



Draft MEETING MINUTES

GOVERNOR’S COUNCIL ON FILM AND MEDIA INDUSTRIES MEETING

Friday, November 19, 2021 • 1:00 PM

Zoom Link: <https://us06web.zoom.us/j/85176597038?pwd=N1QxSjg3cWZ1K2FIS202TEV0NnIOZz09>

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Call to Order – The quarterly meeting of the Governor’s Council on Film and Media Industries (GCFMI) was held via Zoom video-conference. Chair James Gollin called the meeting to order at 1:00 pm. Joann Wylie called the roll and the following Council members were present, constituting a quorum:

Members in attendance:            James Gollin (Chair)  
   Jo Edna Boldin  
   Ramona Emerson  
   Ken Fischer  
   Lance Maurer  
   Rajeev Nirmalakhandan  
   Liz Pecos  
   Luke Renner  
   Sam Tischler  
   Talia Kosh

Also present:

NMFO Staff:

Rochelle Bussey  
Joann Wylie

No members of the public attended the meeting

Approval of Agenda – Chair James Gollin asked if there were changes to the agenda. None were proposed. Ken Fischer moved to approve the agenda and the motion was seconded. The motion passed and the agenda was approved.

Approval of Minutes from September 17, 2021, meeting – Chair James Gollin asked if there were changes to the minutes. None were proposed. Jo Edna Boldin moved to approve the minutes and Raj Nirmalakhandan seconded the motion. All were in favor and the minutes were approved.

Draft Annual report review – Chair James Gollin thanked everyone for getting their pieces of the report boiled down into a short report including the recommendations that might be implemented. He said it was a great piece of work. He incorporated suggestions and improvements in the report. Today the Council will go over the report by sections.

Film Safety. Following the Rust incident, the Council formed an ad hoc working group to look into safety on sets. They found that there are existing protocols that are really good and when followed, they create safety. He noted that much of what we think we know about the Rust incident is based on what has been in the press, and some of that is based on hearsay and rumor. The group did meet to find out what safety requirements are needed. They had some recommendations. The group noted that the length of working days in the industry is often excessive and with a short turnaround, it can lead to dangerous situations. The committee came up with the following recommendations:

- All productions should be required to follow all Contract Services Industry Wide Labor-Management Safety Committee Safety Bulletins.
- An anonymous safety hotline should be set up with productions showing the number on call sheets and at locations.
- Creation of an NM certification process for armorers, in consultation with industry professionals and relevant NM authorities.
- Require productions that use firearms to use state-certified armorer.
- Ban live ammunition from NM sets with exceptions for active law enforcement, licensed armed guards and the rare exception where it might be needed (e.g., documentary on ballistics)
- Provision of courtesy housing or round-trip transportation by employer from crew parking to homes when work and travel time exceeds 14 hours.

The Chair asked for comments. Liz Pecos noted that NM was thrust into the spotlight but there is an industry-wide effort to have a conversation around this. She is glad the Council could respond in a way to address it in the report. She noted there will be a continuing and evolving discussion among the stakeholders to keep people safe and provide a safe environment. Jo Edna Boldin confirmed that the recommendation that all productions follow the safety bulletins included non-union and smaller budget productions. Jim Gollin noted that the group was pulled together as an ad hoc group. Since safety is an ongoing concern, he asked if the working group should continue its work and remove the word ad hoc and have the council approve it as a formal working group. Liz Pecos moved to create a film safety working group. Jo Edna seconded the motion and all approved. Motion to create film safety working group. Liz moved, Jo Edna second. All approved.

Incentive Optimization. Sam Tischler reported on Incentive Optimization. He noted that the group built a lot on work done in 2020. They looked at recommendations for additional paths to obtaining the full 35% maximum incentive. These included:

- incentivizing local above-the-line talent, diversity in hiring and training crew, and performing post-production locally with those companies training and mentoring NM post-production talent.
- an enhanced Safety protocol where productions limit shooting to 10 hours or less and receive an incentive uplift. They would also like to see the rural uplift
- redefinition of the rural uplift as 60 miles from Santa Fe and Albuquerque City Halls rather than 60 miles from the county lines.

- simplifying accounting for the 5% rural and qualified facility uplifts. Rather than calculate specifically by costs at each venue, they suggest that the uplift calculations be based on the overall average amount of time spent in those locations.
- Providing an uplift for script development, contingent on a distribution deal.

Other items that support optimization of the incentive:

- Except expenses on tribal lands from the requirement that GRT must be paid by the vendor to be a qualifying expense.
- Subject “Pass-Through” companies to greater oversight and sharing data on the goods and services that are regularly imported to facilitate development of local vendors.
- Implement a stability clause so that if there are changes to the structure, projects in production would get 90-day notice and changes would not be retroactive.

