

代號：90220
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頁次：4-1

108年公務人員特種考試關務人員、身心障礙人員考試及
108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、依司法院釋字第585號解釋之意旨，立法院得行使調查權，請依法權及監察權之本質，以及大法官相關解釋之意旨，回答下列問題：
（每小題15分，共30分）

(一)立法院得行使調查權之憲法依據及主要限制何在？

(二)立法院及監察院兩院行使調查權之範圍及對象有何不同？

二、A 為經營電子遊樂場之業者，因放置賭博性電玩，遭 B 縣縣政府依該縣所制定之「B 縣電子遊樂場管理自治條例」勒令停業，請問 A 不服 B 縣縣政府之處分，而提起行政爭訟時，行政法院之法官若認為「B 縣電子遊樂場管理自治條例」有關勒令停業之規定，已違反比例原則，其可否拒絕適用？請依大法官相關解釋意旨論述之。（20 分）

乙、測驗題部分：（50 分）

代號：2902

(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。

- The six-story structure designed to replicate a residential building is the tallest building of its kind to ever ____ major earthquakes.
(A) recognize (B) undergo (C) request (D) unfold
- Earthquakes with _____ greater than 6 on the Richter scale will do great damages and may claim many lives.
(A) migration (B) magnitude (C) forecast (D) definition
- America's well-deserved reputation as a global leader in technology innovation is ____ from its tradition of welcoming people from other countries.
(A) indigestive (B) inseparable (C) irrelevant (D) irrespective
- Often war causes more problems than it solves. Frequently it leaves a _____ of hate, starvation and homelessness among the refugees it creates.
(A) legacy (B) legitimacy (C) inheritance (D) heritage

請依下文回答第 5 題至第 9 題

Hackers around the world are getting better at stealing passwords. A hacker is a person who uses a computer to gain information without permission. Now, some computer scientists are trying to stop hackers 5 passwords.

The U.S. Military's Defense Advanced Research Projects Agency, DARPA, is responsible for the creation of the Internet. The agency is supporting research projects that will 6 passwords a thing of the past. One project is called Active Authentication. Scientists working on the project want to use a person's individual qualities to protect electronic devices like wireless phones against hackers. 7, the movement of a person's hands when they use a wireless phone can be read by sensors. The phone can remember those signs and observe them. The phone locks when someone 8 the owner tries to use it.

Other teams of scientists are trying to teach computers and smart phone show to recognize a person's writing style. The devices will know the words a person uses, 9 and the kinds of errors they make. In another project, the owner of a device says a phrase instead of typing a password. Sensors identify the sound and way that a user says words.

DARPA says the projects have had very good results. Some of the largest computer and smart phone manufacturers have expressed interest in using them in new devices.

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| 5 | (A) by used not | (B) by not using | (C) by not used | (D) by using not |
| 6 | (A) offer | (B) do | (C) take | (D) make |
| 7 | (A) For example | (B) By all means | (C) Let alone | (D) As soon as |
| 8 | (A) as well as | (B) other than | (C) away from | (D) such as |
| 9 | (A) do they make sentences | (B) what they make sentences | (C) how do they make sentences | (D) how they make sentences |

請依下文回答第 10 題至第 14 題

Stonehenge is a mysterious collection of large stones located in the south of England. Experts have many different theories about 10. However, since nobody really knows for sure, it has remained a mystery throughout the ages. The stones themselves are very large. Some are up to five meters tall and weigh 25 tons. They are arranged quite close together in a circular pattern. One of Stonehenge's biggest mysteries is how people without modern machinery moved those stones.

Since Stonehenge is a prehistoric structure that is close to 5,000 years old, there are no records to tell us about it. Over the centuries, many people have speculated about 11. One theory for its purpose says that 12. Ancient scientists may have used it to study events concerning the sun and the stars. There are many people who feel that this idea is most likely. Another theory states that Stonehenge was a religious site where special ceremonies were conducted. Much debate has occurred regarding these and other theories, but the fact is that we may never know the true story.

These days, Stonehenge is one of the most famous tourist sites in all of Great Britain. 13, it attracts thousands of visitors from all over the world each year. In England, it is recognized as a national treasure and even has special status and protection from the United Nations.

14 with other sites around the world, including the pyramids of Egypt and the Great Wall of China. So, if you are planning a trip to the UK, be sure you do not miss out on one of the planet's greatest wonders and mysteries.

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| 10 | (A) how and why Stonehenge came to be | (B) where Stonehenge should be found |
| | (C) how many tourists visit Stonehenge | (D) whether Stonehenge exists |
| 11 | (A) how large the structure of Stonehenge could be | |
| | (B) what the purpose of Stonehenge might have been | |
| | (C) why many wonders in the world remain undiscovered | |
| | (D) why it has become an international tourist site | |

- 12 (A) Stonehenge was assembled by American scientists
(B) Stonehenge was mainly built for economical reasons
(C) Stonehenge was set up without high technology
(D) Stonehenge was some kind of astronomical device
- 13 (A) Due to the huge expense of its renovation
(B) Due to its close relation with Egyptian pyramids
(C) Because of its distance from the Chinese Great Wall
(D) Because of its age and the mystery surrounding it
- 14 (A) It is always recommended as a spa resort
(B) It is ranked in cultural and historical significance
(C) It is valued for political study
(D) It is marked as the best place for a culinary trip

請依下文回答第 15 題至第 19 題

Free trade is a free market policy followed by some international markets in which governments do not restrict imports from, or exports to, other countries. Trade treaties increase freedom to trade and do not result in loss of sovereignty. However, most governments still impose some protectionist policies that are intended to support local employment, such as applying tariffs to imports or subsidies to exports. Governments may also restrict exports of natural resources. Other trade barriers include import quotas, taxes, and non-tariff barriers, such as regulatory legislation.

