

98 年公務人員特種考試警察人員考試、98 年特種考試交通事業  
鐵路人員考試及 98 年公務人員特種考試民航人員考試試題

等 別：四等考試、員級

類 科：警察、鐵路各類科別

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的答案，複選作答者，該題不予計分。  
(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 我國憲法規定之國民經濟應以下列何者為原則？  
(A)統制經濟 (B)民生主義 (C)計畫經濟 (D)共產主義
- 2 下列有關監察委員之職權，何者錯誤？  
(A)可彈劾法官 (B)可彈劾考試委員 (C)不可彈劾立法委員 (D)不可彈劾監察委員
- 3 依憲法增修條文之規定，省政府如何組成？  
(A)置省長一人，由省民直接選舉之  
(B)置委員九人，其中一人為主席，均由行政院院長任命之  
(C)置委員九人，其中一人為主席，均由行政院院長提名，經省諮議會同意後任命之  
(D)置委員九人，其中一人為主席，均由行政院院長提請總統任命之
- 4 關於男女平等的憲法要求，下列何者為正確的說明？  
(A)對未成年子女行使親權，父母意思不一致時，取決於父  
(B)各種選舉應有婦女保障名額的規定，與男女平等原則無關  
(C)應促進兩性地位的實質平等  
(D)妻應以夫之住所為住所
- 5 依憲法增修條文之規定，憲法修改的程序為何？  
(A)立法院提出憲法修正案，並交付人民複決 (B)立法院提出憲法修正案，並交付國民大會複決  
(C)人民提出憲法修正案，並交付立法院複決 (D)國民大會代表總額一定人數的提議與決議
- 6 下列有關憲法所規定之平等原則的敘述，何者正確？  
(A)完全禁止作差別對待  
(B)禁止對本國人與外國人作差別對待  
(C)禁止無正當理由之差別對待  
(D)禁止地方自治團體訂定自治法規對不同行政區域內之人民作差別對待
- 7 依憲法增修條文規定，國家安全會議之設立目的為何？  
(A)作為軍事情報局決定國家安全有關大政方針的諮詢機關  
(B)作為調查局決定國家安全有關大政方針的諮詢機關  
(C)作為國防部決定國家安全有關大政方針的諮詢機關  
(D)作為總統決定國家安全有關大政方針的諮詢機關
- 8 下列何者不屬於司法院大法官之職權？  
(A)總統選舉訴訟 (B)政黨違憲之解散 (C)統一解釋法令 (D)解釋憲法
- 9 依憲法之規定，選舉訴訟由下列何者審判？  
(A)監察院 (B)法院 (C)中央選舉委員會 (D)內政部
- 10 下列人員中，何者不是由總統提名，經立法院同意任命？  
(A)檢察總長 (B)司法院大法官 (C)參謀總長 (D)審計長
- 11 人民依法組織政黨，是屬於憲法所保障之何項自由？  
(A)思想自由 (B)言論自由 (C)信仰自由 (D)結社自由
- 12 依憲法增修條文第 4 條第 7 項之規定，下列那種人員之彈劾權，在憲法本文中由監察院所有，現則歸立法院所有？  
(A)監察院人員 (B)總統、副總統 (C)司法院人員 (D)總統府所屬機關之人員

