

HOUSE BILL 651

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

INTRODUCED BY

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Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO WATER; ENACTING THE WATER DATA ACT; Sf1→**CREATING**  
**THE WATER DATA COUNCIL**←Sf1 Sf1→**DIRECTING AGENCIES**←Sf1 TO  
IDENTIFY AND INTEGRATE KEY WATER DATA SETS; PROVIDING DUTIES;  
DIRECTING THE ESTABLISHMENT OF A WATER DATA ACCOUNT HAFC→;  
**MAKING AN APPROPRIATION**←HAFC.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the

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Water Data Act:

A. Sfl → ~~"council" means the water data council;~~ ← Sfl

Sfl → "agencies" means:

- (1) the bureau of geology and mineral resources of the New Mexico institute of mining and technology;
- (2) the interstate stream commission;
- (3) the office of the state engineer;
- (4) the department of environment; and
- (5) the energy, minerals and natural resources department;

B. "data and information platform" means software, hardware and Sfl → ~~online~~ ← Sfl tools that collect, organize, integrate, distribute and archive water data Sfl → ~~and information and~~ ← Sfl that at a minimum:

(1) integrate Sfl → ~~existing and new water and ecological data and information from multiple databases~~ ← Sfl Sfl → ~~water data~~ ← Sfl managed by Sfl → ~~federal,~~ ← Sfl state, Sfl → ~~tribal~~ ← Sfl and local entities using consistent and standardized formats; and

(2) integrate Sfl → ~~, as available and practicable~~ ← Sfl:

(a) state Sfl → ~~, federal~~ ← Sfl and local Sfl → ~~government~~ ← Sfl data on streamflow, precipitation, reservoir and irrigation system operations, ground water use and levels, municipal and industrial water use and land uses

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Sf1→, but not including data from residential wells←Sf1;

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

(c) data on fish, aquatic and riparian systems and Sf1→~~other relevant~~←Sf1 ecological data;

Sf1→and←Sf1

Sf1→~~C. "information" means data that has been interpreted, modeled or synthesized to answer specific questions or for particular applications; and~~←Sf1

Sf1→~~D.~~ C.←Sf1 "water data" means measurements of basic properties relating to the planning and management of water resources, including streamflow, precipitation, ground water, water quality and water use in agriculture, industry Sf1→, ~~household~~←Sf1 and municipal uses and natural systems.

Sf2→SCONC→~~SECTION 3. [NEW MATERIAL] IMPROVING WATER SECURITY IN NEW MEXICO.--To improve water resources planning and management and water security in New Mexico, it is the policy of the state to develop a modern, integrated approach to collecting, sharing and utilizing data and information for water management. State agencies that collect, store or utilize water data or that are involved in the management of water and related resources shall coordinate and integrate their data in accordance with the Water Data Act and work to integrate federal, tribal, state, local and nongovernmental data to improve resource management.~~←SCONC←Sf2

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Sf1 → ~~SECTION 4. [NEW MATERIAL] WATER DATA COUNCIL--~~

~~CREATED-- WATER DATA ADVISORY GROUP.--~~

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

~~B. Council membership shall be composed of representatives of:~~

~~(1) the bureau of geology and mineral resources, as a co-chair of the council;~~

~~(2) the interstate stream commission, as a co-chair of the council;~~

~~(3) the office of the state engineer;~~

~~(4) the department of environment;~~

~~(5) the energy, minerals and natural resources department;~~

~~(6) the department of game and fish;~~

~~(7) institutions of higher education, including New Mexico highlands university, the New Mexico institute of mining and technology, New Mexico state university, the university of New Mexico and the water resources research institute; and~~

~~(8) other agencies, institutions and programs~~

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~~that produce, house or use water-related data for water management and planning, as determined by a majority of the members of the council.~~

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

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

~~E. Members of the council and the water data advisory group who are not public employees are entitled to mileage and per diem as provided in the Per Diem and Mileage Act and shall receive no other compensation, perquisite or allowance.~~ ←Sf1

