

Written testimony of Anthony C. Coe, Vice Chancellor of the Episcopal Diocese of Washington in support of SB 0429, entitled “Corporations and Associations— Protestant Episcopal Church, Diocese of Washington”.

SUPPLEMENTAL TESTIMONY: The written testimony of John K. Van De Weert, Chancellor of the Episcopal Diocese of Washington states the major points supporting SB 0429. This testimony does not restate or address each point in that testimony, but is supplemental.

CORPORATE PROBLEMS: There are 51 Episcopal church parishes in Maryland that have difficulties in routine corporate functions, such as opening bank accounts, applying for grants, and establishing documentation of incorporation because those corporations are still governed by the Maryland Vestry Act (1798) which is not part of the Maryland Annotated Code. There is even confusion in the administration of corporate laws with respect to those corporations by State agencies because of the oddity of this uncodified statute.

AFFECTED CORPORATIONS: SB 0429 only affects the 51 Episcopal church parishes that are located in the four Maryland counties making up the Washington, DC suburbs and extending into Southern Maryland. Those church parishes are incorporated by operation of law under the Maryland Vestry Act and do not receive the same documentation as religious corporations under the Maryland Annotated Code.

REASON FOR THE VESTRY ACT: The churches in the American colonies that later became “The Protestant Episcopal Church of the United States of America” were a part of the Church of England whose head was the King of England. After the Revolutionary War and independence from the King, there was considerable confusion about secular matters for those churches, such as property rights. For example, in Maryland Samuel Chase and William Paca were on the vestry of St Anne’s Church (the Episcopal church in the circle next to the State House) in 1776 and were involved in the issue. The Maryland Vestry Act was enacted to address secular problems unique to those churches that were formerly headed by the King. In 1976 and 1990 the General Assembly repealed the Vestry Act with respect to those Episcopal churches in the Diocese of Maryland and the Diocese of Easton, but left it applicable to the 51 remaining Maryland churches in the Diocese of Washington.

PURPOSES OF REPEAL AND AMENDMENTS: SB 0429 repeals the remaining provisions of the Vestry Act and makes the 51 church corporations located in Maryland that are part of the Episcopal Diocese of Washington subject to the provisions of the Maryland Annotated Code that apply to all religious corporations in the State. Those affected church corporations will be provided the same corporate treatment as the church corporations in the Episcopal Diocese of Maryland and the Episcopal Diocese of Easton, or any other religious corporation in the State of Maryland.

I thank the Committee for their consideration of this bill to provide for equal treatment for the affected corporations and respectfully urge the Committee and the General Assembly to enact SB 0429.