

1 HOUSE BILL 651

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO WATER; ENACTING THE WATER DATA ACT; CREATING THE
12 WATER DATA COUNCIL TO IDENTIFY AND INTEGRATE KEY WATER DATA
13 SETS; PROVIDING DUTIES; DIRECTING THE ESTABLISHMENT OF A WATER
14 DATA ACCOUNT; MAKING AN APPROPRIATION.
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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
18 cited as the "Water Data Act".

19 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
20 Water Data Act:

21 A. "council" means the water data council;

22 B. "data and information platform" means software,
23 hardware and online tools that collect, organize, integrate,
24 distribute and archive water data and information and that at a
25 minimum:

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1 (1) integrate existing and new water and
2 ecological data and information from multiple databases managed
3 by federal, state, tribal and local entities using consistent
4 and standardized formats; and

5 (2) integrate, as available and practicable:

6 (a) state, federal and local data on
7 streamflow, precipitation, reservoir and irrigation system
8 operations, ground water use and levels, municipal and
9 industrial water use and land uses;

10 (b) data on water rights, water
11 diversions and water quality; and

12 (c) data on fish, aquatic and riparian
13 systems and other relevant ecological data;

14 C. "information" means data that has been
15 interpreted, modeled or synthesized to answer specific
16 questions or for particular applications; and

17 D. "water data" means measurements of basic
18 properties relating to the planning and management of water
19 resources, including streamflow, precipitation, ground water,
20 water quality and water use in agriculture, industry, household
21 and municipal uses and natural systems.

22 SECTION 3. [NEW MATERIAL] IMPROVING WATER SECURITY IN NEW
23 MEXICO.--To improve water resources planning and management and
24 water security in New Mexico, it is the policy of the state to
25 develop a modern, integrated approach to collecting, sharing

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1 and utilizing data and information for water management. State
2 agencies that collect, store or utilize water data or that are
3 involved in the management of water and related resources shall
4 coordinate and integrate their data in accordance with the
5 Water Data Act and work to integrate federal, tribal, state,
6 local and nongovernmental data to improve resource management.

7 SECTION 4. [NEW MATERIAL] WATER DATA COUNCIL--CREATED--
8 WATER DATA ADVISORY GROUP.--

9 A. The "water data council" is created and shall be
10 jointly convened, coordinated, administered and staffed by the
11 bureau of geology and mineral resources of the New Mexico
12 institute of mining and technology and the interstate stream
13 commission.

14 B. Council membership shall be composed of
15 representatives of:

- 16 (1) the bureau of geology and mineral
17 resources, as a co-chair of the council;
- 18 (2) the interstate stream commission, as a co-
19 chair of the council;
- 20 (3) the office of the state engineer;
- 21 (4) the department of environment;
- 22 (5) the energy, minerals and natural resources
23 department;
- 24 (6) the department of game and fish;
- 25 (7) institutions of higher education,

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1 including New Mexico highlands university, the New Mexico
2 institute of mining and technology, New Mexico state
3 university, the university of New Mexico and the water
4 resources research institute; and

5 (8) other agencies, institutions and programs
6 that produce, house or use water-related data for water
7 management and planning, as determined by a majority of the
8 members of the council.

9 C. The council shall meet regularly, at the call of
10 the co-chairs.

11 D. The council shall organize and convene a "water
12 data advisory group" composed of federal, tribal, local and
13 nongovernmental stakeholders to advise the council on water
14 data and information needs and to collaborate on water data
15 integration.

16 E. Members of the council and the water data
17 advisory group who are not public employees are entitled to
18 mileage and per diem as provided in the Per Diem and Mileage
19 Act and shall receive no other compensation, perquisite or
20 allowance.

21 SECTION 5. [NEW MATERIAL] WATER DATA COUNCIL--DUTIES--
22 STANDARDS AND BEST PRACTICES--ANNUAL PLAN.--

23 A. The council shall:

24 (1) identify key water data sets, information
25 and tools needed to support water management and planning in

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1 New Mexico;

2 (2) develop common water data standards and
3 best practices for data collection, sharing, transparency,
4 documentation and quality control;

5 (3) establish best practices to make water
6 data open, discoverable, interoperable and integrated;

7 (4) develop an integrated water data and
8 information platform; and

9 (5) identify and prioritize water data and
10 information gaps and needs for further development.

11 B. Water research undertaken with state funding
12 shall comply with the common water data standards and best
13 practices developed by the council.

14 C. The council may collaborate, as appropriate,
15 with other regional and national efforts to share, integrate
16 and manage water data.

17 D. Within two hundred seventy-five days of
18 enactment of the Water Data Act, and thereafter annually by
19 September 1 of each year, the council shall develop and submit
20 a plan to the governor and the legislature that details:

21 (1) an assessment of water data and
22 information needs to support water management and planning in
23 the state;

24 (2) council and agency goals, targets and
25 actions to carry out the purposes of the Water Data Act in the

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1 upcoming fiscal year;

2 (3) budgetary resources needed by the council,
3 agencies and stakeholders to carry out the purposes of the
4 Water Data Act in the upcoming fiscal year; and

5 (4) progress and performance metrics in
6 achieving the purposes of the Water Data Act in the preceding
7 reporting period.

8 SECTION 6. [NEW MATERIAL] WATER DATA ACCOUNT.--

9 A. The board of regents of the New Mexico institute
10 of mining and technology shall establish a "water data account"
11 to receive appropriations from the legislature and gifts,
12 grants or donations for the bureau of geology and mineral
13 resources to carry out the purposes of the Water Data Act.

14 B. The council shall develop guidelines to manage
15 and prioritize the use of funds from the water data account to
16 carry out the purposes of the Water Data Act, including
17 contracting with entities to make water data and information
18 open, interoperable and integrated.

19 SECTION 7. APPROPRIATION.--

20 A. Three hundred thousand dollars (\$300,000) is
21 appropriated from the general fund to the board of regents of
22 New Mexico institute of mining and technology for deposit in
23 the water data account for expenditure in fiscal year 2020 and
24 subsequent fiscal years for the bureau of geology and mineral
25 resources to carry out the provisions of the Water Data Act.

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1 Any unexpended or unencumbered balance remaining at the end of
2 a fiscal year shall not revert to the general fund.

3 B. Two hundred thousand dollars (\$200,000) is
4 appropriated from the general fund to the interstate stream
5 commission for expenditure in fiscal year 2020 and subsequent
6 fiscal years for the interstate stream commission to carry out
7 the provisions of the Water Data Act. Any unexpended or
8 unencumbered balance remaining at the end of a fiscal year
9 shall not revert to the general fund.