Sam Tischler said that the group has identified other items on a grander scale, but that the recommendations described are a good start. Many of the recommendations are aimed at simplifying the tax credit process. Lance Maurer asked if the uplifts are cumulative. It was confirmed that they are cumulative only to 35%. The uplifts do apply to post-production. Luke Renner said that Sam Tischler had mentioned mentorship and post-production. Would that tie into a post-production crew advancement incentive? Jim Gollin said that the idea of expanding FCAP is mentioned under New Business Development. The group sees a need to include job titles with flexible titles or a companion post-production incentive. Jim Gollin observed that the session they had with the accountants underlined the difficulty of the tracking process for the tax credit.

New Business Development – Lance Maurer said that the Powerpoint presentation he prepared will be appended to the final report. Ken Fischer presented the recommendations. When the working group looked at post-production new business development, they identified four areas. They believe the film partners have the means and needs to get post going in the state. Some entities have their own training in the state and that is an area to look at. New business development for post would also involve attracting post-facilities to open post-production satellite companies. The state would then get the names and talent to create a strong presence. In the San Francisco Bay area, there was virtually no post. They brought in talent with the top-level jobs who trained people in entry and mid-level jobs who progressed into higher level jobs. It is a model that works well. If the state could capture a small percentage of the productions that are here and have them do post as well, that would be great. The group would like to see a 5% uplift for productions that also do post in the state. Finally, they would like to see some private sector investment, possibly supported by state-sponsored low-interest loans. In Vancouver it is quite easy for companies to get loans. The group would like to see that mirrored in New Mexico.

The group looked at public funding for training and noted that EDD is looking to create a large training program as described in their budget presentation. The group would like to expand FCAP for post-production categories. He noted that lots of people are not clear about how the incentives apply to post and would like to ask NMFO to have a page dedicated to post only.

New Mexico needs to be a technology leader. In order to keep productions going on in the state, the state needs to look at how it will be done in the future and expand the infrastructure and regulations to be sure the industry can continue in New Mexico.

Jim Gollin thanked everyone who participated in the working group both on members of the Council and volunteers who participated.

Education and Training – Liz Pecos explained that the boom in the film industry has highlighted a shortage of skilled film industry workers. There is a critical need to ramp up education and training programs for the industry. They propose the establishment of a New Mexico Film Academy, designed to train the diverse population in practical knowledge, specific training, provide access to unions and help link job seekers with productions.

Ms. Pecos observed that some elements of film education are covered by existing institutions and programs which just need to be better coordinated. Other training can be modeled on shorter term PA training offered by NMFO and others. She said that a signature two-week intensive film production bootcamp could teach basic skills and prepare New Mexicans for most entry level positions. Other skills take years to acquire and will require extensive mentorship or long-term training.

Outreach will be required to recruit candidates for film production positions and training. The group looked at funding sources for training programs, noting that perhaps budgetary allocations, film partner give back funds and an expanded FCAP program would be sources.

Liz Pecos emphasized that everyone needs to work together to create a pathway for job seekers to jobs. She noted that at one time the program in NM was used by Georgia to build their program. She emphasized the need to find a connection between the training/schools and finding jobs in the industry. The group is committed to diversity programs and has recommended that a focus on diversity include pay for interns and trainees on set. There needs to be more outreach to rural areas, tribes, which can be folded into the academy. There needs to be a way to connect schools to filter students who know what they want and target their training; providing a connection with the unions and guilds. As they develop a standardized curriculum, the schools can better educate students. They need to have more technical training vs. theoretical training.

The group would like to see a portal and a link or a part of the NMFO website that provides access to people who want to be interns can find what they need. They want a centralized hub for everyone seeking a job in the industry. They also recommend a way to provide additional assistance to rural area students to get their start (e.g., housing, etc while training). The NMFO needs a resource sharing page for those looking to come to NM so they can find out what schools are available, what film training is available in state, and the potential student can perform a benefits and cost of living comparison.

Jim Gollin asked if there was a motion to accept the final report and recommendations. Luke Renner moved to accept the report and Liz Pecos seconded it. The Report and Recommendations was unanimously adopted. Jim Gollin noted that the next step to push forward with it. He said that there is attention on film safety for the moment due to the Rust tragedy as well as on the Film Academy following Secretary Keyes' recommendation for it in the budget. Implementing is the hard part. The Chairs of the working groups and Jim Gollin will be meeting with the Governor.

Jim Gollin said that moving from the concept to a budgetary allocation requires a lot of steps which the Council should be ready to be supportive of anyway we can. He doesn't know if there will be any budgetary discussions during the December special session or not. There will be opportunities for all to be helpful and lean in.

New Business – There was no new business

Public Comment (3 min. per person) No members attended.

Jim Gollin said that informally working groups can continue but their main task is to communicate recommendations. They will meet in 2022. He had hoped to have some discussions about what other

people might be needed on the Council but he is not ready. He hopes to be able to move forward with that soon.

He thanked everyone for their work and service.

Next Council Meeting – Chair James Gollin said that the next meeting will be in 2022.

There being no further business, James Gollin asked for a motion to adjourn. Sam Tischler moved to adjourn the meeting and Rajeev Nirmalakhandan seconded the motion. All were in favor and the meeting was adjourned at 1:57 pm.