

考試別：警察人員考試

等別：四等考試

類科組別：消防警察人員

科目：中華民國憲法與消防警察專業英文

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)本科目共 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 依憲法及增修條文規定，關於社會安全之敘述，下列何者錯誤？
(A)國家為謀社會福利，應實施社會保險制度
(B)國家應普遍推行衛生保健事業
(C)國家應促進現代和傳統醫藥之研究發展
(D)國家對於失業者，應予以適當之工作機會
- 2 依憲法增修條文規定，總統行使之職權，下列何者須經副署？
(A)任命行政院院長
(B)解散立法院
(C)提名司法院大法官
(D)發布緊急命令
- 3 關於法治國家原則，下列何者錯誤？
(A)國家主權屬於國民全體
(B)憲法雖未明文規定法治國家原則，但仍為我國憲法之基本原則
(C)法治國家原則構成修憲界限
(D)法律明確性原則亦屬法治國家原則
- 4 憲法第 15 條保障生存權之內涵，不包括下列何者？
(A)自由權
(B)社會權
(C)受益權
(D)參政權
- 5 依司法院釋字第 436 號解釋，原軍事審判法剝奪被告任何上訴到普通法院之機會，被告之何種基本權可能受到侵害？
(A)人身自由權與訴訟權
(B)隱私權與人身自由權
(C)工作權與訴訟權
(D)訴訟權與服公職之權利
- 6 關於平等原則，下列敘述何者錯誤？
(A)平等原則保障人民在法律上地位之實質平等
(B)平等原則並不禁止差別待遇，只要有正當理由
(C)平等原則拘束所有國家機關
(D)憲法上關於選舉之婦女保障名額的規定，違反平等原則
- 7 依司法院釋字第 577 號及第 794 號解釋意旨，立法限制商業言論時，應符合如何之標準，方屬合憲？
(A)目的須正當，手段與目的間須具有合理關聯
(B)目的須重要，手段與目的間須具有實質關聯
(C)目的須特別重要，手段與目的間須具有直接及絕對必要關聯
(D)目的須重要，手段與目的間須具有合理關聯
- 8 下列何者不涉及國家對憲法宗教信仰自由之限制？
(A)依據法律規定，教會神職人員必須具有經主管機關核備之神學院學士以上學位
(B)神壇未辦妥財團法人或寺廟登記者，即不適用法律給予宗教團體之土地稅優惠
(C)公立學校規定，校內平安早禱會缺席兩次之學生，記大過一次
(D)文化部公告，以外文傳述宗教經典之宗教團體，不得申請文化獎勵金補助

