SEPTEMBER/OCTOBER 2026 MAFMIC VOL 54 ISSUE 5

MUTUAL LINK

THE OFFICIAL NEWSLETTER OF THE MINNESOTA ASSOCIATION OF FARM MUTUAL INSURANCE COMPANIES

Proof of Mailing

By: Michael Berg, Attorney, Neal PLLC

TABLE OF CONTENTS

When it comes to cancelling, declining, or not renewing a policy, in short, mailing is your friend. To be more specific, certified mailing, or proof of mailing would be your best friends. Minnesota law governs how that business decision of cancelling, declining, or not renewing a policy is to be communicated to the insured – even a farm policy versus a homeowner's policy has its own requirements. These requirements include method of deliverance, how many days before termination the notice must be sent, and all the parties that must receive the notice.

For township mutuals issuing farm policies, Minnesota law is clear that notice is to be delivered via **registered or certified mail** – "to the insured by registered or certified mail to the last known address of the insured and to any mortgagee to whom the policy is made payable." Minn. Stat. § 67A.18. The township mutual has the option to choose which: whether you elect to use registered or certified mail but it must be sent to both the insured and mortgagee.

For homeowner's policies, the requirements differ based on the type of termination you are looking to execute:

- For a NON-RENEWAL, notice must be executed at least 60 days prior to the termination of the policy and must be **delivered or mailed** to the address listed in the policy:
    - "No insurer shall refuse to renew, or reduce limits of coverage, or eliminate any coverage in a homeowner's insurance policy unless it mails or delivers to the insured, at the address shown in the policy, at least 60 days' advance notice of its intention. The notice must contain the specific underwriting or other reason or reasons for the indicated action and must state the name of the insurer and the date the notice is issued."

Minn. Stat. § 65A.29, Subd. 7; see also 65A.01, Subd. 3c(c).

- For a CANCELLATION, notice must be **mailed** to the insured at least 60 days prior to the effective cancellation date. Minn. Stat. § 65A.01, Subd. 3c(b).

- For DECLINING policies, or policies cancelled that are less than 60 days old, notice must be **mailed** to the insured at least 20 days prior to the effective cancellation date. Minn. Stat. § 65A.01, Subd. 3c(a).

Continued on next page...

PROOF OF MAILING - CONT'

Utilizing proof of mailing, certified mail, or registered mail services, provided by your local post office, provides you with a tracking record showing when such notice was provided. It is generally understood that proof of mailing produces a receipt showing the time and date the parcel was mailed. But it does not provide proof of delivery. Certified mail produces a tracking number showing the time and date a parcel was mailed, in addition to a certificate signed by the recipient showing receipt. Registered mail does everything certified mail does, including proof of receipt, but it does not provide a certificate signed by the recipient. Having a record that these services provide comes in very handy if you encounter an insured that challenges whether a mailing was sent. And if that insured denies receipt of a cancellation notice, this would not be the first time Minnesota courts have addressed this issue.

If a township mutual terminates a farm policy by either certified mail or registered mail and your insured denies receipt, the Minnesota Supreme Court has stated that showing that the cancellation was done by certified mail or registered mail, the two only prescribed methods of delivery, a cancellation will be upheld. Schneider v. Plainview Farmers Mut. Fire. Ins. Co., 407 N.W.2d 673, 675 (Minn. 1987) ("The township mutual satisfied the statutorily prescribed procedure . . . Under these circumstances and as a matter of policy, the other members of the township mutual insurance company should not be burdened with any portion of plaintiffs' loss..").

For a homeowner's policy, Minnesota courts take a presumption, in absence of proof to the contrary, that mail properly addressed and sent with postage is duly received by the addressee. Nafstad v. Merchant, 228 N.W.2d 548, 550 (Minn. 1975). Proof of the contrary can come in the form of an insured denying receipt. See Thomas v. Fey, 405 N.W.2d 450, 454 (Minn. Ct. App. 1987). But you as the insurer can rebut this denial by showing a certificate of mailing that includes: (1) the mailing address of the insured; (2) the date the notice was sent; (3) the amount of postage due and paid; and (4) the post office's confirmation that the notice was brought to the post office, which can be confirmed by stamp and signature of the postal worker. Kloss v. State Farm Mut. Auto. Ins. Co., 1993 WL 216826, *2 (Minn. Ct. App. 1993) (Finding that notice was delivered appropriately when State Farm provided the evidence of the certificate of mailing and payment of the postage and Respondent's failure to provide State Farm and the post office notice of an address change).

