



Testimony of Reinvent Albany for the Joint Legislative Hearing On Environmental Conservation

January 28, 2026

Thank you for the opportunity to provide testimony on Environmental Conservation budget issues. Reinvent Albany advocates for open, accountable New York government.

Today, we urge the Senate and Assembly to act on the following environmental conservation issues:

- 1. Support the Stop Climate Polluter Handouts Act**
- 2. Support the immediate implementation of Cap-and-Invest**
- 3. Oppose the second installment of POWER-UP funding**
- 4. Oppose ReCharge NY's low-cost power subsidies to data centers**
- 5. Oppose the Executive's latest proposed raid on Regional Greenhouse Gas funds (RGGI)**
- 6. Oppose all proposed exemptions to the congestion toll**

We urge the Senate and Assembly to **support** in your one-house budgets:

- 1. Support the Stop Climate Polluter Handouts Act ([S3606-A \(Krueger\)](#) / [A3675-A \(Simon\)](#)), which ends \$336 million in fossil fuel subsidies.**
The Senate has included a version in their budget proposal for the last two years. State subsidies for fossil fuel completely contradict the state's climate calls.
- 2. Support Cap-and-Invest.**

We urge the Senate and Assembly to **oppose** in your one-house budgets:

- 3. Oppose the second tranche of \$300 million in funding for ESD's Promote Opportunity with Electric Readiness for Underdeveloped Properties (POWER-UP) Fund, which can be used to subsidize data centers and other high load electricity users.** This Empire State Development program provides state funding for electrical infrastructure at selected sites – including IDA industrial parks like Genesee county's STAMP –

prior to businesses moving in.

- 4. Oppose the continued allocation of tremendous amounts of New York Power Authority electricity to data centers at rates less than one-fourth of what the average New York family pays for electricity** (roughly 4 cents per kilowatt/hour vs 16 cents). NYPA's ReCharge NY program allocates super-cheap power to numerous energy intensive data centers. Not only is this economically irrational, it is environmentally destructive because it takes away the incentive for data centers and other high-load electricity users to conserve energy. (Simple economics shows that when prices rise, use decreases, so by keeping prices artificially low, NYPA encourages data centers to waste energy.) Google has said [it can reduce electricity consumption by 15%](#) and shift use to off-peak times during periods of high demand.

We encourage the Legislature to hold an oversight hearing on the ReCharge NY program and related programs which allocate cheap power in Western New York. Unlike fifty years ago when these programs were devised, in 2026, NYPA electricity can be efficiently sold into the grid and converted to cash that could be split between fiscally-stressed local governments in Western NY, the State, and climate programs.

(As an FYI for the Committee, the list of data centers already getting super cheap ReCharge NY power is extensive. Here are just a few legislators may be familiar with: 365 Data Centers NY (Commack LI), Databank Holdings, 1547 CSR (Orangeburg), and Kyalami Data (Lansing). Plus, there are hyperscale data centers lining up for ReCharge NY power in Western NY, especially at Genesee's STAMP industrial park.)

- 5. Oppose the diversion of \$5 million in dedicated Regional Greenhouse Gas Initiative (RGGI) and NYPA funds (see starting on [page 141 in PPGG](#)) to the Environmental Protection Fund.** The Legislature should propose a way of creating a lock-box that prevents the annual attempt to raid these funds.
- 6. Oppose carve-outs for congestion pricing.** The Legislature has already introduced [at least 17 bills](#) that would exempt countless groups from congestion pricing tolls. None of these should be included in the budget.

Thank you for your consideration. If you have any questions, please contact Tom Speaker, Legislative Director, at tom [at] reinventalbany.org.