

111年公務人員特種考試關務人員、身心障礙人員考試及
111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。
- (三)本科目除專門名詞或數理公式外，應使用本國文字作答。

一、憲法第15條規定：「人民之生存權、工作權及財產權，應予保障。」而律師法第28條則明文規定：「司法人員自離職之日起3年內，不得在其離職前3年內曾任職務之法院或檢察署執行律師職務。但其因停職、休職或調職等原因離開上開法院或檢察署已滿3年者，不在此限。」試問上述律師法條文是否構成違憲？（25分）

二、何謂憲法制度性保障，試加以說明之。又司法院大法官曾就此議題作成解釋，並試舉司法院大法官解釋說明之。（25分）

乙、測驗題部分：（50分）

代號：2801

- (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 Tim has been ranked as the sixth among the world's best tennis players. Though he's still young, he is regarded as the future _____ in the field of tennis.
(A) backroom boy (B) king of the hill (C) hot potato (D) prince consort
- 2 Breeds of dogs with different forms and instincts have been developed, by more or less _____ selection, to fit different purposes in the human society.
(A) deconstructive (B) declined (C) deliberate (D) disruptive
- 3 In 2017, the Environmental Protection Agency reported that 11.2 million tons of textile waste in the US ended up in _____.
(A) dumpers (B) dustbins (C) landfalls (D) landfills
- 4 Since the principal wouldn't be available to vote, she nominated Dr. Fan to act as her _____.
(A) badger (B) caliber (C) proxy (D) regimen
- 5 Agriculture consumes about 70% of the world's fresh water, so improvements in _____ can make the greatest impact.
(A) irruption (B) irrigation (C) irradiation (D) irritation
- 6 The best way to beat this _____ market is by trading, which means anxiously moving in and out of securities as the market ebbs and flows.
(A) volatile (B) mobile (C) redundant (D) sedative

- 7 The Volkswagen Group was caught cheating on emissions testing in 2015. This _____ has cost the company dearly both in revenue and reputation.
(A) coincidence (B) achievement (C) scandal (D) stowaway
- 8 Landslides in previous storms had opened gaping _____ in the cliff behind the village.
(A) mountains (B) sideswipes (C) pitfalls (D) chasms
- 9 The word “lady” has _____ of refinement and excessive femininity that some women find offensive.
(A) detentions (B) oppressions (C) hallucinations (D) connotations
- 10 This architecture _____ a democratic spirit of the country and its struggle to be free from a depraved form of feudalism.
(A) reckons (B) reconciles (C) reflects (D) rectifies
- 11 The executive orders allowed undocumented immigrants whose countries wouldn’t take them back, or who had sympathetic circumstances, to avoid detention and _____.
(A) compensation (B) disruption (C) probation (D) deportation
- 12 All those who had _____ in doing their assignments could now repent at their leisure.
(A) procrastinated (B) prospected (C) progressed (D) prompted
- 13 Mass media should _____ avoid reporting unconfirmed information or creating unnecessary public alarm.
(A) scrupulously (B) obliquely (C) mischievously (D) evasively
- 14 Amanda cares for the stray dogs in the neighborhood. Her _____ for taking care of them is highly praised by everyone.
(A) vanity (B) vote (C) zeal (D) mood
- 15 With a large number of patients coming into the hospital every day, the director said doctors and nurses felt some _____ or anxiety, but no fear.
(A) alleviation (B) allocation (C) apprehension (D) appropriation

請依下文回答第 16 題至第 20 題

Scientists have cast new light on the effects our diet has on our mental health. Researchers say what we eat affects and alters our brain chemistry up 16 the age of 30. The research was conducted by a team led by Lina Begdache, a professor of health and wellness studies. Researchers said that 17 the link between our diet and diabetes, heart disease and obesity is well established, there is little research on the influence our dietary intake has on mental health. The researchers also suggested that healthy eating, healthy practices, and exercising 18 mental well-being.

The research was carried out via an anonymous internet-based survey. Professor Begdache found that adults under 30 who ate fast food more than three times a week scored 19 on levels of mental distress, anxiety and depression. She said that for adults over 30, the study found that eating less carbohydrates and more fruit reduced anxiety and depression. Begdache pointed to research 20 how a Mediterranean diet was as good for our brain as for our body. She said: “It has all the components that are important for the healthy structure of the brain.”

- 16 (A) on (B) until (C) for (D) at
- 17 (A) where (B) when (C) while (D) how
- 18 (A) promote (B) provoke (C) postpone (D) prove
- 19 (A) stronger (B) higher (C) larger (D) lesser
- 20 (A) show (B) shown (C) showed (D) showing

請依下文回答第 21 題至第 25 題

American popular culture is obsessed with superheroes. The ever popular movie, *The Avengers*, has featured a group of superheroes such as the Iron Man, the Wasp, the Hulk, Thor, and the Ant-Man since it made its 21 in 2011, the year the movie was released. Being a great hit, it was the highest grossing film in 2012 and was acclaimed as one of the greatest 100 movies of all time in 2017. The movie is actually adopted from the stories made in a series of comic books published by Marvel Comics. Apart from the production of several movies drawn from the Avengers stories, TV series based on each single superhero are also brought out to continue this cultural zest for superheroes. The huge income the stories and their productions have 22 for the mainstream media such as movies and TV is certainly much applauded by producers. The reason why those stories could sell so well is perhaps owing to the American audiences' great admiration for such cultural icons as superheroes like the Avengers. Since the emergence of a superhero like Superman in the popular culture of the 1930s, superheroes have evolved into different forms, types, races, and even genders.

All those transformations of superheroes seem 23. Because they have been viewed as hot commodities in the market of popular culture, their development and growth will undoubtedly continue to thrive. Indeed, those superheroes are modern incarnations of their older ones in Greek mythology. Greek heroes like Achilles and Odysseus 24 both human and divine features. They not only demonstrate their mighty power as superheroes but also enact their kindness to save the innocent and the helpless by killing the villains who jeopardize the safety of the communities. 25 they are much loved and adorned by the audiences because they help restore the justice and maintain a sense of security regarded as extremely important by people. That's why they are called superheroes that can unleash their god-like power and achieve their warm-hearted humanity.

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|----|---------------|---------------|-------------------|---------------|
| 21 | (A) fate | (B) debut | (C) inroad | (D) label |
| 22 | (A) generated | (B) kindled | (C) outfitted | (D) rectified |
| 23 | (A) bilateral | (B) deceptive | (C) defiant | (D) endless |
| 24 | (A) notify | (B) hamper | (C) embody | (D) falter |
| 25 | (A) In case | (B) No wonder | (C) Provided that | (D) As though |