

December 19, 1962



Honorable Maurice Schechter
State Senator
13th District
41 Country Fair Lane
Creve Coeur 41, Missouri

Dear Senator Schechter:

This is in reply to your letter of December 3, 1962, and in further reply to your letter of October 25, 1962.

Your current inquiry asks specifically whether the pension plan could be administered by an insurance company in view of the fact that municipal funds will be involved. In response to this, we invite your attention to the sentence appearing on page 2 of our letter of October 31, 1962 to you: "In view of the unrestricted authority granted by Section 86.583, we know of no reason why provision for the pensioning of police and firemen pursuant to that section could not be accomplished by an arrangement with an insurance company."

Comparison of Section 86.583 with Section 25, Article VI, Constitution of 1945 reveals that the breadth of the authority granted by the former to municipalities such as Crestwood in no sense exceeds the authority granted by the latter to the legislature in making provisions such as appear in Section 86.583. Note the words of the cited section of our Constitution:

"No county, city or other political corporation or subdivision of the state shall be authorized to lend its credit or grant public money or property to any private individual, association or corporation, except that the general assembly may authorize any municipality to provide for the pen-

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signing of the salaried members of
its organized police force or fire
department and the widows and minor
children of the deceased members.

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We sincerely hope that the foregoing answers your question.

Very truly yours,

THOMAS F. EAGLETON
Attorney General

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