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California lawmaker recall sets up fall gas tax battle

by DON THOMPSON

LOS ANGELES — California voters unseated a sitting state senator in midterm on Tuesday, denying Senate Democrats a supermajority and setting up a statewide battle this fall over a gas tax increase.

Republicans said the recall showed Democrats are vulnerable after they successfully targeted Democratic state Sen. Josh Newman's vote to raise gas taxes last year. A Republican-backed effort to repeal the tax increase is likely to be on the November ballot.

Primary voters also sorted through several legislative races shaped by sexual misconduct allegations. The election decided which candidates will face off in November for all 80 state Assembly seats and half of the 40 Senate seats.

The top two vote-getters, no matter their political party affiliation, head to the November general election. With millions of votes still to be counted, some races may not be decided for days.

RECALL ELECTION

Nearly two-thirds of voters recalled Newman, of Fullerton, over his vote last year to increase fuel and vehicle taxes to raise about \$5 billion a year for road repairs.

They replaced him with former Republican Assemblywoman Ling Ling Chang, keeping Senate Democrats below a two-thirds supermajority needed to pass tax and fee increases for at least the rest of the year.

But it also sets up the larger narrative as out-numbered Republicans try to further eat into Democrats' dominance going into the fall campaign.

"Recalls are never pretty, but voters overwhelmingly rejected the aggressive left-leaning direction of the Legislature," said Matt Fleming, a spokesman for the California Republican Party.

Carl DeMaio, chairman of Reform California and a sponsor of the recall, said recalling Newman "was only the first phase of our campaign."

"This November we look forward to repealing the car and gas tax hikes," he said in a statement.

Newman narrowly won the traditionally Republican Orange County-based district in the 2016 election, and both parties saw him as vulnerable.

Jason Kinney, a spokesman for Senate Democrats, did not immediately comment. Newman spokesman Derek Humphrey in a statement accused Republicans of "lying to voters" to further "an undemocratic special interest power grab."

Even a late endorsement by former presidential candidate and independent Vermont Sen. Bernie Sanders didn't help Newman. Sanders recorded a 30-second Facebook ad urging voters to back Newman.

The Newman recall campaign is the first in California since a failed effort against a Republican state senator in 2008 and the first on the state level anywhere in the nation since 2013, Joshua Spivak, author of the Recall Elections Blog, said in an email.

SEXUAL MISCONDUCT

Voters were leaning against re-nominating Tony Mendoza, a Democrat from Artesia who resigned his seat in February amid sexual misconduct allegations that he denies. Investigators found he likely engaged in unwanted flirtatious and suggestive behavior with at least six women.

Republican leaders backed two-time Assembly candidate Rita Topalian, while Democratic leaders favored Montebello Mayor Vanessa Delgado as voters selected the top two candidates for an Aug. 7 special runoff election to fill the vacancy, and for the November general election.

Meanwhile, Assemblywoman Cristina Garcia was in line to be one of the top two candidates heading to the November election in her Bell Gardens district.

Assembly investigators did not substantiate a claim that Garcia groped a staff member who worked for another lawmaker in 2014. But investigators said she frequently used vulgar language, which Assembly Speaker Anthony Rendon said constituted sexual harassment.

Unions mounted an aggressive campaign to unseat her, which her campaign called payback for her environmental advocacy work.

SPECIAL ELECTIONS

Voters were supporting two Democrats in Los Angeles County seats vacated when Assemblymen Matt Dababneh and Raul Bocanegra resigned following sexual misconduct allegations. The winners of Tuesday's contests will join the Assembly immediately to serve out of the rest of the terms through November.

Voters were favoring Democrat Luz Rivas over Republican Ricardo Benitez to replace Bocanegra, and Democrat Jesse Gabriel over Republican Justin Clark to replace Dababneh.