

代號：90110
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頁次：4-1

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：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、有關言論自由權的保障，司法院釋字第 509 號解釋稱：「言論自由為人民之基本權利……國家應給予最大限度之維護」，司法院大法官為何認為言論自由應給予「最大限度的保障」？另限制言論自由有「明白而立刻危險原則」？其具體化為何？請舉例說明。（25 分）

二、司法院釋字第 567 號解釋宣示：「關於限制人身自由之處罰，仍應以法律規定，且其內容須實質正當，並經審判程序，始得為之。」其中所謂的「其內容須實質正當」，究何所指？（25 分）

乙、測驗題部分：（50 分）

代號：1901

(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 After hours of walk in the sun, the young backpacker collapsed and _____ into unconsciousness.
(A) lapsed (B) growled (C) haunted (D) sweated
- 2 If you don't see what you want in our online _____ at the website, please don't hesitate to contact us directly on the phone.
(A) beverage (B) blizzard (C) brochure (D) blunder
- 3 Today, smoking is strictly _____ in public places in Taiwan, both indoors and outdoors.
(A) enforced (B) prohibited (C) attempted (D) respected
- 4 Being mentally strong means that the athlete must be able to _____ the intense pressure of competition with its accompanying media coverage.
(A) rankle (B) garnish (C) compress (D) withstand
- 5 Jenny is a frequent _____ on game shows. She has a good opportunity to win a lot of money in the national competition.
(A) complement (B) commuter (C) contractor (D) contestant
- 6 The terrible car accident has resulted in a _____ injury to the famous pianist's hands and she will not be able to play the piano again.
(A) dynamic (B) luxurious (C) permanent (D) tolerable
- 7 With climate change looming over us, a growing number of species are _____ and nearing extinction.
(A) endangered (B) enlightened (C) enacted (D) embarked

請依下文回答第 8 題至第 12 題

The Council of Agriculture's (COA) system for tracing farm products to their points of origin was instituted in 2007. The system has increased food safety by enhancing 8. Besides, it has also spurred participating farmers 9 more environmentally friendly means of cultivation.

In 2013, the COA introduced 10 rules for certifying and labeling organic products. Growers who do not have their produce certified are 11 from labeling their produce as "organic." 12, many farmers who utilize organic growing practices but have not received certification have begun referring to their produce as "toxin-free." Consumers many enjoy more safe food nowadays.

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|----|----------------|--------------|------------------|-------------------|
| 8 | (A)access | (B)account | (C)accessibility | (D)accountability |
| 9 | (A)to disable | (B)to employ | (C)to persuade | (D)to subtract |
| 10 | (A)irrelevant | (B)irregular | (C)stringent | (D)struggling |
| 11 | (A)barred | (B)changed | (C)reduced | (D)sentenced |
| 12 | (A)Fortunately | (B)Although | (C)Nevertheless | (D)In advance |

請依下文回答第 13 題至第 17 題

As the light shines through the arched windows on all sides of the main hall, New York's Grand Central Terminal looks like a cathedral. It certainly doesn't resemble anything as 13 as a train station. 14, there aren't any trains to be seen (its 44 platforms are all underground). The hall is an awe-inspiring sight. Visitors stop, stand, and stare. They gaze open-mouthed and speechless and 15 at its size. They experience the kind of silent wonder more often found in a historic church or monument.

The hall is enormous – 470 feet long and 125 feet wide. At both ends there are marble steps, modeled 16 the staircase in the Paris Opera House. In the middle there is a four-sided brass clock on top of an information booth, a popular meeting point. Balconies with huge, square columns run on either side. But it is the height of the ceiling, as high as a 12-story building, which takes your 17 away. The vast, blue-green ceiling is decorated with lights that depict all the stars of the zodiac with the heavens behind.

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|----|--------------|--------------------|-----------------|-------------------|
| 13 | (A) ordinary | (B) unconventional | (C) exceptional | (D) distinctive |
| 14 | (A) In brief | (B) In a nutshell | (C) To conclude | (D) To start with |
| 15 | (A) laugh | (B) jeer | (C) marvel | (D) sneer |
| 16 | (A) after | (B) before | (C) next to | (D) in front of |
| 17 | (A) soul | (B) breath | (C) spirit | (D) mind |

請依下文回答第 18 題至第 20 題

In China, the battle to control information is largely waged online. The Communist Party blocks most foreign social media, routinely censors dissenting views and punishes those who repeatedly speak out. It employs around 2m people to police the Internet and bombard users with positive messages about the regime. Yet criticism of the party still bubbles up. Even as the authorities try to tighten controls, netizens devise new ways of airing their views more freely. Zhihu, a question-and-answer site on which people mostly ponder mundane topics such as fitness or films, has emerged as a surprising springboard for political discussion.

