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頁次：4-1

103年公務人員特種考試關務人員考試、103年公務人員特種考試身心障礙人員考試及103年國軍上校以上軍官轉任公務人員考試試題

考試別：國軍上校以上軍官轉任公務人員考試

等別：上校轉任考試

類科：各類科

科目：中華民國憲法與英文

考試時間：2 小時

座號：_____

※注意：禁止使用電子計算器。

甲、申論題部分：(50 分)

(一)不必抄題，作答時請將試題題號及答案依照順序寫在申論試卷上，於本試題上作答者，不予計分。

(二)請以藍、黑色鋼筆或原子筆在申論試卷上作答。

一、請依司法院大法官解釋說明集會遊行法申請許可規定未排除緊急性及偶發性集會遊行之部分，是否合憲？(25 分)

二、依中華民國憲法增修條文規定，說明司法院大法官之法定人數及成員種類、任期計算及保障，並分析其職權。(25 分)

乙、測驗題部分：(50 分)

代號：1801

(一)本測驗試題為單一選擇題，請選出一個正確或最適當的答案，複選作答者，該題不予計分。

(二)共 25 題，每題 2 分，須用 2B 鉛筆在試卡上依題號清楚劃記，於本試題或申論試卷上作答者，不予計分。

- 1 A _____ crime is considered to be one involving grave bodily injury or death, and in some places the crime is punished with death.
(A) capital (B) legitimate (C) negligent (D) turbulent
- 2 For a group to reach a _____ on a decision, all members must agree to accept the decision and to take responsibility for implementing it.
(A) compatibility (B) conformity (C) consistency (D) consensus
- 3 In order to make his readers understand the abstract concept more easily, the writer provides many true-to-life examples to help _____ his major points.
(A) enchant (B) resolve (C) illustrate (D) dedicate
- 4 The importance of warming up is well known, but even professional athletes would _____ warming-up routines before games.
(A) advance (B) challenge (C) neglect (D) reward
- 5 _____ has become almost a way of life in America, where there are many more lawyers than in any other country on earth.
(A) Debate (B) Intervention (C) Litigation (D) Negotiation

請依下文回答第 6 題至第 9 題

Since many vegetables had their earliest uses as medicinal, herbals are some of the earliest and most important manuals about vegetables. The origin of these early plant books can be traced to the Greek interest in cataloging and describing plants. As originators of the study of botany, the Greeks produced writings that listed common plants while often supplying their medical usage. For much of the Middle Ages, there was little distinction between medicine and botany, as plants were used to cure ills.

The greatest authority of medicinal plants during the Renaissance was the Greek physician Pedanius Dioscorides (about A.D. 20). Dioscorides was the most authoritative writer in botany for 16 centuries, and his work *De Materia Medica* (*The Matters of Medicine*) is considered the most important herbal of all time. He traveled widely and studied plants wherever he went. For over 1,500 years his work was considered the final authority on the pharmaceutical uses

of herbs and plants. His work described roughly 500 plants and 1,000 different medications.

With the development of the printing press, the first half of the 16th century saw much of his work translated into common languages such as French, German, Italian, and English.

- 6 According to the passage, what does the underlined word “herbals” mean?
 - (A) A mixture of herbs and plants
 - (B) Greek medicine
 - (C) Medicinal grass
 - (D) Cataloged texts
- 7 According to the passage, what was Dioscorides famous for?
 - (A) Writing the book entitled *The Matters of Medicine*
 - (B) Classifying fruits in the Middle Ages
 - (C) Translating his original botanical study into French, German, and English
 - (D) Inventing 1,000 different medications
- 8 How did the book *De Materia Medica* become popular?
 - (A) Through doctors who used its prescriptions to treat their patients
 - (B) Through botanists around the world who used it as a textbook
 - (C) Through the Greek physicians’ strong recommendation
 - (D) Through the development of the printing press
- 9 According to this passage, which of the following statements is true?
 - (A) Vegetables could be distinguished from medical herbs easily in the Middle Ages.
 - (B) *De Materia Medica* taught farmers how to grow vegetables and herbs.
 - (C) Dioscorides’ work was considered the definite authority on pharmacy.
 - (D) Dioscorides studied botany in the 1st century.