SECTION Sf1 → ~~5.~~ **4.** ←Sf1 [NEW MATERIAL] WATER DATA

Sf1 → **COUNCIL AGENCIES** ←Sf1 --DUTIES-- STANDARDS AND BEST PRACTICES--ANNUAL PLAN.--

A. Sf1 → ~~The council~~ ←Sf1 By Sf1 → **January 1, 2020, the agencies, as convened by the bureau of geology and mineral resources of the New Mexico institute of mining and technology,** ←Sf1 shall:

(1) identify key water data Sf1 → **sets** ←Sf1, information and tools needed to support water management and

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planning Sfl→~~in New Mexico~~←Sfl;

(2) develop common water data standards

Sfl→~~and best practices~~←Sfl for data collection Sfl→~~, sharing,~~  
~~transparency, documentation and quality control~~←Sfl;

Sfl→~~(3) establish best practices to make~~  
~~water data open, discoverable, interoperable and~~  
~~integrated;~~←Sfl

Sfl→~~(4)~~ (3)←Sfl develop an integrated water  
data and information platform; and

Sfl→~~(5)~~ (4)←Sfl identify Sfl→~~and prioritize~~  
~~water data and information gaps and needs for further~~  
~~development.~~←Sfl Sfl→~~available and unavailable water data.~~←Sfl

B. Water research undertaken with state funding  
shall comply with the common water data standards and best  
practices developed by the Sfl→~~council~~←Sfl Sfl→~~agencies~~←Sfl.

C. The Sfl→~~council may~~←Sfl Sfl→~~agencies shall~~←Sfl  
collaborate Sfl→~~, as appropriate,~~←Sfl with other regional and  
national efforts to share, integrate and manage water data.

D. Within two hundred seventy-five days of  
enactment of the Water Data Act, and thereafter annually by  
September 1 of each year, the Sfl→~~council~~←Sfl  
Sfl→~~agencies~~←Sfl shall develop and submit a plan to the  
governor and the Sfl→~~legislature~~←Sfl Sfl→~~appropriate interim~~  
~~legislative committee~~←Sfl that details:

(1) an assessment of water data and

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information needs to support water management and planning

Sf1→~~in the state~~←Sf1;

(2) Sf1→~~council and agency~~←Sf1 goals, targets and actions to carry out the purposes of the Water Data Act in the upcoming fiscal year;

(3) budgetary resources Sf1→~~needed by the council, agencies and stakeholders~~←Sf1 to carry out the purposes of the Water Data Act Sf1→~~in the upcoming fiscal year~~←Sf1; and

(4) Sf1→~~progress and performance~~←Sf1 metrics Sf1→~~in~~←Sf1 Sf1→~~for~~←Sf1 achieving the purposes of the Water Data Act Sf1→~~in the preceding~~←Sf1 reporting period.

SECTION Sf1→~~6.~~ **5.**←Sf1 [NEW MATERIAL] WATER DATA ACCOUNT.-

Sf1→~~A.~~←Sf1 The board of regents of the New Mexico institute of mining and technology shall establish a "water data account" to receive appropriations from the legislature and gifts, grants or donations for the bureau of geology and mineral resources to carry out the purposes of the Water Data Act.

Sf1→~~B. The council shall develop guidelines to manage and prioritize the use of funds from the water data account to carry out the purposes of the Water Data Act, including contracting with entities to make water data and information open, interoperable and integrated.~~←Sf1

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HAFC → ~~SECTION 7. APPROPRIATION.~~

~~A. Three hundred thousand dollars (\$300,000) is appropriated from the general fund to the board of regents of New Mexico institute of mining and technology for deposit in the water data account for expenditure in fiscal year 2020 and subsequent fiscal years for the bureau of geology and mineral resources to carry out the provisions of the Water Data Act. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.~~

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