§ 9.09 Employees. 1. The commission shall have the power to take any action necessary for securing and maintaining the benefits of the public retirement systems of this state for its employees in this state and for such purpose employees of the commission to the extent to which the compensation paid for their services is derived from funds appropriated by this state shall be deemed to be employees of this state and eligible for membership in the appropriate retirement system whether residents of this state or of the state of New Jersey, to the extent otherwise qualified.

2. For the purposes of eligibility for participation in the state health benefit plan under article eleven of the civil service law and for survivor's benefits for active and retired state employees, employees of the commission, to the extent to which the compensation paid for their services is derived from funds appropriated by this state, shall be deemed to be employees of this state and qualified for such participation and benefits. For the purpose of determining their rights under the workers' compensation law of this state, employees of the commission employed wholly or partly in this state shall be deemed to be employees of this state provided, however, that the amount of any payment made under such compensation law to an employee of the commission employed only partly in this state shall be only in such proportion as the amount of his or her salary paid by the state of New York shall bear to his or her total salary.

3. Employees of the commission whose salary is paid in full from funds appropriated by the state shall be deemed to be employees of the state in the classified civil service of the state under the provisions of the civil service law. Commission employees not deemed to be state employees hereunder shall be employees of the commission.