

## Draft MEETING MINUTES

### GOVERNOR'S COUNCIL ON FILM AND MEDIA INDUSTRIES MEETING

Monday, September 11, 2023 • 12:00 PM

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Call to Order – The Governor’s Council on Film and Media Industries (GCFMI) quarterly meeting was held via Zoom video conference. Chair James Gollin called the meeting to order at 12:04 pm. The following Council members were present, constituting a quorum: James Gollin (Chair), Jo Edna Boldin, Ken Fischer, Ramona Emerson, Jocelyn Jansons, Sam Tischler, James Lujan, Harris Smith, Rajeev Nirmalakhandan, Rebecca “Puck” Stair, and Liz Pecos.

Film Council members not present are Marc Comstock and Paula Dal Santo.

Also present are NMFO Director Amber Dodson, NMFO Deputy Director Carrie Wells, and NMFO Senior Manager Rochelle Bussey.

Approval of Agenda – Chair James Gollin asked if there were changes to the agenda. None were proposed. Rebecca “Puck” Stair moved to approve the agenda, and Sam Tischler seconded the motion. The motion passed, and the agenda was approved.

Approval of Minutes from the October 30th meeting – Chair James Gollin asked if there were changes to the minutes. Ken Fisher moved to approve the minutes, and Rajeev Nirmalakhandan seconded the motion. All were in favor, and the minutes were approved.

James Gollin

We have a quorum; I want to mention the passing of Governor Bill Richardson. He had a tremendous and positive effect on the film industry in New Mexico and many other things in New Mexico and around the world.

Amber Dodson

I wanted to echo the exact words about Governor Richardson and mention Eric Witt. It's been a crazy month. I know many of you are close to one or both. And I know they contributed so much to this industry. Our regards go out to their families and everyone who worked with them.

I also wanted to take a moment to talk about the strike. We know a lot of people are starting to struggle right now. We have compiled some resources on our website, so please check them out if they apply to you. We also have a great contact at Workforce Solutions. Suppose you know of people having difficulty getting a hold of someone at Workforce Solutions regarding unemployment. In that case, we do have a direct line, and I also shared that person's contact info with IATSE Local 480. We're certainly

hoping that Everything resolves efficiently, fairly, and swiftly. We have a fantastic pipeline lined up the minute we can say “go” on our end.

The end of the fiscal year was excellent news overall. We are doing another Stowe Story Lab, which is a screenwriting incubator. This will be our 2nd year in a row, which is incredible. That continues to be highly competitive, with ten (10) New Mexican screenwriters chosen to participate. This year, they will be in Las Cruces and complete the labs in person in November.

We've also done ongoing production assistant training that is free and virtual. Those have been incredibly popular, and we intentionally make those virtual to have participants statewide.

We also announced the Executive Director for the New Mexico Media Academy. Chad Burris is the Executive Director and a Sundance Award-winning filmmaker. He's a producer, an attorney, a visionary, and indigenous, and he is already taking this model of the academy and making it world-class.

It will essentially be a production model, training certificate, not sitting in a classroom working on productions and making content here. And there's a lot more there; I know many of you have met him. We could bring him on for the next film council meeting and have him give some updates because his vision is incredible. It will centrally focus on training New Mexicans below the line and above the bar. And it will be about New Mexicans making this content. I will stop there because he has a lot more, and I don't want to steal his thunder, and he can describe it much better.

We've also qualified some more production facilities. And we're always looking for more. We still need more, but we prepared, I think, eight more last year. We have a movie ranch in Stanley. We're looking at one in Alamogordo this month. If you know something, please let me know.

Once again, we're a broken record, but we still hope to get more full-time employees and an operating budget. One of the full-time employees we've asked for is a tribal liaison to focus on community engagement, outreach, education, and getting involved with the academy and the film industry. Fingers crossed, we get some of those positions.

High-level points of legislation are that the \$110 million per fiscal year payout is now increased to an eventual \$160 million in \$10 million increments per fiscal year, a 10% tax credit is available for qualified expenditures in New Mexico areas at least sixty miles outside the Santa Fe and Albuquerque City Halls, the nonresident crew credit restricts productions to claim not more than 15% of total BTL wages. The giveback of 2.5% of expenditures for salaries has been removed. There are additional limitations for non-film partners. We cap the number of positions that qualify based on the production budget in New Mexico. Resident principal performers are exempt from a \$5M cap per production. New Mexico partners ATL credit has a \$40M aggregate credit cap per year. And finally, the uplift zone changed to sixty miles from the city halls of Albuquerque and Santa Fe. It has been great to hear the feedback from the community, decision-makers, our film partners, and all the indies. Everyone is already starting to at least get a location package in areas they've never considered. Thank you all for your efforts with the legislation. Thank you.

James Gollin

Thank you, Director Dodson, for the update and summary. She stated that the information is available on the website for people who want to know more. It was, you know, as some have said, legislation is like sausage making, and it was that. It's not a pretty picture of the way it all came down in the end. Some things were excellent, like raising the cap, redefinition of the rural uplift zone, and cap increase. You know, a little more controversial and, I think, some of the things we were after haven't happened yet. So, some lost opportunities.