In sum, notices of cancellations or nonrenewal can be accomplished:

<u>For Farm Policies (township mutuals):</u>
- At least 10 days written notice
- Delivered to insured via **registered or certified mail**
  - To last known address of insured; and
  - Any mortgagee to whom the policy is made payable.

<u>For Homeowner's Policies</u>:
- **Non-renewal:**
  - At least 60 days prior to termination.
  - **Delivered or mailed** to address shown in the policy.
- <u>Cancellation:</u>
  - At least 60 days prior to effective cancellation date – for policies more than 60 days old.
  - **Mailed**
- <u>Denial or policies less than 60 days old:</u>
  - At least 20 days before the effective cancellation date.
  - **Mailed**

While having the mail sent via certified mail or registered mail is not a requirement, it is definitely a measure to create a paper trail that termination of a policy was effective should it ever come into question.

FALL FARM SAFETY

A FEW MINUTES OF PREVENTION CAN PROTECT AN ENTIRE HARVEST

Fall is one of the busiest and most hazardous times of year on the farm. Long hours, dry crops, heavy equipment, grain handling, and changing weather can quickly turn a routine job into an emergency. Take time now to reduce the risks around your operation.

PREVENT HARVEST EQUIPMENT FIRES

Dry crop residue can accumulate around engines, exhaust systems, bearings, belts, and other hot components.

- Blow or brush debris from equipment regularly.
- Check bearings, belts, fuel lines, and hydraulic hoses.
- Repair oil, fuel, and hydraulic leaks promptly.
- Keep properly rated fire extinguishers on combines and tractors.
- Stop immediately if you smell smoke or notice unusual heat.

During extremely dry conditions, have a water source or tillage equipment readily available whenever possible.

RESPECT THE DANGERS OF GRAIN

- Never enter a bin while grain is flowing.
- Shut down and lock out unloading equipment before entering.
- Never work inside a grain bin alone.
- Use appropriate fall protection and grain-bin safety equipment.
- Keep children and visitors away from grain handling areas.

LOOK UP BEFORE MOVING EQUIPMENT

Augers, grain carts, combines, and other tall equipment can contact overhead power lines.

- Know where power lines are located.
- Lower equipment before transporting it.
- Maintain safe clearance at all times.

If equipment contacts a power line, stay inside the machine whenever possible and call 911 and the electric utility. Keep others away.

PREPARE BUILDINGS FOR COLDER WEATHER

Fall is a good time to inspect farm shops, barns, machine sheds, and other buildings before heating season.

- Check electrical wiring, panels, extension cords, furnaces, heaters, chimneys, and stovepipes.
- Keep heating equipment away from hay, straw, bedding, fuel, and other combustible materials.
- Have questionable wiring or heating equipment inspected by a qualified professional.

DON'T LET FATIGUE MAKE THE DECISION

Long harvest days increase the chance of mistakes.

- Take breaks, stay hydrated, and use proper lighting after dark.
- Avoid rushing repairs.
- Never bypass guards, shields, or other safety devices just to save a few minutes.

FALL SAFETY CHECK

- ☐ Fire extinguishers charged and accessible
- ☐ Combines and tractors cleaned regularly
- ☐ Fuel and hydraulic leaks repaired
- ☐ Guards and shields in place
- ☐ Grain equipment properly maintained
- ☐ Electrical systems inspected
- ☐ Heating equipment ready for cold weather
- ☐ Walkways and ladders in good condition
- ☐ First-aid supplies readily available

BRING THE HARVEST HOME SAFELY

Equipment and crops can be replaced. People cannot. A little extra attention to maintenance, housekeeping, and safe work practices can help make this harvest season both productive and safe.

NO HARVEST DEADLINE IS MORE IMPORTANT THAN GETTING HOME SAFELY.

Author: Dean Kerfeld
Director of Risk Management, RAM Mutual

AAIS ASSOCIATE MEMBER PROFILE

Founded in 1936, the American Association of Insurance Services (AAIS) is the only national not-for-profit insurance advisory organization serving the property and casualty (P&C) insurance industry. Governed by our member insurance carriers, AAIS provides advisory solutions, policy forms, rating information, data management capabilities, actuarial expertise, and regulatory compliance support to insurers across the United States.

For 90 years, AAIS has helped insurers navigate regulatory requirements, enhance operational efficiency, and make informed business decisions. Through our member-first approach and nationwide community of insurance professionals, AAIS remains committed to delivering innovative products, services, and insights that support the success of insurers and the broader P&C marketplace.