- 13 依憲法增修條文規定，下列何機關得聽取總統之國情報告？  
(A)立法院 (B)監察院 (C)司法院 (D)行政院
- 14 依憲法第 133 條規定，被選舉人當選後得由下列何者罷免之？  
(A)原選舉區選民 (B)全國選民 (C)全體國民 (D)內政部
- 15 關於聲請司法院大法官解釋憲法，下列何項錯誤？  
(A)人民、政黨聲請解釋，必待確定終局裁判 (B)最高法院得裁定停止訴訟程序，聲請解釋  
(C)地方法院法官不得聲請解釋 (D)立法委員總額三分之一得聲請解釋
- 16 下列何者不須經總統提名及立法院之同意後任命？  
(A)立法院副院長 (B)司法院大法官 (C)監察院審計長 (D)考試院院長
- 17 關於我國全民健康保險之實施，下列何者敘述正確？  
(A)全民健保開辦之後，勞工保險即應停辦 (B)全民健保之實施可完全取代公保  
(C)全民健保開辦後，農民健康保險即無須存在 (D)全民健保為我國第一個全民性的社會保險
- 18 依勞動基準法及請假規則之規定請病假，則：  
(A)一年內未滿三十日部分，工資折半發給 (B)一年內未滿三十日部分，工資全額發給  
(C)一年內未滿十五日部分，工資折半發給 (D)一年內未滿十五日部分，工資全額發給
- 19 下列何者非屬中央法規標準法第 5 條規定應以法律規定之事項？  
(A)憲法或法律有明文規定，應以法律定之者 (B)關於人民之權利、義務者  
(C)關於行政院各部會之組織者 (D)關於發給重陽節敬老津貼之福利措施者
- 20 下列關於法規條文的書寫順序，何者正確？  
(A)項、條、款、目 (B)款、項、目、條 (C)條、項、款、目 (D)目、款、條、項
- 21 依中央法規標準法之規定，法律基於政策之需要有增減內容之必要者，如何為之？  
(A)廢止之，另立新法 (B)修正之 (C)停止適用 (D)以命令調整其內容
- 22 下列那一個機關有法律案之提案權？  
(A)司法院 (B)法務部 (C)總統 (D)國家安全局
- 23 下列何者並非法治國家原則之重要原則？  
(A)人民權利應予保障 (B)法秩序之安定 (C)信賴保護原則之遵守 (D)公益恆大於私益
- 24 信賴保護原則是源自於憲法上之那一項原則？  
(A)法治國原則 (B)社會國原則 (C)民主國原則 (D)共和國原則
- 25 下列那一項不屬於全民健康保險之保險事故？  
(A)生育 (B)死亡 (C)疾病 (D)傷害
- 26 下列關於雇主終止勞動契約之敘述，何者正確？  
(A)只要雇主不需要勞工，就可任意終止契約  
(B)憲法上有保障勞工工作權，故雇主絕對不得終止契約  
(C)只要雇主具備勞動基準法所規定的終止事由，即可終止勞動契約  
(D)終止勞動契約對勞工權益損害甚大，因此雇主須得勞工同意後，始得終止契約
- 27 依據憲法增修條文規定，自第七屆起從自由地區直轄市、縣市所選出之立法委員共七十三名，請問共應劃分成多少選區？  
(A)不確定，由中央選舉委員會於選舉前決定之 (B)不確定，由各縣市選舉委員會於選舉前決定之  
(C)自由地區直轄市及縣市總和之數目 (D)七十三個
- 28 下列何者為私法？  
(A)民法 (B)民事訴訟法 (C)刑法 (D)刑事訴訟法
- 29 下列何人不受任期之保障？  
(A)司法院院長 (B)考試委員 (C)總統 (D)立法委員
- 30 依據性別工作平等法，雇主應防治性騷擾行為之發生，下列何者不是該法所要求之性騷擾防治措施？  
(A)實施防治性騷擾之教育訓練 (B)設置性騷擾申訴之專線電話、傳真或電子信箱  
(C)明訂性騷擾懲戒辦法 (D)將不同性別之員工分開辦公

- 31 Calm down! You can't think rationally when you are so \_\_\_\_\_.  
(A) emotional (B) pleasant (C) respectful (D) speechless
- 32 Cover the chicken with foil when you put it in the oven, \_\_\_\_\_ it will take a long time to cook.  
(A) otherwise (B) whereas (C) while (D) until
- 33 He was \_\_\_\_\_ hit the jackpot and became a millionaire overnight.  
(A) lucky as to (B) such lucky to (C) lucky enough to (D) so lucky enough to
- 34 I can't see any differences between a real diamond and an artificial one. They look \_\_\_\_\_ to me.  
(A) moderate (B) identical (C) hazardous (D) primitive
- 35 The old man tells his young grandson that life is tougher than he \_\_\_\_\_.  
(A) breeds (B) conveys (C) disputes (D) assumes
- 36 A cow \_\_\_\_\_ in a green meadow often represents the peace of a pastoral life.  
(A) greeting (B) glancing (C) grazing (D) gazing
- 37 The island is hot and \_\_\_\_\_ in the summer. We feel uncomfortable because the air is wet.  
(A) spicy (B) salty (C) humble (D) humid
- 38 The chairperson's speech was full of \_\_\_\_\_. Many people thought her language was meant to be intentionally vague so as to please everybody.  
(A) ambiguities (B) compensations (C) disturbances (D) harassments
- 39 He was a \_\_\_\_\_ player and never gave his opponent even the smallest chance.  
(A) merciless (B) virtuous (C) curious (D) generous