Take the United States as an example. There is a growing rhetoric about imposing tariffs and limiting freedom to trade internationally. It reflects a resurgence of old arguments that stay alive in large part because the benefits of free international trade are often diffuse and hard to see, while the benefits of shielding specific groups from foreign competition are often immediate and visible. This illusion fuels the common perception that free trade is **detrimental** to the U.S. economy. It also tips the scales in favor of special interests seeking protection from foreign competition, which results in thousands of tariffs, quotas, and other barriers imposed to trade.

However, restrictions on foreign trade all too often harm the very people they aim to protect, i.e., American consumers and producers. Trade restrictions limit the choices of what Americans can buy; they also drive up the prices of everything from clothing and groceries to the materials manufacturers use to make everyday products. Lower-income Americans generally bear a disproportionate share of these costs. Not only do they spend more of their income on consumption goods, many of the goods they consume are subject to higher tariffs than more expensive goods of the same type.

There is a broad consensus among economists that protectionism has a negative effect on economic growth and economic welfare, while free trade and the reduction of trade barriers to trade has a positive effect on economic growth. However, they also point out that liberalization of trade can cause significant and unequally distributed losses and the economic dislocation of workers in import-competing sectors.

- 15 Which of the following is the best title for this passage?
(A) Free Trade: Better Safe than Sorry (B) Free Trade: Addressing Key Myths
(C) Free Trade: Taking U.S. As an Example (D) Free Trade: Two Sides of the Same Coin
- 16 What is the third paragraph mainly about?
(A) Consequences of trade restrictions in the U.S.
(B) Protection of American consumers and producers.
(C) Increasing prices of everyday products in the U.S.
(D) Limited purchase choices of American consumers.
- 17 According to the passage, which of the following statements is **TRUE**?
(A) The benefits of free international trade are often immediate and visible.
(B) Lower-income people suffer more from tariffs than higher-income people.
(C) Governments may stop imposing trade barriers to limit exports of natural resources.
(D) A nation's signing of free trade agreement may result in loss of its sovereignty.
- 18 What does **detrimental** mean in this article?
(A) Critical. (B) Harmful. (C) Manageable. (D) Temporary.

19 Which of the following best describes the author's attitude toward free trade?

- (A) Cynical and distrustful. (B) Objective and analytical.
(C) Confident and committing. (D) Optimistic and encouraging.

請依下文回答第 20 題至第 25 題

A thin magnetic stripe is all that stands between Americans' credit-card information and **the bad guys**. And they've been working hard to break in. Banks, law enforcement and technology companies are all trying to thwart a network of hackers who are swiping account numbers, names and other crucial data used in identity theft. More than 100 million accounts at Target, Neiman Marcus and Michaels stores were all affected in recent attacks, starting November 2013.

Cards are increasingly vulnerable to attacks in store transactions. Hackers scoop up massive troves of credit-, debit- or prepaid-card numbers using malware inserted surreptitiously into the retailers' checkout systems. Hackers then sold the data to a second group of criminals operating in shadowy corners of the web. Not long after, the stolen data was showing up on counterfeit cards and being used for online purchases.

The solution could cost as little as \$2 extra for every piece of **plastic** issued. The fix is a security technology used heavily outside the U.S. While American credit cards use the 40-year-old magstripe technology to process transactions, much of the rest of the world uses smarter cards with the EMV (short for Europay, MasterCard, Visa), a technology that employs a chip embedded in the card plus a customer PIN to authenticate every transaction on the spot. If a purchaser fails to punch in the correct PIN at the checkout, the transaction gets rejected.

The cost of a magstripe card is in the dollar range. A chip-and-PIN card currently costs close to \$3. Multiple \$3 by 5 billion cards in circulation in the U.S. Then consider that there's an estimated \$12.4 billion in card fraud on a global basis. With 44% of that in the U.S., American credit-card fraud amounts to \$5.5 billion annually. Card issuers find that absorbing the liability for even big hacks like the Target one is still cheaper than replacing all that plastic.

That leaves American retailers pretty much alone the world over in relying on magstripe technology, and leaves consumers vulnerable. Ironically enough, the historical reason the U.S. has stuck with magstripe is the once superior technology. The nation's cheap, ultra-reliable wired networks made credit-card authentication over the phone frictionless. In France, card companies created EMV partly because the telephone monopoly was so maddeningly inefficient and expensive. The workaround allowed transactions to be verified locally and securely.

20 Who are **the bad guys** mentioned in Paragraph 1?

- (A) Bank robbers (B) Burglars who break into houses
(C) Account hackers (D) Pickpockets who stole credit cards

21 Which of the following may the word **plastic** in Paragraph 3 refer to?

- (A) A credit card (B) An ID card (C) A membership card (D) A report card

22 According to this passage, what is the major reason why hackers steal people's credit card data?

- (A) To sell them for money (B) To make counterfeit cards themselves
(C) To use them as a trophy and show off (D) To use the cards for online shopping themselves

23 Which of the following is true about EMV cards, compared with the traditional ones?

- (A) They cost less (B) They have a long history
(C) They are easy to break in (D) They are more widely used

24 Why haven't big banks in the U.S. adopted the more secure technology?

- (A) The cost for new cards is higher than the liability old cards may cause.
(B) Credit-card frauds in the U.S. are pretty low, causing little liability.
(C) The new technology is far from perfect, and may cause many problems.
(D) Big hacks like the Target one are very rare.

25 Why did France give up on magstripe technology for credit card authentication?

- (A) The telephone network did not cover most of France.
(B) The EMV technology at that time was more advanced.
(C) The phone call for credit card authentication was inefficient and costly.
(D) As a tradition, France wanted a system different from that in the U.S.