Internet users everywhere migrate between social-media platforms as preferences change. But in China a site's popularity is determined as much by users' pursuit of freedom as it is by their love of fashion. Weibo, a Twitter-like microblogging site, gained a colossal following after it was launched in 2009 (Twitter itself is blocked). Many users relished the opportunity to air sensitive views and link up with like-minded people. It has since been eclipsed by the rise of WeChat, a messaging app which the authorities find less threatening, and so censor less.

Zhihu, meaning "Do you know?" in classical Chinese, started in 2011 as a copycat of Quora, an American site. It is now China's most popular question-and-answer portal, with 100m monthly active users (compared with Weibo's 261m and WeChat's 800m). It has evaded some of the strictures suffered by other forums because it is neither a news site nor a means of exchanging salacious videos (a new preoccupation for regulators, who recently called for 24-hour monitoring of live-streaming sites). Zhihu targets young urban professionals, who in China tend to be more willing than others to comment on sensitive topics. In January Zhihu users expressed doubts about the reliability of a televised confession made by a bookseller from Hong Kong, Gui Minhai, who is being detained by Chinese police for selling gossipy books about the country's leaders.

18 According to the passage, who are more willing to comment on sensitive topics in China?

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| (A) Entrepreneurs. | (B) Party officials. |
| (C) College students. | (D) Young urban professionals. |

19 According to the passage, which of the following statements is true about Zhihu?

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| (A) It was launched in 2009. | (B) It has 261 million monthly users. |
| (C) It is a Twitter-like microblogging site. | (D) It triggers political discussion. |

20 According to the passage, which of the following statements is NOT true?

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| (A) Zhihu means "Do you know" in Classical Chinese. |
| (B) WeChat has the most monthly users in China. |
| (C) China employs around 3 million people to police the Internet. |
| (D) Twitter is blocked in China. |

請依下文回答第 21 題至第 25 題

Heifer International, based in Little Rock, Arkansas, is a nonprofit organization working to eradicate poverty and hunger through sustainable, values-based holistic community development. Heifer distributes livestock such as goats, bees, and water buffalo, along with agricultural and values-based training, to families in need around the world as a means of providing self-sufficiency. Recipients must agree to “pass on the gift” by sharing animal offspring, as well as the skills and knowledge of animal husbandry and agricultural training with other impoverished families.

Heifer International began as Heifers for Relief in 1944. Its founder, an Ohio farmer named Dan West, was a Church of the Brethren relief worker during the Spanish Civil War. His mission was to provide relief, but he soon discovered the **meager** single cup of milk rationed to the weary refugees once a day was not enough. In 1938, while West was ladling out milk to hungry refugee children, he suddenly had a thought: What if they had not a cup, but a cow? That teach-a-man-to-fish philosophy is what drove West to found Heifer International.

Heifer International empowers families to turn hunger and poverty into hope and prosperity, but its approach is more than just giving them a handout. Heifer links communities and helps bring sustainable agriculture and commerce to areas with a long history of poverty. Heifer animals provide partners with both food and reliable income, as agricultural products such as milk, eggs, and honey can be traded or sold at market. When many families gain this new sustainable income, it brings new opportunities for building schools, creating agricultural cooperatives, forming community savings, and funding small businesses.

Passing on the gift, the core of Heifer’s model enables families to share the training they receive and pass on the first female offspring of their livestock to another family. This extends the impact of the original gift, allowing a once impoverished family to become donors and full participants in improving their communities.

- 21 What is the main purpose of this passage?
- (A) To encourage people to become animal donors. (B) To describe an effective way of creating income.
(C) To introduce a successful charitable organization. (D) To challenge the idea of helping poor communities.
- 22 What is the third paragraph mainly about?
- (A) Heifer’s focusing on areas with a long history of poverty.
(B) New business fundings loaned by Heifer to boost job opportunities.
(C) Suitable agricultural and commercial products selected by Heifer.
(D) Heifer’s unique approach to help poor families improve their lives.
- 23 According to the passage, which of the following statements is true about Heifer International?
- (A) It donates money to poor families across the world.
(B) It helps poor families buy and raise suitable animals.
(C) It enables poor families to live in a self-sufficient way.
(D) It trains poor families how to gain success in business.
- 24 What does **meager** mean in the second paragraph?
- (A) Insufficient. (B) Inexpensive. (C) Original. (D) Tasteless.
- 25 According to the passage, which of the following sayings best illustrates Heifer International’s founding mission?
- (A) A penny saved is a penny earned. (B) A good intention goes a long way.
(C) Do in Rome as the Romans do. (D) Honesty is the best policy.