

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 584

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## AN ACT

To require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Betty Dick Residence  
5        Protection Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to require the Secretary  
3 of the Interior to permit the continued occupancy and use  
4 of the property described in section 4(b) by Betty Dick  
5 for the remainder of her natural life.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) AGREEMENT.—The term “Agreement”  
9 means the agreement between the National Park  
10 Service and Fred Dick entitled “Settlement Agree-  
11 ment” and dated July 17, 1980.

12 (2) MAP.—The term “map” means the map en-  
13 titled “RMNP Land Occupancy” and dated Sep-  
14 tember 2005, which identifies approximately 8 acres  
15 for the occupancy and use by the tenant.

16 (3) SECRETARY.—The term “Secretary” means  
17 the Secretary of the Interior.

18 (4) TENANT.—The term “tenant” means Betty  
19 Dick, widow of George Fredrick Dick, who held a  
20 25-year reservation of occupancy and use at a prop-  
21 erty within the boundaries of Rocky Mountain Na-  
22 tional Park.

23 **SEC. 4. RIGHT OF OCCUPANCY.**

24 (a) IN GENERAL.—The Secretary shall allow the ten-  
25 ant to continue to occupy and use the property described

1 in subsection (b) for the remainder of the natural life of  
2 the tenant, subject to the requirements of this Act.

3 (b) DESCRIPTION OF PROPERTY.—The property re-  
4 ferred to in subsection (a) is the land and any improve-  
5 ments to the land within the boundaries of Rocky Moun-  
6 tain National Park identified on the map as “residence”  
7 and “occupancy area”.

8 (c) TERMS AND CONDITIONS.—

9 (1) IN GENERAL.—Except as otherwise pro-  
10 vided in this Act, the occupancy and use of the prop-  
11 erty identified in subsection (b) by the tenant shall  
12 be subject to the same terms and conditions speci-  
13 fied in the Agreement.

14 (2) PAYMENTS.—

15 (A) IN GENERAL.—In exchange for the  
16 continued occupancy and use of the property,  
17 the tenant shall annually pay to the Secretary  
18 an amount equal to  $\frac{1}{25}$  of the amount specified  
19 in section 3(B) of the Agreement.

20 (B) ADVANCE PAYMENT REQUIRED.—The  
21 annual payments required under subparagraph  
22 (A) shall be paid in advance by not later than  
23 May 1 of each year.

24 (C) DISPOSITION.—Amounts received by  
25 the Secretary under this paragraph shall be—

1 (i) deposited in a special account in  
2 the Treasury of the United States; and

3 (ii) made available, without further  
4 appropriation, to the Rocky Mountain Na-  
5 tional Park until expended.

6 (3) PUBLIC ACCESS.—The public shall have ac-  
7 cess to both banks of the main channel of the Colo-  
8 rado River.

9 (d) TERMINATION.—The right of occupaney and use  
10 authorized under this Act—

11 (1) shall not be extended to any individual  
12 other than the tenant; and

13 (2) shall terminate—

14 (A) on the death of the tenant;

15 (B) if the tenant does not make a payment  
16 required under subsection (c)(2); or

17 (C) if the tenant otherwise fails to comply  
18 with the terms of this Act.

19 (e) EFFECT.—Nothing in this Act—

20 (1) allows the construction of any structure on  
21 the property described in subsection (b) not in exist-  
22 ence on November 30, 2004; or

1           (2) applies to the occupancy or use of the prop-  
2           erty described in subsection (b) by any person other  
3           than the tenant.

Passed the Senate November 16, 2005.

Attest:

*Secretary.*

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