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a week ago. I was told then, of course, that this...that this practice has been carried on for several years and when all matching funds, to meet the state's responsibility with federal funds provided for us, after they had been met and then the Department of Roads did go ahead and build roads with 100% state funding. Now, while I'm on my feet I would like to ask you a question and make a comment if I may, Mr. Chairman.

PRESIDENT: Yes, Senator Kremer.

SENATOR KREMER: Now, I understand Senator Carpenter that some of these \$20 million, I believe it's \$20 million \$900 thousand was expended in 1973 on projects that were totally state funded. Now I understand some of these projects or some of these contracts were for maintenance and repair and these can only be funded by state funds. Is this true?

SENATOR CARPENTER: That's true.

SENATOR KREMER: Rather than for building roads, it can be for maintenance and repair?

SENATOR CARPENTER: Nobody wants to undo that. All....

SENATOR KREMER: And you won't be doing that?

SENATOR CARPENTER: No, no, all this says, where the roads meet the federal requirements with the federal requirements, not to build them out of state funds, 100%. They can use the money for any other purpose that they find desirable except for that purpose. Now the reason for that is they ought to make a policy now we either concur or we don't that the state....excuse me.....

SENATOR KREMER: I was going to ask you another question.

SENATOR CARPENTER: Yes, sure.

SENATOR KREMER: Senator Carpenter, my second question was this. Do you know, has there been any kind of an arrangement or contract whereby the money that's already been expended like last year...in 1973...the \$20 million we're talking about can be used to match the \$20 million that's now tied up in court. And if that is released by court decision, this money that's tied up by the federal government, we are suing them in Nebraska, to release these funds. Now if these funds are released and they were to have been made available to us a year ago. Now, we've already spent the \$20 million. Could we use that \$20 million to match these \$20 million of federal funds if they are released? Could you tell me that?

SENATOR CARPENTER: Whatever we're talking about and I understand the money is immediately available if the courts release the money for matching on the 70-30 or the 90-10, yes.

SENATOR KREMER: That's right but could we count the \$20 million we spent last year as matching that \$20 million? Do you think we could?

SENATOR CARPENTER: There's no restriction on the funds if they are matching funds the federal government has available as a result of the lessing of the impoundment if that happens. Or if the federal government gives the state more money than