Puck, I don't want to put you on the spot, but I know we met a little while ago, and I know you've got some updates. I'm unsure how many of your updates you want you're ready to share. Would you, would you like to start?

Rebecca Puck Stair

Yeah, I'm not sure what there is to say this time. Well, this is no surprise to Amber, but we're kicking around on how to move forward with gun safety—and exploring some different avenues looking at regulation in statute. I don't think it is fully cooked yet, but there are conversations about it. I'm hopeful, and there is a promising conversation from different branches of government. Yeah, I'll leave it at that for now because there is nothing else concrete to announce.

James Gollin

Yeah, we also talked about some green initiatives.

Rebecca Puck Stair - IATSE 480

Yeah, I would join the rest of the group. We did such good work as the Council, and there are so many beautiful ideas that we came up with together, you know, training and uplifting the John Pinto Grants. I think many of those have quite a lot of merit, and I'm hoping that we, as the Council, can pick them up and continue moving forward because they would do perfect things for New Mexico.

James Gollin

Okay, thank you, Puck; who else has thoughts to share? Let's see Jo Edna and then Ken.

Jo Edna Boldin

Hey everybody, I want to say I attended the SAG-AFTRA strike rally on Saturday this week, which was so beautiful. There were so many other unions involved, some politicians. Martin Heinrich was there; it was just a good: uplifting people's spirits and keeping them strong, committed, and united. A few people showed up, and I'm sorry, Mark Comstock is not here today because he led the entire rally and did a marvelous job with that. SAG AFTRA is strong. It was just really a beautiful event. So, I was glad I could be there, and I think it helped people keep their spirits up. You know, it's hard on everybody. I am pleased that other unions were there to participate as well. That's just my update. Thanks.

James Gollin

Thanks, Edna and Ken.

Ken Fischer

Hi, first, I'd like to thank Director Dodson for the job you're doing, which the film office is doing with an understaffed office. I mean, I certainly hope that you get the positions you deserve so that you can move forward with your agenda. I prepared something. I had some thoughts, wrote them down, and I'd like to read them now. And they addressed what occurred right around when SB2 was getting dropped. The Council is at a crossroads; it's a good time to ask whether the Council should even exist, and if so, are we an advisory board or figureheads?

Years ago, my working group asked various members of the local post-production community if they felt supported by the state; the overriding answer was that all New Mexico cares about are the film partners. We responded that things were different now that the government was on the same page with us regarding diversity, inclusion, and promoting local businesses. They replied we've heard it all before. And guess what? They were right, and we were wrong. Somewhere, that same page we were on disappeared while the Council was developing a lasting body of work that focused on including all New Mexicans.

How ironic that we would not be included to even comment on SB2 before it went to the Senate? The film partners anchor our media industry, providing abundant jobs and tax revenue. We are grateful to have them here; their needs should be addressed. But what about our local businesses and artists? In communities that continue to be neglected, we can take care of their needs as well. I have little understanding of the political realities and conversations behind the scenes.

The state may want public policy to go differently than the Council. If that's the case, be transparent about it. We are volunteers. No one wants to feel that the time they are donating is wasted. What kind of message was sent to this council and our other volunteer advisors? What kind of message was sent again to our local businesses, media professionals, and communities? And what kind of message was sent to the out-of-state companies?

We've been encouraged to move to New Mexico. We have an opportunity to clear the air and restore trust. I believe that we all can do better. Yet words alone are not enough. Will it be a significant change that benefits all New Mexicans, or will it be business as usual? Which road will it be?

Amber Dodson

Thank you, Ken, Thanks for sharing what you're feeling and thanks for your words and fingers. You are a recommending body. You recommend things to make this film industry a better place.

We also had many stakeholder meetings where the negotiating bodies came together before the session. Jim was present at these state stakeholder meetings, so I want to clarify that what you all recommended was heard, read, and considered.

It's up to the Governor's office when she makes the final call at the end of the day. What will be in the Bill? Not everything belongs in the legislation. In this case, with this past session, our most urgent matter was getting our cap raised or the whole industry stalled out. So we had to weigh it. And when I say we, I'm not the final call here. I had a say in it. James had a voice in it. But the stakeholders,

governor, and legislators vote most in this. At the end of the Da, we had to take care of the tax credit period to ensure we didn't go into a backlog.

James Gollin

thank you for that. And um, let's see, you know, I have some things I could respond to that, but I think I, well, hold my comments until a little bit later to let other council members speak. Who else would like to comment?

Ramona Emerson

And I think there are two things that we need to work on to help you get that funding, to get that position so we can at least start having these conversations, and the fact that you have this school opening and soon, beginning to get people trained. I still see a massive lack of tribal involvement in that. And no, no reaching out to tribal universities like Navajo Technical University or Deny College or the college in Zuni, Squally college, all of these colleges that are, you know, there willing to work new programs into their facilities and have the I saw Navajo Tec has an entire room full of computers for editors. There's no program there to help them. There's nobody there to teach that class. And that room sits there with a bunch of dusty computers and boxes. That's what I mean when I say there's no, there's no outreach to Navajo communities, Apache communities, or public communities and getting them involved in this industry. And that is just something that I will continue to bug everyone about and to work and lobby, and I will work hard on the governor.