請依下文回答第 10 題至第 13 題

Many volcanic eruptions have taken place in the last two hundred years. However, three stand out, not only because of the destruction they caused, but also because of the number of lives they claimed.

Until 1815, Mount Tomboro on Sumbawa Island in Indonesia was 4,100 meters high. These days it is 2,821 meters above sea level. The reason for this was the largest volcanic eruption of modern times. Fifty cubic kilometers of matter was hurled into the atmosphere, and volcanic ash fell on islands as far away as a thousand kilometers.

The eruption itself killed ten thousand people, but the destruction of livestock and crops brought about a famine which increased the death toll to over ninety thousand. There was also so much volcanic debris circulating in the earth’s upper atmosphere that 1816 became known as “the year without a summer.”

Sixty-eight years after Mount Tomboro erupted, another huge volcanic explosion took place there. This time it was Mount Krakatoa. It caused such a powerful tsunami that 165 coastal villages were wiped out. The sun was completely blacked out for more than twenty-four hours and volcanic ash fell over ships as far away as 6,000 kilometers.

Finally, the most recent massive eruption happened in Washington State in the USA, when the top blew off Mount St. Helens on 18th May 1980, and a cloud of ash and gas shot nineteen kilometers into the air. It was high enough to cause turbulence for jetliners passing overhead. Luckily, the loss of life was minimal as the mountain lies in the middle of a sparsely populated national park. However, the blast destroyed all wildlife within 180 square kilometers of the mountain.

These facts are just the tip of the iceberg, but what one can learn from them is that volcanoes will go on erupting and that there is very little we can do about it.

- 10 What does the underlined word “claimed” mean in the first paragraph?
 - (A) Killed
 - (B) Considered
 - (C) Demanded
 - (D) Declared
- 11 Why is the year 1816 known as “the year without a summer”?
 - (A) Rocks and ash shooting into the air caused turbulence.
 - (B) The world was buried under fifty kilometers of matter.
 - (C) The volcanic eruption brought about an ice age on Earth.
 - (D) The volcanic ash blocked out the sun.

- 12 Which of the following statements is true?
(A) Mount Krakatoa erupted in 1883, creating a hole in the center of the island.
(B) The biggest volcanic eruption of modern times took place in the United States.
(C) The eruption of Mount St. Helens caused a huge tsunami, destroying many coastal villages.
(D) The major damage caused by the eruption of Mount St. Helens was the death of animals and plants.
- 13 According to the passage, which of the following effects is NOT mentioned as a consequence of a volcanic eruption?
(A) Fracture of the earth plate (B) Turbulence in the air
(C) Extreme lack of food (D) Destructive tidal waves

請依下文回答第 14 題至第 16 題

Mark Twain called the times in which he lived, and particularly the late 1800s, the Gilded Age. Twain wanted to point out that despite its outward showiness, American society was inwardly corrupt. But wealthy industrialists at that time certainly did not see themselves in this way, and a philosophical movement called social Darwinism helped them believe that the accumulation of riches by a few was the “natural order.” Social Darwinism, the theory developed by Herbert Spencer, was in part an application of Charles Darwin’s evolutionary theories to human societies. Spencer argued that some members of society, those who were “naturally” superior, were meant to climb to the top and should not be impeded. In addition, Spencer warned that those who were at the bottom, by their very natures, were unfit to survive, and therefore charity was meaningless. Not surprisingly, many industrialists used his ideas to oppose social reforms and government intervention. Like his contemporaries, Andrew Carnegie was a firm supporter of social Darwinism. However, he did not agree with all of Spencer’s ideas, as he felt poverty could build character. Indeed, he must have felt it had done so for him. And, though abhorring what he called idle charities, he believed in helping those who would help themselves. Unlike many of his contemporaries, Carnegie did, in the end, share his wealth by granting millions of dollars to libraries and centers for peace and education worldwide.

- 14 According to Twain, what does the term “Gilded Age” describe?
(A) A very wealthy age (B) A seemingly shining but corrupted age
(C) A gold rush age (D) A glorious and prosperous age
- 15 According to the passage, who welcomed social Darwinism the most?
(A) The author himself (B) Mark Twain, the famous writer
(C) The rich industrialists (D) The poor workers
- 16 According to the passage, which of the following statements is true about Carnegie?
(A) He was poor when he was young.
(B) He believed poverty could destroy a person’s personality.
(C) He did not care about education.
(D) He believed charity was meaningless.