- 9 依司法院釋字第 560 號解釋見解，關於外國人眷屬在勞工保險條例實施區域以外發生死亡事故者，限制其不得請領喪葬津貼之規定，可能涉及下列何種基本權之限制？
(A)平等權及財產權 (B)工作權 (C)訴訟權 (D)婚姻自由
- 10 下列何者非屬憲法第 15 條財產權保障之範圍？
(A)所有權 (B)公務人員退休金請求權
(C)祭祀公業之派下權 (D)公職人員之參選資格
- 11 計程車駕駛人因違反道路交通管理處罰條例及道路交通安全規則之規定，受吊銷駕駛執照處分時，應同時吊銷其執有之各級車類駕駛執照。依司法院釋字第 749 號解釋，下列何者錯誤？
(A)限制工作權，與憲法第 15 條之意旨有違
(B)剝奪人民駕駛汽車之自由，與憲法第 22 條保障人民一般行為自由之意旨有違
(C)顯逾達成目的之必要程度，不符憲法第 23 條比例原則
(D)為達到禁業三年之效果，吊銷駕駛執照者，三年內不得考領駕駛執照之規定合憲
- 12 下列何者不屬於憲法所規定人民的義務？
(A)納稅 (B)服兵役 (C)受國民教育 (D)參加全民健保
- 13 依釋字第 728 號解釋意旨，祭祀公業規約之締結及內容，涉及下列何種憲法權利？
(A)契約自由及私法自治 (B)居住及遷徙自由 (C)人身自由及財產權 (D)平等權及生存權
- 14 下列何者基本權利，非源自於憲法第 22 條之保障？
(A)人民免於身心傷害之身體權 (B)生活私密領域不受侵擾之自由
(C)個人資料自主權 (D)以廣播及電視方式表達意見之自由
- 15 下列何種情形，得聲請統一解釋法律或命令？
(A)經濟部就適用礦業法所持之見解，與行政院訴願審議委員會於訴願決定所已表示之見解有異
(B)教育部擬變更大學校長遴選相關辦法，認有牴觸大學法之疑義
(C)人民就合併請求賠償事件，認最高行政法院確定終局裁判適用法律之見解，與最高法院適用同一法律之見解有異
(D)人民提起行政訴訟，因最高行政法院變更先前見解，認其訴訟權受到侵害
- 16 下列何者非憲法本文基本國策章規定之內容？
(A)促進傳統醫藥之研究發展
(B)促成農業之工業化
(C)各級政府應廣設獎學金名額，以扶助學行俱優無力升學之學生
(D)教育、科學、文化之經費，在中央不得少於其預算總額百分之十五
- 17 總統如果在任內死亡，這在憲法上之意義為何？
(A)總統缺位 (B)總統因故不能視事 (C)總統解職 (D)總統卸任
- 18 依據我國現行的憲法規範與實踐，關於「行政院組織」的敘述下列何者正確？
(A)行政院院長、副院長，毋須經過立法院同意，由總統逕行提名任命之
(B)立法者應受中央行政機關組織基準法之拘束，不得另行制定單獨的組織法
(C)立法院立法設置獨立機關，破壞行政一體及責任政治，侵害行政權核心領域
(D)基於民主與權力分立原則，立法院得立法明定行政院各級機關之設置與組織
- 19 依據我國的憲法規範與實務見解，立法委員在開院會時，不得向下列何人提出質詢？
(A)行政院院長 (B)檢察總長 (C)文化部部长 (D)大陸委員會主任委員
- 20 關於立法委員之逮捕或拘禁，下列敘述何者錯誤？
(A)若立法委員是現行犯，隨時可以逮捕或拘禁
(B)在會期中，逮捕或拘禁立法委員，須經立法院許可
(C)不在會期中，逮捕或拘禁立法委員沒有特別限制
(D)臨時會會期中，逮捕或拘禁立法委員沒有特別限制

- 21 依憲法增修條文，關於考試院之組織，下列敘述何者錯誤？
(A)憲法沒有明文規定考試委員人數，委由法律定之
(B)考試委員由總統提名，經立法院同意任命之
(C)考試院為合議制機關
(D)考試院會議以院長、副院長及考試委員組織之
- 22 依據憲法訴訟法規定，下列何者應行言詞辯論？
(A)違憲政黨解散案件 (B)人民聲請案件 (C)國家機關聲請案件 (D)統一解釋
- 23 有關司法院釋字第 530 號解釋，下列敘述何者錯誤？
(A)依憲法第 80 條規定，法官之身分或職位不因審判之結果而受影響
(B)除大法官之職權外，司法院本身僅具最高司法行政機關之地位
(C)本於司法自主性，最高司法機關就審理事項有發布規則之權
(D)最高司法機關不得提供有權解釋之資料或司法實務上之見解，作為所屬司法機關人員執行職務之依據
- 24 依大法官相關解釋及憲法訴訟法，下列何者不得為人民聲請釋憲之客體？
(A)行政機關依其職掌就有關法規所為函釋 (B)高等法院座談會結論
(C)懲戒法院確定判決 (D)緊急命令執行要點
- 25 下列何者未侵害地方財政自主權？
(A)縣政府代替其下轄之鄉鎮市編製預算
(B)以法律規定使地方政府負擔當地軍事設施之改建經費
(C)針對區段徵收範圍內必要之管線工程所需工程費用，中央機關得逕以行政命令規定需用土地之地方政府應分擔之費用
(D)以法律規定規範地方政府對於行政規費或使用規費之徵收
- 26 For government institutions, information _____ is required by the law so that the public can monitor their operations.
(A) gathering (B) disclosure (C) generation (D) processing
- 27 In the firefighter training program, _____ management education is one of the key lessons.
(A) critic (B) crisis (C) credit (D) criminal
- 28 Many people donate food, water, clothes, tents, and other _____ supplies when they heard about the disaster.
(A) relief (B) residence (C) recession (D) rehearsal
- 29 A bomb explosion last night caused great damage to a building nearby and _____ a guard in the building.
(A) endured (B) injured (C) sparkled (D) withdrew
- 30 All fire control machines and tools have to be _____ by a government official on a regular basis.
(A) inspected (B) confirmed (C) checkmated (D) investigated
- 31 It is important for fire police to know how to deal with _____ stress because they work in a high pressure environment.
(A) physic (B) psychic (C) physical (D) psychological
- 32 The new regulations require all buildings to be equipped with automatic _____ life lines.
(A) delivering (B) decoupling (C) descending (D) disbursing
- 33 The police tried to find the true murderer by _____ the suspects one by one through investigation.
(A) deceiving (B) standardizing (C) eliminating (D) overlapping
- 34 _____ is the process of creating an opening in a roof to allow heat and smoke to escape from a burning building.
(A) Ventilation (B) Investigation (C) Forcible entry (D) Salvage
- 35 The firefighters _____ that an unextinguished cigarette butt was the cause of the fire.
(A) starved (B) suspected (C) depressed (D) resumed
- 36 With the violent hurricane _____, residents were advised by the firefighters to take immediate precautions.
(A) vanishing (B) contrasting (C) approaching (D) renovating
- 37 Rescue workers are _____ their search for the child because it has been three days since he was reported missing.
(A) preying (B) fluttering (C) yielding (D) intensifying