Amber Dodson

I thank you, Ramona. I don't see that as a gripe ever, and please don't apologize for bringing this up. Are we on the same page? We've asked for the Pinto funds to be renewed, and up to three million dollars are still fighting for. We will contact you regarding some help and support for getting this full-time employee for tribal outreach and engagement. If we ask for five positions, that would be our number one choice. We've already discussed it, and we've been talking about it.

Harris Smith

I wanted to thank Amber for answering those questions, and I appreciate everyone else's comments. Ken and Ramona Puck. On our end, I'm just looking forward to meeting with Chad in the spring, so I'm looking forward to having more conversations and seeing how the consortium moves forward. There are concerns on a variety of levels. We all know there's a lot of work to be done. Another way to approach this is through higher education programs and some that are established, like here at the University of New Mexico, where we're trying to hire indigenous faculty and start indigenous programs on filmmaking. That's the next step for us. So I feel like it's kind of like a jigsaw puzzle. We'll probably need to come at it from various angles. But I just wanted you to be. We're addressing that in our college, trying to help empower folks and get more of an impact and voice.

James Lujan

I'll just briefly say that I was pleased by the hiring of Chad Burris. He and I go back to Sundance. I've had encouraging discussions with him about producing—local, above-the-line content. I don't know how

that gets financed, but if anyone can pull that off, it's Chad. So, it's looking good from that perspective. So, I just wanted to say that I support Chad's hiring.

Amber Dodson  
Excellent, thank you.

James Gollin  
Thank you, James. Anyhow, does anyone else have to leap off at one?

Liz Pecos  
I do. I also have to leave for a meeting in a few minutes. So I think I think a lot of work still needs to be done. I've been working on the council but also really heavily on this legislation going back to before the twenty nineteen sessions when we re-drafted the previous system that existed and as it was in its iteration under Susanna Martinez. We had an opportunity to change it and modernize it to be a competitive entity within the area, standard jurisdiction, and filmmaking space. We've always defended this legislation. It creates jobs because it's economically diversified because of what it truly brings to New Mexico. And we've had to defend against people who say it's just a handout to Hollywood. And what I have seen from the last couple of rounds of legislation is huge concessions made precisely for those groups. And suppose we aren't keeping up consistently with protecting New Mexicans, whether through diversification and job creation and protecting those jobs in New Mexico or other ways. In that case, I fear that we've laid our obligation to do that.

James Gollin  
Thank you, counselors, a few visitors, the public, and obviously, staff. I am going to start with some comments about SB12. I want to express my disappointment that the Film Council's recommendations from December of last year are almost absent from the Bill. We've been at this for three years since I've been involved. Some of you for longer, with a lot of Zoom calls and working group meetings and reaching out to colleagues here in New Mexico and beyond to come up with the recommendations, and most of them didn't make it into the Bill, which I think is a missed opportunity.

For New Mexico, it is a missed opportunity to grow the industry from the bottom up and the middle out, as many of you have heard me say. I want people to know I was given an opportunity with Director Dodson and Secretary Keyes a few times to present the recommendations to those who drafted SB12. I did make some of those points, and they were not accepted. I did ask for a meeting of this group earlier so that we might be able to weigh in on when amendments would be added to the bill, but that didn't happen.

But here we are today. We have ten days left of the session. I do want to be, you know, fair to state several things. Nobody ever gets everything they want, of course, and some of our recommendations from last year wouldn't be in such a Bill anyway, such as we call for more full-time employees for the film office. You know, as the industry grows, they should have more employees and, but that's, that wouldn't be in, this kind of Bill that would be in the

budget or there were some issues about, shall we say, less than robust consultation between educators and about plans for the New Mexico Film Academy.

There were some issues with taxation and revenue and inconsistencies in how they applied or answered people's rebate applications. But those are administrative rather than legislative issues, so that they wouldn't be in the Bill anyway. Furthermore, to admit that some of our recommendations might require rather complicated solutions, such as how would we pay out incentives for productions on native lands in a way that doesn't violate tribal sovereignty by subjecting them to GRT?

Or how would we reactivate the Long Government New Mexico Film Loan Fund? Or how would we legally figure out how to financially incentivize diversity the way, say, Illinois and Chicago do? Or how do we financially incentivize sustainability rather than just asking productions to create non-binding diversity and sustainability plans? So, you know, these are not simple and could be hard to amend in the end because you have to really think these things through. But just because something, in my opinion, just because something is a little complicated doesn't mean we shouldn't do it.

Some of the things we have recommended would be very simple, such as redefining the rural uplift territory to be 60 miles from Albuquerque and Santa Fe City halls from a single point rather than Santa Fe and Bernalillo County lines, for our safety recommendations, such as that are, armorers go through at least a minimal gun safety certification, as is done in other states. As to what is in the Bill, we recommended very little of it. Most of you probably have seen it by now and gone through it.