請依下文回答第 17 題至第 21 題

Imagine that you are at a dinner party, seated with many people at a large table. In the course of conversation, the person sitting across from you laughingly remarks, “Of course, I’m illiterate...!” What would you say? Would you laugh along with him or her and confess that you never really learned to read either? Would you expect other people at the table to do so? Now imagine the same scene, only this time the guest across from you says, “Of course, I’ve never been any good at math...!” What happens this time? Naturally, you can expect other people at the table to chime in cheerfully with their own claims to have “never been good at math”—the implicit message being that no ordinary person ever is.

The fact is that mathematics has a tarnished reputation in many English-speaking societies. It is commonly accepted that math is difficult, obscure, and of interest only to “certain people.” People who are talented at math or profess enjoyment of it are often treated as though they are not quite normal. Alarming, many school teachers communicate this attitude to their students directly or indirectly, so that young people are invariably exposed to an anti-math bias at an impressionable age. It comes thus as a surprise to many people to learn that this attitude is not shared by other societies. In Russian or German culture, for example, mathematics is viewed as an essential part of literacy, and an educated person would be chagrined to confess ignorance of basic mathematics.

- 17 What is this passage mainly about?
 (A) The ways of mastering mathematical skills
 (B) Some social attitudes towards mathematics
 (C) The reasons why many students fail their math course
 (D) The application of math in daily life
- 18 What does the underlined phrase “chime in” in the first paragraph mean?
 (A) To make fun of (B) To be accordant with (C) To join a conversation (D) To take a leave
- 19 Why does mathematics have a tarnished reputation in English-speaking societies?
 (A) Because it is useless. (B) Because school teachers don’t like it.
 (C) Because only some can succeed in mathematics. (D) Because mathematicians tend to be talkative.
- 20 According to the author, which of the following is NOT true?
 (A) Many people have a fear of math.
 (B) Some common but erroneous ideas about mathematics prevail among young students.
 (C) Many teachers help shape students’ negative attitude towards mathematics.
 (D) To be good at math, you have to be an abnormal person first.
- 21 What can be inferred from the passage?
 (A) Solving math problems is not healthy for normal people.
 (B) People of different cultures may have different attitudes towards math.
 (C) German and Russian students do not perform well on math tests.
 (D) Math anxiety affects only children.

第 22 題至第 25 題為篇章結構，各題請依下文文意，從 4 個選項中選出最合適者，各題答案內容不重複

As scientists gain more knowledge about the causes of diseases, they make great progress in preventing, controlling, and curing them. 22 Many disease-causing microbes, in fact, are found in perfectly healthy hosts.

Infection is the presence of organisms within or upon the tissues of a host. 23 The term “parasite” usually refers to an organism that lives at the expense of the host. Disease may be regarded as some change affecting the normal functioning of an organism. 24

The human skin and breathing passages are alive with billions of microorganisms. Many of the bacteria, fungi, and viruses found in these areas are acquired shortly after birth. 25 Throughout the lifetime of an individual, he or she continues to act as host to various kinds of microorganisms.

- 22 (A) Disease is due to disturbances or imbalances of body fluids.
 (B) Life would be impossible without the activities of microorganisms.
 (C) There are also microorganisms that infect the infant even before it is born.
 (D) And they learn that infection and disease are not necessarily one and the same.
- 23 (A) Disease is due to disturbances or imbalances of body fluids.
 (B) Life would be impossible without the activities of microorganisms.
 (C) And they learn that infection and disease are not necessarily one and the same.
 (D) Basically there are two forms of host-parasite interaction: infections associated with disease and infections not associated with apparent disease.
- 24 (A) Life would be impossible without the activities of microorganisms.
 (B) There are also microorganisms that infect the infant even before it is born.
 (C) This change can be serious and lead to death, or it may be so slight that it escapes notice.
 (D) Basically there are two forms of host-parasite interaction: infections associated with disease and infections not associated with apparent disease.
- 25 (A) Disease is due to disturbances or imbalances of body fluids.
 (B) Life would be impossible without the activities of microorganisms.
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