

112 年特種考試地方政府公務人員考試試題

等 別：三等考試

類 科：各類科（除公職社會工作師、公職獸醫師、公職建築師外）

科 目：法學知識與英文（包括中華民國憲法、法學緒論、英文）

考試時間：1 小時

座號：_____

※注意：(一)本試題為單一選擇題，請選出一個正確或最適當答案。

(二)共50題，每題2分，須用2B鉛筆在試卡上依題號清楚劃記，於本試題上作答者，不予計分。

(三)禁止使用電子計算器。

- 1 依憲法及司法院大法官相關解釋，有關行政院與立法院之關係，下列敘述何者錯誤？
(A)立法委員有向行政院院長質詢之權
(B)立法院有向行政院調閱文件之權
(C)行政院有向立法院提出施政報告且備詢之義務
(D)立法委員如認為行政院院長有違法失職，得對之提出彈劾案
- 2 下列何者不屬於憲法明文規定之平等？
(A)國民教育機會平等 (B)兩性實質地位平等 (C)各民族語言平等 (D)平等選舉原則
- 3 依據憲法增修條文及憲法訴訟法之相關規定，關於解散違憲政黨之審理程序，下列敘述何者正確？
(A)人民因憲法權利遭受特定政黨不法侵害，得向憲法法庭提出系爭政黨違憲解散之聲請
(B)違憲政黨之解散事項，應由憲法法庭審理之
(C)大法官受理政黨違憲解散之聲請後，必要時得行言詞辯論
(D)宣告政黨解散之判決，其評決應經大法官現有總額過半數之同意
- 4 依憲法增修條文第 10 條規定，下列何者不在憲法基本國策保障範圍內？
(A)國家獎勵中醫研究發展 (B)國家鼓勵退役軍人攻讀學位
(C)國家保障新移民之工作 (D)國家提供創業貸款促進科技產業新創及升級
- 5 關於憲法上人民選舉、罷免、創制、複決權之行使，下列何者沒有立法形成空間？
(A)選舉權人之積極資格 (B)被選舉人之消極資格
(C)各種選舉之婦女當選名額 (D)憲法中之各種選舉以無記名投票行之
- 6 依司法院大法官解釋之意旨，下列何者非屬憲法第 13 條宗教自由之保障範圍？
(A)不信仰宗教 (B)公立學校開設宗教課程
(C)組織教會 (D)定時禮拜
- 7 下列何者非屬總統之職權？
(A)依法任免文武官員 (B)依法行使特赦權 (C)依法提出預算案 (D)統率全國陸海空軍
- 8 地方法院法官於審理案件時，對於應適用之法律，依其合理之確信，認為有牴觸憲法之疑義者，得如何處理？
(A)層轉最高法院表示法律見解 (B)直接宣告該法律違憲
(C)停止訴訟程序，聲請憲法法庭判決 (D)逕自拒絕適用違憲法律
- 9 下列何者不是憲法本文規定之地方自治團體？
(A)省 (B)直轄市 (C)縣 (D)鄉鎮市
- 10 監察院對軍人提出彈劾案時，應移送何機關進行審議？
(A)國防部 (B)軍事法院 (C)行政法院 (D)懲戒法院
- 11 下列何者是認為「法是一些條件的統合，在這些條件下，個人的意志與其他人的意志，可依據自由的一般法則而相互結合」的哲學家？
(A)亞里斯多德 (Aristoteles) (B)霍布斯 (Hobbes)
(C)康德 (Kant) (D)黑格爾 (Hegel)
- 12 臺灣法體系在戰後繼受了許多美國法的制度與概念，下列何者屬之？
(A)懲罰性損害賠償 (B)契約自由 (C)罪刑法定 (D)慰撫金
- 13 關於法規的訂定及名稱，下列敘述何者錯誤？
(A)「法律」由立法院通過，得名之為「律」
(B)「法規命令」由行政機關基於法律授權而訂定，得名之為「通則」
(C)「地方自治法規」由地方立法機關通過、各該地方行政機關公布者，係「自治條例」
(D)地方立法機關得訂定「自律規則」，並報各該上級政府備查

