

107年公務人員特種考試關務人員、身心障礙人員考試及
107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：少將轉任考試

類科：一般行政

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、何謂「象徵性言論」？在憲法上的評價為何？如果動物保護團體人士「裸體」在公共場所，以表達皮草業者大量殺害貂而取其毛皮，是否會成立足以構成「象徵性言論」？（25 分）

二、依據司法院大法官案件審理法之規定及司法院大法官的解釋，聲請釋憲的管道有那些？（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 I discover how it feels to walk on spongy fall leaves and to watch early snow _____ on a strong wind.
(A) burrowing at (B) drifting up (C) dripping to (D) flying to
- 2 After a quick _____ of the menu, Mike has decided what he should order for lunch.
(A) forage (B) bolster (C) perusal (D) hassle
- 3 This company's main exports are _____, including silk, cotton and linen.
(A) beverages (B) vitamins (C) textiles (D) utensils
- 4 America's colleges were deluged with applications. At the most _____ schools, there can be tens of thousands of applicants for every spot.
(A) conclusive (B) definitive (C) inclusive (D) selective
- 5 Despite Victor's big loss in his investment on the stock market, his brother has stood by him _____ and shouldered the financial responsibility of the family all by himself.
(A) distinctly (B) faithfully (C) mutually (D) profitably
- 6 Primary education is _____ here in Taiwan. All children have to go to elementary schools; otherwise, their parents will be fined.
(A) peculiar (B) compulsory (C) impressive (D) variable
- 7 After stopping talking to each other for a whole week, John and Judy finally decided to _____ and be friends with each other again.
(A) approximate (B) contradict (C) exploit (D) reconcile

- 8 Terri is a perfectionist. Sometimes it can be hard to work with him because he'd like to have all the tasks done _____.
 (A) authentically (B) capriciously (C) impeccably (D) subserviently
- 9 At the flea market, we can find valuable _____ such as handmade jewelry and household decorations.
 (A) handicrafts (B) landmarks (C) ceremonies (D) formations
- 10 When you do not have enough sleep and a balanced diet, you may become _____ to all kinds of diseases.
 (A) aggressive (B) critical (C) identical (D) vulnerable
- 11 Many animals lost their natural _____ when many trees in the forests were cut down.
 (A) habitats (B) stadiums (C) landscapes (D) sensitivities

請依下文回答第 12 題至第 16 題

Childbirth for a woman in the Roman world was closely scrutinized. From the moment of conception to the feeding and ____12____ stages, a barrage of advice was offered to expectant mothers, some of it based on the theories of respected medical practitioners, some of it ____13____ in superstitious quackery. Prior to Baby Tiberius's arrival, Livia herself was said to have employed various old wives' techniques to try to ____14____ the birth of a son, including incubating a hen's egg by cupping it in her hands and keeping it warm in the folds of her dress, where it would ____15____ hatch into a proud-combed cock chick in supposed premonition of a baby boy. The more pragmatic, ____16____ equally unscientific advice of medical experts like Soranus recommended that the best time for conception was toward the end of menstruation and after a light meal and a massage.

- 12 (A) mating (B) necking (C) stalking (D) weaning
- 13 (A) caged (B) listed (C) rooted (D) spelled
- 14 (A) initiate (B) ensure (C) meditate (D) preach
- 15 (A) barely (B) eventually (C) occasionally (D) roughly
- 16 (A) ever (B) just (C) unless (D) though

請依下文回答第 17 題至第 20 題

Visitors to art museums are often overwhelmed by the number of works on display, and by what they take to be their own culpable inability to concentrate on more than a few of these works. In fact such a reaction is altogether reasonable. Art history has totally failed to come to terms with the problems of the relationship between the outstanding work and the average work of the European tradition. The notion of Genius is not in itself an adequate answer. Consequently the confusion remains on the walls of the galleries. Third-rate works surround an outstanding work without any recognition—let alone explanation—of what fundamentally differentiate them.

