

## EDITOR'S NOTE

In this issue of the Ohio State Law Journal, the editors feel that they are bringing to the forefront a problem of ever increasing concern to lawyers and laymen alike. Several of the premises on which this symposium is based are facts of general knowledge. The sources of state revenue are finite. Many of these sources provide only limited revenues because of overlapping taxation. Yet the trend of the last decade has been an increasing demand for more state governmental services, which in turn require increased revenues. Our other premises are best known only to those who work in this area. The interstate taxation of multistate businesses is an area of the law fraught with complexities and confusion. Many of the problems are inherent to a federalistic structure of government. However, to cite this as the explanation is to beg the question, for much of the confusion has resulted from the lack of clear delineation by the courts of the permissible area of state taxation. Then, too, it may be questioned whether the states are using the best approach to the problem. Only this much is clear, the problem of interstate taxation of multistate businesses is a real one, which is growing in importance with every passing day. It is the aim of this symposium to restate the problem, showing its development and present status, and then offer some insights and suggestions for future solutions.

To set the stage for the analysis of the problem, we have asked Noel T. Dowling, Harlan Fiske Stone Professor Emeritus of Constitutional Law at Columbia Law School, to write an introduction tracing the historical background and development of the Commerce Clause which underlies this problem.

Professor Albert R. Menard Jr. of Colorado Law School traces the circular development of the direct burden test as the check on state taxation of interstate commerce.

To illustrate the particular problems invoked in a specific field George D. Brabson, tax attorney for the Ohio Oil Company, Findlay, Ohio has written on multistate taxation in the transportation industry. In counter balance with the views of the taxed parties, we have asked Dixwell L. Pierce, Secretary of the State Board of Equalization of California to discuss the needs of the states for interstate commerce to pay its own way.

Any meaningful treatment of such a problem must consider the future. To this end, George Braden, an attorney with the General Electric Co., has written on the possible remedies for the existing problems of state taxation of multistate business.

Associate Professor Richard L. Strecker of the Cincinnati Law School discusses the local incidents of interstate business as a jurisdictional basis for state taxation.

Recognizing that this problem extends into other areas, we felt it proper to conclude this symposium with an article by Arthur Lynn, As-

sociate Professor of Economics at Ohio State University on the formulae for the allocation of State taxation of multistate businesses.

Although we realize that it is impossible in seven articles to completely cover a problem of the magnitude of state taxation of multistate business, we hope that the reader, upon completion of these seven articles, will feel that we have achieved a significant measure of our goal.