- 14 關於法律解釋方法，下列敘述何者錯誤？
(A)論理解釋有時亦稱體系解釋
(B)論理解釋乃從法律條文之邏輯結構和體系，考量整體法規範之意義而做之解釋
(C)法條規定之文意若過寬，此時應採取擴充解釋之方法，使其意義出現
(D)由法條字面之意思，推論其反對結果，從而探求法文真意的解釋方法，稱為反面解釋
- 15 關於刑法之職務上行為受賄罪，下列敘述何者錯誤？
(A)賄賂與職務上行為之間必須有對價性
(B)本罪客體之賄賂，係指金錢或其他得以金錢計算之財物
(C)職務上行為除作為外，亦包括不作為
(D)公務員接受好友年節贈禮，即成立職務上行為受賄罪
- 16 下列何者不屬於公司法第 8 條規定之有限公司的公司負責人？
(A)董事 (B)經理人 (C)發起人 (D)清算人
- 17 關於勞動基準法第 9 條之 1 離職後競業禁止之規定，下列敘述何者錯誤？
(A)雇主有應受保護之正當營業利益，始可為競業禁止約定
(B)競業禁止之期間、區域、職業活動之範圍及就業對象，須未逾合理範疇
(C)雇主對勞工因不從事競業行為所受損失須給合理補償
(D)前述合理補償，可包括勞工於工作期間所受領之給付
- 18 鄉（鎮、市）民代表及鄉（鎮、市）長選舉，由下列何者辦理之？
(A)鄉（鎮、市）選舉委員會 (B)縣選舉委員會
(C)省選舉委員會 (D)中央選舉委員會
- 19 依民法之規定，下列何種請求權，不會因為 2 年間不行使而消滅？
(A)承租人之償還費用請求權 (B)承租人之工作物取回權
(C)買受人之交付標的物請求權 (D)承攬人之報酬請求權
- 20 關於性別平等工作法所規範「生理假」，下列敘述何者正確？
(A)女性受僱者每個月皆可請生理假 1 日
(B)生理假併入病假計算的部分，薪資可全額領取
(C)為避免女性受僱者濫用生理假，女性受僱者請生理假原則上應提出證明文件
(D)女性受僱者只有因生理日導致工作有困難時，才可以請生理假
- 21 The report has to be redone because it is totally _____ of organization and content.
(A) deployed (B) devoid (C) exclusive (D) excessive
- 22 Because John did not get enough exposure to sunlight, his test results showed that he was at the risk of vitamin D _____.
(A) deficiency (B) superfluity (C) degeneration (D) sufficiency
- 23 The manager is unlikely to _____ this proposal, for it involves huge investment without promising outcome.
(A) introspect (B) discredit (C) contravene (D) endorse
- 24 He didn't feel any _____ for his school days, which were nothing but exams and unreasonable expectations from parents and teachers.
(A) commencement (B) nostalgia (C) sympathy (D) reconciliation
- 25 He lives in the immediate _____ of the school, not only shortening the time on commuting but also sparing more time for sleep.
(A) veracity (B) velocity (C) vicinity (D) verbosity
- 26 Sarah has been a hard-working employee in the company, but _____ speaking, she needs more professional expertise before she can be promoted.
(A) frequently (B) previously (C) technically (D) uniquely
- 27 Lina is the leader of this group project; she needs to _____ and help improve her group members' work performance.
(A) boycott (B) duplicate (C) retrieve (D) supervise
- 28 We are often _____ of the amount of salt we consume. Hence, we should check nutrition labels to see how much sodium is in a product before purchasing it.
(A) independent (B) fond (C) deprived (D) unaware

- 29 According to the report, the government is to increase spending next year in a bid to stimulate domestic demand and GDP growth as exports might continue to fall due to a _____ global economy.
(A) booming (B) sluggish (C) buoyant (D) thriving
- 30 As commodity prices have grown _____ recently, low-income families are struggling to put food on the table.
(A) exponentially (B) numerously (C) ostensibly (D) vengefully
- 31 The high-tech company planned to _____ new program engineers who specialized in troubleshooting computer systems.
(A) recur (B) recollect (C) refund (D) recruit
- 32 The team had a great season and made it to the playoffs; _____, they were ultimately defeated in the final game.
(A) hence (B) likewise (C) accordingly (D) nevertheless
- 33 If you park next to the "No Parking" sign, you will get a ticket for a traffic _____.
(A) ventilation (B) version (C) victimization (D) violation
- 34 His _____ and outgoing personality had a positive effect on his ability to collaborate with his co-workers.
(A) extraverted (B) inflexible (C) obstinate (D) refractory
- 35 The lawyer's _____ argument, with its logical reasoning and supporting evidence, convinced the jury of his client's innocence.
(A) feeble (B) ineffective (C) persuasive (D) unconvincing
- 36 The new smartphone _____ a high-resolution camera that can capture great photographs even in low-light conditions.
(A) overthrows (B) abandons (C) dismantles (D) features
- 37 Nowadays, it is essential for salespeople to learn some problem-solving _____ to cope with difficult situations they will encounter in the workplace.
(A) facilities (B) strategies (C) reservations (D) transformations
- 38 The young artist was determined to _____ his skills as a musician, practicing diligently every day.
(A) lace (B) race (C) hone (D) zone
- 39 The newly-married couple found it hard to save money because they had to spend a large _____ of their budget on food and rent.
(A) proportion (B) proposal (C) promotion (D) progression
- 40 The _____ probe caused the data to be corrupted, affecting the accuracy of the experiment's results.
(A) efficient (B) malfunctioning (C) affluent (D) outstanding