The art of any culture will show a wide differential of talent. But in no other culture is the difference between 'masterpiece' and average work so large as in the tradition of the oil painting. In this tradition the difference is not just a question of skill or imagination, but also of morale. The average work was a work produced more or less cynically: that is to say the values it was nominally expressing were less meaningful to the painter than the finishing of the commission or the selling of his product. Hack work is not the result of either clumsiness or provincialism; it is the result of the market making more insistence demands than the art. The period of the oil painting corresponds with the rise of the open art market. And it is in this contradiction between art and market that the explanations must be sought for what amounts to the contrast, the antagonism existing between the exceptional work and the average.

- 17 What is the main idea of this passage?
- (A)The European tradition of oil paintings displayed in museums.
(B)The problem in distinguishing outstanding and average works of art.
(C)The irresponsibility of gallery and museum employees.
(D)The inability of museum visitors to appreciate arts.
- 18 According to the author, which is **NOT** a reason for the proliferation of average work in the tradition of oil painting?
- (A)the demand of art market (B)the commission of patrons
(C)the desire of the painter to sell his product (D)the clumsiness of the painter
- 19 According to the author, which of the following is **NOT** a method to differentiate masterpieces from average works in the tradition of oil painting?
- (A)by analyzing the contradiction between art and market
(B)by examining the hidden notion of a genius
(C)by checking the imagination of the painter
(D)by studying the skill of the painter
- 20 According to the passage, what is the reason for the existence of hack work?
- (A)provincialism (B)morale of the artists
(C)the quality of art (D)market demands

請依下文回答第 21 題至第 25 題

The skin is an organ, just like the brain, the heart and the stomach, and since it's an external organ, it's the most visible one. The skin has important functions. First of all, skin helps protect us from extreme temperatures, damaging sunlight, and harmful chemicals. It also contains elements that help the body fight off infection. In addition, the skin manufactures vitamin D which helps the body use sunlight to build healthy bones. The rich supply of nerves just under the surface of the skin provides another important function---the ability to sense changes in temperature and feel when something touches the body. This sense of touch helps the brain know what is happening in the outside world. At the same time, skin allows parts of the body to move freely.

The skin is made up of three layers. The outer layer, called the 'epidermis', contains a tough material called 'keratin' which is also found in the hair and nails. This strong covering is crucial in protecting the body. The epidermis is constantly growing as the mature outer part is rubbed off and new skin grows to replace it. As new skin takes five weeks to reach the surface, the outermost layer is actually all dead skin. This protective coating varies in thickness on different parts of the body. For example, it is ten times thicker on the soles of the feet compared to the skin around the eyes since it needs to protect us from constant impact with the ground while walking.

The layer of skin below the epidermis is called the ‘dermis’. The way it is constructed gives the skin its strength and also allows it to stretch when necessary. In addition, the rich blood flow through this layer helps the body regulate its temperature by increasing blood flow to the skin to allow heat to escape when it’s hot outside, or by decreasing blood flow to raise the body’s temperature when it’s cold.

Under the dermis is another layer called the ‘subcutis’. It includes a sheet of fat which serves as a reserve supply of energy in case the body experiences a food shortage. The fat also protects the body from sudden changes in heat and cold, and defends the body against injury from knocks and falls. The skin is a truly amazing organ, one which both connects us with and protects us from the outside world.

- 21 What is the purpose of the article?
- (A) To describe how the epidermis functions.
 - (B) To explain the importance of keeping the skin healthy.
 - (C) To describe the functions of the various layers of the skin.
 - (D) To show how people use the skin to express themselves to the world.
- 22 According to the article, what is NOT the physical function of the skin?
- (A) To make people look attractive.
 - (B) To sense changes in the environment.
 - (C) To produce vitamin D for healthy bones.
 - (D) To allow parts of the body to move freely.
- 23 In Paragraph Two, what does the underlined word “**soles**” mean?
- (A) Bottom.
 - (B) Inside.
 - (C) Sides.
 - (D) Top.
- 24 In Paragraph Two, what does the underlined word “**it**” refer to?
- (A) The epidermis.
 - (B) The new skin.
 - (C) The mature outer part.
 - (D) The surface of the body.
- 25 According to the article, which of the following statements is NOT true?
- (A) When there is more blood flow to the skin, the body temperature will not change.
 - (B) The protective coating of the epidermis can be different depending on the parts of the body.
 - (C) The fat in the inner most layer of skin defends the body against injury from knocks and falls.
 - (D) The skin is an external organ which connects us and protects us from the outside world.