There were some things we did recommend, such as the call for raising the FCAP budget and some of what is in the Bill, including some important points I think would have been recommended by this Council if we'd been asked our opinion on it, such as an important one, raising the annual cap for non-film partner payout. Some labor concerns were also listened to late in the process and amended into a second version of the Bill, which is good news. We don't have, I think yeah, we do have Mark, we have Liz or Puck from our labor team here, today, some parts of the Bill are more concerning, such as.

Raising the above line payout for non-New Mexicans from five million to fifteen million dollars per project is a concern that is close to the definition of sending money to Hollywood instead of spending it here, growing the New Mexico economy. We raised the question of whether an additional ten million dollars per project could be better spent by boosting the Pinto grants to native filmmakers that we have suggested or supporting the local industry.

Other sections in the Bill could prove expensive, such as adding another 5% payout towards the stack—a total 40% rebate for large budget projects by film partners.

I believe it's a series of 15 million dollars each with more than six or more episodes. So the question is, is a series that spends a hundred million dollars in New Mexico so much better for our economy than two series that spend fifty million dollars each that it's worth another five million dollars of public subsidy? Or would five million dollars be better spent supporting projects that bundle pre-production, postproduction, or other things in our recommendations? And there may be data demonstrating the value of those high mega projects or for the out-of-state, above-the-line actors and directors. I haven't seen that data showing how valuable that would be to our economy, but maybe it's there.

I have yet to be convinced personally; you know you'll have your own opinions. As to prospects for the Bill, take out your crystal ball. We have ten days left in the session. Anybody who says they know what's going to happen. Nobody knows what's going to happen to anything. There have been so many issues in front of the legislature these last ten days. The Bill did have a strong start through the Senate Taxation Committee. Since then, it seems to have stalled, perhaps due to an unfavorable analysis of the Bill by the Legislative Finance Committee and its fiscal impact report, which I don't know how many of you read, but it's, you know.

It's a public document that concludes that the LFC has serious concerns. "Serious concerns" about significant risk to state revenues. Again, excellent data may be available to overcome the LFC's problems. Still, it doesn't seem that this data has been presented in a way to ease concerns in the Senate Finance Committee, which is where the Bill is theoretically going to be heard next. To the best of my knowledge, it has not yet been scheduled. As to what will happen again, I've listened to early rumors that the Bill will sail through as is.

I've heard people saying the Bill is already quite dead. More recently, I've been hearing from NMFO staff and several others that there's a story going around that there will be an attempt to strip out the most essential elements of the Bill, especially what is considered by many to be the most important, which is raising the cap on non-partner expenses and, passing just that either in this Bill in an amended form or perhaps add it on to another Bill. Who knows? I raised these issues not to rumor because, as I said, nobody knows, but I did want to say that since we are meeting today. We have the opportunity to weigh in. It might be helpful to express our formal support for raising the cap if that sentiment has a majority. Even unanimity among those on this call, since that might be what is considered, I know by many to be the most timely aspect of this Bill and one which perhaps has the most excellent chances of getting through.

There are other things I'm sure many of us would like to see pass. Some of the nonresident crew issues negotiated by labor, some of the problems of about increasing support for rural geographic diversity as we call it since Las Cruces is not rustic from 5 % to 10 %, my guess is it would probably be difficult for us in this 1-hour session, with no time for our meeting groups



to meet and mull over the issues, to go through a whole checklist of these things. But I am positing the possibility that we would take a statement in favor of raising the cap.

So, with that said, and having heard from me. I think I will open up the floor to Council members first for questions or comments. I might just let them roll or answer them back if something is directed at me. And then, after we've had everyone's had a chance to raise issues or make comments, I intend to hand the floor to Amber Dodson for her to respond to my comments, your comments or questions, and anything else she'd like to say. And there are a few members of the public, not many. But in the end, we would like to say we would like to observe time if members of the people did want to comment. So, that concludes my opening statement and monologue. And I would ask if anyone from the Council would like to either make a comment or ask a question to me or Director Dodson.

Marc Comstock

Thanks, everybody, for coming and joining. I favor raising that cap to thirty-five percent above the line, the 15 million. I think that sometimes that gets lost in maybe actor revenue. But I think that there's the A-list directors aren't cheap either. And I believe that raising that above-the-line cap will attract more significant projects. And not having a cap on New Mexico talent, and I'm speaking for my actors, my union is that will create more opportunities for us if we don't count against that cap, so I think the fifteen million raise is a good thing because it's not going to go just to actors it's also going to go to above the line directors producers, etc. and how they want to break that payroll down and I think that'll bring more significant projects which will bring more opportunities so I'm in favor of the thirty-five percent. I'm definitely in favor of the above-the-line cap raise to fifteen million.

Ken Fischer

I had a question: Do we know when this will come up for a vote, or is nobody clued in?

James Gollin

Well, I'll answer that the process started in one committee of the Senate, and it got through quickly. Next should be Senate finance. It has not yet been scheduled after Senate finance. Assuming it passes, it would go to the Senate floor, then to the House, probably two committees. And then to the House floor. Assuming there is some amendment, some difference between the Senate and the House passed, it would then have to go into what's called concurrence, where they agree about the differences, and then it's passed.