AAIS provides advisory products, data solutions, and industry services that support P&C insurers nationwide. Advisory product lines include Personal Lines, Commercial Lines, Farm & Ag, Inland Marine, and Auto, featuring policy forms, manual rules, and rating information designed to help insurers bring competitive products to market.

In addition to advisory programs, AAIS offers Regulatory Compliance, Actuarial, and Onboarding Services, as well as FLAMES (Fire Loss Assignment & Mitigation Evaluation Score), data management solutions, and technology tools that help carriers navigate regulatory requirements, optimize operations, and accelerate product implementation.

AAIS is a fully remote organization with more than 120 employees across the United States. The organization brings together expertise in insurance product development, actuarial science, regulatory compliance, data and analytics, technology, and Member services to support the evolving needs of the P&C insurance industry.

AAIS is guided by a clear purpose: to serve our members.

Our mission is to enable success for the P&C insurance community by providing trusted advisory products, services, data, and expertise that help insurers navigate change, drive growth, and better serve their policyholders.

This commitment is reflected in AAIS's core values of collaboration, integrity, expertise, quality, innovation, and service, which guide how we support our members, employees, and the broader insurance industry.

AAIS

Continued on next page....

CONTINUED.....AAIS ASSOCIATE MEMBER PROFILE

Guided by our purpose to serve AAIS members, we are focused on strengthening member engagement, advancing product modernization, and enhancing the data and content capabilities that support insurers' evolving needs in the next five years.

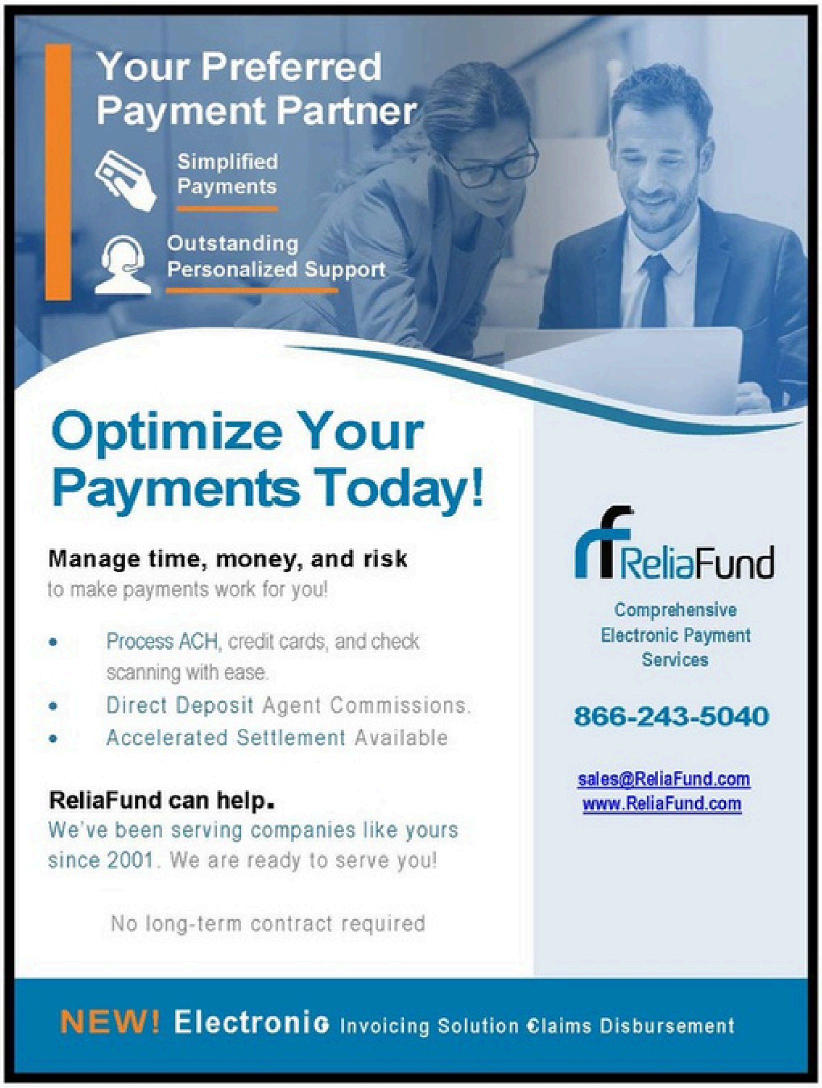
Through these efforts, AAIS seeks to provide more relevant solutions, deeper insights, and greater operational value to our members while helping insurers navigate regulatory, operational, and market challenges with confidence.

