

SUPPLEMENTAL RETIREMENT INCOME PLAN OF NORTH CAROLINA

WHEREAS, the State of North Carolina maintains the Supplemental Retirement Income Plan of North Carolina (the "Plan") for the benefit of its eligible employees; and

WHEREAS, an amendment to the Plan is needed to reflect the treatment of 2009 required minimum distributions.

NOW, THEREFORE, be it

RESOLVED, that the Plan, be and hereby is amended in the following respects:

1. A new paragraph (d) is added to Section 9.02 to read, in its entirety, as follows:

(d) Effective January 1, 2009, notwithstanding any provision of this Article 9 to the contrary, a Member or Beneficiary who would have been required to receive payments in accordance with Section 9.03(d) for 2009 but for the enactment of Code section 401(a)(9)(H) ("2009 RMDs"), and who would have satisfied that requirement by receiving distributions that are equal to the 2009 RMDs will: (1) for Members or Beneficiaries who received payments in accordance with Section 9.03(d) prior to 2009, receive 2009 RMDs unless the Member or Beneficiary affirmatively elects not to receive such distributions; and (2) for Members or Beneficiaries who had not received payments in accordance with Section 9.03(d) prior to 2009, not receive 2009 RMDs unless the Member or Beneficiary affirmatively elects to receive such distributions. In addition, notwithstanding any provision of this Article 9 to the contrary, and solely for purposes of applying Section 9.08, 2009 RMDs will not be eligible for direct rollover from the Plan.