There is no date. If it doesn't happen, if all of that or some alternate version of that, doesn't occur within ten days, then it doesn't pass because the session is over, and we're on, you know, presumably for next year. There's no date—theoretically, the next would-be Senate Finance. At last, I heard it's not scheduled.

Ken Fischer

Thank you. And at this point, is it still possible to get amendments to the bill, or are we just looking at stripping out the essential things?

James Gollin

So again, I'll answer quickly, and later, Amber, if you want to comment when we hand the floor back to you, it is technically always possible to offer amendments right through the end of the process. Sometimes, things happen in the closing hours of the session. It becomes increasingly complicated, though, the longer it goes on. And I would say from experience watching other bills that it's best not to put very complex things on the fly. Like, and as I said, some of our recommendations would be a bit complicated because you cannot think through the consequences of what changing these words would mean or how it might open up to a lawsuit—a better time to do it. As you know, we went through 50 days of the session months ago, so we have 10 left. So technically, yes, it is very much possible. It gets more complicated. Is that good, Ken?

Ken Fischer

Yes, thank you.

James Gollin

Okay, others from the council. Ramona.

Ramona Emerson

Hello everyone. I think I have raised my concerns in the past about the absolute lack of any tribal representation, any film Bill, or any concern about bringing tribal communities into the film industry again. Again, this has happened. This Bill is a massive coddling to corporations in big Hollywood studios, and I add nothing to our local family industry. It throws all the local filmmakers under the bus as well. There has been no talk of any Senator John Pinto extension. The money that we had acquired from Cultural Affairs and Indian Affairs altogether was dropped. Nobody followed up on that. And we lost a million dollars in funding that could have gone to local filmmakers. If somebody needed help, I would have been there to get that money through, to stand up at the legislature and make sure that funding happened, to find to help some, to help us disperse financing, to keep the program going. But again, the ball was dropped. I'm not very happy about this Bill at all. I feel like it does it. I feel like I've been wasting my time on the Governor's Council. Because why do we come and donate our time? We take big chunks out of our day. We think about this during our off hours. We put our time and our passion, and our love for our film industry into these meetings, and then nobody gives a shit, and nothing happens. And on all the things that we are concerned about, it doesn't, it doesn't matter. And so I feel like the Governor's Council is a waste of time at this point because the, you know, the film office, the Office of Economic Development, they just have deaf ears to what we're trying to ask for. And you know, as far as the Senator John Pinto, that thing didn't have to be a part of the film Bill. It could have been something different. We could have gone to various committees to get that done. It could have helped many local

filmmakers, not Native filmmakers, but we're talking about local filmmakers who could have used that money to make their film. And it's. It was a disappointment to me and local filmmakers everywhere. That's all I have to say.

James Gollin

Thank you, Ramona. It is from the Council. Harris, James, Jo Edna, Raj, Jocelyn?

Harris Smith

The only thing I wanted to bring up, and I can't remember if it's in the Bill or not, was the term of the kickback that the program's Higher Ed would receive. I understood that it could possibly be taken away, frozen, or diverted. So, that was just a concern for the higher education institutions that rely on it. Again, we're going to be okay here, but there are other Higher Eds and the two-year programs that depend on that kickback money to help move their film programs, and the training that everyone wants to see take place in the state of our students rely on that money. So, I would like to see that addressed or at least make a note of that, that again, that's impacting the training and employing of New Mexicans in the state and keeping our students and other people in the state through the film industry. I apologize that I have to jump off for another meeting. That's something I wanted. Thank you, and thank you, everyone, for your time and commitment to this.

James Gollin

Thank you, Harris and others who haven't spoken. James, Jo Edna, James.

James Lujan

I share your remote concerns and want to add to that. You know, maybe ask an existential question about the function of the film council. What precisely did we need?

James Gollin

Excellent question, Jo Edna.

Jo Edna Boldin

I'm just wondering what we can do at this point. Is there anything we can do? Like I would like to see the above, the line doubled rather than tripled. We can come back in another year or so and add another 5 million. Regarding raises and everything, I don't know anyone who comes and triples the amount. You know, doubling sounds generous enough for right now. So yeah, there are some disappointments, too, but what can we do? How can we positively affect this rather than, you know, not like it? What can we do?

James Gollin

Excellent, I see. Jocelyn, your hand up?

Jocelyn Jansons

Hi everyone, Sorry, I'm not putting the video on today, but I 2nd what Ramona is saying, just that these are crucial. The funding for New Mexico filmmakers, these grants, these Governor's Cups, all these things that were eliminated over the years and haven't returned. I think we're a little, in my opinion, a little soft in our ask, like we're the way it's worded in the document is like, we hope that these things will show up someday, but there's no clear path to how that's going to happen. When we had the New Mexico Filmmakers Intensive, we funded filmmakers ten grand a pop, giving them real money to make actual films. Those people are all still in the industry, still making films. Many went off to the filmmaker's institutes and NYU, and we had to train hands-only. And I know we have the Academy coming, but I feel like above-the-line is a particular thing that Ramona can speak to, I'm sure, as well, which is you have to put money behind it to allow them to make the films. Many people are ready to do that today within the Native communities, within women. Many women are out here ready to make films, but we don't have a clear path because there's no funding. It comes down to money in the hands of directors and cash in the hands of local producers and writers. So, I know it's probably, you know, too late to see that, but I was disappointed by the wording being sort of we hope we aspire. It didn't feel like there was anything tangible that I could chew on within the document's language.

