

考試別：離島地區公務人員考試
等 別：三等考試
類 科：各類科（除公職社會工作師外）
科 目：基礎能力測驗（作文、英文閱讀與法學知識）
考試時間：2小時

座號：_____

※注意：(一)禁止使用電子計算器。

(二)本科目試題包括作文及測驗兩部分，請妥適分配各題作答時間。

甲、作文部分：（40分）

(一)作答時請將試題題號及答案依照順序寫在申論試卷上，並以藍、黑色鋼筆或原子筆由左至右橫式作答，於本試題上作答者，不予計分。

(二)不得於試卷上書寫姓名或座號。

白話詩人王梵志說：「他人騎大馬，我獨跨驢子。回顧擔柴漢，心下較些子。」看見別人騎乘大馬，偏偏自己只跨著毛驢！回頭看見挑柴的漢子連坐騎都沒有，心中頓時好受多了。這種「比上不足，比下有餘」的心態，影響深遠，它讓我們能夠安處現狀，知足常樂；然而這是否仍活在一種攀比？長此以往，人生會不會變成不思進取，得過且過？或者對命運只能逆來順受？如果是你，你認同怎樣的態度面對人生？請以「別人騎馬我騎驢」為題，結合經驗見聞，闡述個人所思所感。

乙、測驗題部分：（60分）

代號：1501

(一)本試題為單一選擇題，請選出一個正確或最適當答案。

(二)共30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 None of the high-school students who _____ the exam bothered to bring their grade reports home.
(A) framed (B) flunked (C) flew (D) flowed
- 2 Ignoring maintenance issues can be _____ to the longevity of your car.
(A) detrimental (B) appropriate (C) complaisant (D) hibernating
- 3 In many modern cars, most of the mechanical parts are _____ and can only be dismantled by a qualified mechanic.
(A) sealed (B) numbed (C) resigned (D) gulled
- 4 In my freshman year, I took a world history class and since then, my love for history grew _____.
(A) experimentally (B) expeditiously (C) expensively (D) exponentially
- 5 The _____ that the teacher asked his students to role-play for their conversation practice is to act as a boss and an employee.
(A) savage (B) sanctuary (C) scenario (D) scenery
- 6 Samuel felt furious when he was _____ by his colleagues with their words of contempt.
(A) tanned (B) testified (C) thrived (D) taunted
- 7 This plan is only _____ because many details are not finalized yet.
(A) colloquial (B) glamorous (C) marginal (D) tentative
- 8 The company decided to _____ its most experienced staff during the restructuring process to ensure continuity and expertise.
(A) retire (B) retain (C) refund (D) reflect

- 9 When staying up studying hard for the exam, she could not help but doze off after her energy had been _____.
- (A) relieved (B) exposed (C) released (D) exhausted
- 10 After the heavy rain, the once-clear hiking trail became a _____ mess, making it difficult to walk without slipping.
- (A) muddy (B) crystal (C) defensive (D) suggestive

請依下文回答第 11 題至第 15 題：

Drug abuse has been a serious problem in many developed countries. It exacts a heavy toll on individuals, families, and societies, and thus leads to many detrimental 11. Physically, the misuse of drugs and alcohol can cause a range of health issues, including organ damage and increased vulnerability to infectious diseases. Moreover, substance abuse often precipitates mental health disorders such as 12 and anxiety. It may thus 13 existing psychological concerns and diminish overall well-being. Socially, addiction can strain relationships, erode trust, and 14 individuals from their support networks. Additionally, drug misuse frequently leads to their difficulties in maintaining everyday lives, as individuals may prioritize obtaining drugs or alcohol over meeting 15 needs such as food, water, and clothes. Ultimately, the outcomes of drug abuse extend beyond the individual and affect communities and societies at large; this highlights the urgent need for prevention, intervention, and support services.

- 11 (A) sequences (B) revolutions (C) resolutions (D) consequences
- 12 (A) reference (B) depression (C) joyfulness (D) contentment
- 13 (A) worsen (B) enclose (C) conclude (D) accomplish
- 14 (A) endure (B) ensure (C) isolate (D) impose
- 15 (A) reluctant (B) fundamental (C) magnificent (D) outstanding

請依下文回答第 16 題至第 20 題：

Environmental Art is a very broad term. It embraces a variety of practices and movements such as, and not limited to, land art, earth art, sustainable art, and conceptual art. As a movement, environmental art emerged in the 1960s. The leading artists associated with this type of art included Jean-Max Albert, Piotr Kowalski, Nils Udo and Robert Smithson.

Although we associate environmentalism as a recent phenomenon, it is not a new concept. Early interest in the environment was a feature of the romantic movement in the early 19th century. The poet William Wordsworth had traveled extensively in the Lake District and wrote that it is a “sort of national property in which every man has a right and interest who has an eye to perceive and a heart to enjoy.” The origins of this movement can be traced to the industrial revolution when there was an outpouring of response to increasing levels of smoke pollution in the atmosphere.

Even before that time, we could argue that environmental art began with the **paleolithic** cave paintings of our ancestors. The cave paintings represented aspects of nature important to early humans such as animals and human figures.

Although currently there is no strict definition of environmental art, it spans scientific, social, and political areas and primarily addresses environmental issues. The movement also encompasses other topics of concern such as climate change and the climate movement. The impact of environmental art spans the globe and is represented by a range of organizations from regional grassroots groups to large entities with many different expressions that vary from country to country.

Many of the artists who identify with the environmental movement have explored the relationship between mankind and the natural environment. These artists are often concerned about ecology, health, and human rights issues and dedicate their art to these subjects.

