HOUSE BILL 651
54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY
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AN ACT
RELATING TO WATER; ENACTING THE WATER DATA ACT; CREATING THE WATER DATA COUNCIL TO IDENTIFY AND INTEGRATE KEY WATER DATA SETS; PROVIDING DUTIES; DIRECTING THE ESTABLISHMENT OF A WATER DATA ACCOUNT; MAKING AN APPROPRIATION.

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 Water Data Act:

A. "council" means the water data council;

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

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

(2) integrate, as available and practicable:

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

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

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

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

D. "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, household and municipal uses and natural systems.

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.

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
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.

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

A. The council shall:

(1) identify key water data sets, information
and tools needed to support water management and planning in
New Mexico;

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

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

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

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

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

C. The council may collaborate, as appropriate, 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 council shall develop and submit a plan to the governor and the legislature that details:

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

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

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

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

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

A. 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.

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.

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.

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