James Gollin

Thank you, Jocelyn. And, um, Raj, did you want to add anything?

Rajeev Nirmalakhandan

I agree that there could be some grand stuff for the local filmmakers, but I support raising the rural cliff by 5 % because I think it will help. Many parts of this state, and I know some people were concerned about the boundaries, and I don't think we should squash that just because of the limitations. I think it will help significant parts of the state and raise the above line; I agree with Marc that, you know, it's not just fractured, and it will bring more significant projects and grow the industry even more. And I think that will still help a lot of, you know, local New Mexico residents. So that's my point.

James Gollin

Thank you, Raj. And also news I heard from Raj offline, but he has, you know, he had been at NMSU on the educator side, and now he's on the production side, having taken a position with the, the film partner down there, 828. So, congratulations on that.

Rajeev Nirmalakhandan

Thank you. I'm doing both sides.

James Gollin

Thank you for that, thank you, everybody, and thank you, Director Dodson, for listening to all this. I think, you know, nobody here has the desire to be antagonistic, and I think people

understand that you, Rochelle, and the others have a job to do, and you're trying to do it, and you don't get to make all the decisions. You have to live by and defend necessarily. But I think you've also heard some significant expressions of frustration. The people on the Council and, you know, what are we doing here? You know, a few people said, if what we do is not going to get integrated into the process, so uh, if you could, you know, obviously answer, say anything you want to say. I would specifically ask, though, if you could answer the question of do you think it would be helpful a resolution to support lifting the cap as detailed in the draft Bill and any thoughts you might have as to the role of the Council in the future in the future, ten days plus from now or in the following days.

Amber Dodson

Thank you. Chair members: Hi, it's good to see all of you. I want to first start with a thank you to you. All your recommendations were thoughtful. They come from so many of you who have expertise in different areas of this industry, representing various unions, guilds, and industry sub-sectors. And I want to make it clear in a public meeting that your recommendations were read, considered, and put on the table in front of all stakeholders and the decision-makers. Jim also sent them all, and we invited him to the negotiation body for legislation. Jim was invited to those meetings. He further elucidated all of those recommendations with all the decision-makers there. As you all know, what ends up in a Bill is not the measure of success. These recommendations that you all so beautifully put together can apply to the film industry, and the fact that certain things did not end up in the Bill is not a litmus test for success. It's an incredibly complicated process, and there are so many different variables as to why things end up in statute and why they are not. Many of those things in the recommendations, things regarding like, off the top of my head, diversity, we did end up putting something in variety in the Bill that we could get support for, that we would start building a database around diversity, requiring diversity reports, sustainability reports, all of that. Because it's not word for word, it is not a personal offense to any of you or the recommendations. If it doesn't end up in a Bill, that's a successful or excellent idea. Some of these things are much better if they're not in statute. Still, if they're done in contract, rule or regulation, or general practice, things and recommendations can be made. We don't need to put this in a bill and try to push it down the complicated football field of getting something in statute. So, I want to start with that general comment that your recommendations were very thoughtful. They went all the way up to the governor and all of the decision-makers. Thank you for those. Thank you for your expertise, interest, And time. I know it's volunteer time, and we appreciate all of you.

The point of the council, the Governor's Council, is that it is a recommending body. You guys did a beautiful job of that. I want to clarify that this is not a negotiating body about legislation. As a courtesy and because of our respect for the Council, Jim was a part of the negotiation at the negotiating table. Again, these recommendations are for the film industry, not just film policy. More importantly, we need recommendations for the film industry as a whole.

All of the recommendations up to this point are not necessarily dead. There are still things in

there that we can implement in different ways we need to further flesh out. There are issues, Jim presented some information here, but there's also a lot of missing data. Things about certain decisions go far above me, far above Secretary Keyes. It goes into politics; it goes into which committees? Putting something in a Bill could get stuck in a committee, and we don't pass anything, including the cap.

If we don't raise the cap, our industry will go through a backlog in one year, which is true. Everything hinges on that; however, there are other critical things in the Bill that are just as important to continue to bring production, to get companies like 828 to obtain bigger budget productions from Netflix that want to hire residents, they pay better wages, they're on the ground longer, they spend more on our businesses. So, some of these adjustments are based on a lot of strategy.

Many people's recommendations, including yours, data, and discussion, are not flippant. These were all taking the best of everything, coming to many versions of what it is today and getting buy-in. So, here's the update on the Bill, as of now, but anything can change, and ultimately, I think it's good, and we'll see what we're going to do now. As you know, Jim mentioned, we got through the first committee with flying colors. We even got a Republican to change his mind about the film industry during the presentation, and he voted yes.