The food, eating, and nutrition practices and patterns of a society have been discussed in many ways, each of which offers different perspectives for analyses of social dynamics. *Foodways* is a term often used by 40 who seek to portray the traditional food and eating patterns in a society. Foodways typically denote such traditional societal practices 41 are informally transmitted and may be difficult to modify. More recently, the term food culture has been used to denote the components of a larger culture 42 food, eating, and nutrition. Both foodways and food culture have specific connotations, with foodways having more specific historical and geographical referents 43 food culture offers more universalistic and scientific connotations. To avoid the past images conjured up under foodways (and related terms such as food habits or cuisine), food culture will be used here to 44 the food, eating, and nutrition-related categories, rules, and plans used in a particular society.

- 40 (A) those (B) one (C) them (D) he
- 41 (A) they (B) as (C) like (D) what
- 42 (A) making up (B) associated with (C) filled with (D) bringing up
- 43 (A) while (B) despite (C) if (D) except
- 44 (A) take as (B) judge from (C) refer to (D) depend on

45 Mr. Lin: I come to say sorry for what I did to you last week.

Mr. Chiang: I don't understand. What for?

Mr. Lin: I felt really bad about talking back to you.

Mr. Chiang: \_\_\_\_\_

Mr. Lin: So we're OK?

Mr. Chiang: Sure.

- (A) Don't worry about that. (B) No problem. You're always welcome.  
(C) I'll be a good listener. (D) It won't take too long.

46 Passenger 1: Can you tell me where I can change my money?

Passenger 2: \_\_\_\_\_

- (A) Sorry, I don't have any change. (B) No, it's rude of you to say so.  
(C) I don't know where your money is. (D) At most banks and hotels.

47 Andy: I'll mail the letter for you on my way to school.

James: You won't forget, will you?

Andy: Don't worry. \_\_\_\_\_

- (A) Go ahead. (B) I can't agree more.  
(C) You can count on me. (D) You can say that again.

The term Black English is a relatively "new" word in American English. During the Civil Rights Movement in the 1960s, the adjective "black" became popular. It replaced "Negro," which recalled the memories of slavery. Black was considered a more dignified word. Americans began speaking about Black English, Black studies, Black Power, Black History, and so forth.

The origins of Black English really go back to West Africa. The English slave traders were often unfamiliar with the various African languages. They needed a common language to deal with the slaves. The slaves, who came from many different tribes, needed a common language to communicate. This mixture of English and the various African languages was the foundation of Black English.

During the long trip to the New World, the slaves spoke this "new" language. They built new friendships through this common bond. More important still, they kept some of their African traditions and customs alive in this "new" language. Some of the slaves went to the West Indies. Today Caribbean English has its own grammar, vocabulary, and pronunciation. Despite the common origins, there are differences between the English of a Caribbean Black and an American Black.

48 According to this passage, why did people start using "black" to replace Negro?

- (A) Because "black" was a relatively popular word.  
(B) Because people wanted to remember the history of slavery.  
(C) Because in the 1960s, people wanted to use a word that could show respect to the black people.  
(D) Because the word "Negro" reminded people of the Civil Rights Movement.

49 According to this passage, which of the following is NOT true about the origins of Black English?

- (A) The slaves, who came from different tribes, couldn't communicate with each other without a common language.  
(B) The slave traders were not familiar with the various African languages, so they invented a whole new language.  
(C) The birth of Black English has much to do with the slave trade in West Africa.  
(D) Black English came from the mixture of English and African languages.

50 According to the passage, which of the following statements is true?

- (A) The origins of Black English can be traced back to West Africa.  
(B) With a "new" language, the slaves couldn't keep their old traditions and customs alive.  
(C) Black people in different parts of the world speak the same language.  
(D) Black English is derived from the one used in the West Indies.