

(5) Prior to the payment of any funds under the provisions of this Act for the purposes set forth in Section 1(3) above, the Mayor and Town Council of the Town of Kensington shall provide and expend a matching fund. No part of an applicant's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. No part of the fund may consist of in kind contributions or funds expended prior to the effective date of this Act. The fund may consist of real property. In case of any dispute as to the amount of the matching fund or what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter and the Board's decision is final. The Mayor and Town Council of the Town of Kensington have until June 1, [1995] 2004, to present evidence satisfactory to the Board of Public Works that a matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in this Act. Any amount of the loan in excess of the amount of the matching fund certified by the Board of Public Works shall be canceled and be of no further effect.

(6) (a) Prior to the issuance of the bonds, the Mayor and Town Council of the Town of Kensington shall grant and convey to the Maryland Historical Trust a perpetual preservation easement to the extent of its interest:

- (i) On the land or such portion of the land acceptable to the Trust;
and
- (ii) On the exterior and interior, where appropriate, of the historic structures.

(b) The easement must be in form and substance acceptable to the Trust and the extent of the interest to be encumbered must be acceptable to the Trust.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2002.

May 16, 2002

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 85 – Higher Education – University System of Maryland – Approval of New Programs – Sunset Extension.

This bill extends from June 30, 2002 to June 30, 2004 the sunset on the procedures regulating the establishment and elimination of academic programs at constituent institutions of the University System of Maryland.

House Bill 731, which was passed by the General Assembly and signed by me,