- 38 After retirement, the firefighter works as a _____ social worker to serve the neighboring communities, which enriches his life.
 (A) cyclone (B) depressed (C) vicious (D) volunteer
- 39 Besides the strict enforcement of laws against drunk driving, our government should strengthen public education to alert people to the dangers of drunk driving to _____ their safety.
 (A) ensure (B) overload (C) switch (D) undermine
- 40 As a firefighter, I must perform the task that has been _____ upon me.
 (A) served (B) imposed (C) observed (D) researched

請依下文回答第 41 題至第 45 題

Should capital punishment be 41? People have been arguing over this controversial issue for a very long time. The people who oppose it and the people who favor it hold their own ground firmly – never succumb to the opinions of the other side. Opponents of the death penalty believe that it doesn't make any sense to take one life for another. They also doubt whether judges can always convict a 42 fairly. They believe that the court may 43 innocent people by mistake. On the other hand, 44 of capital punishment believe that it's fair to take the life of a convicted murderer for the unforgivable crime he or she committed. In addition, they think that the fear of the death penalty is sure to 45 crimes. In other words, the cases of murder will be on the decrease due to the fear of the death sentence. As a result, there will be far fewer victims of murder in the foreseeable future.

- 41 (A) accumulated (B) arrested (C) abolished (D) allocated
- 42 (A) suspect (B) prospect (C) aspect (D) concept
- 43 (A) coordinate (B) monitor (C) strain (D) execute
- 44 (A) mentors (B) proponents (C) pharmacists (D) contestants
- 45 (A) provoke (B) promote (C) deter (D) loiter

請依下文回答第 46 題至第 50 題

A long time ago, around 300 B.C., the Romans had something called a "slave fire department" to protect against fires. Later, in A.D. 26, Rome had a full-time fire department that was in charge of making sure people followed rules to prevent fires and punishing those who caused fires. Over time, people have tried different ways to lessen the damage fires can do. In 1666, a huge fire in London destroyed a lot of buildings because they were made of wood and straw. After that, people started building houses with brick and stone to prevent fires from spreading. Nowadays, fire protection is about preventing fires and reducing their impact on people, buildings, and the environment. People who work in fire protection include firefighters, fire marshals, and fire prevention officers, among others. The best way to protect against fires is to prevent them from happening and, if they do happen, to decrease the damage they can cause.

- 46 What is the best title for this passage?
 (A) Fire Protection (B) First Firefighters
 (C) Firefighter History (D) Slave Fire Department
- 47 When did a fire department first appear in the Western world?
 (A) 300 years ago (B) 326 years ago (C) 2,300 years ago (D) 3,000 years ago
- 48 Why did people in London started to build houses with stone and brick in the seventeenth century?
 (A) Their buildings would no longer be on fire.
 (B) They didn't like buildings with wood and straw anymore.
 (C) The fire department forced them to do so.
 (D) The stone and brick buildings can limit fire damage.
- 49 What is the best way to protect against fires?
 (A) Environmental awareness (B) Fire prevention
 (C) Damage control (D) Staff training
- 50 Which word is closest in meaning to 'lessen' in the sentence "People have tried different ways to lessen the damage fires can do"?
 (A) Learn (B) Reduce (C) Prevent (D) Protect