The creators of environmental art help us understand nature, the eco-systems, the environmental forces and materials to be aware of, and the damaged environmental areas of concern. Needless to say, artists who are dedicated to pursuing the many areas of environmental art play an important role in the art world as well as our society. They raise awareness about the multi-faceted and serious environmental problems facing our planet.

- 16 Which of the following can best serve as the title of this passage?
(A) What is Environmental Art? (B) The Future of Environmental Art.
(C) Environmental Art and Climate Changes. (D) Between Environmental Art and Science.
- 17 According to the passage, which of the following shows the first interest in the environment?
(A) Capitalism. (B) Liberalism.
(C) Realism. (D) Romanticism.
- 18 Which of the following has the closest meaning to the word “paleolithic” in the passage?
(A) Artificial. (B) Contemporary.
(C) Prehistorical. (D) Futuristic.
- 19 According to the passage, which of the following is true?
(A) Only few countries have developed environmental art.
(B) Environmental art has global influences on different areas.
(C) Environmental art mainly focuses on representing pure nature.
(D) Environmental paintings are only related to animals and human figures.
- 20 According to the passage, which of the following is NOT mentioned about the environmental artists' concerns?
(A) Pursuing many areas of environmental art in the art world.
(B) Pursuing individual reputation in the area of environmental arts.
(C) Understanding the eco-systems and the environmental forces.
(D) Raising attention to different types of environmental problems.
- 21 依司法院釋字第 786 號解釋之見解，違反公職人員利益衝突迴避法規定，一律處以新臺幣 1 百萬元以上之罰鍰，違反何種憲法基本原則？
(A)比例原則 (B)平等原則
(C)法律保留原則 (D)信賴保護原則
- 22 下列有關民法上終止權之敘述，何者錯誤？
(A)租賃物為房屋者，承租人未經出租人之承諾，而將其全部轉租於他人，出租人得終止契約
(B)承攬人於工作未完成前，得隨時終止承攬契約
(C)委任契約當事人之任何一方，得隨時終止委任契約
(D)僱傭契約當事人之任何一方，遇有重大事由時，縱僱傭契約定有期限，仍得於期限屆滿前終止之
- 23 某鄉長年苦於逢雨必淹，鄉長張三明知沒有徵收治水捐的權限，仍予以徵收，作為當地治水之用。下列敘述何者正確？
(註：刑法第 129 條第 1 項規定：「公務員對於租稅或其他入款，明知不應徵收而徵收者，處一年以上七年以下有期徒刑，得併科二十一萬元以下罰金。」)
(A)張三的行為不構成刑法第 129 條第 1 項的違法徵收罪，因其所收款項，係作為當地治水之用
(B)張三的行為不構成刑法第 129 條第 1 項的違法徵收罪，因其所徵收者，並非租稅
(C)張三的行為構成刑法第 129 條第 1 項的違法徵收罪，因其明知沒有徵收治水捐的權限而徵收
(D)張三的行為構成刑法第 129 條第 1 項的違法徵收罪，因其係有徵收租稅職權之公務員

- 24 甲奉命緝捕盜匪，正向被人誣指為匪之乙盤問，因見其伸手撈衣，疑為取槍抗拒，遂開槍將其擊斃。下列敘述何者錯誤？
- (A)甲之行為不符合正當防衛要件 (B)甲之行為不得阻卻違法
(C)上開情形不存在現在不法之侵害 (D)上開情形不屬於容許構成要件錯誤
- 25 關於刑法第 24 條之規定，下列敘述何者錯誤？
- (A)緊急避難須考量侵害與救助利益的衡平性
(B)避難過當者不得依刑法第 24 條減免罪責
(C)於公務上有特別義務者，不得為避免自己危難主張緊急避難
(D)緊急避難阻卻行為之違法性
- 26 有關性別平等工作法產假之規定，下列敘述何者錯誤？
- (A)女性受僱者分娩前後，雇主應使其停止工作，給予產假 8 星期
(B)女性受僱者妊娠 3 個月以上流產者，雇主應使其停止工作，給予產假 4 星期
(C)女性受僱者妊娠 2 個月以上未滿 3 個月流產者，雇主應使其停止工作，給予產假 1 星期
(D)女性受僱者妊娠未滿 2 個月流產者，沒有產假，可以請病假
- 27 依中央法規標準法，關於法律之廢止，下列敘述何者正確？
- (A)未定施行期限之法律，於宣告廢止之日，立刻失效
(B)行政命令之廢止，統一由行政院公告
(C)定有施行期限之法律，期滿當然廢止，主管機關不需再為公告
(D)未定任何施行期限之法律廢止時，自公布廢止之日起算，算至第 3 日起失效
- 28 下列法系中，何者特重「禮教」？
- (A)大陸法系 (B)英美法系 (C)中華法系 (D)印度法系
- 29 甲有一塊市價新臺幣（以下同）5 萬元的原木 A 交由乙保管，乙誤將 A 雕刻成藝術品 B 人像，具有 60 萬元之價值。下列敘述何者正確？
- (A)甲仍保有 B 之所有權
(B)乙取得 B 之所有權
(C)甲、乙共有 B 之所有權
(D)甲不得依不當得利之規定，請求乙償還價額
- 30 關於著作財產權存續期間之計算，下列敘述何者正確？
- (A)著作財產權，除著作權法另有規定，存續於著作人之生存期間及其死亡後 70 年
(B)著作於著作人死亡後 50 至 60 年首次公開發表者，著作財產權之期間，自公開發表時起存續 10 年
(C)攝影、視聽、錄音、及表演之著作財產權存續至著作公開發表後 70 年
(D)別名著作或不具名著作之著作財產權，存續至著作公開發表後 50 年