One of AAIS's biggest challenges is navigating the complexity of state-specific regulatory requirements and filing approval processes. Differences in regulations, review timelines, and filing expectations across jurisdictions can create challenges when bringing updated products and rating information to market.

AAIS works to address these challenges by leveraging its regulatory expertise, maintaining strong industry relationships, and helping our members adapt to an evolving regulatory landscape.

Community involvement is an important part of AAIS's culture. Through our volunteer time off program, employees are encouraged to support charitable and nonprofit organizations that are making a positive impact in their communities. AAIS believes in giving back through service and empowers employees to contribute their time and talents to causes that are meaningful to them.

To describe our company in one word it would be ***Dependable***. For 90 years, insurers have relied on AAIS for trusted advisory products, regulatory expertise, data-driven insights, and industry support. That commitment continues today as AAIS helps carriers navigate change with confidence.



2026 MAFMIC Golf Outing - July 13, 2026 @ Little Crow

We would like to thank all the sponsors, golfers & volunteers for their support towards the MAFMIC Scholarship Program and for making it a day full of fun. This year we hosted 24 teams and 92 golfers! That's a new record!

1st Place Champs
Andrew Moch, Stephen Palkert, Aaron Wirtz & Jake Suckow

2nd Flight Team
Mark Nelson, Wade Boerboom, Mark Noack & Jeff Manthei

3rd Flight Team
Kurt Holst, Dean Kerfeld, Jim Williams & Tim Spreiter

4th Flight Team
Steve Schauer, Hallie Radloff, Linda & Michael Jaskowiak

Men's Longest Drive
Nick Krog

Closest to the Pin
Cameron Maurer

Shortest Drive
Travis Tjaden

Longest Putt
Mike Sagedahl

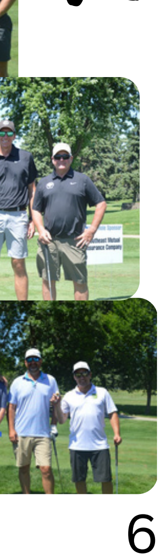
Hit the Green
Ben Nelson

2027 Golf Registration Winner
Steve Dick

RCFM Red Ball Game Winners
Central Lakes Mutual Team
Lisa Lahr, Bryan Richter, Michael Wehlage & Kevin Wesbur

2027 MAFMIC Scholarship Application

Click here and Share



Manager & Directors Seminar July 14th, 2026

We had a great turn out this year.

Thank you to all our speakers!

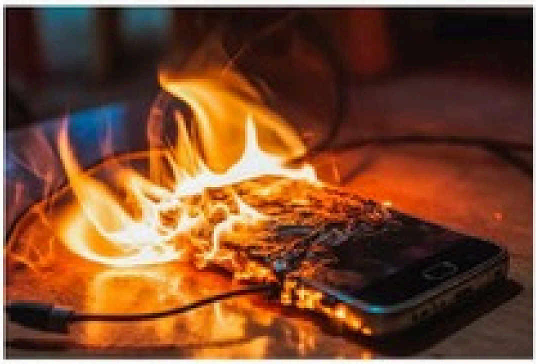
RAM MUTUAL INSURANCE

FIRE PREVENTION MONTH

October is Fire Prevention Month. It is observed each year during the week of October 9, the anniversary of the Great Chicago Fire of 1871. This month is a reminder that most fires can be prevented. Cooking, heating, and electrical systems are still leading causes of fires, and newer hazards, including lithium-ion batteries, are becoming more common. Simple habits and regular maintenance can greatly reduce your risk. Take time this month to review the tips below and make sure your smoke alarms, fire extinguishers, and escape plans are ready.

Fire Prevention Tips

- Install smoke alarms on every level and inside and outside each sleeping area. Test them monthly and replace the entire unit every 10 years.
- Keep an ABC-rated fire extinguisher on each level and in high-risk areas, and learn the PASS method: Pull, Aim, Squeeze, and Sweep.
- Never leave cooking unattended. Cooking is the leading cause of home fires. Keep towels, packaging, and other combustibles away from the stovetop.
- Give heating equipment room to breathe with at least three feet of clearance, and have chimneys, furnaces, and wood stoves inspected annually.
- Do not overload outlets, power strips, or circuits, and replace cracked or frayed cords. Have an electrician check flickering lights, warm outlets, or breakers that trip repeatedly.
- Store flammable liquids in approved containers away from heat and ignition sources, and keep exits, hallways, and stairways clear of clutter.



