, ch. 824, §§1, 2, 19, 70 Stat. 794, 797.

This section is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary and executed words.

§ 152302. Purposes

The purposes of the corporation are—

- (1) to provide the member organizations with a forum for the free discussion of problems affecting national musical life in this country;
- (2) to speak with one voice for music whenever an authoritative expression of opinion is desirable;
- (3) to provide for the interchange of information between the various member organizations;
- (4) to encourage the coordination of efforts of the member organizations, thereby avoiding duplication or conflict;
- (5) to organize exploratory surveys or fact-finding commissions whenever the corporation considers them necessary for the solution of important problems; and
- (6) to encourage the development and appreciation of the art of music and to foster the highest ethical standards in the musical professions and industries.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1412.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
152302	36:663.	Aug. 1, 1956, ch. 824, §3, 70 Stat. 795.

Before clause (1), the word “objects” is omitted as unnecessary.

In clause (5), the word “considers” is substituted for “shall deem” for consistency in the revised title.

§ 152303. Membership

(a) **ELIGIBILITY.**—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and by-laws of the corporation.

(b) **VOTING.**—Each member has one vote in the conduct of official business of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1413.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
152303	36:666.	Aug. 1, 1956, ch. 824, §6, 70 Stat. 796.

§ 152304. Governing body

(a) **GENERAL.**—(1) The board of directors is the governing body of the corporation. The board may be known as an Executive Committee.

(2) The board shall consist of at least 10 individuals who shall be representative of members of the corporation or other individuals selected by the members of the corporation. The directors shall be elected by the members of the corporation annually or at another regular interval as provided in the bylaws of the corporation.

(b) **OFFICERS.**—The officers of the corporation are a chairman of the board, a president, one or more vice presidents, a secretary, a treasurer, and assistant officers the board designates. The officers shall perform the duties and have the powers provided in the bylaws and by the board.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1413.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
152304(a)	36:667.	Aug. 1, 1956, ch. 824, §§7, 8, 70 Stat. 796.
152304(b)	36:668.	

In subsection (a)(1), the words “and referred to” are omitted as unnecessary.

In subsection (a)(2), the words “at another regular interval as provided” are substituted for “at such other regular intervals as may be specified” for consistency in the revised title and to eliminate unnecessary words.

In subsection (b), the words “from time to time” are omitted as unnecessary.

§ 152305. Powers

The corporation may—

- (1) adopt and amend a constitution and by-laws for the management of its property and the regulation of its affairs;
- (2) adopt and alter a corporate seal;
- (3) choose officers, managers, employees, and agents as the activities of the corporation require;

- (4) make contracts;
- (5) publish a bulletin, magazine, and other publications;
- (6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;
- (7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;
- (8) use corporate funds to give prizes, awards, loans, scholarships, and grants to deserving composers, conductors, and others for the purposes stated in section 152302 of this title and for other purposes the board of directors considers proper;
- (9) sue and be sued; and
- (10) do any other act necessary and proper to carry out the purposes of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1413.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
152305	36:664. 36:678.	Aug. 1, 1956, ch. 824, §§ 4, 18, 70 Stat. 795, 797.

In this section, the text of 36:678 is omitted as executed and obsolete.

In clause (1), the words “not inconsistent with the laws of the United States or any State in which the Corporation is to operate” are omitted as unnecessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (3), the word “activities” is substituted for “business” for consistency in the revised title.

Clause (6) is substituted for “take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects or accomplishing the purposes of the Corporation” and “transfer and convey real or personal property” for consistency in the revised title and to eliminate unnecessary words. The words “subject to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by a corporation operating in such State” are omitted as unnecessary.

In clause (7), the words “for the purposes of the Corporation” are omitted as unnecessary. The words “issue instruments of indebtedness, and secure its obligations by granting security interests in its property” are substituted for “issue bonds therefor, and secure the same by mortgage” for consistency in the revised title. The words “subject to all applicable provisions of Federal or State law” are omitted as unnecessary.

In clause (8), the words “other purposes the board of directors considers proper” are substituted for “such other purpose as may be determined to be proper by the board of directors” to eliminate unnecessary words.

In clause (9), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

In clause (10), the words “any other act” are substituted for “any and all acts and things”, and the word “objects” is omitted, to eliminate unnecessary words.

§ 152306. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name “National Music Council” and seals, emblems, and badges the corporation adopts.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1413.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
152306	36:676.	Aug. 1, 1956, ch. 824, § 16, 70 Stat. 797.

The words “sole” and “as representing such Corporation” are omitted as unnecessary.

§ 152307. Restrictions

(a) PROFIT.—The corporation may not engage in business for profit.

(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) POLITICAL ACTIVITIES.—The corporation or a director, officer, or member as such may not contribute to, support, or assist a political party or candidate for elective public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1413.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
152307(a)	36:672 (words after comma).	Aug. 1, 1956, ch. 824, §§ 9, 10, 12, 70 Stat. 796.
152307(b)	36:672 (words before comma).	
152307(c)	36:670.	
152307(d)	36:669(a).	
152307(e)	36:669(b).	

In subsection (a), the word “pecuniary” is omitted as unnecessary.

In subsection (b), the words “any shares of” are omitted as unnecessary.

In subsection (d), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title. The words “as provided in section 675 of this title” are omitted as unnecessary.

§ 152308. Principal office

The principal office of the corporation shall be at the place the board of directors decides. However, the activities of the corporation may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1414.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
152308	36:665 (1st, last sentences).	Aug. 1, 1956, ch. 824, § 5 (1st, last sentences), 70 Stat. 796.

§ 152309. Records and inspection

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;