We got unanimous support. Other things have come into play. We are rolling some critical pieces of Senate Bill 12 into a different package.

I cannot because we're still in negotiations right now. It was a very late night. I have to keep going right after this meeting, but we will take some key things from the film from SB12, roll them into another package, and get what we need to be done to keep the industry sustaining but growing, and that's where we are.

So, I will reveal more when I can. But again, we're in negotiation right now. I appreciate every one of you. I respect every one of you and your expertise. Here is a quick note on native filmmakers: We did not ask for 1 million for native filmmakers. We asked for 3 million for Latinx, Black, Native, LGBTQ+, and women filmmakers. Before the session, the executive gave us a "no" for that 3 million. Some of these things are not always in our control.

We are absolutely behind those programs as well. We are continuing to find other avenues. We are looking at grants. We are looking at other streaming fund sources to support filmmakers. We also support workforce development dollars toward a second Screenwriter Incubator with Stowe Story Lab. We actively recruit from tribal lands for that. Regarding giveback funds, the model in Senate Bill 12, we would have accrued a lot more funding for our school for the academy and, as a result, all of the film programs. But it looks like that will not come into play. What is in place now with the approximately \$20K for each phone school every so often will remain in place. Again, to be determined. I think it's too bad we could have had much more funding with the new model, but I hear your concerns today. We recorded this

meeting so we can refer back to it. I genuinely appreciate your support. Again, your recommendations being in a Bill is not the test for success. I can tell you right now that we, the film company who worked with this legislation, had probably a hundred recommendations for that bill, and, you know, maybe ten ended up in it, and now there are not many. It's a collaborative effort and not about who gets credit for what.

This is really about, at the end of the day, looking at legislation, looking at the strategy, looking at the impact, looking at how things will drive the business, and doing what's best for creating jobs for New Mexicans and driving the business and sustaining our and getting buy-in to support the film credit. So, I would love for this group to reconvene again, specifically regarding diversity and sustainability, and now what is likely lost in SB12 regarding diversity reporting and goals and tactics and sustainability tactics and goals. All of that was going to be in statute. We can do that without law, and it would be great to have input from this group about what that should look like. We can implement that. We can also look at other things that make sense for New Mexicans for the industry and see what we can implement without statute. And actually, there are a lot of benefits to not having something in law. We are not boxing ourselves in or maybe limiting ourselves to funding or not allowing for growth or pivoting the ability to shift as the industry changes, that is all. Thank you so much. I have to run. Rochelle will continue here. It's lovely to see you, and I genuinely appreciate your time and thought.

Rajeev Nirmalakhandan  
Amber, you for all your work.

James Gollin

Thank you, Amber. I don't need to go over the point by point; I think I've made some points. You have all made some points. You know, there's the issue of being in, you know, being given access to a negotiating body about what goes into a film versus the, in the end, I guess you could say the power to get the things you're pushing into the Bill. There was a power dynamic that favored certain elements and not others, which is one reason Bill and I were implying it. Amber stated that this Bill is essentially dead as itself and that the plan now is, because this Bill is finished, to take some elements of it, pull them out, and put them in another Bill. I had been hearing that, but it was more of a rumor. Now, it's a statement. I have to believe if there had been more broad support if we had our Native communities, our local filmmakers, and if we had others coming to support this, it would have perhaps gone further. So, I think some of those decisions not to incorporate our recommendations were terrible policy and politics. I have many precise details about that if anyone wants to know. But you know, should we get another crack at this either, you know, as Amber says, administratively or next year and legislatively? Hopefully, some will go in terms of my role and your roles in the future. Once this is all over, we see where the dust settles. I intend to talk with the Governor and say, look, you know, I mean I, and I think most of us are not here to have a title. We have busy lives, so what do you want from us? And you know, is that something we all agree to deliver? So, I'm

popping into the chat. We don't have too much time left; a resolution saying that the Governor's Council on Film and Media Industries expresses its support for increasing the non-partner film cap as proposed in SB12, along with its disappointment that so few of our other recommendations were incorporated into the Bill. In other words, it is this to weigh into the extent that some are deciding whether or not to accept this process of taking the cap raise. Maybe some other elements that are not specified go into some different bill to say, you know, to make the statement to try and help get the cap raise. So at least there'll be a headline at the end of the session, at a minimum, if this works, that New Mexico supports the film industry when others like Georgia are looking cutting back there, their cap and uh, you know, it would give a good headline. You know, something good, practical on the ground, I believe so is there, would there be support for that?

Jocelyn says yes. By text or by chat. Does that sound for those of you who are still on, you know, Ken, Joanna, James, Mark, Raj, Ramona, Ken?

Ken Fischer  
Yes, I support it.

James Gollin  
Jo Edna is raising. Marc is giving a thumbs up. It looks like James is giving a nod. Raj she's giving a raised hand, and Ramona, raising both hands. Well, we'll take that as an abstention or something. Okay, so for the minutes, I'll say it's been moved. If there is, I'll do it properly. Is there, is there a motion to make this resolution?

Ken Fischer  
Motion to approve.

James Gollin  
Is there a second?

Marc Comstock  
Second.