Lithium-Ion Batteries: A Growing Fire Risk

Lithium-ion batteries now power phones, laptops, power tools, e-bikes, scooters, and hoverboards. As their use grows, so does the risk of battery-related fires. Many of these fires are linked to the wrong charger, cheap aftermarket batteries or counterfeit batteries that skip basic quality control. A damaged or overcharged cell can enter "thermal runaway," producing intense heat, heavy smoke, and a fast-spreading fire. Use only manufacturer-approved batteries and chargers, charge them on a hard, noncombustible surface away from exits, and stop using any battery that swells, leaks, smells unusual, or gets hot.

Smoke Alarms

Working smoke alarms are the single most effective way to survive a fire. Install them on every level and near all sleeping areas, interconnect them where possible, and test batteries regularly. Replace any alarm over 10 years old.

Plan Your Escape

Know two ways out of every room and agree on a meeting place a safe distance outside. Practice your escape plan at least twice a year and make sure everyone can get out quickly and safely.

Published by Justin A Pape, IAAI-CFI, Director of Special Investigation, RAM Mutual Insurance

DEPLOYMENT OF CHEMICAL IRRITANTS

BY: ADAM AXVIG & JOHN NEAL

Following the tragic shooting deaths of former Minnesota House Speaker Melissa Hortman, her husband Mark, and the family dog, Gilbert, last summer, the Hortman children sought to rehabilitate the family home.

Under Minnesota Statute 626.74, if compensation is owed for damage caused during the execution of a search warrant or the apprehension of a criminal suspect, the local government entity employing the involved peace officer is responsible for paying that compensation. In this case, because the home was located in Brooklyn Park, the city and its insurer were responsible for covering the cleanup of chemicals deployed in the home during the law enforcement response.

However, Colin Hortman encountered significant challenges in securing coverage for a thorough cleanup. According to his testimony, lengthy delays occurred as the city's insurer, the League of Minnesota Cities Insurance Trust, disputed the scope of work necessary to properly remediate the home. Frustrated by the process, Hortman began working with legislators on a bill intended to address these issues.

The original proposal would have required homeowners insurers to cover cleanup costs upfront while preserving their ability to pursue reimbursement from the municipality or other responsible party through subrogation under Minnesota Statute 626.74.

The final version of the bill, on which MAFMIC ultimately took a neutral position, strengthened those subrogation rights by allowing insurers to recover attorney fees and prejudgment interest in addition to cleanup costs.

Although MAFMIC believes the law addresses situations that occur only rarely and may not have been necessary, it is important for members to understand the rights it provides and to take advantage of those protections when appropriate.

The new law is effective January 1, 2027, you can find a copy of the legislation here.

MN ELECTION PREVIEW

BY: ADAM AXVIG, MAFMIC PRESIDENT/CEO

It’s that time of year when commercial breaks prompt eye rolls as negative campaign ads blanket the airwaves. We are entering the final two months of a midterm election cycle that could significantly influence how we approach advocacy at the Capitol in Saint Paul.

While presidential elections typically dominate public attention, midterm elections, the even-numbered years that do not feature a presidential contest, are often more consequential to our work at the Capitol. This year is no exception, with the entire Legislature and all four constitutional offices on the ballot.

Based on discussions among political observers and Capitol insiders, state government could see significant turnover following the election. Those close to four-term U.S. Senator Amy Klobuchar have suggested that there may be few holdovers from the Walz administration if she prevails in her race for governor. Some changes are already occurring. At the Department of Commerce, former Commissioner Grace Arnold announced her resignation several weeks ago. She was succeeded by Deputy Commissioner for Insurance Julia Dreier, who is expected to serve through the remainder of Arnold’s term.

Klobuchar, however, faces what could be the most competitive statewide race of her career. In November, she will face Republican House Speaker Lisa Demuth (R-Cold Spring) in the race for governor.

Demuth is a relatively new figure on Minnesota’s statewide political stage but has quickly built an impressive résumé. She first entered elected office as a member of the ROCORI School Board, serving from 2007 to 2018 before winning election to the Minnesota House of Representatives. A skilled communicator and effective coalition builder, Demuth rose through the Republican caucus and became House Republican leader after former Speaker Kurt Daudt stepped down following the 2022 election.