請依下文回答第 41 至第 45 題：

Wolf pack leadership has long been of great interest to many scientists. What makes a wolf decide to 41 out on its own and assert leadership of its pack? That question has long 42 scientists. Now, a new study shows that gray wolves infected with the parasite *Toxoplasma gondii* are more likely to become top dogs than uninfected wolves. The finding forces us to think more broadly about what influences how animals act, says Kira Cassidy, a 43 biologist. *Toxoplasma gondii* is a single-celled parasite that infects at least one-third of the world's human population at any given time with the disease toxoplasmosis. 44 the infection is usually mild, it can be fatal to the young or immune-suppressed. It's famous for its ability to 45 its hosts, most notably in making rodents reckless around house cats. *Toxoplasma* can only reproduce in the intestines of domestic or wild cats, yet it is widespread in nature, and can infect any warm-blooded animal.

- 41 (A) strike (B) churn (C) phase (D) blurt
- 42 (A) laminated (B) intrigued (C) paralleled (D) traversed
- 43 (A) marine (B) nutritional (C) wildlife (D) forensic
- 44 (A) While (B) What (C) Which (D) How
- 45 (A) transplant (B) manipulate (C) demobilize (D) impoverish

請依下文回答第 46 至第 50 題：

Soon after ChatGPT debuted in 2022, researchers tested what the artificial intelligence (AI) chatbot would write after it was asked questions peppered with conspiracy theories and false narratives. The results — in writings formatted as news articles, essays and television scripts — were so troubling that the researchers minced no words in their criticism of the new technology. Researchers predict that generative technology like ChatGPT could make disinformation cheaper and easier to produce for an even larger number of conspiracy theorists and spreaders of disinformation. Personalized, real-time chatbots could share conspiracy theories in increasingly credible and persuasive ways, researchers say, smoothing out human errors like poor syntax and mistranslations and advancing beyond easily discoverable copy-paste jobs. And they say that no available mitigation tactics can effectively combat it.

Predecessors to ChatGPT, which was created by the company OpenAI, have been used for years to pepper online forums and social media platforms with comments and spam. Microsoft had to halt activity from its Tay chatbot within 24 hours of introducing it on Twitter in 2016 after trolls taught it to spew racist and xenophobic language. ChatGPT is far more powerful and sophisticated. Supplied with questions loaded with disinformation, it can produce convincing, clean variations on the content within seconds, without disclosing its sources. Recently, Microsoft and OpenAI introduced a new Bing search engine and web browser that can use chatbot technology to plan vacations, translate texts or conduct research.

OpenAI researchers have long been nervous about chatbots falling into villainous hands. In a 2019 paper, they voiced their concern about their chatbot's capabilities to lower costs of disinformation campaigns and aid in the malicious pursuit of monetary gains, particular political agendas, and/or desires to create chaos or confusion. OpenAI uses machines and humans to monitor content that is fed into and produced by ChatGPT. The company relies on both its human AI trainers and feedback from users to identify and filter out toxic training data while teaching ChatGPT to produce better-informed responses. OpenAI's policies prohibit use of its technology to promote dishonesty, deceive or manipulate users or attempt to influence politics; the company offers a free moderation tool to handle content that promotes hate, self-harm, violence or sex.

- 46 What is the main idea of this passage?
- (A) ChatGPT should not be used by conspiracy theorists and fake news spreaders.
 - (B) ChatGPT developers believe their chatbot can help users discern misinformation.
 - (C) Newly developed chatbots like ChatGPT can produce well-formatted news articles.
 - (D) Misinformation is a serious problem with ChatGPT, which is hard to solve.
- 47 Which of the following statements is true about the Tay chatbot?
- (A) It was removed from shelves on the first day in the market.
 - (B) It was an advanced chatbot developed by OpenAI.
 - (C) Microsoft debuted it in 2016 to compete with ChatGPT.
 - (D) It was a failure because it was slow in learning new content.
- 48 According to the passage, what could be the best use of ChatGPT?
- (A) Screening out sensitive content that promotes hate, self-harm, violence or sex.
 - (B) Designing travel itineraries, designing studies, or writing TV scripts instantly.
 - (C) Recognizing malicious software and political materials when processing input data.
 - (D) Lowering costs of disinformation campaigns for politicians.
- 49 According to the passage, which of the following is NOT done by ChatGPT designers in order to reduce disinformation?
- (A) Warning users that ChatGPT may sometimes respond with biased answers.
 - (B) Using humans and algorithms to check improper content generated by ChatGPT.
 - (C) Avoiding grammatical errors and wrong translations in the produced texts.
 - (D) Hiring human AI trainers to remove bad training materials from the database.
- 50 Which of the following best describes the purpose of this passage?
- (A) To promote the use of ChatGPT as a new search engine.
 - (B) To explain how ChatGPT was developed by misinformation researchers.
 - (C) To raise alarms about newly developed AI chatbots like ChatGPT.
 - (D) To reduce readers' worries about intelligent AI chatbots like ChatGPT.