James Gollin  
All in favor, say eye. Any opposed? Okay, it passes. So I'm glad we did this. It's a way to do something positive in these ten days. As I said, after these next ten days, we'll have an opportunity to look at what happened and didn't happen and how the world goes often. An enormous amount occurred in the legislative session in the last two, three, and four days, so keep your eyes peeled. Now there are a few members of the public we'd like to reserve a room. There is Jon Sepp, there's Nani Rivera, and there is a number and Ruby Garcia.

James Gollin



Would any of you like to speak?

Ruby Garcia

Good morning. I am Ruby Garcia, the background Actors Association of New Mexico president. Many of you know we introduced the House Bill 20 Background Artist Act. It is stalled right now. I want to thank all of you for all you do and your support. You're much appreciated. I asked our members to read just a letter that was sent to the Governor recently. If I may read it, I'll go quick. Thank you guys, of course. The Background Actors Association is dedicated to our background actors and the New Mexico film industry and expanding opportunities for everyday New Mexicans to live their dreams. To be in movies as background actors, our dreams can become a nightmare due to set safety issues. We know the difference the New Mexico Governor's Council on film recommendations in its 2021 and 2022 annual reports can make to improve rigid safety standards. Yet, these changes have not been offered to the twenty-three state legislation. These three bills proposing changes to strengthen set safety appear to be stalled. Please do what you can and suggest the legislation. Make New Mexico Set safety bulletins mandatory. Provide anonymous New Safe Set Safety Hotline phone number license. Ban live ammunition on set, et cetera. Also, please support all these bills that include safety training safe sets. We appreciate your support in the New Mexico food industries and your e efforts to ensure set safety in New Mexico. Thank you so much, and we ask that you consider the Background Actors Association of New Mexico HB23 as well. Thank you all so much.

James Gollin

Thank you, Ruby, and for the note takers and or Rochelle to note, Sam Tischler is on. He's on location, but he's on the phone. He's the four seven nine three number. Uh, he votes yes on expressing the resolution. You can mark him present. He's working hard on location, but he's here. By the way, I also heard from a few of the others who are missing that they are working on-site. So, um, Nani Rivera, I see hand raise.

Nani Rivera – the audio was not clear.

James Gollin

She must be on location somewhere. I think we lost her. Oh, it looks like she's back. Nani, are you back? Okay, I'm sure that's frustrating for her. I'm just looking around to see if you see Jon Sepp from Film Las Cruces is on there, in case. Oh, here we go, Nani, saying she's supporting our efforts in the chat. Sorry, Nani, if you can hear us, sorry. We would have loved to hear your voice, but it was pretty garbled. But she's supporting our efforts, as she says in the chat.

James Gollin

I think we have approximately 4 min left. Does anybody have anything else they want to say, questions, comments, or closing thoughts? Well, then I'll say, you know, thank you to those who have contributed. I found this frustrating and challenging, to be. To be given mixed signals

and to have, you know, trying to promote a mixed message. We all have our hearts in the right place and the interests of New Mexico, New Mexico, and the New Mexico film industry upfront. Hopefully, something good will come this legislative session. Hopefully, something good will come administratively between now and the next session, and anything that, you know, there's always another year and another year and another year for legislation. As to how we will be constituted and heard in future years, That's an open question.

Ramona Emerson

We should probably start advocating now, talking about administrative changes, and doing things non-legislatively. If they're saying that, then let's start it now because next year, they're not going to have any other excuse not to put, you know, all this stuff on the side. If we start to change it, we better start pushing and right this second.

James Gollin

Thank you, Ramona. A lot can happen administratively. We'll see whether it will or not, and perhaps we can have some influence. Some things like money have to come from the legislature. The next session is, most of, you know, a 60-day session in which anybody can pay any bill. The next session is the budget only, plus whatever the governor chooses to address. So that'll be up to her, and I'll check in with her about that soon after this session ends. However, I'll allow everybody to catch up on their sleep. We are at the end of our time. Is there any further business, I ask?

Jo Edna Boldin

When is our next meeting?

James Gollin

We're supposed to do this quarterly. I think that it would probably be a good idea to, you know, let's get through the first legislative. Then there is a signing period when, you know, the governor doesn't have to sign things; she gets to make decisions, and she can pocket veto. So it's kind of still the session, but once that's over, without just waiting three months, we should perhaps have another session, especially after we've seen where the dust settles. I'm not quite ready to pick a date, but we should. I think we, you know, maybe in like April or so, not to wait too long and, certainly not going all the way till summer, I and I think we should try and circulate more dates and times because everybody is busy and I know sometimes it's more accessible for people. I don't know if it is possible for staff, but sometimes weekends are better for people too. So, I'd like to give, you know, people, the options, multiple options for our next meeting, instead of saying, here's the meeting, can you make it, so any other questions? Final comments? Do I have a motion to adjourn?

Marc Comstock (he/him)

I moved to adjourn.

James Gollin  
Is there a second?

Ken Fischer  
I second.

James Gollin  
Mark motions, Ken seconds. All in favor, say I. All opposed say no. The motion has it we are adjourned at 11:31 am. Thank you everybody.