Following the 2024 election, which resulted in an unusual 67-67 tie in the Minnesota House, Demuth helped negotiate a power-sharing agreement with then-Speaker Melissa Hortman. The agreement ultimately allowed Republicans to secure the Speaker’s gavel and share control of the chamber’s operations and legislative agenda.

(Continued on next page)

MN ELECTION PREVIEW - CONTINUED.....

BY: ADAM AXVIG, MAFMIC PRESIDENT/CEO

Regardless of who wins the governor's race, the next governor will need to work closely with the Legislature to enact a state budget next year. Who will be sitting at that negotiating table remains very much in question.

As noted, every seat in both the Minnesota House and Senate is on the ballot this year. Both House and Senate Commerce Committee leadership will also change next session, as the current chairs have either chosen not to seek reelection or are pursuing other offices. This is particularly important for the future of insurance policy in Minnesota, as virtually every insurance-related bill passes through the Commerce Committees for review and consideration.

In recent years, MAFMIC has benefited from experienced committee leaders who have taken a long-term view of how proposed legislation could affect Minnesota's insurance marketplace. As a result, MAFMIC has remained actively engaged in key legislative races to ensure our issues are understood by prospective committee chairs and members.

Political observers are watching several legislative races closely, particularly in the Minnesota Senate, where control of the 67-seat chamber is at stake. Republicans are targeting several districts, each representing roughly 85,000 residents, in areas such as Moorhead, the Iron Range, and Saint Cloud. These are districts that President Trump carried in 2024 but that are currently represented by Democratic senators.

At the same time, Senate Republicans are defending seats of their own in increasingly competitive suburban districts. One of the most closely watched contests is in Maple Grove, where longtime Republican Senator Warren Limmer is not seeking another term. Democrats believe they have a strong opportunity to compete for the open seat.

Republicans need a net gain of one seat to win control of the Senate, provided they hold their existing seats. As a result, a handful of highly competitive races could determine majority control of the chamber.

Interestingly, Capitol observers are somewhat less optimistic about Republican prospects in the Minnesota House, despite the party currently holding a larger share of seats there than in the Senate.

House Democrats see opportunities in several Republican-held districts in the northern and western suburbs. At the same time, Democrats face vulnerabilities of their own, including a rematch in Shakopee, where Rep. Brad Tabke won reelection by just 14 votes over Republican challenger Aaron Paul.

The next two months promise to be a busy and unpredictable stretch for Minnesota campaigns. If you have questions about specific races or candidates, please do not hesitate to reach out

WELCOME NEW ASSOCIATE MEMBERS TO MAFMIC

ELEMENT RESTORATION

CONTACT: ANNA ROZHANSKY

ANNA@ELEMENTS-MN.COM

GLEITZ INSURANCE CONSULTING LLC

CONTACT: SCOTT GLEITZ

SCOTT@GLEITZINSURANCECONSULTINGLLC.COM

Save the Date

MAFMIC Annual Convention
February 7-9, 2027

2026 MAFMIC Calendar of Events

November 18-19
Short Course, St. Cloud

November 26 & 27
MAFMIC Office closed for Holiday

December 24, 25, 31st & Jan 1st
MAFMIC Office Closed for Holiday

Nomination Requests for Vice-Chairman & Secretary Treasurer

The MAFMIC Nominating Committee is asking for nominations from the membership for the offices of vice-chairman and secretary-treasurer of the association. The nominees will be presented to the membership for their approval at the next annual meeting. The nominating committee is chaired by the immediate past-chairman and includes current MAFMIC board members and past-chairmen.
If you wish to suggest someone, or be considered yourself, please notify the nominating committee chairman.

Please submit by October 16th, 2026
to Roger Miller
Email to: roger@lakeparkcuba.com

IN SYMPATHY

Eldridge "Squirt" Rosell
Father in Law to Eric Gesell and retired field adjuster for North Star Mutual
(Link to Obituary)

Al Theisen
Chairman for St, Joseph Mutual for 40 years
(Link to Obituary)

Wendy Ann Stroebl
Director for Claremont Farmers Mutual
(Link to Obituary)

Shari Williams
Past Auxillary president of MAFMIC. Wife of the late Past Chairman Dale Williams
(Link to Obituary)

TIME TO MAKE YOUR NOMINATIONS! INFORMATION CAN BE FOUND HERE.